

# *Trends in America*

Navigating turbulence to success



*The premier organization in forecasting  
policy trends for state leaders*

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— *A message from CSG's Executive Director* —

Dear Members:

At the June 2005 CSG Spring Meeting in Lake Tahoe, we unveiled a new component of our trends forecasting mission with the release of *Trends in America: Charting the Course Ahead*, which highlighted the major forces shaping our society, our political climate and our world, along with their implications for state government. This publication, *Trends in America: Navigating Turbulence to Success*, takes the analysis one step further by exploring options states have considered and providing examples of state responses to these trends. *Navigating Turbulence to Success* is designed to identify steps state leaders can take to respond to changes that are already occurring while anticipating those yet to come.

The programs and policies highlighted in this publication are examples of how states are responding to emerging trends. They are solely illustrative, and CSG does not endorse any particular program or policy. These examples, however, will give leaders an idea of different ways to address the implications of trends that affect their states.

Our mission at The Council of State Governments is to help state policy-makers navigate the turbulent waters of governing in the 21st century. This task includes not only identifying the major trends and potential responses to them, but also addressing the institutional and governance issues that affect a state's ability to respond. For decades, CSG has served state decision-makers with policy analysis and attention to leadership within state government institutions. This publication continues that tradition, and we hope it will serve as the basis for further discussions about the possibilities and perils of state governance in the 21st century.



Daniel M. Sprague  
Executive Director

# Welcome to the 21st Century —Be Ready for Change

Our world is turbulent and complex, dynamic and interconnected. Our economy, many of our social structures and the way we communicate have undergone tremendous transformations in recent decades, and they're likely to change even more rapidly in the near future.

At The Council of State Governments, we know that state officials care about broadening their vision and increasing their awareness of trends that will shape the future. We know they seek to stay ahead of the curve in terms of new programs and policies to improve the everyday lives of their constituents.

The Council of State Governments has identified 10 major change drivers that cut across policy areas. These change drivers are already affecting states and will continue to do so for years to come.

Because CSG believes it is important for state leaders to understand the opportunities and challenges that lie ahead, we examined these change drivers and their implications in detail in our June 2005 publication *Trends in America: Charting the Course Ahead*. However, states also need to know how they can respond to these change drivers, which is the focus of this report. For each change driver, we focus on two of the most important implications and present ideas on how to address them.

# — Trends at a Glance —



## *Change Driver #1*

### **Silver Society: Aging of America**

Two simple facts are helping shape America's demography: people are living longer and having fewer children. The outcome of these two trends is that the percentage of older people in the United States is increasing.



## *Change Driver #2*

### **Immigrant Nation: Changing Face of America**

Immigration patterns are changing. The majority of immigrants now come from Latin America and Asia, not Europe, as was the case for several generations. In addition, many of these newcomers are dispersing to places where immigrants have not traditionally lived.



## *Change Driver #3*

### **Growth Dynamics: Regional Hot Spots**

Interstate migration patterns are resulting in a shift of population to the West and South. At the same time, intrastate growth continues to concentrate in and around suburbia. And now people are moving beyond the traditional boundaries of suburbia into exurbia.

# — Trends at a Glance —

## Change Driver #4

### **Economic Transformation: Knowledge Is King**

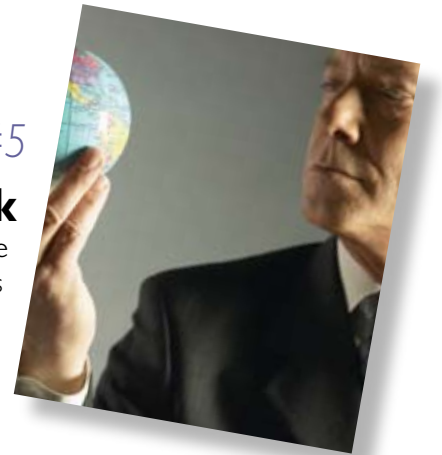
The new economy has given rise to new industries, such as those based on biotechnology. It is a service-based economy focused on ideas and knowledge, and it involves a different skill set than the previous manufacturing-based economy.



## Change Driver #5

### **Globalization Era: New Forces at Work**

Globalization refers to the growing economic, social and political interdependence among countries. This process is driven by trade and investment and is accelerated by information technology.



## Change Driver #6

### **Information Revolution: Sorting it Out**

The Internet has revolutionized access to information. Because of this increased access, people are becoming more demanding of both business and government. The information revolution has brought with it an increased emphasis on communication.



# — Trends at a Glance —



## Change Driver #7

### **Privacy vs. Security: A Balancing Act**

New technologies present amazing opportunities for businesses and governments to increase their efficiency and offer new products and services. But they also have the potential to dramatically erode personal privacy.



## Change Driver #8

### **Resource Management: Sustaining Our Future**

Americans use large amounts of energy, electronic devices, food, paper and natural resources. This high level of consumption generates large volumes of waste, along with calls to manage resources more effectively.



## Change Driver #9

### **Polarized Populace: Eroding Common Ground**

The nation's political environment has become increasingly polarized. In recent years, there has also been an increasing focus on election reform.



## Change Driver #10

### **Ambiguous Authority: Who's in Charge?**

The number of issues public officials address has soared, and the nature of these issues is changing. In the midst of this complexity, the balance of power in the American federal system is shifting.

## Silver Society: Aging of America

In the United States and in developed countries around the world, the population is aging. People are living longer, and older Americans account for a larger portion of the population than in the past. Experts expect these trends to accelerate in the coming decades, as the 76 million baby boomers move into their “golden years.” The aging of the population is likely to gradually transform our society and institutions in many ways, presenting opportunities and challenges. Two areas in which the age wave is already affecting state governments are rising health care costs and the need to ensure adequate caregiving systems for seniors.

### State Efforts to Contain Health Care Costs

States are using a variety of approaches to control the health care costs associated with caring for the elderly. To limit future Medicaid payments for long-term care services, some states have offered incentives for individuals to purchase long-term care insurance, while others are seeking ways for patients to use more of their personal assets to pay for nursing home care before becoming eligible for Medicaid. Other strategies include disease and injury prevention efforts, greater efficiencies in providing care, and restructuring state agencies that support seniors so they encourage independence and provide alternatives to nursing home care when appropriate.

### Preventing Disease and Injury

Strategies to avert illness in the elderly are aimed at preventing or delaying chronic diseases and their complications, injuries and vaccine-preventable infectious diseases.<sup>1</sup> State efforts to promote healthy lifestyles and avoid chronic diseases focus on improving nutrition, reducing smoking and increasing physical activity. New York’s Supplemental Nutrition Assistance Program, for example, provides home-delivered meals, congregate meals, and nutritional counseling and education for the frail elderly at nutritional risk.<sup>2</sup> West Virginia’s Wheeling Walks program used a powerful eight-week media campaign to encourage seniors to walk, starting with 10-minute increments. Thirty percent of participants surveyed after the program were regular walkers, compared with 16 percent in a comparison community. The program’s success was attributed to the intensity of the media campaign, supported by workplace events and physicians who wrote prescriptions for walking.<sup>3</sup>

Some educational efforts seek to reduce seniors’ susceptibility to traffic accidents. The GrandDriver campaign is a social marketing campaign aimed at elderly drivers and their adult family members in Virginia, Maryland and the District of Columbia. Its goal is to make families aware of the signs of impaired driving and help the elderly make plans to stop driving. The initiative also encourages larger traffic lights, more



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prominent signs for intersections, more clearly marked street names, and automobile industry incentives to assess the impact of new technologies on older drivers.<sup>4</sup>

### **Managing Use of Health Care Treatments and Medications**

Another strategy to control health care costs is to integrate the appropriate use of medical technologies and treatments, in-home supports for patients and prescription medications. To reduce the cost of care for Medicaid patients with chronic conditions such as asthma, diabetes and hypertension, states have implemented disease management programs, which combine proven, cost-effective medical treatments with complete patient education. Georgia, for example, assigned case managers to frail and disabled Medicaid beneficiaries. The coordination of care decreased the need for nursing home and hospital care, and reduced overall per capita program costs.<sup>5</sup> Other programs focus on educating patients with chronic diseases to manage their conditions and avoid complications. Washington state, for instance, started a telephone outreach service on self-management for Medicaid clients with asthma, diabetes, heart failure and chronic kidney disease. This led to estimated savings of \$2 million by reducing emergency room visits and hospital admissions.<sup>6</sup>

Appropriately prescribed and administered medications are often a cost-effective way to help individuals with chronic conditions stay healthy and control the complications of their diseases.<sup>7</sup> Several states have addressed the affordability of prescription drugs.<sup>8</sup> New York recently expanded the Elderly Pharmaceutical Insurance Coverage program by increasing income eligibility levels and reducing enrollment fees.<sup>9</sup> Illinois, New Hampshire, Minnesota and Wisconsin are among the states that use the I-SaveRX program. Individuals use the state-sponsored system to directly purchase renewal prescriptions from pharmacies in Canada, England, Scotland and Ireland, where prices are

20 percent to 25 percent lower than in the United States.<sup>10</sup> Arizona's free CoppeRx Card provides seniors discounts at 500 pharmacies on some prescription drugs. And North Carolina integrated its Senior Care prescription assistance program with the new Medicare Prescription Drug discount cards, which enables seniors to take advantage of both programs at their pharmacies.<sup>11</sup>

### **Integrating Support Programs for Efficiency**

To enable older adults and their caregivers to seamlessly use lower cost community- and home-based services as an alternative to more costly nursing homes and assisted living, states have integrated the state agencies and programs that support these services. Oregon and Washington have completely integrated state aging and long-term care Medicaid services. In Wisconsin, an example of the approach many states have taken, state agencies have not been fully integrated, but the Family Care Program's resource centers provide single entry points for all types of long-term care services available to the elderly. These integrated systems allow consumers to choose less costly non-institutional sources for their care. Thus state resources are used in the most efficient manner. Services are coordinated through care management organizations that are paid for all services rendered to the elderly, including nursing home care, and are held accountable for patient results.

### **State Approaches to Caregiving**

Closely associated with efforts to contain health care costs is the challenge of providing appropriate care for the elderly. State approaches range from efforts to support informal care provided by family and friends to initiatives centered on more formal systems of care. Although they take various forms, these initiatives generally share the recognition that helping seniors stay in their homes and communities as long as possible will save money and help them maintain their quality of life.

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## **Statewide Initiatives**

New York's Project 2015 is a government-wide initiative to address the aging and increasing diversity of the state's population. Begun in 1998, the effort is led by the state Office for the Aging. Thirty-six agencies have reviewed their policies, programs and structures in light of demographic changes and have identified top priorities that should be addressed within the next 10 years.

Similarly, Minnesota's Project 2030 involved an intensive planning process in 1997 and 1998 to analyze the aging population's impact on communities and state and local government.

Project 2015: <http://aging.state.ny.us/explore/project2015/>

Project 2030: [http://www.dhs.state.mn.us/main/groups/aging/documents/pub/dhs\\_id\\_005711.hcsp](http://www.dhs.state.mn.us/main/groups/aging/documents/pub/dhs_id_005711.hcsp)



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## Vermont's Commission on Healthy Aging

In March 2005, Gov. Jim Douglas signed an executive order creating the Commission on Healthy Aging. Composed of public and private experts from a variety of fields, the commission is working to ensure focus and coordination as Vermont strives to make healthy aging the rule, rather than the exception.

The initiative has two goals: containing health care costs and keeping seniors healthy, active and productive in their communities.

See <http://www.vermont.gov/tools/whatsnew2/index.php?topic=GovPressReleases&id=1529&v=Article> for more information.

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### Supporting Families and Communities

One approach is to establish a physical and social environment that supports healthy aging in place and delays the need for caregiving as long as possible. Such an environment includes accessible, affordable housing linked with needed support services, transportation systems that keep older adults mobile once they stop driving, effective wellness and nutrition programs, and responsive mental health services.<sup>12</sup> Florida's Communities for a Lifetime is a statewide initiative to help communities create a better place for older adults to live, while benefiting all residents. Participating communities use their existing resources and technical assistance from the state to improve housing, health care, transportation, community education, and volunteer opportunities.<sup>13</sup>

Other state programs help support individuals who care for aging family members. California's Caregiver Resource Centers, for example, help families care for members with adult-onset brain impairments, including Alzheimer's and stroke. Available services include information and referral, family consultation and care planning, respite care, counseling, support groups, education, and legal and financial consultation.<sup>14</sup> Pennsylvania's Family Caregiver Support program provides needs assessments, education, counseling, up to \$200 a month to help pay for out-of-pocket expenses, and one-time grants of up to \$2,000 for income-eligible families.<sup>15</sup>

States are also allowing consumers and caregivers more control in selecting the service options that work best for them under state-supported programs. For example, the Illinois Local Area Agencies on Aging provide vouchers to family caregivers for goods and services they need to continue providing personal care to their family member. The average value of the vouchers is \$1,000 per year, which can be used for items ranging from respite care and home modifications to haircuts and lawn care.<sup>16</sup>

### Encouraging Home- and Community-Based Care

In addition to supporting the informal care provided by family members and friends, states have also tested policy options related to formal systems of care, such as compensating family members who care for elderly relatives in their homes;<sup>17</sup> enhancing benefits

for home-care workers by helping them obtain health insurance or increasing wages;<sup>18</sup> and offering home- and community-based care models, including adult day care.<sup>19</sup> For instance, New York, through its Community Services for the Elderly (CSE), provides a flexible, locally directed funding stream for community-based, supportive services for frail, low-income elderly who need assistance to maintain their independence at home. CSE supports adult day care, shopping assistance, counseling, transportation, protective or other services to maximize an elderly person's independence in the home and community.

Several states have focused on comprehensive systems of home- and community-based care. For example, Illinois' Older Adult Services Act of 2004 promotes transforming the state's comprehensive system of seniors' services from a primarily facility-based system to a primarily home- and community-based system, taking into account the continuing need for 24-hour skilled nursing care and group housing with services. The restructuring will encompass the provision of housing, health, financial and supportive services. It will include all aspects of the delivery system regardless of the setting in which the service is provided.<sup>20</sup>

In 2000, Connecticut launched its Home Care and Assisted Living Alternatives to Nursing Home Care Initiative, building on home- and community-based service options the state began in 1996. The program is designed to allow seniors in need of long-term supportive care to remain in the community and avoid or delay nursing home care. It also sponsors a variety of pilot projects where additional support is provided to enable the elderly to remain independent whether supported by state and HUD-funded independent living housing, private-payment for assisted living, or an expansion of income eligibility criteria for Connecticut's home care program.<sup>21</sup> Similarly, Florida's Nursing Home Diversion Program, established through a Medicaid waiver, has been placing patients in less intensive levels of care since 1999.<sup>22</sup> And New York provides non-medical in-home services, case management, non-institutional respite and ancillary services to functionally impaired elderly who are in need of community-based long-term care but who are not eligible for similar services under Medicaid.<sup>23</sup>

## Immigrant Nation: Changing Face of America

The number of immigrants is at an all-time high. Their percentage of the U.S. population is close to the record high of the early 20th century. Immigrants play important roles in state economies, both in low- and high-skilled positions, and it is expected that they will play an increasingly important role in fueling state economies by filling vacant positions created by retiring baby boomers. However, educating young immigrants and the children of immigrants, if they have poor English-speaking skills, presents many unique challenges to states.

### **State Responses to Integrate Immigrants Into the Labor Force**

While state job training programs can help immigrants improve their language skills and employability, some states have taken a more comprehensive approach to helping immigrants transition into the state's economic, cultural and political climates.

### ***Providing Job Training for Immigrants***

State agencies and nonprofit organizations are collaborating in efforts to prepare adult immigrants for the work force. In Maryland, a partnership between the University of Maryland, Baltimore County, and the state Department of Education has created the Maryland Adult Literacy Resource Center, which is located in the heart of the main university campus. This program is accessible to all residents of the state and includes programs in adult education and literacy, employability skills, family literacy, School-to-Work programs, basic education and English as a Second Language (ESL) services.<sup>24</sup>

Wisconsin has taken a public-private approach to providing job training for immigrants. The state's Bureau of Migrant, Refugee and Labor Services, part of the Department of Workforce Development, is working with faith- and community-based organizations to help serve the state's immigrant population by better integrating these organiza-



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### **New Iowan Centers**

In Iowa, Gov. Tom Vilsack recently announced the creation of four more New Iowan Centers in addition to three the state created in 2000 as pilot projects. The centers focus their efforts in three areas: individuals, employers and community.

On the individual level, centers provide information to aid in job searches, help with resumes and interviews, information on applicable immigration issues and ESL enrollment. For employers, center staff assist with cultural diversity awareness training in the workplace, offer Spanish language training for new employees, and familiarize employees with labor regulations. The centers collaborate with other state agencies to focus on community needs in general, including organizing public meetings on immigration issues and offering housing assistance to people who are new to the state.

See <http://www.iowaworkforce.org/centers/newiowan> for more information.

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tions with the state’s One Stop Job Centers. As part of this program, state Workforce Development Boards contract with organizations that have ties to immigrant populations to provide ESL instruction, vocational training and other services.<sup>25</sup>

#### *Helping Immigrants Integrate into Society*

Some states are taking holistic approaches to integrating immigrants socially and economically. The Illinois Immigrant Policy Project, for example, was formed “to conduct research and analysis around issues concerning immigrants and to develop forward looking policies and programs that will further the full integration of immigrants into the fabric of Illinois society.”<sup>26</sup> In April 2004, Gov. Rod Blagojevich announced the New Americans Initiative, a state program that provides \$3 million for services to help immigrants become active and engaged citizens. The program’s goal is to help 20,000 immigrants per year with the naturalization exam. Services, provided through community-based organizations, include ESL education, English preparation, and citizenship, employment and legal counseling.

North Carolina’s state university system has a unique program that assists state and local leaders in understanding issues concerning Latino and Hispanic immigration. The Latino Initiative of the North Carolina Center for International Understanding was launched in 1998 to bring together multidisciplinary teams including state legislators, mayors, county commissioners, law enforcement officers as well as health, business, church and education leaders. The alumni of Latino Initiative developed an enhanced understanding of the root causes of Latino migration to the United States, a better perception of immigrants’ needs and a shared knowledge of strategies to improve education, health care, employment, public policy and community outreach for the immigrant populations.<sup>27</sup>

#### **State Responses to Educating Immigrants**

Students of all ages who enter school with limited English proficiency (LEP) face challenges to succeed in an educational environment. Many of those challenges stem from a lack of knowledge of the English language, cultural issues surrounding parental involvement and professional development for teachers educating immigrant children. While these challenges exist, the federal No Child Left Behind Act requires schools to assess all students’ performance and show adequate yearly progress among all subgroups, including LEP students.

#### *Educating Limited English Learners*

Newcomer programs are short-term programs specifically designed to address English as a Second Language (ESL) issues, the effects of lim-



**One of the reasons immigrant students have difficulty in school is that their parents may also face language barriers.**

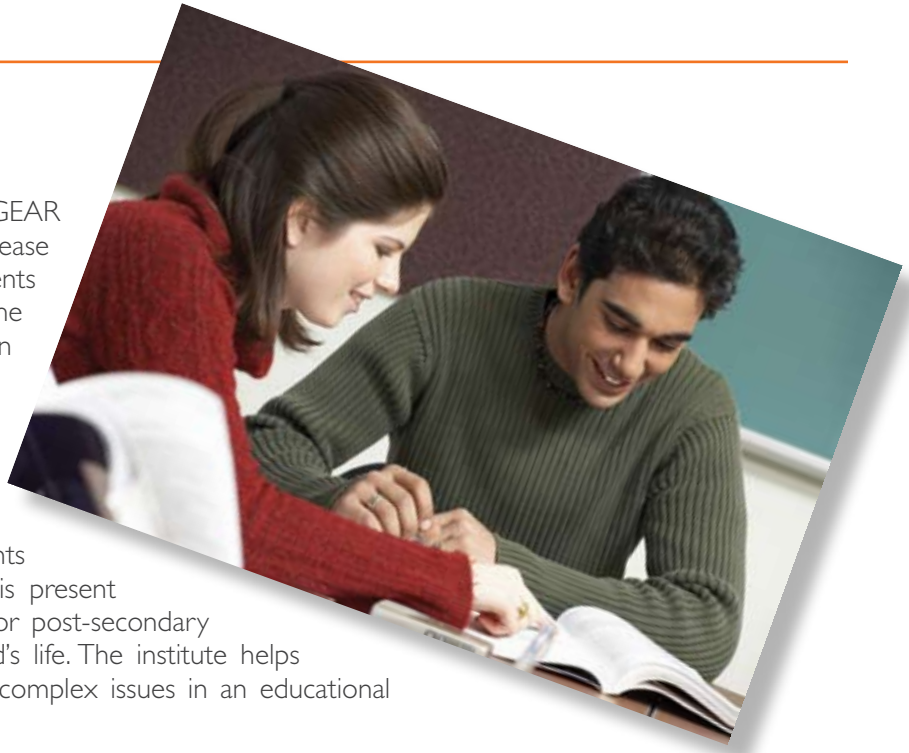
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## California's Parent Institute for Quality Education

California uses some of its federal GEAR UP funding, which is designed to increase the preparedness of low-income students for post-secondary education, to fund the Parent Institute for Quality Education (PIQE). PIQE is a California-based non-profit program whose goal is to motivate low-income immigrant families to become more involved in their children's education.

The objectives are to assist parents so that an educational environment is present in the home and high expectations for post-secondary education are instilled early in a child's life. The institute helps families understand and navigate the complex issues in an educational environment.

See <http://www.piqe.org> for more information.



ited American schooling and low literacy skills. These are typically programs up to 18 months in length so that the transition and acclimation to school are easier. In addition to academic content, most curricula include cultural awareness programs that address the culture and climate of the school and community. Newcomer programs can be found in Florida, Illinois, Virginia, and California.

Another innovative approach is an electronic tool kit for teachers created by the Illinois State Department of Education. This resource kit, produced for K–12 ESL and bilingual education, includes curriculum suggestions, hands-on activities, research-based language acquisition programs, differentiation strategies, and cooperative structures. The department has also created a Knowledge Base database filled with information for educators to comply with policies and procedures of the Office of Civil Rights. Resources found here include samples of successful programs, legal guidance and classroom resources.<sup>28</sup>

### ***Involving Parents in Their Children's Education***

One of the reasons immigrant students have difficulty in school is that their parents may also face language barriers. Many times the parental roles reverse as students acquire the English language before their families and then become the translator at home.

One interesting practice is located at the Utah Center for Families in Education office. This program offers many

components and services to enable parents to be active partners with the public schools in the state. The center's services include advocacy, education and training, communication, information and resources, parent training and literacy education.<sup>29</sup>

### ***Preparing and Training Teachers***

Nationally, only 2.5 percent of all teachers who instruct LEP students hold a degree in ESL or bilingual education while 70 percent of teachers with LEP students in their classroom have never received professional development in teaching these students.<sup>30</sup> States are addressing this concern in a number of ways.

In Texas, educators receive professional development from the Texas Education Agency to address the needs of LEP students. Specific strategies taught to district teams include language acquisition, content specific techniques for using language to teach language arts, mathematics, and social studies, as well as access to Web resources for classroom application.<sup>31</sup>

The California Professional Development Institutes support educators as they help LEP students move from simply acquiring the English language to achieving proficiency in the use of the language as it relates to the content taught.<sup>32</sup> This is a collaborative effort with the University of California Santa Barbara and other state colleges and universities.

## Growth Dynamics: Regional Hot Spots

Population growth in the United States continues to concentrate in and around suburbia. As the inner ring of suburbs around growing cities has expanded, people have chosen to move into the less populated outer rings of metropolitan areas, known as exurbia. One reason people are moving further away from urban cores is because they are searching for affordable housing. As communities spread into exurbia, however, there is a growing need to address the environmental impacts of these moves.

### **State Efforts to Address the Rising Cost of Housing**

While affordable housing programs are often equated with low-income housing, that is not always the case. As the average cost of housing rises, states are also looking at ways to make housing more attainable for moderate income levels. States have several ways of accomplishing this goal, including linking housing programs to growth management programs and alleviating some regulatory obstacles to building affordable housing.

#### *Linking Affordable Housing with Growth Management*

Some states are making affordable housing a component of their growth management efforts. In Massachusetts, for example, the Community Preservation Act provides funds for open space preservation, historic and landscape preservation, affordable housing and acquisition of land for recreational use.<sup>33</sup>

Vermont's Housing and Conservation Board funds affordable housing development in the context of maintaining "for the benefit of future generations the essential characteristics of the Vermont countryside."<sup>34</sup> That is, the board links affordable housing to landscape and natural area conservation and historic preservation.

#### *Reducing Regulatory Barriers to Affordable Housing*

Some states are trying to alleviate the regulatory costs associated with building or refurbishing affordable housing. Minnesota has developed an innovative property tax classification system that encourages home owners to preserve existing housing and create new housing. This legislation enables qualifying property owners to decrease their property tax bills by up to 50 percent.<sup>35</sup> And Florida has created a one-stop permitting system for housing that expedites permits for affordable housing projects.<sup>36</sup>

Several states focus on streamlining the regulatory process governing the rehabilitation of older housing, including Florida, Georgia, Maryland, Michigan and Texas.<sup>37</sup> And some states, including Maine, Maryland, New Jersey, New York and Rhode Island, have recognized the difficulties with updating older buildings to modern standards and have created special rehabilitation codes for these circumstances.<sup>38</sup>



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## California's Preservation Interim Loan Program

California Chapter 721 (2002), which is featured in the 2004 volume of *Suggested State Legislation*, establishes a program and fund to help qualified buyers quickly access financing in order to gain control of at-risk subsidized housing developments before those developments are converted to market rate properties. The idea behind the legislation is to help preserve a viable number of affordable housing units.

See <http://ssl.csg.org/dockets/24cycle/2004vol/2004vol.pdf> for more information.

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While several states have addressed the difficulties of rehabilitating older buildings, New Jersey has been a pioneer in the field. New Jersey, the winner of a 1999 CSG Innovations Award, created a Rehabilitation Subcode that encourages the adaptive reuse of existing buildings by establishing predictable code requirements. Rather than being tied to the cost of the rehabilitation project, code requirements now depend on the nature of the work performed. The subcode achieves safety standards without requiring the renovated building to meet new construction standards.<sup>39</sup>

### State Approaches to Balancing Growth with Protecting the Environment

While regional growth patterns can have many environmental effects, the impact on water sources is becoming increasingly important. Although many water-related programs are administered at the local level, states have developed policies and programs that respond to both water supply and demand issues in growing areas.

#### Addressing Water Supply Issues

To ensure adequate water supply, California enacted legislation effective in 2002 that links water supply with land use. State law requires developers proposing subdivisions of 500 or more houses or large commercial projects to show that water will be available to meet these domestic and commercial needs even during prolonged droughts. In addition, another California law requires cities and counties to create water supply assessments for large development projects.<sup>40</sup>

In June 2004, Gov. Jeb Bush of Florida signed into law the Wekiwa Parkway and Protection Act. The law allows for building the Wekiwa Parkway, a large traffic corridor designed to relieve traffic congestion, and permits the state to purchase 9,000 acres adjacent to the parkway to preserve natural habitat and protect water quality. The toll road will help alleviate traffic congestion, but by preserving open space next to the road the law is designed to protect wildlife habitat as well as water recharge areas.<sup>41</sup> The act also calls for the coordination of land use and water supply planning. In June 2005, the governor signed into law another bill designed to improve water policy decisions by increasing coordination between localities and water management districts.<sup>42</sup>

Another way states are addressing water resource issues is through watershed planning, which involves analyzing resource and land use issues over an interjurisdictional watershed area.<sup>43</sup> The New Jersey Department of Environmental Protection has teamed up with the New Jersey Water Supply Authority to create a watershed management process for the Raritan River Basin. The process brings together farmers, developers, environmentalists and other stake-

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holders to address water supply and quality issues. As part of this planning process, stakeholders help determine where development can occur.<sup>44</sup>

#### **Addressing Water Quality Issues**

Development can affect water quality. For instance, building parking lots and roads can lead to nonpoint source pollution as water runs off pavement into sewer systems and ultimately into waterways. States can balance growth and help ensure water quality by setting appropriate standards, assessing fees for water quality violations, protecting floodplains and using federal funds in unique ways.

Since states are responsible for setting total maximum daily loads (TMDLs) for water pollutants, they can require localities to consider future growth in their TMDL calculations.<sup>45</sup> Georgia, for instance, requires localities that apply for environmental permits for development projects to conduct watershed assessments. For these assessments, applicants must take future growth into consideration by modeling land use scenarios and offering potential solutions to water quality issues.<sup>46</sup>

Maine's Department of Environmental Protection allows builders and homeowners to pay a fee instead of meeting certain phosphorous load reduction requirements. The money is put into a fund that can then be used to address other phosphorous problems, especially in urban areas. And, according to the U.S. Environmental Protection Agency, "As a result, Maine has the tools to direct development to existing communities and mitigate its potential environmental impact."<sup>47</sup> Maine is also trying to alleviate the environmental impacts of construction in other ways. The state has a voluntary program for developers that teaches them erosion control techniques. The purpose of this program is to reduce construction-related nonpoint source pollution.<sup>48</sup>

Floodplains capture sediment and chemicals from stormwater runoff and help preserve water quality in other ways, so some states are working to preserve them. North Carolina is addressing the impacts of development in floodplains by including potential future development in floodplain maps. Local communities can then use these revised maps to guide development decisions.<sup>49</sup>

Some states are using federal money in unique ways. Iowa uses federal Clean Water State Revolving Funds, which are typically used to build or maintain infrastructure for water quality, watershed management, cleanup of brownfields and other land conservation efforts.<sup>50</sup> And Massachusetts restricts the use of Clean Water State Revolving Funds for new growth.<sup>51</sup> Since no more than 25 percent of a project's capacity can be used for new growth, the state can help guide where growth occurs.

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## **States Seek Partnership in Addressing Growth**

Former Governors Christine Todd Whitman of New Jersey and Parris N. Glendening of Maryland will lead the new Governors' Institute on Community Design. At the institute, state chief executives will work cooperatively with the federal government to gain a better understanding of the effects of growth on the environment and human health. The institute pairs governors with top planning experts and practitioners.

Both the Environmental Protection Agency and the National Endowment for the Arts are providing funds to start the organization. The institute will be run dually by the University of Maryland's Smart Growth Leadership Institute and the National Center for Smart Growth Research and Education.

*Source: The White House Bulletin, "EPA, NEA Announce Smart Growth Institute for Governors." 12 July 2005, BulletinNews Network, Inc., McLean, Virginia.*

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**While regional growth patterns can have many environmental effects, the impact on water sources is becoming increasingly important.**



## Economic Transformation: Knowledge Is King

The “new economy” is based on information and technology. With this economic transformation, there is a growing need for workers with technological, analytical and problem-solving skills as well as lifelong learning opportunities to hone those skills and learn new ones. For generations, Americans have heard that education is the key to success. That is truer than ever before, and now people are starting to realize that education doesn’t necessarily stop with a college degree. In addition to high-level skills and lifelong learning, investment in research and development is critical. Scientific discovery is a major driver of the new economy, and research and development are the foundations of innovation.

### Linking Education to the New Economy

In today’s world, lifelong learning is a necessity. From preschool to post-college, states are developing ways to connect formal education with the skills needed in the new economy. States are focusing on younger students to increase their interest in science, math and technology throughout their education and work force training. States are also encouraging college students to pursue careers in certain fields by offering scholarships, loan forgiveness programs and internships.

### Encouraging Youth Interest in the New Economy

Massachusetts has taken a public-private approach to enhance its economic competitiveness. The state’s Pipeline Fund grants have fostered the development of regional preK–16 networks that bring together elementary and secondary education, higher education, the private sector, and regional and community organi-

zations to discuss issues related to science, technology, engineering and mathematics education.<sup>52</sup> The Pipeline Fund also finances the Commonwealth Information Technology Initiative Phase II, a public-private partnership to promote education in information technology, along with K–6 Technology/Engineering Tie-In Lessons to develop technology and engineering lessons in elementary schools. In addition, Massachusetts is planning a statewide internship program for high school students.<sup>53</sup>

The Math Engineering Science Achievement (MESA) program is an innovative academic development strategy being implemented in Arizona, California, Colorado, Mary-

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land, New Mexico, Oregon, Utah and Washington. This K–12 pre-college program works with students to prepare them for academic and professional careers in math, engineering, science, and technology. The California program saw 57 percent of its MESA graduates go on to post-secondary education as majors in a math, science, or engineering field. Strong partnerships with industry and business allow the program to provide equipment, technical resources, internships and volunteers for initiatives. In California alone, there are more than 200 companies involved in the program that collaborate with local school systems, colleges and universities, and community organizations.<sup>54</sup>

***Providing College Scholarships and Loan Forgiveness***

Some states are using financial incentives to encourage college students to pursue educational opportunities in math, science and engineering. Pennsylvania’s New Economy Technology Scholarship Program, for example, awards two types of scholarships. SciTech scholarships provide up to \$9,000 for students in science and technology fields. The program stipulates that students must complete an internship or other work experience in a company that has operations in the state and take a job related to their field of study in the state within a year of completing their studies.<sup>55</sup> Technology Scholarships are awarded to high school graduates enrolled in approved science and technology programs in colleges or technical institutes. These scholarships are designed for people who are not seeking a four-year college degree.<sup>56</sup>

Missouri’s loan forgiveness program focuses specifically on the life sciences sector. The program forgives up to \$10,000 in student loans for people who pursue a degree in math or science and gain employment in a life sciences company in the state.<sup>57</sup> In a similar vein, the Arkansas Technical Careers Student Loan Forgiveness program provides up to \$10,000 in loan forgiveness for graduates who pursue employment in technical fields designated as high-demand by the state.<sup>58</sup>

***Establishing Internships***

States are also promoting internship opportunities, with the hopes that students who gain experience in new economy fields will pursue permanent employment in those fields. Ohio’s Third Frontier Internship Program uses federal funds to provide grants for economic development agencies, chambers of commerce and other organizations to develop internships for college students and educator awareness programs in the fields of math, science and engineering. The state provides up to \$3,000 per year for up to two years for internships and a total of \$2,000 for educator awareness programs.<sup>59</sup>



**States are also promoting internship opportunities, with the hopes that students who gain experience in new economy fields will pursue permanent employment in those fields.**

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## Midwestern Education to Workforce Policy Initiative

The Midwest is taking a regional approach to create a seamless education experience and address the work force needs of the new economy. The Midwestern Education to Workforce Policy Initiative, sponsored by the Midwestern Legislative Conference, the Midwestern Higher Education Compact and the Midwestern Governors Association, aims to link P-16 education systems with work force development efforts.

The purpose of the initiative is to help citizens “make seamless transitions from formal education systems to the work force and to continue on with lifelong learning.” State government officials, education professionals, students, business leaders, and community leaders will work together across state lines to identify obstacles and opportunities to enhance lifelong learning in the region.

See <http://www.csgmidwest.org/About/MLC/Committees/Economic/Events/Concept%20Paper.pdf> for more information.



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As part of the Oklahoma Applied Research Support Faculty and Student Internship, students or faculty work at a research and development facility in the state. The facility can be for-profit, nonprofit or part of an institution of higher education. The facility pays half of the intern’s salary and benefits while the state pays the other half. The state committed more than \$2.5 million for the program between fiscal years 1998 and 2005.<sup>60</sup>

### State Efforts to Foster Research and Development

States are taking a variety of actions to become more competitive in the new economy, including directly investing in research and development efforts. While more than 30 states have tax incentives to support R&D,<sup>61</sup> states also directly invest in R&D efforts in a number of ways, such as building research facilities, financing the operations of research centers, funding R&D projects and leveraging R&D funding from other sources.<sup>62</sup> States are investing in general high-tech efforts, but several states are targeting specific fields of research, especially biosciences.

#### Building Research Facilities

Many states are investing money directly into building research facilities. Founded in 1990, the Georgia Research Alliance is a well-established public-private partnership that constructs research facilities, purchases equipment and instruments, promotes technology transfer, and recruits researchers in the fields of advanced communications,

biotechnology and environmental technology.<sup>63</sup> Working through the alliance, state funds have helped create dozens of new high-tech companies, helped companies explore new markets and helped create thousands of jobs.<sup>64</sup>

Other states are building research facilities as well. Arizona, for instance, is spending \$440 million to construct research facilities at its state universities, and most of these facilities will focus on bioscience.<sup>65</sup> Other states, such as Colorado, Oregon, Wisconsin, Maine and West Virginia, have made sizable investments in bioscience facility construction in the last few years as well.<sup>66</sup>

#### Funding Research Center Operations

Some states provide funding for the general operations of research centers, which are often housed at state universities. For instance, South Dakota recently created four research centers at state universities that focus on veterinary science, cardiovascular research, materials and metallurgical engineering, and chemistry.<sup>67</sup>

Several states, including Maryland, Kansas, Florida, Massachusetts, Ohio, Oregon and Pennsylvania, have created or provided money for the operation of bioscience research centers.<sup>68</sup> And some states provide funding for research centers focused on other industries. For instance, the California NanoSystems Institute is a public-private venture housed at the University of California, Los Angeles and the University of California, Santa Barbara that focuses on nanotechnology research and development.<sup>69</sup>

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## Delaware's New Economy Initiative

Gov. Ruth Ann Minner's New Economy Initiative is a multi-pronged approach to help the state with economic transformation. The initiative seeks, among other things, to promote and cultivate biotechnology. The state has launched a Clean Energy Center Grant partnership with the University of Delaware and Delaware State University and a Technology-Based Seed Fund to assist new businesses led by tech-based entrepreneurs.

The Clean Energy Center partnership, which is a \$200,000 pool of funds, charges the Delaware Economic Development Office (DEDO) to support the University of Delaware's Clean Energy Center, of which Delaware State University is a partner. This support is to be in the form of 1:1 matching grants for research initiated and paid for by industry and conducted at the universities.

The \$1.5 million Technology-Based Seed Fund is designed to foster high-wage, fast-growing small businesses in technology fields such as biotechnology, advanced materials, clean energy, information technology, and new chemical applications through direct equity investment of up to \$50,000 per transaction.

The DEDO will soon launch an Emerging Technology Center to cultivate technology-based entrepreneurs by supporting startup companies' needs in such areas as tech transfer and by linking them to an existing network of business expertise, services and investors. To this end, the state negotiated an innovative public-private partnership with DuPont and Hercules, which includes the companies donating intellectual property to the center.

Contact the Delaware Economic Development Office at (302) 739-4271 for more information.

**While more than 30 states have tax incentives to support R&D, states also directly invest in R&D efforts in a number of ways..**

### *Funding Specific R&D Projects*

Several states provide money for competitive awards for research projects in certain fields. Arizona, North Carolina and Oklahoma, for example, provide awards for bioscience research projects.<sup>70</sup>

Ohio's Third Frontier Project, a 10-year, \$1.1 billion program, targets five fields—power and propulsion; bio-science; advanced materials; information technology; and instruments, controls and electronics. The Biomedical Research and Commercialization Program provides R&D grants to collaborations of higher education, nonprofit research organizations and the private sector that focus on human genetics and genomics, structural biology, biomedical engineering, computational biology, plant biology and environmental biology.<sup>71</sup> And the Third Frontier Fuel Cell Program provides grants for collaborative R&D programs that address technical and cost barriers to commercialization and adapting fuel cell components produced in Ohio for use in fuel cell systems.<sup>72</sup>

### *Leveraging R&D Funding from Other Sources*

States are also leveraging funding from other sources, including the private sector and the federal government, to finance R&D projects. North Dakota recently created the Centers of Excellence Fund. This money is used to leverage federal and private funds for research and development.<sup>73</sup>

In an effort to grow Michigan's economy, the Emerging Business Fund was created as part of the Technology Tri-Corridor program. The fund will use \$1 million in state money to match grants awarded by the federal Small Business Innovation Research fund, up to \$15,000 for those Michigan businesses researching and developing products related to life sciences, homeland security or advanced automotive technologies.<sup>74</sup> Expectations for the program are high as state officials believe that their \$1 million will leverage more than \$25 million in additional funding for companies.



## Globalization Era: New Forces at Work

Globalization—a process of integration among businesses, governments and people of different nations—has a profound impact on all aspects of 21st-century state governance. Today, no state can afford to ignore the economic, political and social ties that link all levels of American government with the broader international community. Because of the benefits of the globalized economy, states are actively seeking international trade opportunities. At the same time, however, states are looking for ways to minimize possible negative consequences of international trade agreements negotiated by the federal government.

### **Seeking International Trade Opportunities**

Almost all states have an office or agency that focuses on helping small businesses engage in international trade. In addition, most states have overseas offices in important foreign markets designed to identify export opportunities and recruit investors.<sup>75</sup> However, states are also exploring other

ways to promote international trade opportunities, such as enhancing business competitiveness and forming regional trading alliances.

### **Enhancing Business Competitiveness**

States are pursuing several strategies to help businesses compete in the global economy. A 2004 CSG Innovations Award winner, New Mexico 9000 is a collaborative effort between the state Economic Development Department, Honeywell Federal Manufacturing & Technologies, Los Alamos National Laboratory, and Sandia National Laboratories. The program seeks to help small businesses in New Mexico become certified for complying with ISO 9001:2000, the International Organization for Standardization's norm for quality management.<sup>76</sup>

Idaho has pursued another strategy. The state has developed and maintains an online global business portal focused primarily on Asia. The site, [www.idahoasia.org](http://www.idahoasia.org), offers in-

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### **Nevada's International Representatives Program**

Pressured by declining funds to maintain or expand its overseas trade presence, Nevada's Commission on Economic Development created The International Representatives Program. Instead of maintaining state-funded international trade offices (all of which were closed in 1993), Nevada pays commissions to international contacts who represent the state's economic, trade and investment interests overseas.

The state has successfully made these arrangements in China, Japan, Taiwan and Singapore, and is considering similar efforts in Korea, Germany and Italy. A 2005 CSG Innovations Award winner, the program has been successful in establishing a network of strategic foreign representatives with no startup or continuing costs. The representative offices help Nevada exporters increase their business and work on bringing new foreign direct investment into the state.

See [http://www.expand2nevada.com/comm\\_opps/global/trade\\_reps](http://www.expand2nevada.com/comm_opps/global/trade_reps) for more information.

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**The Eastern Trade Council of CSG's Eastern Regional Conference seeks to strengthen state and regional economic competitiveness in the global marketplace by sharing trade development information, jointly promoting regional products, and collectively advocating for federal trade promotion programs and policies that will benefit the region.**

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formation on events, trade shows, inquiries and other information about the Asian countries, as well as Idaho's businesses.<sup>77</sup>

#### ***Forming Regional Trading Alliances***

States can leverage their trade promotion opportunities and dollars by creating regional trading alliances. The Eastern Trade Council of CSG's Eastern Regional Conference seeks to strengthen state and regional economic competitiveness in the global marketplace by sharing trade development information, jointly promoting regional products, and collectively advocating for federal trade promotion programs and policies that will benefit the region. The council is supported by annual appropriations from its 11 member jurisdictions.<sup>78</sup>

At a recent Western Governors Association meeting in Colorado, several Western states considered teaming up to increase their economic impact. They realized that their similarities may mean more competition in global markets if they don't develop working partnerships, or find their own unique niches.

#### **States' Role in International Trade Agreements**

Because international trade agreements, which are decided at the federal level, can have profound effects on state economies, states are making their voices heard. All states have opportunities to work with the U.S. Trade Representative, but some states also have created committees on trade agreements, joined multistate working groups, or worked with state membership organizations to examine the impacts of trade agreements.

#### ***Working with the U.S. Trade Representative***

Although many states lack the resources to create a full-time trade policy position, each state is supposed to have a single point of contact assigned to interact with the Office of the United States Trade Representative (USTR). This official is usually a member of the state's economic development department. USTR contacts the designated individuals to disseminate information and to invite input during negotiations. States can ensure they have at least a modicum of representation by making sure the contact listed in USTR's single point of contact system is up to date and by requiring the designated contact to testify at regular hearings before the legislature.

State and local officials can also serve on the U.S. Trade Representative Intergovernmental Policy Advisory Committee on Trade. CSG's members on this committee include Massachusetts Rep. Dan Bosley; Nevada State Treasurer Brian Krolicki; Kay Wilkie, who chairs the committee, from the New York State Department of Economic Development; and CSG's Director of International Programs Chris Whatley. This advi-



**Because international trade agreements, which are decided at the federal level, can have profound effects on state economies, states are making their voices heard.**

sory body provides state and local perspectives on proposed and negotiated trade agreements, communicating its position to Congress about adopting or enacting legislation.

#### **Creating Committees on International Trade**

States have other ways to help ensure that their voices and concerns are considered in the process of developing U.S. trade policy. Fourteen states have established legislative, executive or public commissions to examine the implications of international trade agreements for the state.<sup>79</sup> For example, the California Senate Subcommittee on International Trade Policy and State Legislation, the first committee of its kind in the nation, monitors the various impacts of international trade agreements on California's laws. The committee also considers appropriate relationships between states and the federal government when international trade policy intersects with traditional state roles.<sup>80</sup>

While some states' committees have a broad scope, other states have tailored their committees to their unique circumstances. The Texas Senate's Committee on International Relations and Trade, for instance, is responsible for overseeing the state's economic relationship with Mexico and examining the North American Free Trade Agreement.

#### **Forming Multistate Working Groups**

States can leverage their influence on U.S. trade policy by forming multistate working groups focused on particular sectors or areas of interest. The most active and well-established groups include the Electricity/Energy Services Working Group and the Legislative Working Group on Trade and Prescription Drugs.

Led by Idaho's Rep. George Eskridge, The Working Group on Energy and Trade Policy researches and analyzes the potential impact that trade negotiations under the General Agreement on Trade in Services have on domestic electricity policy. Similarly, the National Legislative Association on Prescription Drug Prices, a nonpartisan alliance of state legislators from 10 states and the District of Columbia,<sup>81</sup> and the Forum on Democracy and Trade<sup>82</sup> created a Legislative Working Group on Trade and Prescription Drugs to address concerns that trade agreements may restrict state efforts to negotiate prescription prices or require prior authorization based on preferred drug lists.

#### **Working Through State Membership Organizations**

States also take an active role in shaping U.S. trade policies by working through the international and trade committees and task forces of state organizations, such as CSG,



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### **Washington's State Trade Representative**

Washington is the only state to have a formal position of State Trade Representative, with a full-time staff and a legislative mandate to represent the state in trade negotiations.

CSG has included the legislation used to create Washington's State Trade Representative position in the forthcoming edition of Suggested State Legislation. This legislation provides a road map for creating similar posts in other states.

See [http://ssl.csg.org/dockets/26cycle/2006B/26bb\\_ills/0826b01wa.pdf](http://ssl.csg.org/dockets/26cycle/2006B/26bb_ills/0826b01wa.pdf) for more information.

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the National Association of Attorneys General, the Western Governors Association and the National Conference of State Legislatures.

The mission of CSG's International Committee, for example, is to track and interpret important international trends, including those involving specific state international initiatives in trade, education and other key sectors. The committee promotes dialogue on important trends and identifies best practices among state international programs. In addition, it oversees CSG's diverse portfolio of exchange programs, research projects and other international initiatives.

## Information Revolution: Sorting it Out

As the information revolution spreads like wildfire into every facet of daily life, state governments have harnessed the power of new technologies. Access to information has led citizens to demand more government efficiency and states have responded with e-government solutions, which change the ways governments operate. However, not everyone has access to advanced technologies that are becoming necessities in the new economy, so states are trying to determine their roles in addressing the digital divide.

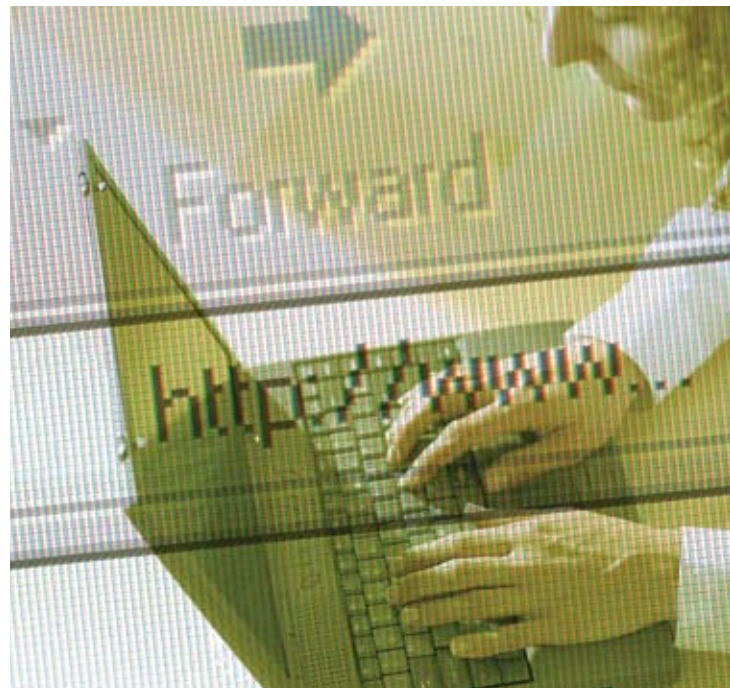
### States Embrace E-Government

As technology continues to become an integral part of everyday life, states are doing more to provide online information and services to citizens. From enhancing the efficiency of the Medicaid program to streamlining business registration and state court services, states are providing more services online for a more sophisticated, computer-literate citizenry. State e-government efforts focus primarily on streamlining citizen data across state agencies and providing traditional government services in quicker, less expensive and more efficient ways.

### Improving Medicaid

Florida's eMPowerX program enables the state's Medicaid program to coordinate communications among prescribing physicians, pharmacies and the payment intermediaries.<sup>83</sup> The program, a partnership between e-technology company Gold Standard, Florida's Medicaid program and the Centers for Medicare & Medicaid Services, was launched in 2003 with 1,000 of the state's highest prescribing Florida Medicaid doctors. Since its beginning, eMPowerX has reduced fraud, increased patient drug safety and saved the state approximately \$700 per participating physician. In January 2005, Florida expanded the program to 3,000 physicians who handle 25 million prescriptions annually, 80 percent of the state Medicaid business, and nearly 160,000 prescriptions move through the system each day.<sup>84</sup>

In 2004, Texas Medicaid officials began testing a "smart card" program designed to prevent fraud, abuse and waste in health and human services programs. The Medicaid Integrity Pilot Program uses biometric technology and a smart card reader to connect patient records to an integrated system that tracks medical history and Medicaid eligibility. Participants are asked to swipe their smart card at doctors appointments to document Medicaid eligibility and scan their fingerprints to ensure the card is being presented by the rightful owner. The program<sup>85</sup> has found a successful way to use a single card to provide identification, determine eligibility and streamline Medicaid billing.<sup>86</sup>



**From enhancing the efficiency of the Medicaid program to streamlining business registration and state court services, states are providing more services online for a more sophisticated, computer-literate citizenry.**

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## State E-Government Rankings

1	Utah
2	Maine
3	New Jersey
4	North Carolina
5	Michigan
6	Tennessee
7	Delaware
8	Massachusetts
9	Mississippi
10	Nevada

Rankings are based on a number of criteria, including the number of services that can be completed online as well as the inclusion of publications, databases, audio and video clips, privacy policies and other features.

See <http://www.insidepolitics.org/egovt05us.pdf> for more information.

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### Streamlining Business Services

Idaho's Business Registration System enables state businesses to register on a Web site with three state agencies: the Department of Commerce and Labor, the State Tax Commission, and the Idaho Industrial Commission.<sup>87</sup> As a result, processes that used to take weeks and a great deal of back-and-forth between businesses and the agencies now take only a few days.<sup>88</sup> The program reports an approximate savings of \$134,000 annually, more than covering the development expenses in the first year.<sup>89</sup>

Likewise, Florida is one of only a handful of states to offer a true one-stop-shop for more than 150 different business and professional licensing needs. Florida's Single Licensing System under the Department of Business and Professional Regulation allows businesses to obtain and change registration information. It also enables professionals who are licensed, such as real estate and insurance agents, to obtain registration information and assistance.<sup>90</sup> In the first year of service, the state processed one-third of its license renewals via the new system. Through 2012, this e-government solution is expected to save the state \$90 million.<sup>91</sup>

### Streamlining Court Services

Wisconsin's Circuit Court Access System allows for easy, efficient and open access to the state's public circuit court information.<sup>92</sup> The portal allows registered users to retrieve court and case information without the delay of approvals within the court system and lengthy processing timelines. Since the system's inception, it has evolved as a critical tool

for state justice agencies, businesses, employment screeners and citizens.<sup>93</sup>

Delaware's innovative e-filing system allows for a more streamlined, efficient court filing system. In 1991, the state's Superior and Circuit Courts were the first in the nation to use e-filing. The Supreme Court of Delaware will join the state's lower courts by becoming the first appellate court in the nation to require e-filing.<sup>94</sup> The new system requires all appeals and other Supreme Court documents be filed electronically to make the litigation process more effective and efficient.

### State Responses to the Digital Divide

State initiatives to promote technology and address the digital divide include programs to provide high-speed Internet access, especially to rural areas and other underserved areas. Other programs are designed to increase access to technology in schools.

#### *Providing Broadband Service to Underserved Areas*

Approaches states have taken to make broadband service available to their residents include creating state broadband authorities or agencies; offering tax credits, grants and loans; and forming statewide networks, public/private partnerships, and "demand aggregation programs," which bring local institutions together to attract broadband expansion.<sup>95</sup>

The mission of North Carolina's eNC Authority, for example, is "to ensure all citizens, businesses and communities are aware of, know how to use, and have access to high-speed Internet services at affordable prices."<sup>96</sup> It grew out of the state's Rural Internet Access Authority, which the General Assembly created in 2000<sup>97</sup> to provide rural counties with high-speed broadband Internet access. The Legislature later expanded eNC's focus to target distressed urban areas. Thanks to the authority's efforts, the entire state has access to local dial-up services and nearly 83 percent of North Carolina's residents can purchase high-speed Internet access. eNC has emerged as a national model, with an enhanced focus that includes promoting technology-based economic development and creating jobs.<sup>98</sup>

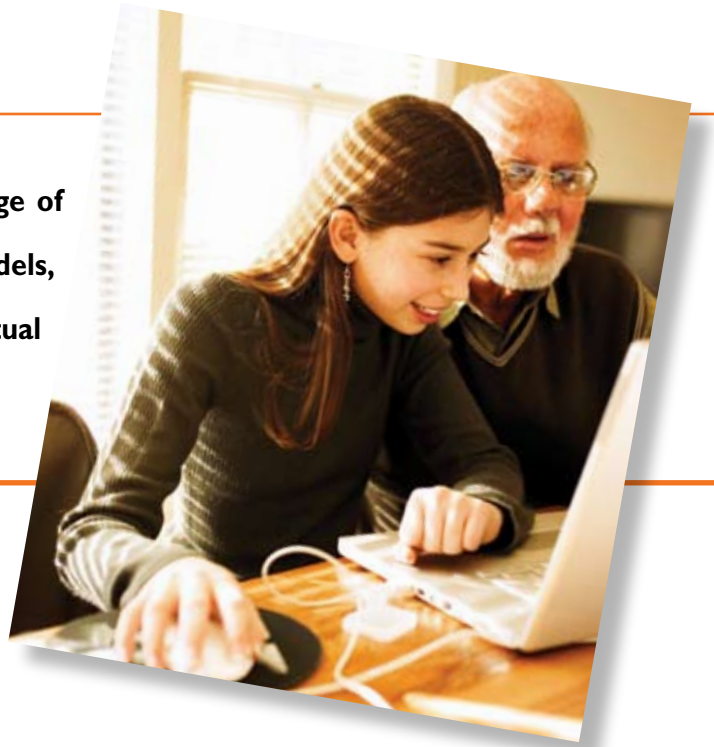
Michigan's new Digital Divide Investment Program is the first of its kind in the country, building on the state's previous accomplishments as a leader in addressing the digital divide through the widespread expansion of broadband access.<sup>99</sup> The program combines loans from the Michigan Broadband Development Authority with federal funds from the Department of Housing and Urban Development/Community Development Block Grant as part of a loan to a broadband company to expand service in Muskegon County. The result will be more affordable high-speed broadband for low-to-moderate income residents.<sup>100</sup>

In September 2005, Illinois' Gov. Rod Blagojevich announced the creation of the Broadband Deployment Council to improve high-speed Internet access for all residents.<sup>101</sup> Additionally, the executive order created a grassroots program known as Eliminate the Digital Divide<sup>102</sup> that provides grants to community technology centers for technology infrastructure overhauls, training and Internet access in low-income areas.<sup>103</sup>

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**Educators and policymakers are also taking advantage of technology's potential to create new educational models, such as e-learning. At least 21 states have created virtual schools, and 12 states offer online assessments.**

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#### *Increasing Access to Technology in Schools*

Many school technology efforts focus on improving students' access to computers and the Internet. For example, to address the technology gap among students, Maine created the first statewide program to provide 7th and 8th grade students with laptop computers in 2002. The program is in its fourth year and it currently provides 34,000 students and their 3,000 teachers with laptop computers.<sup>104</sup>

Educators and policy-makers are also taking advantage of technology's potential to create new educational models, such as e-learning. At least 21 states have created virtual schools, and 12 states offer online assessments.<sup>105</sup> Michigan's Freedom to Learn initiative uses technology to improve student achievement and engagement. Each participating student and teacher has access to a laptop and wireless Internet. The program "creates an environment where every child can have an Individualized Education Plan, where learning occurs anytime and anywhere, where students are motivated by their own medium of expression."<sup>106</sup>

North Dakota recognizes that access to technology is not enough. To truly be effective, teachers must be well-trained so they know how to use it. The state's Information Technology Department contracts with North Dakota State University to operate EduTech, a state-funded effort that provides information technology services and education technology professional development for teachers.<sup>107</sup> Ten states mandate technology-related professional development for teachers, nine states require technology tests, and 15 make training or coursework in technology a requirement for licensure.<sup>108</sup>

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### **State Leaders in Access to Technology in Education**

<b>1</b>	South Dakota
<b>2</b>	Maine
<b>3</b>	Wyoming
<b>4</b>	Kansas
<b>5</b>	North Dakota
<b>6</b>	Nebraska
<b>7</b>	West Virginia
<b>8</b>	Ohio
<b>9</b>	Missouri
<b>10</b>	Virginia

Rankings are based on students per instructional computer, students per instructional computer in classroom, students per Internet-connected computer and students per Internet-connected computer in classroom.

See <http://www.edweek.org/media/pdf/tc05135techleaders-t1.pdf> for more information.

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## Privacy vs. Security: A Balancing Act

In the areas of privacy and security, states are on the frontlines of far-reaching policy decisions. Striking a balance between public and private interests and using new technology to protect an increasingly sophisticated citizenry are daily policy challenges. This is especially true when the technologies that enable advances in surveillance, security and data sharing are evolving at such a rapid pace.

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**As state agencies adopt new techniques and technologies such as biometric “smart cards,” electronic information-sharing, data-mining, and wireless devices, it becomes more important to ensure that confidential information is properly safeguarded and government information is accurate and secure.**

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### **States Address Security of Public Information**

As state agencies adopt new techniques and technologies such as biometric “smart cards,” electronic information-sharing, data-mining, and wireless devices, it becomes more important to ensure that confidential information is properly safeguarded and government information is accurate and secure. Almost 70 percent of state Web sites have a privacy

policy, and slightly more than half have a security policy posted on the site.<sup>109</sup> In addition to dealing with government Web sites, state efforts range from broad-based efforts to protect information systems to more defined efforts to protect specific government-related activities, such as voting.

### *Protecting State Information Systems*

In 2001, the North Carolina Legislature passed a law directing the state’s chief information officer to develop enterprise-wide information security standards. In 2003, legislators directed the CIO to assess the information technology security of all 25 executive branch agencies and report back to the General Assembly. The assessments, completed in 2004, “provide[d] North Carolina agencies with a roadmap for improvement, as well as estimates and priorities for legislative funding to meet the information security requirements of the enterprise.”<sup>110</sup> In response, the Legislature appropriated \$3 million for security remediation efforts and moved to centralize the state’s IT security efforts. The North Carolina Office of Information Technology Services identified six key areas in which to improve security, all of which the state is addressing.<sup>111</sup>

Michigan’s Critical Information Technology Protection Solutions was developed as part of the Statewide Homeland Security Strategy. It uses best practices to prevent, mitigate and respond to incidents involving terrorism or



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**In addition to protecting information stored in government networks, states are safeguarding the privacy of their residents. Most states have addressed identity theft and are now focusing on more specific protections, including online privacy and driving records.**

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other cyber attacks. The state's solutions include efforts to control access to key state Web sites, physically protect critical IT infrastructure, assess cyber vulnerabilities, and educate state employees and residents about IT security.<sup>112</sup>

#### ***State Efforts to Protect Voters***

States are also undertaking efforts to protect specific government and government-related activities. Montana's Voter Verification Service is one example of how existing technology, combined with existing databases, can meet the growing need to identify voters at the polls on Election Day.<sup>113</sup> The program, born out of federal requirements in the Help America Vote Act to present legal identification at polling places, enables poll workers to securely access a Web-based database connected to the state's driver's license system to identify the voter when they do not present proper ID at the polling place. The system allows various inputs, including driver's license numbers, Social Security numbers, name and address. The system then returns with voter information, including photographs. The service enables the state to ensure both voter participation and election integrity. The Voter Verification Service won a CSG Innovations Award in 2005.

In September 2005, Kentucky and New Mexico both announced the adoption of a new technology aimed at preventing fraudulent candidate Web sites during campaign time. Secretaries of State Trey Grayson of Kentucky and Rebecca Vigil-Giron of New Mexico have adopted an Election Security Seal Program that will verify the authenticity of political campaign Web sites by using encrypted digital seal technology.<sup>114</sup>

#### **States Address Security of Personal Information**

In addition to protecting information stored in government networks, states are safeguarding the privacy of their residents. Most states have addressed identity theft and are now focusing on more specific protections, including online privacy and driving records.

#### ***Fighting Identity Theft***

Most states have responded to the growing identity theft problem with legislation criminalizing the abuse of personal information. California is a leader in the effort to reduce identity crimes and protect consumer privacy. In 2001, California created the Office of Privacy Protection, whose mission is to assist individuals with identity theft and other privacy-related concerns; provide consumer education and information on privacy issues; coordinate with local, state and federal law enforcement on identity theft investigations; and recommend policies and practices that protect individual privacy rights.<sup>115</sup>



**At least 10 states have enacted laws enabling citizens to freeze their credit reports, thereby preventing the opening of new credit accounts, one of the most common consequences of identity theft.**

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## Michigan Addresses Wireless Technology Concerns

States also have realized that the use of wireless networks and personal handheld devices may compromise sensitive information, because they don't have the same protections as other systems.

For this reason, Michigan limits the use of wireless technology to certain circumstances. The state also classifies different wireless technologies according to security zones, which require different security measures based on the level of risk the technology presents.

See <https://www.nascio.org/nascioCommittees/privacy/Wireless%20Part%20I%20092105.pdf> for more information.

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Michigan recently became the first state to allow victims to collect damages from employers who do not properly safeguard their Social Security numbers. The Social Security Number Privacy Act requires employers to maintain an employee Social Security number privacy policy and states that employees may collect damages from employers who fail to properly safeguard their information.<sup>116</sup> The Michigan Court of Appeals recently became the first appellate court to allow victims of identity theft to collect damages from employers. In an unprecedented case, a union that failed to adequately safeguard employee Social Security numbers was forced to pay \$275,000 to the victims of the subsequent identity theft.<sup>117</sup>

At least 10 states have enacted laws enabling citizens to freeze their credit reports, thereby preventing the opening of new credit accounts, one of the most common conse-

quences of identity theft.<sup>118</sup> Thirty other states either introduced security freeze legislation in 2005 or currently have legislation pending.<sup>119</sup>

At least 15 states have passed data security breach laws, which require companies or other entities that have lost data to notify the affected consumers.<sup>120</sup> In 2005, for instance, Delaware passed a law requiring an individual or commercial entity that conducts business in the state, and that owns or licenses computerized data containing personal information, to notify a resident of any security breach immediately following its discovery.<sup>121</sup>

### Protecting Consumers' Privacy Online

In October 2005, California Gov. Arnold Schwarzenegger became the first governor to sign an Anti-Phishing Act declaring "phishing" a punishable offense.<sup>122</sup> Phishing refers to the attempt to acquire Internet users' personal information, such as Social Security numbers or bank account numbers, usually by posing as a business or other legitimate operation.

In 2004, Utah was the first state to ban the use of spyware, or software that gathers information about computer users based on the Web sites they visit—usually without their knowledge.<sup>123</sup> Alaska, Arizona, Arkansas, Georgia, Iowa, New Hampshire, Texas, Virginia and Washington have also enacted laws addressing the use of spyware.<sup>124</sup>

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## Virginia's Identity Theft Protection Act

Virginia's Identity Theft Protection Act of 2003 created an Identity Theft Passport, a card that people can carry and present to law enforcement or other people who may challenge the carrier about their identity.

The act protects victims of identity left from being arrested for crimes committed by the people who stole their identities.

See [http://www.oag.state.va.us/media%20center/Current%20AG%20News%20Releases/070103\\_Identity\\_Theft\\_Protection\\_Act\\_Becomes\\_Law.htm](http://www.oag.state.va.us/media%20center/Current%20AG%20News%20Releases/070103_Identity_Theft_Protection_Act_Becomes_Law.htm) for more information.

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### Protecting the Privacy of Drivers

Five states recently enacted legislation to protect drivers' data, creating laws to limit access to information gathered from Event Data Recorders. According to the Alliance of Automobile Manufacturers, EDRs were designed to collect data from cars such as driving speed, brake performance, seat belt statistics, and crash data that will allow for the production of better safety measures.<sup>125</sup>

State lawmakers in Arkansas, California, Nevada, North Dakota, and Texas have all expressed concern that information gathered from the devices could be misused in car accident cases, so legislation has been passed in all five states requiring permission from the owner of a vehicle to use its EDR data.<sup>126</sup>



## Resource Management: Sustaining Our Future

Compared with the rest of the world, people in the United States use large amounts of energy, electronic devices, food, paper and natural resources. However, especially as gas prices increase in this country, Americans are starting to pay more attention to energy conservation. States play a central role in managing natural resources and protecting the environment, including promoting energy conservation, renewable energy and innovative ways to deal with e-waste, or discarded electronic products.

### **States Options to Encourage Energy Conservation**

States are promoting energy conservation in a number of ways, including developing standards to increase the energy efficiency of appliances and lighting. In addition, some states are concentrating on increasing the efficiency of whole buildings through their green building initiatives.

#### ***Promoting Energy Efficiency***

In July, New York enacted the Appliance and Equipment Energy Efficiency Standards Act of 2005. The measure establishes energy efficiency standards for appliances not included in the National Appliance Energy Conservation Act of 1987. New York's law sets energy efficiency standards for ceiling fans and light kits, furnace air handlers, commercial washing machines, commercial refrigerators, freezers and icemakers, floor lamps, unit heaters, reflector lamps, large packaged air conditioning equipment and other commercial and household items. The act also calls on the state to develop energy efficiency standards for consumer products while they are in standby mode.<sup>127</sup>

California's new law focuses on lighting. Beginning in October 2005, all new homes built in the state must meet new rules that save at least 30 percent of an average home's lighting costs. This will be accomplished by requiring that fluorescent light fixtures provide at least half the light in kitchens. Also, bathrooms, garages, laundry rooms and utility rooms must be lit by fluorescent lights or incandescent lights with motion sensors.<sup>128</sup>

Also, the California Public Utilities Commission recently agreed to spend \$2 billion over the next three years to provide consumer rebates of up to \$600 for Energy Star appliances, energy audits, design assistance and equipment rebates designed to increase energy efficiency. State officials hope for a \$5 billion decrease in energy costs for homes and businesses and to eliminate the need to construct three power plants.<sup>129</sup>

Some states are combining efficiency efforts with an emphasis on renewable energy. In July 2005, Illinois adopted a Sustainable Energy Plan that calls for energy efficiency and renewable energy portfolio standards.



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## Northeast Regional Electronics Management Project

Northeastern states have been working cooperatively to address e-waste management issues through the Northeast Regional Electronics Management Project. The project, which is a collaborative effort between the Northeast Regional Recycling Council and the Eastern Regional Conference of The Council of State Governments, seeks to develop a coordinated, unified, legislative approach to end-of-life electronics management in the region.

Throughout 2005, legislators, legislative staff and state environmental agency staff have met with a variety of stakeholders from electronics manufacturing companies, retail companies, recycling companies, environmental groups and state and local recycling coordinators in an effort to forge consensus on key elements of electronics legislation.

State participants in the project have released two drafts of model legislation so far, and are currently in the process of making additional revisions. Some of the key issues that they are focusing on concern which products will be covered by the legislation, how an end-of-life electronics system will be financed, and how best to encourage green design. Project participants are expected to finalize the model legislation in early 2006.

See <http://www.csgeast.org/enrgwaste.asp> for more information.

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The energy efficiency standard requires utilities to develop and implement programs that reduce electricity consumption 10 percent by 2008 and 25 percent by 2015. Utility companies must assist their customers in investing in energy-saving equipment and other technologies.<sup>130</sup> In April 2005, Iowa Gov. Thomas Vilsack issued an executive order mandating state agencies to increase their operational energy efficiency and renewable energy use. The executive order requires state facilities to reduce their energy use 15 percent by 2010 through energy efficiency measures. It also calls for the procurement of hybrid or alternative-fuel vehicles for non-law enforcement state vehicles.<sup>131</sup>

### Promoting Green Buildings

Some states are leading by example in terms of energy-efficient building. The headquarters for New York's Department of Environmental Conservation, for example, is designed for optimal energy performance, and is expected to cost approximately 40 percent less per year to operate than a typical building its size. More than half the cost of materials used in the construction was spent on recycled supplies. And 20 percent of the materials were manufactured within 500 miles of the site, which cut down on emissions released while transporting them.

The building that houses California's Environmental Protection Agency is also a model of green building principles. It maximizes natural light and uses special glass to conserve energy, and employs super high efficiency/low-mercury lighting tubes and perimeter light sensors that dim the lights in bright sunlight. The building uses solar panels, low-flow toilets, and special paints and carpets that minimize or eliminate

harmful emissions. Among other features, it has 25 electric vehicle charging stations and the capacity to add a natural gas powered fuel cell. The California Public Utilities Commission approved in September 2005 funding of \$230 million annually for the next three years for a Green Building Initiative to reduce energy consumption in government buildings by 20 percent.<sup>132</sup>

Washington passed a law in 2005 mandating that any new construction or remodeling of state buildings of more than 5,000 square feet must achieve Silver LEED (Leadership in Energy and Environmental Design) ratings.<sup>133</sup> Various types of laboratory facilities, hospitals, pumping stations, and research facilities are the only exemptions. The Silver LEED

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## States with Energy Efficiency Standards for Products Not Covered by Federal Standards

Arizona  
California  
Connecticut  
Maryland  
New Jersey  
New York  
Rhode Island  
Washington

See [http://www.pewclimate.org/what\\_s\\_being\\_done/in\\_the\\_states/energy\\_eff\\_map.cfm](http://www.pewclimate.org/what_s_being_done/in_the_states/energy_eff_map.cfm) for more information.

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**Concerned about mounting piles of discarded electronic devices, states are beginning to develop legislation that calls for the proper management of the garbage known as e-waste.**

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rating is the third-highest rating for high-performance sustainable buildings, after Platinum and Gold.

New York's Green Buildings Initiative encourages building owners and developers to design, construct and operate buildings that are more in harmony with the environment. Executive Order 111 further builds on this initiative by directing state agencies to be more energy efficient and environmentally aware by setting new energy efficiency goals and practices, following guidelines for the construction of green buildings, procuring energy efficient products, purchasing power from renewable sources, procuring clean fuel vehicles and involving the participation of other governmental entities. Additionally, New York is among the first states in the nation to offer a tax incentive program for developers and builders of environmentally friendly buildings.<sup>134</sup> New York's Green Building Tax Credit Program was signed into law in 2000. Since its inception, the program has issued \$25 million in tax credits for seven buildings. The law was amended in 2005 to provide an additional \$25 million in funding for up to \$2 million in tax per qualified building.<sup>135</sup>

### **State Options for E-Waste**

Concerned about mounting piles of discarded electronic devices, states are beginning to develop legislation that calls for the proper management of the garbage known as e-waste. The laws focus on financing the recycling of e-waste products, but they vary in who pays the costs of recycling—the consumer, the manufacturer or both.

#### ***Consumer-Financed Recycling***

California's Electronics Waste Recycling Act, passed in 2003 and amended in 2004, requires consumers and businesses that purchase computer monitors, televisions and other video display devices to pay an "advanced recovery fee" to support the cost of proper disposal. Depending on the size of the screen, the fee ranges from \$6 to \$10. The

fee is collected by the retailer at the time of sale. Retailers remit quarterly collected fees to the state; these funds are then deposited into a special e-waste account. Payments are made from this account to recyclers to properly recycle the devices.<sup>136</sup> The California e-waste system is similar in structure to waste-tire fees used in many states.

#### ***Manufacturer-Financed Recycling***

Passed in May 2005, Maryland's Statewide Computer Recycling Pilot Program calls for computer makers that have produced more than 1,000 computers on average each year since 2002 to register with the state and pay an initial fee of \$5,000. After that, manufacturers have two options. One option is to pay \$5,000 annually into the State Recycling Trust Fund. The fund then provides grants to counties to develop and implement computer recycling programs. The second option available to manufacturers is to take back their computers. The "take back" program must allow consumers to return computers at no cost. This option requires the initial \$5,000 fee and a \$500 annual registration fee.<sup>137</sup>

#### ***Consumer- and Manufacturer-Financed Recycling***

In 2004, Maine passed an e-waste law with a unique approach. Maine's is the first state law that requires consumers and manufacturers of computer monitors and televisions to share responsibility for end-of-life management of electronics. Starting in January 2006, all waste televisions and computer monitors generated by households must be recycled. Maine requires that towns collect and transport computer monitors and televisions to consolidation facilities. Once the devices arrive at the consolidation facilities, manufacturers become responsible for the costs. Manufacturers have two options when the devices arrive at consolidation facilities: allow the facility to ship the devices to an accredited recycler and be billed by the facility, or take possession of their devices for recycling.<sup>138</sup>

## Polarized Populace: Eroding Common Ground

The nation's political environment is becoming increasingly polarized. As such, the political process in the states has become more adversarial and characterized by a decline in civility among members of different parties. In addition, closely contested elections at both the state and federal levels have increased pressure on states to examine their elections processes and make changes.

### State Initiatives to Increase Cooperation

States have considered a variety of initiatives to increase cooperation and respect among state officials. Some of the initiatives include collaborative problem-solving, alternative dispute resolution and informal approaches designed to build trust.

#### *Solving Problems Collaboratively*

Although state officials and employees nationwide routinely work together to develop public policy and provide services, some states have initiated formal structures or processes to encourage collaborative problem-solving. In 1990, public- and private-sector leaders in North Dakota formed the North Dakota Consensus Council (now known as the Consensus Council Inc.), a private, nonprofit organization designed to be “a place where leaders and citizens alike can bring their most difficult issues to begin creating decision space for crafting innovative public policy agreements.”<sup>139</sup>

In 1994, Montana Gov. Marc Racicot followed North Dakota's lead and issued an executive order creating the

Montana Consensus Council.<sup>140</sup> Designed to help the legislative and executive branches function more effectively, the council promotes public dialogue; dispute resolution; and collaborative and consensus-based approaches to difficult public policy issues, such as land management and natural resources decisions. In 2003, the state Legislature established the council by statute, and attached it to the Department of Administration for administrative purposes.<sup>141</sup>

#### *Using Alternative Dispute Resolution Methods*

Many states have turned to alternative dispute resolution (ADR), which is designed to solve conflicts in quicker, less costly ways than traditional methods, such as litigation. Two of the most common forms of ADR are mediation and arbitration. In mediation, the disputing parties rely on a neutral third party to help negotiate a mutually agreeable solution, while in arbitration, a third party controls the decision. Some states mandate ADR by legislation, regulation or executive order. Others merely encourage its use by state agencies.<sup>142</sup> Alternative dispute resolution programs are found in state administrative branches and agencies, courts, universities, attorneys general offices and nonprofit organizations.<sup>143</sup>

In 2001, the Illinois Legislature used mediation to rewrite the state's telecommunications act, a task that promised to be highly controversial if pursued through the traditional legislative committee structure. House Speaker Michael J. Madigan asked Judge Michael Getty, a former legislator, to

mediate the process. Through months of mediation and negotiation, Getty acted as a facilitator to incorporate the viewpoints of the stakeholders involved. The result was HB 2900, which all but three of the state's legislators supported.<sup>144</sup>

Some state agencies use an ADR process known as negotiated rule-making, or “reg-neg,” to avoid disputes over administrative rules. Negotiated rulemaking brings stakeholders that would be affected by a proposed rule into the rule-making process, using mediators and facilitators to help them reach agreement on

### Arizona's Independent Redistricting Commission

Arizona's redistricting process is an involved selection method designed to create as nonpartisan a redistricting commission as possible. The Commission for Appellate Court Appointments nominates a pool of 25 candidates, 10 candidates from both major political parties and five who are not registered Democrats or Republicans, none of whom can be elected or appointed officials, from which the top two ranking leaders of both the House and Senate each pick one candidate.

Two candidates from each political party must be represented. The four selected board members then convene to nominate a fifth who will be the chair and doesn't represent any political party.

See <http://elections.gmu.edu/enhancing.htm> for more information.

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potentially controversial provisions. In 1997, for example, Texas passed the Negotiated Rulemaking Act, which encourages state agencies to use the process, when appropriate, and sets out guidelines for doing so.<sup>145</sup> At least 15 other states have used reg-neg to address issues such as transportation planning, environmental issues, utilities regulation, and access for the disabled.<sup>146</sup>

#### ***Pursuing Informal Approaches to Promote Collegiality***

State leaders are also pursuing informal strategies to promote collegiality and tone down partisan bickering. During the combined 2004 CSG-WEST and CSG State Trends and Leadership Forum, participants in a workshop on legislative civility discussed ways to improve the interpersonal dynamics in state capitals. Most of the ideas—such as holding social gatherings, retreats or interfaith summits between members of different parties—focused on ways to build mutual trust and respect. The discussion also highlighted the role of legislative leadership in setting the tone, along with the need for orientation, training and mentoring for new legislators.<sup>147</sup>

As these ideas suggest, the opportunity to interact in informal, low-pressure settings outside their normal settings helps officials from different parties and branches of government build trust and understanding. This collegial atmosphere is an important component of many state leadership development programs, such as CSG’s Henry Toll Fellowship Program, the Eastern Leadership Academy of CSG’s Eastern Regional Conference, the Midwestern Legislative Conference’s Bowhay Institute for Legislative Leadership Development, and CSG-WEST’s Western Legislative Leadership Academy. CSG provides a nonpartisan atmosphere that fosters civility and collaboration and encourages participants to continue practicing these skills when they return to their home states.<sup>148</sup>

#### **State Approaches to Election Reform**

Few legislative or administrative issues illustrate the increasing animosity of American politics more than election reform efforts. Election reform can generally be divided into three categories: technological, process and funding.

#### ***Improving Voting Technology***

Many states are adopting more stringent testing and security procedures. For example, Missouri provides an opportunity for candidates and observers from all political parties to participate in public equipment checks prior to each Election Day.<sup>149</sup> This provides bipartisan and public screening of the equipment and helps eliminate questions of possible mechanical error or tampering during the testing process.

Other relatively “low-tech” innovations include efforts such as the North Carolina Board of Elections’ Web site link allowing voters to track



**A collegial atmosphere is an important component of many state leadership development programs.**

## Legislators' Advice on Increasing Civility

During a workshop on legislative civility convened by CSG-WEST's Western Legislative Futures Forum in Anchorage, Alaska in 2004, legislators offered their advice on reducing incivility.

- ← Senior lawmakers should mentor newer colleagues.
- ← Legislative bodies should set clear standards for what behavior is acceptable and what is not.
- ← Leadership must set a tone of civility from the beginning.
- ← Lawmakers should hold retreats and outside activities where members of both parties can get to know one another.
- ← Legislators should have regular lunches with members of the opposite party to promote bipartisanship.
- ← Legislatures should consider shared committee leadership to promote comity.
- ← Lawmakers can attack ideas, but they shouldn't make it personal.
- ← Legislatures should encourage training and professional development activities to build trust and benefit legislatures as a whole.

Source: Cooper, Mary Lou. 2005. "Mind Your Manners." *State News* January 2005 48,1: 23.



their provisional votes.<sup>150</sup> Similarly, Illinois has addressed registration and balloting issues by creating a voting information Web site that allows voters to check registration and polling places, download sample ballots and access additional candidate information.<sup>151</sup> North Carolina has also taken advantage of available HAVA grant funds to introduce new technology to the process. In 2004, Guilford County provided each precinct with an "electronic poll book" for use in confirming voter registration and processing transfer voters. The new technology led to fewer provisional ballots than in other larger counties where such poll books were not available.<sup>152</sup> Plans exist to implement this technology statewide.

### Reforming the Election Process

In recent years, calls for nonpartisan redistricting measures have multiplied. Some states, including Arizona, Iowa, Maine, Montana, New Jersey and Washington, use commissions to determine election districts, but these solutions vary greatly from state to state.

Rather than leave the task of redistricting in the hands of lawmakers or elected officials, Iowa gave the job to the Legislative Services Agency, which is made up of legislative support staff with no stake in political partisanship. The redistricting plans are based solely on population statistics, and the agency is not given any information on addresses or previous election results of the populations. Once the plans are drawn up, they are sent to the Legislature for a majority vote.<sup>153</sup> Iowa's redistricting program, through an independent Legislative Services Agency, is based on successful models from other industrialized countries and is the only one of its kind in the United States.<sup>154</sup>

### Reforming Campaign Finance

With federal campaign finance reform in the spotlight,

most states have now attempted to address reform through the introduction of spending limits or through contribution disclosure.<sup>155</sup> Several states, however, have taken finance reforms a bit further. In 2000, Maine was the first state to operate under a law which prohibits candidates who accept public funds from also accepting private funds. Under the 1996 Clean Elections Law, candidates who accept public funds are given matching funds if they are outspent by a nonparticipating opponent; candidates are also free to collect private money under the old system if they reject available public funds.<sup>156</sup> Similarly, Arizona and Vermont have enacted laws patterned after the Maine Clean Elections Law, and North Carolina, New Mexico and New Jersey have adopted "clean elections" policies in a limited or pilot program capacity.<sup>157</sup>

North Carolina, for example, became the first state in the nation to publicly fund judicial campaigns through this type of legislation. In October 2002, North Carolina signed into law the nation's first full-funding system for judicial elections—setting the stage for a new wave of reforms in states concerned about the increasing campaign expenditures for judicial elections. Candidates for the state's appellate and Supreme courts must abide by strict spending and fundraising limits during the primary to receive full funding for their general election campaigns. The new law reduces the individual contribution limit to judicial candidates from \$4,000 to \$1,000.<sup>158</sup> Funding for the program comes from \$3 taxpayer checkoffs and voluntary payments by attorneys. To ensure that only serious, well-qualified candidates receive public money, participating candidates must show a demonstration of public support—qualifying contributions from at least 250 registered voters and signatures from at least 2,000 registered voters.<sup>159</sup>

## Ambiguous Authority: Who's In Charge?

Today's state officials find themselves faced with many responsibilities, difficult issues that often cross geographical boundaries, and demands from citizens to provide a growing array of services more efficiently and without raising taxes. In recent years states have also faced large numbers of federal mandates, conditions of aid, and preemptions of their powers as the balance of power in our federalist system has shifted toward the federal government. In response to these trends, state officials have increasingly joined together to address issues of mutual concern, especially those related to federalism.

### **Interstate Approaches to Shared Concerns**

State officials cooperate through a variety of formal and informal mechanisms, such as interstate compacts, uniform state laws, administrative agreements, multistate legal actions, voluntary associations of state officials, lobbying and casual networking.<sup>160</sup> Although interstate cooperation has a long history, in recent years states have undertaken some noteworthy collaborative initiatives in areas such as health care, the environment, economic development, education and public safety. Some of these efforts address regional concerns, while others come in reaction to federal policies or the threat of federal preemption. In some cases, states join together to fill voids where there are no federal policies, living up to their reputations as the “laboratories of democracy.”

### **Addressing Health Care Costs**

As health care costs have continued to consume a larger portion of state budgets, officials have crossed state lines to craft innovative solutions. In 1999, for example, Northeastern state legislators began considering the idea of purchasing prescription drugs in bulk to reduce the cost. There are currently four multistate programs for purchasing prescription drugs, including the Michigan Multi-State Pooling Agreement in nine states; TOP\$, which pools purchasing for three states; the Minnesota Multistate Contracting Alliance for Pharmacy, which involves 42 states; and the “RX Issuing States” Project which covers state employees in five states.<sup>161</sup>

States have also joined to try influencing federal policy in areas such as reimporting prescription drugs from other countries, and changes in the federal-state Medicaid program. In June 2005, for instance, representatives of the National Governors Association presented Congress with a bipartisan plan to reform Medicaid and other aspects of the U.S. health care system.<sup>162</sup> In August 2005 NGA released a follow-up paper focusing on proposals for short-term Medicaid reform.<sup>163</sup>



**In recent years, states have undertaken some noteworthy collaborative initiatives in areas such as health care, the environment, economic development, education and public safety.**

### Protecting the Environment

Environmental policy is another area in which interstate efforts are becoming increasingly common. The Northeast Recycling Council, for example, promotes “source reduction, recycling and the purchasing of environmentally preferable products and services” by its nine member states.<sup>164</sup> The Regional Greenhouse Gas Initiative, also composed largely of states in the Northeast, is designed to develop a multistate cap-and-trade program to reduce greenhouse gas emissions from power plants.<sup>165</sup> In the Midwest, the Council of Great Lakes Governors is dedicated to promoting environmentally responsible economic growth<sup>166</sup>, while the recently formed Great Lakes Legislative Caucus focuses on shared legislative strategies to protect the region’s water resources.<sup>167</sup>

Along with joint initiatives, another growing trend is the use of multistate legal actions against private companies and the federal government. The state attorneys general have been particularly active in this arena.<sup>168</sup> Almost 30 states have participated in about a dozen environmental initiatives over the past two years that have opposed federal environmental policies, including several multistate lawsuits.<sup>169</sup>

### Improving Education

In education and in other policy areas, interstate cooperation frequently involves multiple levels of government or the private sector. The Western Governors University, for

example, is a private, nonprofit, online university founded in 2000 by 19 governors, in collaboration with various corporations and educational institutions around the country.<sup>170</sup>

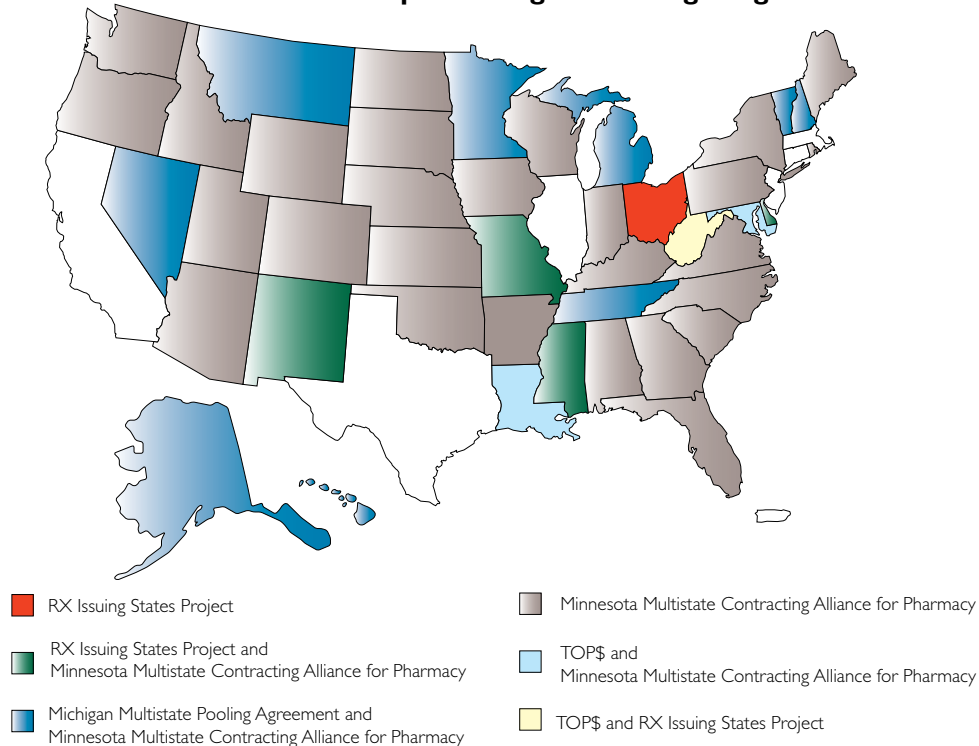
Another way states cooperate to develop and improve education policy is through interstate compacts, which are essentially contracts between two or more states. The Education Commission of the States, the Southern Regional Education Board, the Western Interstate Commission for Higher Education, and the Midwestern Higher Education Commission were all established by interstate compact to help states share resources, information and ideas.

### Ensuring Public Safety and Justice

Interstate compacts are also commonly used to address public safety and justice issues. This fall, the Emergency Management Assistance Compact, which allows states to share resources and employees during disasters, enabled officials around the country to swiftly aid those areas affected by Hurricanes Katrina and Rita.<sup>171</sup> Some recently enacted compacts deal with crime prevention and privacy, and supervision of adult and juvenile offenders in the criminal justice system. New compacts have been proposed or examined in areas such as public safety procurement; elder guardianship; sex offender management; and cooperation in metropolitan regions to promote economic development, education and public safety.<sup>172</sup>

The increased emphasis on homeland security since Sept. 11 has also underscored the need for cooperation among states,

### Multistate Prescription Drug Purchasing Programs



Sources: Minnesota Multi-State Contracting Alliance for Pharmacy, <http://www.mmd.admin.state.mn.us/mmcap/background.htm>;  
National Conference of State Legislatures, “Pharmaceutical Bulk Purchasing: Multi-State and Inter-Agency Plans, 2005,” <http://www.ncsl.org/programs/health/bulkrx.htm>.

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**As globalization has increased economic competition and opportunities, states have realized the importance of regional economic development initiatives that cross state and even national boundaries.**

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leading to collaborative efforts such as the Multistate Information Sharing and Analysis Center. The center, which helps states share information about cyber threats to critical infrastructures, has grown since its creation in January 2003 to involve 49 states and the District of Columbia. States are also joining together to share information about other types of crime. In July 2004, for instance, several Western governors announced the creation of a multistate Amber Alert Web portal to help disseminate information about missing children. Coordinated by a consortium of public and private partners, the project now involves eight states.<sup>173</sup>

#### **Promoting Economic Development**

As globalization has increased economic competition and opportunities, states have realized the importance of regional economic development initiatives that cross state and even national boundaries. The Pacific NorthWest Economic Region, created in 1991, is a public-private partnership that promotes regional cooperation and economic growth while maintaining environmental quality.<sup>174</sup> Members include Alaska, Idaho, Montana, Oregon, Washington, and the Canadian provinces of British Columbia, Alberta and the Yukon Territory. Similarly, the Southern Growth Policies Board is a public/private partnership that promotes economic development in 13 southern states and Puerto Rico.<sup>175</sup>

Another unique multistate initiative is designed to bring state and local tax systems into the digital age. The Streamlined Sales Tax Project is a voluntary effort to simplify and modernize sales and use tax collection and administration. Forty-two states and the District of Columbia are involved.<sup>176</sup>

#### **States Associations Address Federalism**

In addition to focusing on specific federal laws and policies, states have also joined together to address the general health of our federalist system. State and local government associations played a key role in passage of the Unfunded Mandates Reform Act of 1995.<sup>177</sup> That same year, The Council of State Governments, National Conference of State Legislatures, National Governors Association, American Legislative Exchange Council and State Legislative Leaders Foundation co-sponsored a States' Federalism Summit, which highlighted four proposals to restore balance to the American federal system.

In 1997, CSG, NGA, NCSL and ALEC held a follow-up meeting in which they “proposed a set of 11 statutory remedies to curtail federal overreach” and “agreed on an action plan to restore balance to the federal system.”<sup>178</sup> Although no comprehensive reforms have been enacted in recent years, the groups have continued to engage in joint lobbying and legal efforts and to monitor the health of our federal system.

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#### **Suggestions from the States' Federalism Summit**

Based on recommendations from an advisory committee of leading scholars, the suggestions included statutory and constitutional reforms designed to enhance states' powers, including:

- “(1) a federalism act to enhance the political safeguards of federalism and give states a more effective voice in congressional deliberations;
- (2) a mechanism to provide the people of the states, through their legislatures, the power to require Congress to reconsider laws, specific provisions of laws, or regulations that interfere with state authority;
- (3) a mechanism that would allow the states to propose specific amendments to the U.S. Constitution subject to ratification by the United States Congress; and
- (4) statutory remedies and/or constitutional reforms to address the problems of conditions attached to spending grants, regulations, and mandates.”

*Source: Stuart, Elaine. 1995. “Summit Seeks Return of Powers”. State Government News November/December 1995 38,11: 11.*

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# — Voices of Leadership —

State leaders are on the front lines of responding to trends. Here is what some prominent state officials have to say about how states are dealing with trends and the complexities of governing in the 21st century.



## **Silver Society: Aging of America**

### **Governor Jim Douglas (Vermont)**

2005 CSG President-Elect

“If we are able to promote healthy aging, through exercise, better nutrition and preventative health care, we can significantly improve the lives of our seniors and lower health care costs. We must make healthy aging the rule, not the exception.”



## **Immigrant Nation: Changing Face of America**

### **Governor Tom Vilsack (Iowa)**

“I have developed the ‘New Iowan Centers’ to build diversity and help people that are new to the state of Iowa understand the opportunities and responsibilities of living here. These agencies help to build communities and benefit our local economies by giving Iowans access to vital skills and assistance. Iowans have a strong sense of responsibility to their neighbors and these centers symbolize that commitment.”



## **Growth Dynamics: Regional Hot Spots**

### **Representative Marcus Oshiro (Hawaii)**

Majority Leader of the House of Representatives

“Hawaii’s Legislature passed the Legacy Land Act of 2005 as a proactive step to protect and preserve Hawaii’s limited natural resources for future generations and to ensure that the state’s unique lifestyle and cultural heritage remain intact for the enjoyment of future generations. Act 156 requires 10 percent of real estate conveyance taxes collected be deposited into a special land conservation fund. These moneys will be utilized by state agencies, counties, and nonprofit land conservation organizations to acquire lands considered to be part of Hawaii’s natural resources.”



## **Economic Transformation: Knowledge is King**

### **Governor Ruth Ann Minner (Delaware)**

2005 CSG President

“Delaware is doing well, thanks to the strong and long partnership between Delaware government and Delaware business. My goal with the New Economy Initiative is to make that bond even stronger, to bring quality jobs to even more Delawareans, and to ensure that Delaware enters a new era of opportunity.”



## **Globalization Era: New Forces at Work**

### **Representative Sam Hunt (Washington)**

“Today’s economy requires states to invest in development not only in their communities and surrounding states but in foreign markets as well. Having ports that are closest to Asia, Washington’s creation of a trade representative allows us to focus efforts on business and trade development full time. And our business leaders and elected leaders regularly meet with Asian officials to discuss trade and commerce.”

# —Voices of Leadership—



**Information Revolution: Sorting It Out**  
**Representative Roger Roy (Delaware)**  
2005 CSG Vice-Chair

“Future generations will expect to do business with the states primarily through electronic media such as the Internet. States must continue to work toward making state services available online as efficiently as possible and help ensure that all citizens can access those services.”



**Privacy vs. Security: A Balancing Act**  
**Senator Kevin Murray (California)**

Referring to SB 355, California’s anti-phishing bill that he sponsored: “The FBI says this form of theft is a major economic crime, in the past two years alone, costing consumers more than \$190 million. Authorities say Californians experience more than 15 percent of all phishing scams—the most in the nation—and we need to stop it with strong penalties.”



**Resource Management: Sustaining Our Future**  
**Assemblyman Lynn C. Hettrick (Nevada)**  
2005 CSG Chair

“While states and the federal government have made significant strides over the last 30 years in natural resource management, we are facing new challenges due to dynamic economic, social and political drivers. These challenges require unique solutions that states are in the best position to provide.”



**Polarized Populace: Eroding Common Ground**  
**Lieutenant Governor John Bohlinger (Montana)**

“Politics is a contentious business sometimes bringing competing political philosophies into view. But in order to serve our constituents, leaders must be able to work together and compromise is in order; to pass good policies and programs. Gov. Schweitzer and I are very proud of Montana’s Consensus Council. Dispute resolution and consensus-based policy-making helps Montana leaders serve the public by helping the executive and legislative branches function more effectively.”



**Ambiguous Authority: Who’s in Charge?**  
**Senate President Earl Ray Tomblin (West Virginia)**  
2005 CSG Chair-Elect

“In our ‘bottom up’ or grass roots approach to reaching accommodation to our own unique sets of challenges, the feds have a lot to learn from those of us closest to the problems, in the states, where we have not only the knowledge of the problem but how it can best be fixed from a local, state or regional perspective.”



## What's Next?

The *Trends in America* series has highlighted the 10 most powerful change drivers that impact state governments. The first edition shed light on the change driving trends and how they will influence governance and society in the next few years. This edition, *Navigating Turbulence to Success*, returns to each of these 10 trends with an eye to guiding state policy-makers as they craft responses. The series is an important element of CSG's efforts to serve state leaders through trends tracking and analysis.

CSG is aware that state leaders are concerned about the major forces changing society and are presented with the daunting challenge of remaining informed on such a wide range of issues. This knowledge lies behind our new trends-focused mission and the creation of the *Trends in America* series. Yet, knowledge of the issues is just the beginning.

### **Get Involved with Trends**

The expertise and insight of key decision-makers is invaluable to The Council of State Governments. CSG invites members—legislators, governors, cabinet secretaries, judges and others—to provide feedback about potential change drivers and emerging state trends.

Please visit our Web site at [www.csg.org](http://www.csg.org), e-mail us at [trends@csg.org](mailto:trends@csg.org), or contact Annette DuPont-Ewing, national policy director, at (859) 244-8228 or Melissa Taylor Bell, Ph.D., director of research, at (859) 244-8147 with suggestions, questions or information regarding state innovations and policy options related to the *Trends in America* series.

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