HOT TOPIC: 2014 Legislative Session Preview

Top Issues in 2014

Federal Uncertainty, State Opportunity

Health Exchanges
State Successes & Federal Missteps

CSG: A State Leader’s Toolbox

PLUS: Civility Works to Solve Problems

Maryland Senate President Mike Miller, Co-Chair
Maryland House Speaker Michael Busch, Co-Chair
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<td>Federal grants provided $1 of every $3 in 2011 state revenues. Where did your state fall? <a href="http://t.co/gCd55aDjtR">http://t.co/gCd55aDjtR</a></td>
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<td>As many as 300K US children at risk of being trafficked annually. Learn how states are responding: <a href="http://t.co/aJIqse9ZxS">http://t.co/aJIqse9ZxS</a></td>
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<td>Miss a CSG Webinar? Not to worry! Find archived webinars in the CSG Knowledge Center at <a href="http://t.co/pe8EyD5uet">http://t.co/pe8EyD5uet</a></td>
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<td>See how states stack up to each other with our new infographics feature in the CSG Knowledge Center: <a href="http://bit.ly/18xcBgd">http://bit.ly/18xcBgd</a></td>
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ON THE COVER
Chairs of The Council of State Governments’ regions are featured on special editions of the January/February Capitol Ideas.

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Maryland Senate President Mike Miller
Maryland House Speaker Michael E. Busch
Photo by Jim Hartman

CSG MIDWEST | CHAIR
Nebraska Sen. Beau McCoy
Photo by J. Michael McBride

CSG SOUTH | CHAIR
Arkansas Senate Minority Leader
Keith Ingram
Photo by Frankee Smith Rains

CSG WEST | CHAIR
Alaska Rep. Craig Johnson
Photo by Greg Johnson

JANUARY/FEBRUARY 2014

HOT TOPIC—FISCAL ISSUES
Even as states recover from the recession and the impact of the recent federal government shutdown, they face new challenges because of federal instability and pending cuts that come with sequestration.

HOT TOPIC—CSG LEADERSHIP
The national and regional chairs of The Council of State Governments share insights on major issues facing the nation.

10 QUESTIONS—OHIO SEN. FRANK LAROSE
Ohio Sen. Frank LaRose believes restoring civility in government will improve the success of the federal—and state—governments.

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The calendar can inspire us to take action.

As the year draws to a close, we reflect on our blessings, we give thanks for our bounty and we eagerly engage in providing hope and help to others less fortunate. As the crush of the holidays subsides, we approach the often-anticlimactic start of a new year. January 1 is just another day of the year, but it rings a special note for the newness and promise embodied in a date that represents a new beginning.

For me, January 1 this year marked my fifth anniversary as executive director of The Council of State Governments. I came into this job during the beginning of one of the worst economic downturns in U.S. history. I quickly learned that CSG was a valued resource for the states as they struggled to face the challenges of finding a way forward. It also was clear that we needed to reinvent CSG to be even more relevant for today’s state leaders. We retooled our programs and realigned our priorities to reflect those of our members. We found new and more valuable ways to fulfill our mission of championing excellence in state governments to advance the common good.

As this year begins, it is the role CSG plays in advancing the common good that remains at the core of my calling to do my job. I find meaning in work that transcends partisanship and ideology. I value an organization that works to bring people together to craft real and meaningful solutions, people who use data and research to drive policy choices and who understand the power of collaboration and consensus.

Civility is the oxygen of effective governance and CSG members consistently find ways to engage in civil discourse that aids understanding and allows many perspectives to be shared. CSG is a strong organization primarily because of the traditions established by the many leaders who guide its work. I have been honored to work with the many truly honorable public servants who give of their time and talents to make CSG work.

I recently visited the Harry S. Truman Library in Independence, Mo. The legacy of a remarkable leader is housed within its walls. President Truman, throughout most of his life, carried with him a prayer that he often recited. It has always struck me as particularly profound. It reads:

Oh! Almighty and Everlasting God, Creator of Heaven, Earth and the Universe:

Help me to be, to think, to act what is right, because it is right; make me truthful, honest and honorable in all things; make me intellectually honest for the sake of right and honor and without thought of reward to me. Give me the ability to be charitable, forgiving and patient with my fellowmen—help me to understand their motives and their shortcomings—even as Thou understandest mine!

Amen, Amen, Amen

In this season of new beginnings, of fresh calendars with many promising days ahead, of new legislative sessions with many possibilities, I hope the spirit of Harry Truman’s prayer guides the thoughts and deeds of us all. May 2014 bring you much joy, learning, love, peace and understanding. We stand resolved to help you achieve great things in this new year and for many new years yet to come.
“Simply put, early childhood programs are a key solution to prevent many of the problems that require increased social spending and result in budget deficits.”

—Quoted from a letter signed by more than 500 state legislators urging the Congressional Budget Committee to reinvest in early education.

“The House wants to fight about it so we will fight. We are ready to dig in.”

—South Dakota state Sen. Rick Bertrand, interviewed in the Sioux City Journal about the expected debate over tax-increment financing districts in 2014.

“This is a respectful question that goes to the fundamental relationship between the federal government and the state of Indiana.”

—Indiana Attorney General Greg Zoeller, commenting to television station RTV6 about the state and 39 public school corporations suing the IRS over the Affordable Care Act’s employer mandate.

“If you go to the state Senate, make sure and bring a coat. It’s going to be chilly.”

—Frank Corder writing about the 2014 Mississippi legislative session on the blog, Y’all Politics.

“I believe this is the defining challenge of our time: Making sure our economy works for every working American.”

—President Barack Obama, in a speech in December about the economy, as quoted in The Washington Post.
The East

TAX AMNESTY
Connecticut has collected $175 million in back taxes through the most successful amnesty program in the state’s history. According to The Courant of Hartford, 665 corporations paid $91.3 million in back taxes, more than 5,000 individuals paid personal income taxes totaling $21.4 million, and another 2,600 taxpayers paid $55.5 million in sales and use tax debts owed to the state. The largest single payment received through the program was $20 million.

CLEAN ENERGY
Gov. Andrew Cuomo has announced New York will invest $225 million to develop a high-tech manufacturing complex that will focus on clean energy in Buffalo. The Associated Press reports that the Buffalo High Tech Manufacturing Innovation Hub initially will house two California-based companies—Soraa, an LED lighting manufacturer, and Silevo, a solar power company—and will employ 850 people.

HOMELESSNESS
A bipartisan group of legislators in Pennsylvania has created a caucus to address homelessness as part of a larger initiative to explore poverty in the state. Reps. Dave Reed and Vanessa Lowery Brown formed the House Homelessness Caucus to focus on the issue and advocate for policies to combat homelessness among Pennsylvanians. In addition, House members have filed a resolution to create a task force and advisory commission tasked with undertaking a comprehensive, two-year study on homelessness in the state.

AMUSEMENTS TAX
A Tax Expenditure Review Task Force in Maine has proposed a 5.5 percent tax on “amusements” to help fill a $40 million budget gap. The proposed tax would apply to admission fees to movies, concerts, amusement parks, festivals and zoos, as well as such sporting and outdoor activities as golfing, skiing and sightseeing; it is expected to yield $20 million in revenues, the Bangor Daily News reports. The task force also has proposed assessments on personal care services, which could result in another $20 million in revenues.

INTERNET ACCESS
Vermont Gov. Peter Shumlin has called for a “celebration of progress” in recognition of the state’s expansion of high-speed Internet. Shumlin said all but 3,000 addresses across the state now have access to broadband Internet, the Burlington Free Press reports. In three years, the percentage of high-speed Internet coverage has increased from 89 percent to 99 percent, with 30,000 addresses adding service during that time. A website, www.broadbandvt.org, shows coverage throughout the state, though some residents in areas shown as having coverage dispute the quality and speed of the service.

New Jersey Considers Smart Cards to Fight Medicaid Fraud

Lawmakers in New Jersey are considering the potential of smart card technology to combat Medicaid fraud, NJSpotlight.com reports. The Assembly Health and Senior Services Committee released a bill, A-4062/S-2894, that would establish a pilot program testing the effectiveness of smart cards in improper billings to the federal and state joint health care program.

If passed, the pilot program would issue smart cards to Medicaid recipients. The cards would store patients’ medical records on a flash drive that health care providers could access using a computer’s USB drive. The program would give health care providers instant access to patient records, allowing them to identify and stop fraudulent activity before it occurs.

By contrast, current efforts to address Medicaid fraud often rely on responses to fraudulent activity that already has taken place.

The bill requires the smart card to authenticate the identity of both the patient and the health care provider in an effort to prevent both patient- and provider-based fraud.

Some policymakers have expressed concerns about the ability of such smart cards to protect patients’ information if the cards are lost or stolen. Representatives of the companies that produce the smart cards, however, indicate the cards contain security features to prevent patient information from being improperly accessed.

A 2011 bill passed by North Carolina lawmakers established a similar pilot program in that state.

To learn more about these and other developments in the Eastern Region, visit: capitolideas.csg.org and www.csgeast.org.
SUSPENSIONS UPHELD
The Georgia Supreme Court ruled in late November that a law Gov. Nathan Deal used to suspend members of the DeKalb County School Board was constitutional. The Atlanta Journal-Constitution reported that Deal suspended six of the nine members of the school board in early 2013 after the Southern Association of Colleges and Schools placed the district on probation. Deal told reporters he believed such a law should be used only in the most extreme circumstances.

DRUG PRICING
Louisiana recovered $238.1 million from more than 100 pharmaceutical companies as a result of litigation against the pharmaceutical industry since 2010, according to The (New Orleans) Times-Picayune. The final 25 companies involved in the lawsuit agreed in November to pay $88.4 million in the settlement. The state filed the lawsuit over unfair drug pricing in the Medicaid program.

HUMAN TRAFFICKING
Arkansas Attorney General Dustin McDaniel has named 40 people to the state’s new task force created to help prevent and raise awareness about human trafficking. The State Task Force for the Prevention of Human Trafficking was created under Act 133, known as the Human Trafficking Act of 2013. The legislation toughened Arkansas’ human trafficking laws and offered new protections to victims; it also has helped improve information gathering and information sharing among agencies with the goal of better identifying victims.

HOME SALES
South Carolina is one state where home sales are on the rise. Sales of existing homes—which include single-family homes, townhomes and condominiums—have been positive throughout the year, with October showing a 5.2 percent gain from a year ago and year-to-date numbers up 19.4 percent. The Greenville News reported in November that the state is benefiting from a rising job market, low interest rates, and growth in industry and business, which contributes to consumer confidence. Nationally, existing home sales fell 3.2 percent in October from September.

GULF COAST AID
Mississippi Secretary of State Delbert Hosemann in November presented a $9.75 million check from the Public Trust Tidelands to the Department of Marine Resources and Mississippi Gulf Coast Legislative Delegation to benefit Gulf Coast residents. The funds will be used for programs and projects related to conservation, preservation, procurement, education and improvement of public access. According to the Hattiesburg American, the Mississippi State Legislature will disburse the funds with direction from the Coast delegation.

Oklahoma Reins in Uninsured Drivers
Recent legislation in Oklahoma takes a new approach to reducing the number of uninsured drivers in the state, according to the Tulsa World. Estimates by the Oklahoma Insurance Department show that more than 550,000 vehicles in the state are uninsured, representing a loss of $8.8 million in tax revenue.

House Bill 1792, sponsored by Rep. Mike Christian and Sen. Corey Brooks, created the Oklahoma Temporary Motorist Liability Plan, a form of temporary vehicle liability insurance coverage for drivers whose license plates have been seized.

Under the new law, police officers have the authority to seize a license plate, instead of towing a vehicle, when a vehicle is uninsured. The officer then issues a citation that gives the driver 10 days of temporary liability insurance. The sheriff’s office holds license plates until drivers buy insurance and pay all fines and fees, including the cost of the temporary liability insurance. The law also allows the sheriff’s department to dispose of any unclaimed license plate after 90 days.

After 10 days, the vehicle cannot be used until the owner provides verification of compliance and pays a fee of $125. The Oklahoma Sheriffs Association disburses the fee to the county sheriff’s office, the law enforcement agency that issued the citation, the temporary insurance premium pool and the plan administrator. The fine for failing to comply with the compulsory insurance law is $250.

The new policy took effect in January.
The Midwest

PIPELINE SAFETY
A new advisory panel in North Dakota will explore industry practices that could lead to increased state monitoring of oil pipelines, the Bismarck Tribune reported. The creation of the panel follows a September incident in which more than 20,000 barrels of crude oil spilled from the Tesoro Logistics Pipeline on a wheat farm near Tioga, N.D. The panel will review best practices and explore options for the state to take on more oversight of the industry.

HEROIN DEATHS
The number of heroin deaths in Ohio doubled between 2010 and 2012, according to The Columbus Dispatch. On average, 11 Ohioans die each week from heroin overdoses. In 2012, more than 600 Ohioans died from heroin use; that number is expected to rise this year. Attorney General Mike DeWine has pledged $1 million to create a new section in his office to investigate, conduct lab testing and prosecute heroin cases.

READING PROGRAM
Kansas will partner with organizations such as Save the Children to add new after-school programs in rural areas and expand after-school and summer programming at Boys and Girls Clubs in urban areas in an effort to improve reading proficiency. Gov. Sam Brownback hopes the program will help break the cycle of poverty among Kansas’ children. The state will use $9 million of funding from the Temporary Assistance for Needy Families program to fund the initiative, KCUR.org reported.

TRANSPORTATION FUNDING
Iowa Gov. Terry Branstad is reviewing options for raising money to meet the state’s transportation needs, The Associated Press reported. Options under review include new registration fees and fees for oversized vehicles. A commission appointed by the governor in 2011 recommended raising the fuel tax by 8 to 10 cents per gallon to help fund roads and bridges in the state. Branstad has expressed concern about raising the state fuel tax, which stands at 22 cents per gallon.

DAY CARE RULES
Indiana legislators say they will propose bills in the next session to strengthen standards for day cares that receive federal funds, the Indianapolis Star reported in November. At least two bills would close loopholes that exempt church-based and unlicensed day care facilities from meeting many of the safety regulations that licensed facilities must meet, though all are eligible to receive federal tax dollars. The bills also propose requirements for child abuse detection and prevention training, mandatory reporting of suspected child abuse and neglect by care providers, and facility staff-to-child ratios.

Michigan Cutting Red Tape to Attract Businesses

Michigan is working to cut red tape and attract businesses by eliminating hundreds of administrative rules, MLive.com reported in November. The Office of Regulatory Reinvention, established by Gov. Rick Snyder in 2011, has reviewed more than 19,000 rules and has rescinded nearly 2,000 of them, though some have been replaced by new rules. Overall, the state has reduced its administrative rules by more than 1,500.

To assist in the process, eight advisory rules committees have reviewed and made recommendations on regulatory changes in such key policy areas as the environment, inspections and permitting, insurance and finance, liquor control, natural resources, occupational licensing and workplace safety. So far, the state has implemented 100 of the 320 recommendations released by the committees and officials expect more recommended changes to come.

Many of the changes have involved regulations that are obsolete, unnecessary or unenforceable, including one that requires child care workers to smile, according to state officials. Kevin Elsenheimer, who oversees the Office of Regulatory Reinvention, said rules like this can be a barrier for businesses wanting to locate or expand in the state.

“That’s the reason we thought it was so important to give these rules a good scrub, to clean them up and to get rid of this superfluous and obsolete language,” he said.

Environmental groups have expressed concern that some proposed changes could put business interests above the well-being of the environment and public health, including recommendations to reduce the number of toxic air contaminants that would be subject to regulations, as well as proposed changes to the state’s wetlands regulations.

Lonnie Scott, director of the advocacy group Progress Michigan, agreed that some deregulation is needed to promote growth among the state’s small business community, but warned of deregulation “that really seeks to just increase corporate profits, often at the expense of worker or environmental safety.”
Colorado, Washington Set Recreational Pot Taxes

Colorado and Washington have finalized plans to tax recreational marijuana and are serving as laboratories in the national debate regarding legalization, Stateline.org reports.

In November, 65 percent of participating Colorado voters supported the passage of a two-tiered tax package for recreational marijuana that was approved by the legislature. It includes a 15 percent tax on wholesale marijuana and a 10 percent sales tax on retail marijuana in addition to the state’s existing 2.9 percent sales tax. Revenues generated from the taxes on recreational pot would support education, marijuana regulation, public health and police programs. Colorado law requires proposed taxes to go before voters.

In Washington, recreational marijuana will be subject to a 25 percent tax at three separate points—during transactions between producer and processor, processor and retailer, and retailer and consumer—resulting in a cumulative tax between 35 and 45 percent. The state legislature passed the tax scheme last year with 55 percent support.

Estimates of the potential revenue that will be generated by recreational marijuana taxes vary, but some suggest the states could see as much as $2 billion in the first five years as a result of the new taxable markets.

Opponents of high taxes on recreational pot, however, argue that the tax schemes could create gray markets as marijuana sellers attempt to cheat the system.

Concerns over the federal response to the new marijuana markets also remain.

U.S. Attorney General Eric Holder has indicated federal prosecutors would not pursue aggressive crackdowns on marijuana sales in the two states, but would focus prosecutions on eight priority issues, including sales to minors and trafficking by gangs. Questions related to whether the Justice Department would allow banks and credit card companies to process transactions for recreational marijuana, however, remain.

Despite the uncertainties, states will continue to watch Colorado and Washington as marijuana markets open, and experts expect other state legislatures to enter the debate in 2014.

The West

CALIFORNIA PORTS

Recognizing growing competition in Canada, Mexico and the Gulf states, California officials are working to improve efficiency and boost capacity of the state’s ports, the Capital Weekly of Sacramento reported in November. A new law crafted by Assemblywoman Bonnie Lowenthal established an advisory committee to help the state develop a freight plan to increase the competitiveness of the state’s three main ports. California also has invested $250 million in state bond funds to support the $500 million conversion of the former Oakland Army Base into warehouses and pier-side rail spurs to increase the capacity of the Port of Oakland.

LAND TRUST REVENUES

The Montana Land Board, which manages 5 million acres of public land, has raised nearly $120 million in the past year for state schools. The board’s annual revenues, raised through land leases, logging and other activities, are up from approximately $80 million in 2004, the Missoulian of Missoula, Mont., reported. Eight percent of state school budgets are supported by the land trust funds.

TUITION RATES

Students in Oregon’s public university system will pay lower tuition rates beginning in January 2014. The cuts in tuition rates come after the state legislature approved an additional $25 million in funding to the Oregon University System. Public university students will save $150 on average, the Statesman Journal of Salem, Ore., reported in November.

ILLEGAL IMMIGRANTS

The Border Patrol in New Mexico announced an increase in apprehensions of immigrants illegally crossing the border for the 2013 fiscal year. According to the Albuquerque Journal, the number of illegal immigrants apprehended rose from 5,662 in 2012 to 7,988 in 2013, a 41 percent increase. The U.S. attorney in New Mexico also reported a rise in criminal immigration prosecutions, which had grown by 46 percent in the first 11 months of 2013.

OVERCROWDED PRISONS, JAILS

Hawaii is considering plans to build a new prison on Oahu and jails throughout the state to help alleviate overcrowding. According to the Pacific Business News, the state is looking to replace its largest jail, the Oahu Community Correctional Center, with a new facility, replacing or expanding the Halawa Correctional Facility, a medium-security prison. Together, the new and expanded facilities would hold an additional 4,400 inmates.

The state’s Department of Public Safety currently oversees 6,000 inmates, including 1,500 inmates housed in facilities on the mainland.

To learn more about these and other developments in the Western Region, visit: capitolideas.csg.org and csgwest.org.
There are hundreds of great articles, books and tutorials on how to become a more active and engaging presence on Twitter. Being a public official who wants to communicate in 140 characters or less comes with a unique set of challenges and opportunities.

Here are a handful of things I picked up while working as the chief strategy officer to @GovernorMarkell of Delaware to keep in mind when navigating the Twitterverse.

**Take advantage of your status to engage high profile people.** Public officials like celebrities as much as anyone and can be particularly, and deservedly, envious of the number of celebrities’ Twitter followers. But celebrities often enjoy the chance to be heard by public officials, especially when they have something to say. If you have any connection to them—Did they grow up in your district? Speak about your agency’s most critical mission?—do not be afraid to work them into a tweet. One small example—Gov. Jack Markell happened to drop a Counting Crows lyric into one of his weekly addresses, fessed up to it on Twitter and thanked the band for their great nonprofit work. They shared it with their 1.3 million followers and the governor picked up some new fans.

**First person first—even when it’s staff:** Tweets are read with the impression that they are personal expression of the face in the profile picture. But a lot of electeds or their offices type in the third person (“The senator co-sponsored the Education Reform Act today …” or “The secretary announced sweeping changes …”). Don’t. Speak like you would in person, albeit in much shorter phrases (“Isn’t it time we fix this problem? Here’s a new way we are trying.”) If your staff tweets for you, make clear in your profile when readers will be able to tell the tweet comes directly from you. We started in the governor’s office by signing staff-written tweets with the first letter of our names, but moved to signing his—JM instead.

**Stay on top of your pre-scheduled tweets:** A number of programs give you the chance to load up your tweets to run at a future time; we used HootSuite in the governor’s office. For example, if you are having a press conference the next morning, you can load up some of your better words or phrases the night before so you can pay more attention to the event while you are there. Or if a great nonprofit is having an event in the morning, you can load up best wishes the night before. But sometimes disasters happen or tragedies strike, and the cheery “Good luck @Wildcats food drive …” sounds incredibly inappropriate given the flood waters rising in a local neighborhood. When something bad breaks, check in to remind yourself what you prescheduled.

**Apologize. Do not delete.** There are programs that capture and websites that highlight tweets that get deleted from public officials of a particular level. If you make a mistake—whether of the “sat on your phone tweet” variety or the ‘oh, goodness, the intern accidentally tweeted WHAT?’—it is usually better to simply acknowledge it, correct it and apologize for it than to delete it, get it flagged by one of those sites and plant an enormous red flag on the offense.

**Follow new U.S. Sen. Cory Booker.** Not just “follow” @corybooker, but really follow how he connects with people. He broke 1 million Twitter followers as a mayor for a lot of reasons, but his authenticity and the frequent “inside looks” into his life are good models.
The economy will once again be the issue at the top of the list for many state legislators across the country. In addition to the typical budget challenges, states face the uncertainty of federal funding due to Congressional gridlock. The recent federal government shutdown cost the U.S. billions of dollars and some states picked up the tab for federal services—like keeping national parks open—with no guarantee of reimbursement. In addition, more federal funding could be cut through sequestration. But other policy areas will demand the attention of legislators, and many of those, too, will be influenced by what happens at the federal level. With such stress in the current political environment, civility in the legislative process will be at a premium.

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When the federal government shut down last October, 850,000 federal workers were furloughed for an unprecedented 6.6 million combined days. Forecasters estimated the shutdown cost the economy between $2 billion and $6 billion in lost output.

The short-term fix passed by Congress, called the continuing resolution, left the door open that the same situation could occur once again. The continuing resolution funded the government through Jan. 15, 2014, while the debt limit agreement lasts until Feb. 7, 2014.

“The chances of another shutdown fluctuated every day, depending on the overall political climate,” said JC Hendrickson, director of legislative affairs in The Council of State Governments’ Washington, D.C., office. Public opinion soured immediately following the October 2013 shutdown and a repeat at first seemed unlikely.

Since the continuing resolution passed, however, the rocky rollout of the Affordable Care Act insurance marketplace website, HealthCare.gov, and the cancellation of health plans have pulled public attention away from the shutdown.

“The health law’s rollout issues usurped the public discontent with the shutdown, potentially increasing the chances of another shutdown,” said Hendrickson.

That left states facing another potential economy buster even as they dealt with the impacts from the last shutdown, the continuing political turmoil in Washington and the pending cuts from what has come to be known as sequestration combined with an anemic recovery from the Great Recession.

Government Shutdown

States responded to the funding gap caused by the shutdown very differently, according to Melissa Loeb, a senior policy analyst with Federal Funds Information for States, a service that tracks and reports on the fiscal impact of federal budget and policy decisions on state budgets and programs.

“States backfilled federal funding gaps depending on their individual budgetary situations,” she said. “Some used reserves, others used carryover funds.”

For example, during the federal government shutdown, Arizona, New York, South Dakota, Colorado and Tennessee faced the closure of national parks that bring in significant tourism dollars. To mitigate the economic damage of those closures, each state paid the federal government to keep the parks open.

New York Gov. Andrew M. Cuomo worked out an agreement with the federal government to keep the Liberty Island National Park open during the shutdown at a daily cost of $61,600. Cuomo touted the importance of keeping the Statue of Liberty open in a press release in October.

“The Statue of Liberty is one of this country’s most recognizable landmarks, attracting millions of visitors to the state every year, and its closure these last 11 days has had a terrible impact on the local economy and tourism industry,” said Cuomo. “Every day that Liberty Island is closed means we are losing visitors who would otherwise be spending at our local businesses—not to mention the employees who maintain the park and have been forced out of work.”

He blamed the political stalemate in Washington for the negative impact the shutdown had on his state.

“As the shutdown continues, we cannot afford to lose the thousands of visits to the park each day. So while the dysfunction and gridlock in Washington, D.C., has failed to
keep this important state asset open, New York is stepping up to take over this responsibility,” said Cuomo.

Unfortunately, stepping up like New York did to keep state economies moving could come at a cost to state coffers.

Loeb said the continuing resolution Congress passed includes a provision that allows for reimbursement to states.

“However, the national parks were outside of the scope and were considered donations to the federal government,” she said. That means states that kept national parks open could end up eating the costs.

Legislation has been introduced in the House and Senate to repay the states, but its chances of success are uncertain.

Political Turmoil
The rocky rollout of the Affordable Care Act—and the shifting requirements for compliance—has been a major contributor to both political turmoil in Washington and uncertainty for states.

Absent a solution to the political gridlock, states and the anemic economic recovery will pay the price.

“The clock started ticking for Congress to reach a budget deal before the continuing resolution expired,” said Hendrickson. “For states, having to plan for two very different fiscal scenarios—both another shutdown and a budget deal with unknown details—has been a very difficult position.”

That comes at a time when states are seeing some revenue growth brought by a recovering economy, but the unsteady situation in Washington could cripple that recovery.

Utah, for instance, is anticipating total revenue growth of 3.8 percent for the 2015 fiscal year, which begins July 1, 2014, said Juliette Tennert, budget director and chief economist in the Utah Governor’s Office of Management and Budget. Gov. Gary Herbert will use that forecast, which was released in November, to form his budget. Tennert said the forecast is in line with the state’s long-term averages.

“Utah has been really well positioned...
IMPEACHMENTS OF SHUTDOWN
U.S. Sen. Debbie Stabenow, D-Mich., right, above, led a tour group of students from St. Patrick School of White Lake, Mich., in the Rotunda on Capitol Hill in Washington, in October. Congressional staffers and interns usually lead constituent tours, but members of Congress led tour groups from their home states during the federal government shutdown. Mount Rushmore, top right, was among the national parks closed during the government shutdown.

during the expansion, so we are seeing this level of growth even with all of these additional pressures,” she said.

But that doesn’t mean what’s happening in Washington is not affecting Utah.

“Where the impacts are really coming into play for Utah are the indirect economic impacts, including less federal spending in the national economy as a whole. The uncertainty in federal spending coupled with things like the 2013 payroll tax increase means that Utah families and families across the nation have less money in their paychecks to spend in the national economy,” she said. “It’s all of these things that are dragging on our economy and dragging on our revenue forecast.”

Sequestration and Anemic Recovery
Sequestration is a mechanism put into place by the Budget Control Act of 2011 as a way to encourage Congress to compromise on deficit reduction efforts. The act put into place limits on discretionary spending for the 2012 through 2021 fiscal years. When Congress couldn’t agree on a budget by the deadline set in the act, mandatory cuts took effect in early 2013.

According to Michael Leachman, director of state fiscal research at the Center on Budget and Policy Priorities, sequestration covers discretionary spending, which is divided into two categories—defense and non-defense spending.

How exactly sequestration will work in 2014 is still up in the air, depending on what actions Congress takes.

“It’s not clear how it will play out, whether those cuts will be across the board again or if Congress will leave to appropriators the decisions on how to reach cut levels,” Leachman said.

Regardless of how sequestration plays out in the coming years, federal spending cuts are already having an impact on states.

“State aid has already been cut significantly as a result of sequestration and other deficit reduction measures that Congress has taken,” said Leachman. “So even before sequestration was implemented, Congress had cut nondefense discretionary spending levels to low levels compared to where they have been historically.”

Federal cuts have been particularly hard on education funding, especially when combined with state and local funding cuts.

“In addition to federal spending cuts, state funding for education has fallen. We have 35 states where state funding for K-12 schools is down since the recession hit,” said Leachman. “At the local level, it’s hard to make up for those cuts, which in turn has an impact on property tax revenues, which are still down compared to where they were.”

While state revenues are beginning to recover, the recovery hasn’t been strong enough to keep up with the increasing demands on states.

“It’s taken a really long time, but in the meantime, needs have gone up. The recession hit almost six years ago, and getting revenues back up just adjusting for general inflation, doesn’t really account for the increased needs since then,” said Leachman.
Those increased needs include more students to educate because of population growth, an uptick in the number of people qualifying for Medicaid and still heightened unemployment levels. Additional federal cuts could make it difficult for states to climb out of the fiscal hole the recession caused.

“Most states have a backlog of highway repairs and building that they need to do, and during the recession they cut very deeply into their spending on courts and child welfare systems,” said Leachman. “So states have a whole backlog of needs that adds to the difficulty of absorbing additional federal cuts.”

In general, states have two ways to fill funding gaps: raise revenue or shift funding around, which would lead to cuts in some programs.

“Raising new revenue is always a challenge, so in many cases it is likely that we will see additional service cuts,” said Leachman.

More cuts to education in particular could affect a state’s ability to thrive in the future.

“In the case of schools, those service cuts come on top of significant cuts that have already been made that drives up class sizes, shortens school years and leads to teachers being laid off,” said Leachman. “Those cuts have long-term impacts on a state’s economy by reducing the quality of education that kids receive.”

During healthy economic times, states might have more options to plug budget holes, but in the post-recession slow recovery, those choices are limited.

“Under other circumstances, states and localities might be in a better place to absorb further federal cuts, but there is just nowhere else to turn,” said Leachman.

**CSG Federalism Task Force**

Increasing political and fiscal instability at the federal level—and the effect that instability is having on states—are some of the reasons The Council of State Governments formed the Focus on Federalism Task Force. The group met for a second time in October, where the impact of federal action on state budgets was front and center during the discussion.

Nebraska Sen. Beau McCoy, a member of the task force and the 2014 chair of CSG Midwest, explained that federal instability is affecting states’ abilities to plan for their own fiscal future.

“We’re struggling to balance budgets at the state level in the midst of a lot of turmoil in Washington,” McCoy said.

Not knowing just how federal budget decisions will play out in the coming months and years—and how much spending cuts will be shifted onto states—leaves state leaders in a difficult spot.

“It makes it harder for states to plan when it is not clear how much federal aid is coming,” said Leachman.

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**CUMULATIVE AUTOMATIC SPENDING CUTS UNDER THE BUDGET CONTROL ACT**

Cumulative deficit reduction of $1 trillion (including interest) resulting from automatic federal spending cuts, fiscal years 2013–2021 in billions of dollars.

- **Defense Discretionary** $441.7
- **Nondefense Discretionary** $285.1
- **Interest** $132.2
- **Medicare** $82.9
- **Other Mandatory** $44.4

Source: The Pew Charitable Trusts analysis of February 2013 Congressional Budget Office data
Bracing for Federal Cuts

When a business closes in Alaska, Ohio or Mississippi and more than a thousand jobs are lost, it makes headlines. When the federal government workforce in those states shrinks by thousands of workers, it largely goes unnoticed—although the economic consequences of those job losses are just as real.

Nationally, the federal workforce has shrunk by 43,000 jobs since December 2007. In September 2013, the number of federal government employees was at the lowest level in more than 47 years. The Budget Control Act of 2011—also known as sequestration—could further exacerbate that downward trend.

When state governments look at sequestration, they may see the potential loss of federal funds for programs like education and law enforcement, but the picture is much bigger than that. Many states have a significant number of federal employees who live within their borders, and any cuts to federal employment would likely affect state economies as well.

Federal employment cuts could have a larger effect on states like Hawaii, Maryland or Virginia, where federal employees make up a larger percentage of total employment than in other states.

California is home to the most federal employees of any state; 245,000 Californians work for the federal government. Texas ranks second with 193,500 federal employees, and Virginia is third with 172,500 federal employees. States like Vermont and Delaware each have fewer than 6,500 federal employees.

Since the recession began, New Jersey and New York have each lost more than 10,000 federal employees, while Pennsylvania federal employment has dropped by 8,700.

Impact of Shutdown

Rockville, Md.—President Barack Obama spoke about the government shutdown and debt ceiling during a visit to M. Luis Construction, which specializes in asphalt manufacturing, concrete paving and roadway reconstruction last October. ©AP Photo/Charles Dharapak
1.7% of California’s workforce is employed by the federal government, and that portion represents 245,000 people.
Conditions continue to struggle with radical transformation of public education, which many believe is necessary to make U.S. students more competitive globally. Efforts are underway to effectively prepare teachers, evaluate student learning, develop innovative materials and hold schools accountable for student success.

“Implementing (innovative strategies) is the hardest part,” said Denise Link, chair of the Cleveland Metropolitan School District board. “We still have so much more to do, it’s almost scary.”

Link is a member of The Council of State Governments’ Deeper Learning Focus Group, which is calling for a more demanding and student-focused educational system.

No longer will traditional teaching methods survive in innovative classrooms. Learning is now personalized, research-driven rather than textbook-driven, where students master the art of self-directed learning, according to members of the Hewlett Foundation’s Deeper Learning Network, a set of school networks comprising more than 500 schools in 41 states.

The focus group believes state policymakers and local school district officials must be involved in the development of more rigorous standards, personalized learning, improved assessment systems and valuable teacher professional development surrounding new teaching delivery methods.

CSG’s Deeper Learning Focus Group recommended an emphasis on the knowledge, skills and dispositions needed to prepare all students for college and a career. Although many states focus on college readiness, they need to increase efforts in career and technical education, the focus group believes.

“We aren’t measuring kids on technical skills and employability needs,” Kentucky Education Commissioner Terry Holliday said. “There are a lot of kids who are college ready but woefully underprepared for the workforce.”

The focus group released a policy framework with a wide range of options that gives local school districts the flexibility to innovate so students graduate with the necessary skills to succeed. Members believe these policies will result in deeper learning outcomes that focus on critical thinking and complex problem-solving, effective communication, collaboration and self-directed learning.

The focus group also recommended flexibility, or waivers, from state laws that in many cases prevent local school districts from being innovative.

That choice helps, as Daniele Massey, Department of Defense Education Authority 2013 Teacher of the Year, told the focus group in a meeting in November. “What our kids learned in algebra was never going to help them in life,” she said. “There’s a bigger picture out there; it’s more about the process. I flipped my classroom into a mastery classroom where we embraced the focus of student learning. We have to give them voice and choice.”

**TOP 5 EDUCATION ISSUES**

1. High Quality Early Childhood Education
2. College, Workforce and Life Readiness
3. K–12 Assessment and Accountability Systems
4. Technology and Digital Learning
5. Degree Attainment and College Completion
TOP 5—TRANSPORTATION | hot topic

2014 PREVIEW

STATES SEEK TRANSPORTATION FUNDING CERTAINTY

by Sean Slone

MAP-21, the hard-won federal surface transportation authorization bill approved by Congress in 2012, will expire at the end of September. Inaction by Congress on a successor would mean the federal Highway Trust Fund will run out of money in 2015 and bring to a halt many important transportation construction projects around the country.

“(MAP-21) was a wonderful six-year bill with only two years of funding,” said Kentucky Transportation Secretary Mike Hancock.

As the 2014 president of the American Association of State Highway and Transportation Officials, known as AASHTO, Hancock will help lead the charge to encourage Congress to pass the next bill on time and avoid the many short-term extensions that caused headaches for states the last time around.

“The uncertainty … constantly forces the states to roll the dice in the hopes that everything will come together for the following year’s program,” he said. “Many of the projects that we do are multi-year projects.”

The looming fiscal cliff for the trust fund, which had to be propped up by a general fund transfer as part of MAP-21, will make the task for Congress even more difficult. There appears to be little agreement regarding what to do about the fund’s principle revenue source—the federal gas tax. The tax has not been raised in more than 20 years and is not indexed to account for inflation. Increasing fuel efficiency, alternative fuel vehicles and declines in driving are expected to further erode gas tax revenues in the future.

“What we would love to see is a multi-year bill that includes long-term, sustainable highway funding from the federal government,” Hancock said.

Not everyone shares that perspective. Some in Congress have proposed reducing the gas tax and transferring authority over federal transportation programs to states. Hancock and others think that would be a mistake.

“We do want and need a vibrant role (for the federal government) in transportation funding in America,” he said. “There are too many things at a national level that simply require federal involvement. We need to have that consistency in the program as a hallmark of the program.”

Moreover, Hancock believes the federal program should maintain the principle of a user fee-based system. He doesn’t think transitioning to sales taxes—as some states have done or have proposed—or continuing to rely on general fund revenues would provide a sustainable, predictable, long-term solution. A transition to a mileage-based tax system appears inevitable but requires further incubation at the state level in places like Oregon, which has been experimenting with the concept for more than a dozen years.

Hancock said as the federal government and other state governments search for solutions in the near term, they might be wise to take a cue from his home state of Kentucky, which has an indexed gas tax.
Many states—especially those that rely on coal-fired power plants—will be paying close attention to an expected Environmental Protection Agency rule on greenhouse gas emissions.

The rule, part of the president’s climate action plan, will require states to set performance standards and develop implementation plans to regulate greenhouse gas emissions, like carbon dioxide, from existing power plants. The EPA is expected to release the rule in June 2014; the plans fall under section 111 (d) of the Clean Air Act.

One concern states have is the potential for increases in energy costs for manufacturers that rely on coal-fired power for electricity.

“There is no known cost-effective control technique for carbon dioxide emissions from existing coal-fired power plants,” said Bob Hodanbosi, Air Pollution Control division chief at Ohio EPA. “In order for industrial plants in our state to remain competitive in a global marketplace, it is necessary for factories to have reliable and inexpensive electricity.”

State air agencies typically need several years to develop implementation plans for existing sources of air pollution like particulate matter and sulfur dioxide. The new plans must be completed and submitted to EPA in less than two years.

The size and scope of the regulatory universe for existing emissions of criteria pollutants versus carbon dioxide and other greenhouse gases vastly differs. According to 2012 EPA emissions data, currently regulated air pollutants like carbon monoxide, lead, nitrogen oxides, particulate matter, sulfur dioxides and volatile organic compounds totaled roughly 83 million tons of emissions, while total 2011 carbon dioxide emissions in the U.S. were more than 6.7 billion tons.

Hodanbosi said many states have been working to reduce greenhouse gas emissions and fossil fuel use through their own initiatives. It’s not clear whether existing state efficiency and renewable energy standards would be incorporated in the agency’s rulemaking.

Now, he said, “agencies currently do not know whether these state programs, that were tailored to meet the unique needs of each state, will be sufficient to meet the guidelines that will be issued by U.S. EPA.”

Hodanbosi said state environmental agencies and public utility commissions must work in tandem to evaluate the potential effects these new federal requirements may have because of high carbon dioxide abatement costs and subsequent impacts on electricity prices and reliability.

“The final rules should recognize the state programs that are in place and the practical differences in electricity production among the various states,” he said.
Although most of the discussion in states about agriculture centered on the farm bill in 2013, food-labeling laws are becoming one of the next hotly debated topics.

Genetically modified organisms include crops that have been modified to resist disease or withstand certain herbicides. According to the Food and Drug Administration, 94 percent of cotton, 93 percent of soybeans and 88 percent of corn planted in the U.S. was genetically modified in 2012.

State leaders are increasingly pushing for laws requiring products using genetically modified organisms—or GMOs—to be labeled. Benjamin Senauer, professor of applied economics in the University of Minnesota’s College of Food, Agriculture and Natural Resources, said more than half the states are considering labeling laws.

There’s a good reason for that.

“There’s no chance of federal action on this,” Senauer said. “There is no indication that the Food and Drug Administration has any intention of changing their existing regulations, which treat GMOs as substantially equivalent to the conventional counterparts and therefore do not require any special regulations or special labeling.”

When labeling issues do get on a state ballot, big money has been following. California’s Proposition 37 campaign brought in donations of more than $50 million in 2012. Oregon’s Initiative 522 campaign brought in $30 million in 2013. Both measures were defeated.

But some states took action in 2013. Connecticut and Maine passed mandatory labeling laws, but both of them contain triggers requiring nearby states with at least a total population of 20 million to also pass labeling legislation for their laws to take effect.

Senauer said the potential threat of industry lawsuits is making states cautious. Industry leaders probably would challenge the state laws by alleging they are pre-empting FDA regulations, he said.

“What with this pre-emption principle, there is the basis for a lawsuit,” Senauer said. “This would not be frivolous. It would be taken seriously by a court. How a court would rule, … that’s to be determined.”

Senauer believes consumers and the grocery stores eventually will settle GMO labeling outside of state capitols. One national chain already has announced it will require all GMO goods to be labeled by 2015.

“We’re seeing more and more products showing up on their (grocery store) shelves indicating they’re GMO free,” he said. “I just think a lot of companies are very, very sensitive, trying to figure out what it is their customer, their consumer, wants and are responding to it.”

While few expect a uniform national labeling law, the debate is likely to continue for years to come.
What a difference two years and an election can make.

In the first half of 2011, more than 1,500 immigration bills and resolutions were introduced in statehouses across the country, according to the National Conference of State Legislatures. Many of them were based on Arizona’s Senate Bill 1070, passed in 2010, which greatly expanded the traditional role states have played in immigration enforcement.

Forward to the first half of 2013, which saw lawmakers enact almost 400 laws and resolutions related to immigration. Many of those new laws expanded the rights of unauthorized immigrants by granting them driving privileges, in-state tuition at colleges and universities or by refusing to detain unauthorized immigrants for federal officials.

“We have never, frankly, seen such a quick turnaround from the anti-immigrant mode of 2010–12 to suddenly in the opposite direction of wanting to pass measures that would be in favor of immigrants or advancing immigrant rights,” said Muzaffar Chishti, director of the Migration Policy Institute’s office at the New York University School of Law.

Chishti said the about-face is due to two main reasons: the 2012 election and the June 2013 ruling by the U.S. Supreme Court striking down most parts of the Arizona law.

“It was a strong statement by a reasonably conservative court, including Chief Justice John Roberts, ruling that, essentially, enough is enough,” he said. “The legal landscape completely changed. All the other laws, which were cast in the mold of SB 1070, were suddenly suspect. All these laws, one by one, have either been revisited or settled.

“The election of 2012 changed the political dynamic. … What the election of 2012 ushered in was a new kind of recognition that the power of the Latino vote had to be reckoned with. You could argue that the president won the election because of the Latino vote.”

Chishti said what happens during the new legislative session regarding immigration depends on whether Congress can finally pass comprehensive immigration reform and what happens to the economy. If either or both of them fail, states’ pro-immigrant stances may change.

“If Congress fails to act on immigration reform again and states once again get quite frustrated with Congress’ ability to work towards controlling illegal immigration,” he said, “then they (states) may become more assertive than they have in the past year. The congressional stance on this may make a lot of difference.

“If the economy picks up a little, whenever we feel optimistic about ourselves, we feel more welcoming toward immigrants. When we feel pessimistic about ourselves, we tend to be less hospitable.”

IMMIGRANT DRIVERS
SACRAMENTO, CALIF.—California State Senate President Darrell Steinberg, left, and Sen. Ricardo Lara look over a driver’s license as the state Senate debated an immigrant driver’s license bill, at the Capitol in September. By a 28-8 vote, the Senate approved AB10, which would allow immigrants who are in the country illegally to get a California driver’s license. © AP Photo/Rich Pedroncelli

TOP 5 IMMIGRATION ISSUES

1. Pro Immigration Stances
2. Federal Comprehensive Immigration Reform
3. Driver’s Licenses
5. In-state Tuition
Rep. Tom Sherman had one final argument to expand Medicaid eligibility on the final day of the New Hampshire special legislative session in November 2013: “It IS rocket science,” he said. “You have to put in the time to fully understand Medicaid and the question of expansion.”

In the end, his argument was not successful. The Democratic-controlled House passed its bill. The Senate rejected the bill proposed by the majority Republican caucus, another Senate bill put up by the Democratic minority and the House bill.

“Expansion is dead. I am in mourning,” said Sherman. “There was a huge effort by a ton of people.”

Sherman, a physician and a freshman legislator, was a member of New Hampshire’s Commission to Study the Expansion of Medicaid.

Commission members unanimously adopted the final report, but split over the recommendation to expand Medicaid eligibility to 138 percent of the federal poverty level as allowed by the Affordable Care Act and capture the federal funding that begins to flow Jan. 1, 2014. The commission was comprised of three senators and three representatives, equally balanced between Republicans and Democrats, and three citizen members.

“There is no Plan B. We will have to face the consequences of not expanding,” Sherman said. “We won’t be able to afford the uninsured.” As a physician, he said, “I can picture my uninsured patients who could be helped with low-cost medicines, but they can’t even afford that.”

For the time being, New Hampshire will remain in the half of states opting not to expand Medicaid and forgoing the federal funding. Many of these states likely will revisit these decisions in 2014.

Health care providers in many states are pressuring legislators and governors to accept Medicaid expansion. Additional pressure may come from uninsured people who seek insurance through the health insurance exchanges, but learn they are not eligible for federal tax subsidies to make premiums affordable if their incomes are below 100 percent of the federal poverty level. The Kaiser Family Foundation has estimated 5 million people fall in this insurance coverage gap in the 25 states without Medicaid expansion.

Virginia has never stopped visiting the expansion issue, said Rep. John O’Bannon, who sits on the Medicaid Innovation and Reform Commission created by the General Assembly.

“If we can get some degree of reform done, then we can look to expansion,” he said. “Our timeline runs well into next year.”

Among the issues Virginia is moving to fix before expanding eligibility are standardizing Medicaid waivers and moving long-term care and mental health patients into managed care.
Kentucky Gov. Steve Beshear hasn’t second-guessed his decision to run a state-based health insurance exchange as part of the Affordable Care Act.

The Kentucky exchange — Kynect — has been lauded as a model even as the website for federal exchange, HealthCare.gov, had a difficult rollout. But that isn’t the reason Beshear remains happy with his decision. He had talked with stakeholders in the commonwealth, including the Kentucky Hospital Association, the Kentucky Chamber of Commerce, provider groups and advocacy groups, before making the decision to open a state-based exchange.

“They all felt, as I did, that every state is unique and that we would benefit from designing our own exchange to fit Kentucky,” Beshear said. “I think that decision has proved to be correct.”

The difference, Beshear said, was that Kentucky planned well ahead of the Oct. 1, 2013, launch date. Carrie Banahan, executive director of the Office of the Kentucky Health Benefit Exchange, said the state tested the system extensively between July and September.

By early December, Kentucky had signed up 60,000 people for coverage, and the state expected that to continue through the Dec. 23 deadline to have coverage beginning Jan. 1. That’s why between the Thanksgiving holiday and Dec. 23, the state prepared for even heavier usage.

Beshear hopes the interest in health care coverage continues throughout the initial enrollment period for the Affordable Care Act, which runs through the end of March. He’s not concerned that negative coverage of the initial rollout of the federal site, which serves people in the 36 states that chose not to run their own exchange, will affect his state.

“We’ve got 640,000 people in Kentucky who don’t have any health care coverage,” he said. “These people get up every day and go to work and support their families. They also get up every day and roll the dice and just hope and pray that they don’t get sick because they know they are one bad diagnosis away from bankruptcy.

“That’s no way to live. That’s no way to raise your children,” Beshear said. “We have an opportunity to change that now and we’re going to change it.”

Nationwide Need

The story is the same across the country. The Kaiser Family Foundation estimates 47 million Americans don’t have access to affordable health care.

Unlike Kentucky, the problems with the federal site could have ripple effects across the country.

“Because the website hasn’t been working as well as had been hoped, it may be hindering people from enrolling, which could ultimately have an effect on the long-term sustainability of the marketplaces,” said Jennifer Tolbert, director of State Health Reform for the Kaiser Family Foundation.

By many accounts, HealthCare.gov was functioning much better in early December, after the Department of Health and Human Services brought in tech experts to rid the troubled site of a multitude of glitches. In the first two days of December, 29,000 people signed up for coverage—the same number that signed up in the first two months it was open, according to Politico.

States and the Obama administration rolled out a marketing campaign to renew interest in coverage and counter the negative press in the first two months of the exchange.

Whether that will be enough is yet to be seen. The Affordable Care Act has been wrought with political bickering, even more than other social programs, Tolbert said.

“I think (the fact that) this has remained such a politicized issue has surprised many people,” she said. “But that said, this does represent a significant change to our health care system and typically this type of social change doesn’t occur
without opposition.”

The politics of the exchanges, which Beshear points out is part of an established law, has been confounding.

“Many of the critics … are those who believe in local control and who say they don’t want the federal government running their business,” he said. “It’s ironic that those same people are the ones that made the decision to let the federal government come into their states and have the federal exchange as opposed to designing their own exchange that would fit the unique nature of their states.”

Criticism in the States

While Kentucky has been successful, it has still faced criticism. The vast majority of those who sought coverage on the site — 48,000 — have qualified for the expanded Medicaid program.

But that makes sense, Beshear contends, because once people discover they qualify for Medicaid, they don’t have to do anything other than select a managed care organization.

“If you find out that you qualify to be covered for the Medicaid program, that’s pretty much the end of your effort,” he said.

He expects the numbers to even out as time passes. About half of the 640,000 Kentuckians without insurance qualify for expanded Medicaid and 92 percent of those left will qualify for premium subsidies, according to Banahan.

Beshear said about 15,000 people found they qualified for premium subsidies and were in the process of picking a health plan.

“People take longer to do that and they should take longer to do that,” he said. “It’s a little more complicated and so they’re looking at all the different things.”

Other states, like California, Minnesota New York and Washington, have had similar success with launching state-based exchanges. Some, like Oregon, have seen significant failures of their systems, Tolbert said.

But she believes if the sites were running better by the end of November, as President Obama promised in October, the story line could change. That will take a concerted effort and smoothly running websites. If problems continued, she said, people who need health care might keep trying, but others — like the young healthy people needed to make the concept of the Affordable Care Act work — may not.

“Maybe they would have signed up had it been an easy process, but … once they face difficulties, they may choose not to come back and pay that $95 penalty in the first year,” Tolbert said.

The Big Picture

Tolbert said expanding affordable health care is a long-term proposition.

“We are not going to get everybody enrolled, certainly not by December or Jan. 1 or even by the end of the enrollment period in March,” she said. “I think we need to take a long-term view and assess how implementation goes over the next couple of months certainly, but the next couple of years as well.”

The early stages of implementation have offered some valuable lessons, and Tolbert predicted states and the federal government will upgrade systems and make changes to facilitate enrollment during the next enrollment period, which begins in November.

“There is a bit of a learning curve,” she said. “Even if things are working, there certainly remains room for improvement and likely the systems will be improved over time.”

She and Beshear believe it’s important to keep an eye on the ultimate goal — to get more people covered.

“This obviously is a major sea change for our people and our providers and folks who are going to participate in the system, so there will be issues that arise,” Beshear said. “But we should not take our eye off the fact that, for the first time in history, every single Kentuckian will have access to affordable health coverage.”
Alaska Rep. Craig Johnson's greatest disappointment with politics today is the inability of policymakers to disagree without being enemies.

“It seems now that if you don’t agree with my policy, you’re a bad person,” said Johnson, the 2014 chair of CSG West. “Just because legislators or parties can disagree, that doesn’t make anyone inherently bad; it just means we disagree. That civil discourse we’ve lost, that ability to debate without becoming enemies, is probably one of the greatest tragedies in American politics.”

That inability to get along in Washington, D.C., is creating problems in the states, Johnson and other members of The Council of State Governments’ leadership believe.

Maryland Senate President Mike Miller and House Speaker Michael Busch, Arkansas Senate Minority Leader Keith Ingram and Nebraska Sen. Beau McCoy—who chair CSG East, CSG South and CSG Midwest, respectively—all point to Washington as the crux of the most pressing issues facing the nation today.

That’s important because it has a negative effect on state economies, said Tennessee Senate Majority Leader Mark Norris, CSG’s 2014 national chair.

“(W)e’re all being hobbled by the crippling effects of the dysfunction in D.C. It’s hobbling our economies,” he said. Norris and the chairs of CSG’s four regions shared their insights about the state of the country as policymakers prepare for the 2014 legislative sessions.
TENNESSEE SENATE MAJORITY LEADER MARK NORRIS

Tennessee Senate Majority Leader Mark Norris is the 2014 national chair of The Council of State Governments. He was elected to the Tennessee Senate in 2000 after serving six years as a county commissioner; he’s served as majority leader since 2007. Norris was heavily involved in CSG’s Southern Legislative Conference, he said, as a result of his CSG Toll Fellows experience. He’s a 2002 graduate of the program. Norris served as SLC chair in 2011 and has served on various CSG committees, including chairing the national organization’s Transportation Committee for several years. He was the 2013 vice chair and co-chairs CSG’s Federalism Task Force with 2013 chair Alaska Sen. Gary Stevens. Norris also serves as chair of the CSG 21st Century Foundation.

1 | What do you see as the most pressing issue facing the nation as a whole in 2014?

“The first thing that comes to my mind is federalism, the dysfunction in D.C. and how that affects us. … The bottom line is the dysfunction in D.C. has adversely affected our national economy. … States are functioning very well from a governmental standpoint, by and large, but we’re all being hobbled by the crippling effects of the dysfunction in D.C. It’s hobbling our economies. It’s having a chilling effect on our prosperity. In terms of a specific problem, it emanates from that dysfunction, but the focus has got to be on economics.”

2 | What will state leaders need to do to address those issues in the most effective way?

“I’m going to make workforce development and education the focus of my year as chairman, sort of taking the baton from (Oklahoma) Gov. (Mary) Fallin, who’s working on this issue at (the National Governors Association). … State legislators need to look at their educational systems, both high school and postsecondary, to see whether the educations provided match the employment sector’s needs. Make sure that those are properly aligned … We all talk about STEM initiatives—science, technology, engineering and math—make sure that you have the market for those disciplines. Make sure you have disciplines to develop the market. You have to be smart about allocating your resources in education and in labor and workforce development to have the desired effect on economic development.”

3 | How can CSG help state leaders with those efforts?

“I’m hopeful that CSG will be able to serve as a clearinghouse for information and be able to provide an inventory of best practices that can be used. … There’s an awful lot of work being done in this arena already. Part of what I’ve been engaged in is taking an inventory of all the good programs at work that actually do work, that actually produce a more productive populace and then to find ways to connect those programs without interfering with them. It’s very important that government not intrude on what’s already working, but to provide connectors that help them leverage what they’re doing into bigger and better programs that serve more people.”

4 | How can state policymakers get involved with CSG and make the most of that involvement?

“If you just attend one meeting per year, it’s not easy. We do have great committees that you can read about. Members can access our website for starters, csg.org, and go to the Knowledge Center or look at the committee structure and figure out what’s available that’s of interest. … As budgets have shrunk, it’s become more difficult for people to travel. Term limits have become an impediment to involvement in organizations like ours at the very time when the services and instructions that organizations like CSG make available—there’s a premium on that. You need the knowledge we have to impart because your terms are shorter, you don’t have much time, the learning curve is a lot steeper. What I hope CSG will do is more outreach in terms of providing legislators training at home, back in their states, rather than them having to travel to us, to continue our robust webinars program and demonstrate value added through Internet access.”

BUDGET DISCUSSION

NASHVILLE, TENN.—Senate Majority Leader Mark Norris spoke about Gov. Bill Haslam’s annual spending plan on the Senate floor in April. Norris is the 2014 national chair of The Council of State Governments.

© AP Photo/Erik Schelzig
1 | What do you see as the most pressing issue facing the nation as a whole in 2014?

Busch: “I think, in general, people lack confidence in the federal government. I think the federal government has to show some form of ability to work together to establish long-term stability within the country. … If there’s no stability or certainty at the federal level, it makes state government much harder to operate.”

Miller: “The most pressing issue facing the nation is the strong divide between the two parties, the far left and the far right, and the absence of people in the middle. … The majority of people in the U.S. are in the middle and they want government to function.”

2 | What do you see as the most pressing issue facing states in the East in 2014?

Busch: “There’s a lot of similarities in energy as far as the Northeastern states are concerned. … And you have certainly much of the same challenges in health care. We’re always concerned with education and higher education.”

Miller: “Probably the most interesting issues deal with the environment. For example, this past year we’ve enacted wind power legislation in Maryland; obviously, on the East Coast, that’s very important. … The question is cost and how we can move forward efficiently and effectively.”

3 | What will state leaders need to do to address those issues in the most effective way?

Busch: “The Eastern Regional Conference, we’re very similar in our makeup of what we prioritize. That’s been a benefit. It gives a stable region even if the federal government might be somewhat inconsistent in that area.”

Miller: “You need to meet with all segments of your legislative population, not just the people in the front row, but also the people in the back row and the people in both parties. … It’s a matter of comity in terms of people getting along and, because of that, there’s an absence of acrimony in the state Senate.”

4 | How can CSG help with those efforts?

Busch: “When you can go to an area where you have like ideas and leaders that are trying to model best practices out of other states, it’s important to be able to interact with them. The sharing of information is key and in areas where you have like-minded legislators and governors, it makes it a lot easier to try to collaborate on issues that you think are important to your citizens.”

Miller: “CSG has provided us with tons of information with regard to each major issue that we’ve had to deal with over the years. We go to CSG to find out how other states have dealt with similar issues. We go to CSG to find out statistics on how states voted on a particular issue … and we also like to find out the trends in our nation in terms of what we can expect in future years and CSG has been very helpful in terms of providing us with resources.”

5 | How can state policymakers get involved with CSG and make the most of that involvement?

Busch: “I think, first of all, attending the meetings and the conferences and getting on the legislative committees to understand exactly what’s taking place. We’ve had numerous legislators involved with CSG … (learn about) what are practical changes that take place in other states throughout the country that we might bring back and try to initiate here in the state.”

Miller: “Attend the meetings. … You’ve got to be a willing participant and you’ve got to focus on an issue. … You go to presiding officer and say, ‘This is my forte, this is what I’m all about and this is how I want to make change. I want to learn more about the policy in this area.’”
1 | What do you see as the most pressing issue facing the nation as a whole in 2014?

“The ability to compromise. Unfortunately, it’s widely viewed by those not in Congress that we have somehow lost the ability to work through the give-and-take process for the betterment of the country. … Forget tax reform or immigration reform. Forget any of those issues; this overshadows everything. It’s funny, in everyday life and everyday business, compromise is a part of making society work, except, it appears, when you get to Washington.”

2 | What do you see as the most pressing issue facing states in the South in 2014?

“I think, as always, education and economic development. With the expansion of the Panama Canal, we will have a new dynamic that will affect not only our Southern ports, but our inland ports as well. So I think that trying to figure out how to optimize that for the South is very, very important. Education will always be (important). … There’s no state in the country where there’s low educational achievement and a high income. Higher incomes track directly beside education, so that is still paramount for the South.”

3 | What will state leaders need to do to address those issues in the most effective way?

“I think that certainly there is a Southern strategy developing with each state’s economic development efforts as it pertains to the canal expansion. For instance, the South Carolina plan is dredging the harbor so they can take deeper draft vessels into their ports. I think everybody is dealing with it in different ways. … I think there has been a real push in the South in education. Arkansas has come light years with redefining the role education plays, not only from K-12, but through our two-year community colleges, as well as our universities.”

4 | How can CSG help with those efforts?

“There’s no question that government is trial and error. We can learn from each other’s failures. That was the thing I loved about being a mayor. When we would try a new initiative, we would know within 45 days whether it was going to be successful or not. I think government is a great laboratory and we learn from each other and the ability to network; the ability to access … talent that has tackled problems that all of us share is important. I think that having that ability to meet and review what has transpired in other states is important.”

5 | How can state policymakers get involved with CSG and make the most of that involvement?

“It seems like, when we’re not in session, we’re pulled in many different ways to attend many different things. … I think CSG needs to continue to reach out to various legislatures and legislators to show them the innovation that’s taking place across the country. Once that happens, I find that legislators by nature are very curious people and they seek out the best and brightest, people who’ve been successful with various things that pique their interest.”

Arkansas Senate Minority Leader Keith Ingram is the 2013–14 chair of The Council of State Governments’ Southern Legislative Conference. He served in the Arkansas House of Representatives for two terms, having first been elected in 2009, before being elected to the Arkansas state Senate in 2013. The Senate minority leader holds the same seat his father and brother held. Ingram served as mayor of West Memphis, Ark., from 1987–95. He served as vice chair of the SLC last year.

ARKANSAS SENATE MINORITY LEADER KEITH INGRAM

Arkansas Senate Minority Leader Keith Ingram is the 2013–14 chair of The Council of State Governments’ Southern Legislative Conference. He served in the Arkansas House of Representatives for two terms, having first been elected in 2009, before being elected to the Arkansas state Senate in 2013. The Senate minority leader holds the same seat his father and brother held. Ingram served as mayor of West Memphis, Ark., from 1987–95. He served as vice chair of the SLC last year.

Photo by Joseph Martin.
Nebraska Sen. Beau McCoy is the 2014 chair of The Council of State Governments’ Midwestern Legislative Conference. He has been involved with CSG since he was elected to the unicameral legislature in 2009. McCoy graduated from the Bowhay Institute for Legislative Leadership Development in 2009 and the CSG Henry Toll Fellowship Program in 2011. He has served on the CSG Midwest Executive Committee for four years and also has served on the BILLD and Toll Fellows selection committees. He is a member of the CSG Executive Committee and the new CSG Federalism Task Force.

1 | What do you see as the most pressing issue facing the nation as a whole in 2014?
“I think the biggest issue we face across the country today is federal government overreach. We talked about that a lot in the Federalism Task Force, because whether it’s from regulatory agencies, whether it’s from entitlement program expansion in Medicaid, the Affordable Care Act, … we’re struggling to balance budgets at the state level in the midst of a lot of turmoil in Washington.”

2 | What do you see as the most pressing issue facing states in the Midwest in 2014?
“In the Midwest we’re really struggling to grow jobs and that’s not just in states with high unemployment, but in states like ours. In Nebraska, where we have the third lowest unemployment, we’re struggling to find a skilled workforce for the jobs that are already here. … We have a lot of great companies and organizations in Nebraska—some that are agriculture-based, some that are in manufacturing, information technology—that are growing very rapidly in our state and are needing to hire for additional jobs. And we don’t have the workforce trained in Nebraska, or enough of a workforce, to fill those jobs, requiring companies here to go outside our state to attempt to try to bring those people in. So we’re quickly trying to shift gears at the education level to adjust and fill those jobs with Nebraskans.”

3 | What will state leaders need to do to address those issues in the most effective way?
“I think we’ve got to work together more than we ever have before, because individually, I think it’s very hard to communicate our concerns and the struggles we are going through as we deal with these issues. … When we work together, we can deliver a message that can be heard, and has a history of being heard, at the federal level. … If we don’t address things together in a united front, it’s very, very difficult for Washington to hear us.”

4 | How can CSG help with those efforts?
“A lot of times in this era of turmoil, you have people who come into elective office with not a whole lot of experience. As an organization, when we drill down at the regional level, we can help those new legislators understand the wealth of resources available at their fingertips, online or pick up the phone and call, and the very talented and experienced people there—not just in Lexington, but in every regional office—can help them be more effective. That’s the beauty of our organization. I firmly believe that it’s made me a far better legislator and a leader having been involved with CSG from the very beginning. And I would daresay there’s a lot of my colleagues in the country who now are in leadership at the regional level or national level of our organization that would second my thoughts without a doubt.”

5 | How can state policymakers get involved with CSG and make the most of that involvement?
“I think it’s all about relationships. Relationships for us in Nebraska, with our unique unicameral system, are absolutely of highest value. I think it’s no different in CSG. You really just have to dive in and get involved and you have to get to know people.”
**ALASKA REP. CRAIG JOHNSON**

Alaska Rep. Craig Johnson is the 2014 chair of The Council of State Governments West. The fourth-term representative has been involved with CSG for several years. He’s a 2008 graduate of the Western Legislative Academy and is a former chair of the Water and Public Lands Committee, which changed to Water and Environment, before moving into the CSG West leadership track. He ran for office because he “got tired of people losing their kids to the lower 48 because there weren’t job opportunities.” He focuses his legislative work on economic and resource development.

1 | **What do you see as the most pressing issue facing the nation as a whole in 2014?**

“I think the dysfunctionality of our federally elected officials, their inability to accomplish anything, to find any common ground. I’m probably as conservative as anyone, maybe more than most, but I think you have to seek common ground and that’s an element missing from the federal government.”

2 | **What do you see as the most pressing issue facing states across in the West in 2014?**

“We are probably unique in the country in that, with a very few exceptions, the federal government either owns or influences substantial amount of lands. … With the incapacity of the federal government to function, in my opinion, our biggest challenge is going to be how do we work through that and be able to develop our economic base in light of a federal government that is dysfunctional. … One of the problems we’re going to face—and I’m not sure how much is on the horizon—but as the federal budgets and the federal money to states diminishes, how are we going to fill that void? We’re still going to be dealing with (the) regulations of federal government, but we’re going to be given responsibility without the ability to really do anything.”

3 | **What will state leaders need to do to address those issues in the most effective way?**

“In Alaska, we’re somewhat isolated and we were a lone voice, but I found that we had so much in common with so many other states, not just in the West. With CSG and CSG West, when we speak as one voice, we’re more likely to be heard than one state out there squeaking on its own. … I think we speak better with one voice than we do as a bunch of individuals out there. Our choir is much better than our solo act.”

4 | **How can CSG help with those efforts?**

“Speaking with one voice. I also think the training (like that at WLA) … gives members a heads up. The members that participate in CSG, you can see their knowledge base and their ability to deal with people, it really shines, and especially in those new people. … What CSG brings is the ability to communicate with other people and not have to recreate the wheel every time. You can go to another state and say, ‘Hey, I saw that you guys did this, what were the advantages, what were the pitfalls?’ I think the networking is very important, the policies that we’ve seen be successful and, quite frankly, fail in other areas prevents us from stepping on those landmines.”

5 | **How can state policymakers get involved with CSG and make the most of that involvement?**

“I think you’ve got to be involved. If you’re going to be a good carpenter, you’d better practice the trade. … I think what CSG offers is an area where you can improve your craft, although we’re all somewhat independent contractors … We sometimes think as states we live in a bubble but, quite frankly, there’s not a lot new out there and what’s been done in another place can oftentimes be replicated. They say all politics is local, but sometimes you have to step outside your bounds and look around.”

**MOMENT OF BREVITY »**

JUNEAU, ALASKA—Rep. Craig Johnson enjoyed a moment of brevity during a majority media conference, on the first day of the 27th Alaska State Legislature’s second session in 2012. Johnson is the 2014 chair of The Council of State Governments West. © AP Photo/Chris Miller
Why is civility in government important?
"I think the way that we relate to one another and the way we engage in conversation has a lot to do with how well the process functions and how well we can serve the citizens that we represent. … The end goal is to better serve our constituents because that’s why we’re here. … Each of us in the legislature represents a constituency, and each one of those constituencies deserves to have their voice heard through their elected representative. When you get into a hyper partisan environment where people are just sort of blocking the minority opinion out, for example, there are our fellow citizens who aren’t being heard in the debate and that’s not how it should function."

What does civility in government look like?
"It’s not just about us being nice to each other. That’s certainly an added benefit. It would be a much better work environment to be friendly to each other, but it’s not just as simple as that. … I did a radio interview on this and described it as this, not to be sort of too esoteric here or big picture, but in the entire course of human history we’ve found two ways to solve our problems: You can use force or you can use dialogue. You can use ballots or you can use bullets. … I much prefer the first choice—the route of discussing things. That’s what legislatures are all about: getting together, discussing problems and finding ways to reach that compromise."

Does the tone in Washington affect the perception of how government works?
"I think that largely a factor of this is what the average citizen hears and sees most is news about what is occurring in their federal legislative branch. As sad as it may be, a lot of times people don’t really know the difference between a state senator and a U.S. senator. … The fact is that people see that and think that’s what goes on. Sometimes those arguments trickle down to the state level as well. Sometimes when the rhetoric gets a little heated or coarse, it’s often surrounding federal issues that we really don’t have much to do with."

Have other things contributed to the breakdown of civility?
"I really believe that the way we draw district lines has a deleterious impact on our civil discourse. We’re working on an effort—and every state is different in this regard—to change the way district lines are drawn. Quite simply stated, we’ve gotten to the point to where we’ve gotten so good at drawing district lines with GIS, mapping technology and polling that we draw these districts where the majority of my colleagues are much more focused on spring elections than fall elections, meaning that everybody’s focus is on avoiding, if possible, and winning, if not possible, their primary. By definition, that doesn’t make for pragmatic legislating, despite the fact that there are good people that serve in very noncompetitive districts.”
How do you address the lack of civility in the public sphere?

“The middle, by definition, is where the friction is. If you’re on the far left, people leave you alone because they know where you are. If you’re on the far left, people leave you alone because they know where you are. If you’re one of those rare, anymore, people that are in the middle and want to find that pragmatic solution to a problem, you end up getting ground up a lot. I try to engage in an ongoing dialogue with folks to let them know what I’m doing. I really believe that the vast majority of Americans … aren’t really far left or far right. They tend to live more between the 40-yard lines, to use a football analogy, and not in either end zone.”

Should elected officials try to rein in some of that hostility?

“That’s absolutely a responsibility that all of us have as elected officials, particularly if it’s an event that we’re conducting. We take on, in this role, a responsibility to set the standard in some ways, to be a center of influence among our peers and among our constituents. I think we have an opportunity and a responsibility to step in when the rhetoric goes too far and try to set an example.”

Does partisanship in the media feed that attitude?

“With the diffuse sources of information available to the modern news consumer, you are going to find things out there that are going to reinforce opinions. And many of those outlets play on that and they want to find the most divisive mouthpiece they can find. Unfortunately, the old model of coming to Washington and working hard and gaining seniority and becoming a prominent member of Congress that way has been supplemented by another way, and that is to say the most bombastic things you can in front of a cable news camera and gain notoriety. We’re sort of rewarding the worst behavior by shining the spotlight on these folks that aren’t interested, necessarily, in governing and problem solving.”

How can policymakers deal with colleagues in a more civil manner without offending the base?

“The middle, by definition, is where the friction is. If you’re on the far right, people generally leave you alone because they know where you are. If you’re on the far left, people leave you alone because they know where you are. If you’re one of those rare, anymore, people that are in the middle and want to find that pragmatic solution to a problem, you end up getting ground up a lot. I try to engage in an ongoing dialogue with folks to let them know what I’m doing. I really believe that the vast majority of Americans … aren’t really far left or far right. They tend to live more between the 40-yard lines, to use a football analogy, and not in either end zone.”

What have you done in Ohio to improve civil discourse?

“We talked about some things that we could do … to make a difference. One of them was to try to include in the new member orientation—which in Ohio with term limits is more frequent—to try to have a civility component. An idea from (the) U.S. Senate is to encourage new members to identify mentors, and not just a mentor on your side of the aisle, but to pick a mentor on each side of the aisle. One of the other ideas was district exchanges. The notion behind this is to start encouraging better relationship building across the aisle. This idea was to ask people voluntarily to pair up with somebody who represents a different geographical area than you do or a different type of district and then spend a day in each other’s district. Finally, one of the ideas we have, and we need to put some more meat on the bones, is to try to find more occasions for social interaction. What we’re talking about is try to bring back a collegiality that leads to problem solving and, at least, a basic level of trust.”

What is one thing legislators can do immediately to improve civil discourse?

“Let’s make a real effort to question each other’s policy stances, but not question each other’s motivations, because I think that’s where it really starts going down the wrong path. One of my colleagues may be pro choice and I’m pro life, but let’s question whether it’s a good policy or not. But let’s not say you want to have a war on women. That really misses the point. That really takes us to where we don’t want to be as far as having a constructive conversation.”
What New Year’s Resolution Would You Recommend for State Policymakers?

**Work Together**

“The New Year’s resolution I would make for state policymakers would be to focus on working together in order to do what is best for the people of their state. The political party of a legislator shouldn’t be a factor in determining if his or her ideas are good ones. A plan of action that benefits our state should be supported by all of us, regardless of its origin. We are elected to represent the people and we cannot do that if we are so blinded by party affiliation that we fail to embrace what’s best for those we serve. Together we can provide an example of how government should work.”

**Sen. Bill Sample**
Arkansas
2013 CSG Toll Fellow

**Keep Everyone in Mind**

“For 2014, I charge state policymakers to keep all groups of society in mind when making public policy decisions. While it can be easy to remember the majority, those whose voices cannot be heard deserve representation in state government—specifically, cost-effective, relevant services and opportunities that permit full participation in society. These fellow citizens, from children to the elderly to persons with disabilities, often have concrete needs not satisfied by the marketplace or charity organizations. Smart state policies can benefit not just those whom they directly serve, but also offer a high return on investment for the states.”

**Meaghan Brennan**
Director of Budget Development, Planning and Administration
Delaware
2013 CSG Toll Fellow
WHAT NEW YEAR’S RESOLUTION WOULD YOU RECOMMEND FOR STATE POLICYMAKERS?

WORK WITH OTHER SIDE

“A good New Year’s resolution for policymakers could be, ‘Work with the other side more than you criticize it.’ Taxpaying citizens have gotten to a place where they care less about whether you are Republican, Democrat or Tea Party, black or white, young or old; they want results! … If we spend most of our time criticizing and not addressing issues and the concerns of the people, we’re wasting a lot of precious time. We need to be bold enough to reach out to those who might see things … differently than we do in order to find solutions and solve problems for everyone.”

REP. KAREN CAMPER
Tennessee
2013 CSG Toll Fellow

SET AN EXAMPLE

“Those of us in state government should resolve to set an example for our elected leaders in Washington, D.C., by balancing our budgets and making government more efficient. As the laboratories of democracy, we must remember that every dollar we save through innovation, public-private partnership or by cutting the size of government is one less dollar that the taxpayers of our states will have to give up in taxes. As the federal government grows ever larger in size, scope and cost, the states should resolve to reassert their roles in our system of federalism as intended by our founders.”

JIM HOLDEN
Chief Deputy Treasurer & General Counsel
Office of the Indiana State Treasurer
2013 CSG Toll Fellow

FOCUS ON CONSTITUENTS

“State policymakers should resolve to work together to achieve core goals that will improve our states. There are times when state policymakers get caught up in party politics and/or personal ambitions, which often distract from creating good policy. We must focus on our constituents’ concerns and remember the task at hand. … A piece of advice that I received as a new attorney was, ‘Many people learn from their mistakes, but smart people learn from other people’s mistakes.’ Instead of government shutdowns, we should strive to shut down poverty, discrimination and other issues that our constituents struggle with on a daily basis.”

REP. GEORGENE LOUIS
New Mexico
2013 CSG Toll Fellow
Know that Legislative Staffers Have Your Back

GET ACQUAINTED.
Legislative staff can be especially critical for part-time legislators, which most states have. “We have legislators that are still fully employed in professions,” Christensen said, “anywhere from being a school teacher to a businessman. To have staff for them is critical to getting any work done. (We can help) getting research work done on policy issues, getting bills drafted, getting committees set up and things like that. We’re like any other staff to any other professional; we’re critical to the process.”

GET INFORMED.
One of the biggest challenges for new legislators is simply learning how the legislative process works. Legislative staffing agencies can help with that. “They (policymakers) need to know how the process works, how to get bills in and out of committees, through floors and so on,” he said. “Understanding the legislative rules is critical. Our staff provides real help in that area. I require all my staff to know the legislative rules. When a legislator has a question, our staff can answer that question. … We also prepare what we commonly call cheat sheets, where we focus on the major rules that are critical to functioning in committees and on the floor. We give those to legislators and train them on that.”

GET SOME EXPERT ADVICE.
Since it’s impossible for anyone to know everything, Christensen believes it is critical for legislators to develop expertise on a particular topic that interests them. Legislative staff can help with that, too. “My staff, we divide them into teams to specialize in education or tax or environment or natural resources,” he said. “A legislator can come to those people, spend some hours and just say, ‘Tell me what you know. They (staffers) will show them what’s in the code and how the federal government interacts in these areas. We do briefing papers in these areas so legislators can get up to speed as quickly as possible.”

GET A READING.
Legislative staffers also can help policymakers figure out which way the wind is blowing among their constituents. “We’re glad to put together a working group for you,” Christensen said. “We can have an outline of the issues you want to deal with, the things you want to address. Let’s get input from all the stakeholders to see what their ideas are on this so we can come to a better bill. We help legislators solve problems.”

GET COMFORTABLE.
Christensen trains his staff to be customer oriented and wants policymakers to feel comfortable with the advice and expertise his staff can provide. “We are a nonpartisan office,” he said. “We try to walk that middle road as carefully as we can. (We try) to be informative, to be factual, not to sway legislators one way or another. … I guess what I want them to know is that we’re trustworthy, that we know what we’re doing, we have expertise and we can help them solve their problems or address their issues. We want them to feel comfortable with us. They can talk to us frankly and openly, confidentially. We hold those confidences.”

Michael Christensen, chair of CSG West’s Legislative Service Agency/Research Directors Committee, has been director of Utah’s Office of Legislative Research & General Counsel for 13 years. His staff of 60 helps state legislators be more effective. Here are his tips for new and experienced lawmakers on how legislative staffers can help.
Just as a mechanic looks into a toolbox to find what he or she needs to get the job done, state policymakers need a toolbox to help them better serve their constituents. The Council of State Governments fills that need for state leaders through a number of valuable programs and publications. Legislators don’t need to reinvent the wheel if other states have developed solutions to problems they are facing. CSG’s Suggested State Legislation offers examples of laws other states have passed to address particular challenges. Those laws and more can be found on the CSG Knowledge Center, which has been revamped and is now mobile-friendly. Busy leaders can get training through the national and regional leadership development programs. The CSG Justice Center offers numerous publications and programs state leaders need when looking at justice and public safety issues. Read about other CSG tools you can use at www.csg.org.
A STATE POLICYMAKER’S COOKBOOK FOR LEGISLATION

by Brydon Ross

State policymakers looking for an innovative policy response to an issue they face can find it in The Council of State Governments’ cookbook for state policy—Suggested State Legislation.

The program, commonly known as SSL, is one of the oldest tools CSG offers in its efforts to serve the states. The program was born following the nation’s entry into World War II. The federal government partnered with CSG to devise a set of policies that could be adopted nationwide to help shore up civil defense. That process eventually morphed into today’s SSL program. The SSL Committee, chaired by Mississippi Rep. Bobby Moak and Jerry Bassett of the Alabama Legislative Reference Service, meets twice a year to consider bills for inclusion in that year’s volume. The committee, which includes only public sector members, considers topics that are the most challenging and complex issues facing state leaders.

The subject matter for SSL is broad and diverse, which is a key to its continued interest, relevancy and staying power. All told, the SSL Committee deftly handles dockets routinely exceeding 100 to 125 bills in 26 different subject areas ranging from conservation to emerging telecommunications issues. Only a select number of bills meet the high standards set by the committee.

Although a bill may be accepted for inclusion in SSL, that doesn’t mean CSG officially endorses the legislation. It simply means the committee deems a particular policy response an innovative way to address a specific situation in need of a solution.

To be considered, a bill must be a public law and must address a policy issue or problem in a new or innovative way. The SSL Committee does not draft legislation for adoption in other states; it only considers bills that have been adopted in at least one state.

Committee members often say they would not vote for a bill as legislation in their home states, but recognize the legislation might be of use in other states and support its inclusion in SSL.

Members take pride in removing their partisan hats at SSL sessions and focusing on the potential usefulness or novel drafting of a bill that sets it apart from formulaic and worn legislative responses.

Policymakers and the public can easily access the bills included in SSL on CSG’s website, www.csg.org/ssl where 25 years of data is readily available in a searchable format by dockets, previous meeting minutes and subject matter.

Each year’s volume is compiled from the adopted bills at SSL Committee sessions into a user-friendly document that strips out the parochial references to state code, thereby providing clean text for legislators seeking a reference point to address issues in their own state. The SSL volumes really are a legislative cookbook where leaders can mix and match successful ideas or policy ingredients to make their own specific recipe.

CSG’s Web portal also allows those interested to search for policy trends and provides a snapshot of the most compelling issues facing states over time.

—Brydon Ross staffs The Council of State Governments SSL Committee.
Which states expanded Medicaid in 2013? How much do states spend on K–12 education? What will new EPA regulations on air pollution mean for states?

Find these answers and more in the new and improved CSG Knowledge Center, which you can access at www.csg.org/knowledgecenter. With a more streamlined interface and a new mobile version, the CSG Knowledge Center is now even easier to use to find critical state policy news and resources.

The CSG Knowledge Center is an interactive policy tool and clearinghouse that puts years of research and CSG resources at a user’s fingertips. Site visitors can view all the information available on a particular topic from across the CSG organization, including Capitol Research policy briefs, Suggested State Legislation, Capitol Ideas magazine articles, infographics and state-by-state data, meeting presentations, webinars and regional publications.

Users can navigate the revamped website in a number of ways, depending on the information needed.

The main page features icons pointing users to the key sections of the site. To see recent additions, just click on “What’s New” or browse the prominent “Featured Articles” section at the top of the front page.

Looking for a specific document? Perform a keyword search. To see all of the policy products CSG has on a specific topic, browse the comprehensive list of policy terms, either broadly, such as Health, or more narrowly, Health—Medicare.

Click on “Publications” to access resolutions, policy briefs, meeting materials, webinars and more.

With the new mobile site, visitors can find information on the go from their smart phone or tablet. The mobile version is automatically formatted for the specific device being used, with simplified menu bars and interface.

Individual documents within the CSG Knowledge Center can be downloaded in PDF, allowing for easy printing or viewing on a tablet computer or an e-reader. The site includes access to Excel spreadsheets for tables for easier data manipulation. In addition, a “More Like This” box appears with each entry to show related items in the CSG Knowledge Center.

The CSG Knowledge Center also hosts Capitol Comments, the CSG blog. CSG policy staff blog regularly about items in the news, providing context, background information and enlightening infographics.

The CSG Knowledge Center hosts the archive of The Book of the States (www.csg.org/bookofthestates), which provides access to the full text of all volumes dating back to 1935. Each of the past 44 volumes is available in its entirety, including articles and tables.

The Book of the States has a long history of providing detailed information about what states spend, the people they serve and the way they govern. Users can not only track the salary of a state’s governor since 1935, but also can find the salaries of other executive branch officials, as well as information on how much other high-level state officials have earned over the years. The historical volumes illustrate how much has changed, and how much has stayed the same, through often-tumultuous times in the history of the U.S.

Whether users are looking for the latest policy briefs, reading the policy blog to stay up to date on issues of importance, or reviewing the most recent webinar, they will find the CSG Knowledge Center is a one-stop policy resource.

—Jennifer Horne, CSG’s associate director of policy and special libraries, manages the CSG Knowledge Center.
Cooperation across the aisle, across the branches and across state lines is key to states thriving in today’s tumultuous political environment, which is centered around gridlock on Capitol Hill. State officials, now more than ever, must continue to pursue excellence in consensus building, communication, adaptive leadership and the sharing of capitol ideas.

The Council of State Governments is committed to providing its members with unparalleled training opportunities on both a national and regional level. Through its leadership development programs, CSG continues to empower state leaders with the skills they need to accomplish even more.

CSG EAST

Robert J. Thompson
Eastern Leadership Academy (ELA)
WWW.CSGEAST.ORG/LEADERSHIPACADEMY

» 2014 Program Dates: Aug. 17–21
» 2014 Application Deadline: Midnight, May 15

The Robert J. Thompson Eastern Leadership Academy, known as ELA, in partnership with the Fels Institute of Government, convenes state officials from across the Eastern region to share knowledge and experiences from their respective states. Designed to sharpen and develop the skills participants need to become more effective leaders, session experts provide a context for state officials to effectively evaluate information, build consensus and communicate messages successfully to constituents, colleagues and media.

Who should apply?
ELA is aimed at legislators, legislative staff, executive and judicial branch officials in the early-mid stages of their government careers from CSG Eastern region states and territories—Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Washington, D.C., Puerto Rico and the U.S. Virgin Islands.

CSG MIDWEST

Bowhay Institute for Legislative Leadership Development (BILLD)
WWW.CSGMIDWEST.ORG/BILLD

» 2014 Program Dates: Sept. 5–10
» 2014 Application Deadline: May 2

The Bowhay Institute for Legislative Leadership Development, known as BILLD, in partnership with the Robert M. La Follette School of Public Policy at the University of Wisconsin-Madison, is the only leadership training program designed exclusively for Midwestern legislators. The institute offers a unique opportunity for lawmakers to improve their leadership skills and explore the issues of the day with nationally renowned scholars, professional development experts, and legislative leaders and colleagues from across the region. The highly interactive curriculum, which is designed for legislators in their first four years of service, includes a series of leadership training courses, policy seminars and professional development workshops.

Who should apply?
BILLD is designed for legislators who are in their first four years of legislative service in CSG’s Midwestern region—Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

Also Check Out CSG Midwest’s Under the Dome Program
Through its Under the Dome program, CSG Midwest offers policy seminars or professional development workshops for members in their capitols. This is a cost-free membership service available by request. Legislative leaders request the topic that will benefit their members—a policy-specific issue, for example, or a skills development seminar—and CSG Midwest will tailor an educational program to meet that need. Visit www.csgmidwest.org/MLC/CSGMidwestsUndertheDomeInitiative.aspx for more information.
Western Legislative Academy (WLA)

The Western Legislative Academy, known as WLA, is an intensive three and a half day professional development program designed to help legislators become more effective leaders and to strengthen legislative institutions. The WLA focuses on communications, time management, governing, ethics and consensus building. A highlight is a half day spent at the U.S. Air Force Academy working on personnel assessments and team building.

Who should apply?
Legislators in their first four years of service are eligible to apply for WLA. Each state in CSG’s Western region—Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, American Samoa, Guam and Northern Mariana Islands—is allocated at least two, and no more than four, slots for participants in the WLA each year.

Also Check Out CSG West’s WESTRAIN Program
CSG West’s WESTRAIN offers professional development training to legislators and legislative staff by bringing expert trainers to state capitols. WESTRAIN is offered to Western state legislatures on a rotating basis. Legislative leaders pick the training topic. CSG West provides, and covers the expenses for, an expert trainer who will tailor an educational program that best meets the needs of legislative members and/or staff. Visit www.csgwest.org/legislativeacademy/WESTRAIN.aspx for more information.

Who should apply?
The Toll Fellows Program targets outstanding rising officials from all three branches of state government. Elected and appointed officials may apply.
CSG JUSTICE CENTER PROMOTES EFFECTIVE, PRACTICAL STRATEGIES

The Council of State Governments Justice Center serves all 50 states to promote effective, data-driven practices and practical, consensus-based strategies—particularly in areas in which the criminal justice system intersects with other disciplines, such as public health—to increase public safety and strengthen communities. The CSG Justice Center’s work with states and local jurisdictions focuses on program areas including re-entry, mental health, law enforcement, courts, justice reinvestment and youth.

MENTAL HEALTH

The CSG Justice Center’s Mental Health Program promotes the implementation of practical, flexible strategies that support effective criminal justice system responses for the growing number of people with mental health and substance abuse needs who are involved with the system. The CSG Justice Center provides onsite technical assistance; information about programs, research and policy developments in the mental health field; and data-driven policy recommendations for legislators, judges, and corrections, supervision and law enforcement agencies.

RECENT WORK

**Justice and Mental Health Collaboration Program**—A federal grant program administered by the U.S. Department of Justice’s Bureau of Justice Assistance for which the CSG Justice Center provides training and technical assistance to grantees working to provide access to effective treatment for people with mental illnesses who are involved with the criminal justice system. Grants are used for a range of activities, including mental health courts, specialized community supervision teams and law enforcement training to improve outcomes in encounters with people with mental illnesses.

**Adults with Behavioral Health Needs Under Correctional Supervision: A Shared Framework for Reducing Recidivism and Promoting Recovery**—A 2012 publication that introduces an evidence-based framework for prioritizing resources based on assessments of individuals’ risk of committing a future crime and their behavioral health and treatment needs. The report also proposes a structure for state and local agencies to engage in collaborative responses with the substance abuse, mental health and corrections systems.

JUSTICE REINVESTMENT

Justice reinvestment is a data-driven approach adopted by states to reduce corrections costs and reinvest savings in strategies to improve public safety. The CSG Justice Center provides states with a comprehensive analysis of state-specific criminal justice data and the latest research about what works to reduce recidivism. The center helps develop policy recommendations by engaging a broad range of policymakers, experts and stakeholders—which may include prosecutors, public defenders, judges, corrections and law enforcement officials, community leaders, victims and their advocates, formerly incarcerated individuals, and health and housing professionals. The CSG Justice Center then helps states to translate the new policies into practice and track data to ensure that their investments achieve their projected outcomes.

RECENT WORK

Idaho, where the CSG Justice Center is working with state leaders to develop policies that will avert prison growth and reduce recidivism by strengthening supervision practices and community-based treatment programs; tailoring sanctions for parole violations; and improving the collection and assessment of data to ensure the impact of recidivism reduction strategies.

North Carolina, where the CSG Justice Center began work in 2010 to help slow the growth of the prison population, address the high rate of probation revocations and increase the number of people released from prison receiving post-release community supervision. Two years after the state implemented its justice reinvestment initiative, the prison population has been reduced by nearly 10 percent, averting the need to build new correction facilities. The supervision system also has been overhauled and probation revocations have decreased by 55 percent.
RE-ENTRY
The CSG Justice Center operates the National Reentry Resource Center in partnership with the U.S. Department of Justice’s Bureau of Justice Assistance. The center provides training and technical assistance to state and local governments, tribal nations, territories and nonprofit organizations that have received federal grants through the Second Chance Act to improve prisoner re-entry.

RECENT WORK
Reentry Matters—A publication released in October 2013, that highlights the work of several Second Chance Act grantees that are having a positive impact through efforts focused on areas including employment, education, and substance abuse and mental health treatment.

The Reentry and Employment Project—An initiative designed to help the corrections, re-entry and workforce development fields address the barriers that people with criminal records face when seeking to enter the U.S. workforce. In September 2013, the CSG Justice Center released “Integrated Reentry and Employment Strategies: Reducing Recidivism and Promoting Job Readiness” and convened representatives from the U.S. departments of Justice, Labor and Education, as well as leaders in the criminal justice and workforce development field, to discuss the white paper.

LAW ENFORCEMENT
The CSG Justice Center partners with law enforcement experts to work with individual communities across the country to improve the outcomes of law enforcement’s encounters with people with mental illnesses. The CSG Justice Center also works with a diverse group of public safety professionals, social service providers and policymakers to develop collaborative strategies that support re-entry while maintaining public safety.

RECENT WORK
Law Enforcement/Mental Health Learning Sites—Six police departments (Houston, Texas; Los Angeles, Calif.; Madison, Wis.; Portland, Maine; Salt Lake City, Utah; and the University of Florida Police Department) were selected to share best practices and help other jurisdictions improve their responses to people with mental illnesses. The six sites host site visits and provide off-site technical assistance to requesting agencies.

The Impact of Probation and Parole Populations on Arrests in Four California Cities—A publication considering the extent to which people on probation and parole contribute to crime, as measured by arrests in the cities of Los Angeles, Redlands, Sacramento and San Francisco. The study was conducted by the CSG Justice Center with the cooperation of the chiefs of police of those cities, as well as county law enforcement and supervision agencies, two sheriffs’ offices and the California Department of Corrections.

COURTS
The CSG Justice Center works with judges, prosecutors, defense attorneys, court administrators and others who are a part of the judiciary to promote the use of data to inform policy development and implementation efforts that incorporate the best social science research with principles of justice and equity.

RECENT WORK
County Justice and Behavioral Health Systems—In-depth analysis conducted by the CSG Justice Center to help local jurisdictions reduce recidivism by people with behavioral health disorders who are involved in the criminal justice system. The CSG Justice Center has worked with Johnson County, Kan., Hillsborough, N.H., and, most recently, New York City. A project is currently underway in Bexar County, Texas.

Judicial Work at the Interface of Mental Health and Criminal Justice—Training provided to judges in Illinois, Oregon, Utah and Wisconsin, and planned for Missouri and Texas in 2014. Developed in partnership with the American Psychiatric Foundation, the training provides judges with tools to improve responses and outcomes for individuals with mental health disorders.

YOUTH
The CSG Justice Center’s Youth Program helps local, state and national policymakers identify and implement evidence-based, consensus-driven strategies to improve school discipline practices as well as outcomes for youth in the juvenile justice system.

RECENT WORK
The School Discipline Consensus Project—A national project that has convened experts from the education, juvenile justice and other fields, as well as youth, parents and community partners, to produce a comprehensive report. The report provides guidance on how to minimize the use of suspension and expulsion to manage student behaviors, improve academic outcomes, reduce juvenile justice system involvement, and promote safe and productive learning environments.

The Juvenile Justice Project—An initiative focused on identifying and promoting the policies and practices demonstrated by research to reduce recidivism and facilitate positive outcomes for youth in the juvenile justice system. The project will produce a comprehensive report and set of tools to help guide policymakers and practitioners in developing and implementing reform strategies.
ELECTIONS 2014
Many State, Federal Offices on the Ballot

**16 STATES** AND AMERICAN SAMOA HOLD OPEN PRIMARIES, WHICH MEANS VOTERS CAN CAST BALLOTS IN EITHER PARTY PRIMARY REGARDLESS OF REGISTRATION. IN FIVE STATES AND PUERTO RICO, ONE PARTY HAS AN OPEN PRIMARY.

**PRIMARY ELECTIONS CALENDAR**

**MARCH**
Illinois, Texas

**APRIL**
District of Columbia

**MAY**
Arkansas, Idaho, Indiana, Kentucky, Nebraska, North Carolina, Ohio, Oregon, Pennsylvania, West Virginia

**JUNE**
Alabama, California, Colorado, Iowa, Maine, Maryland, Montana, Nevada, New Jersey, New Mexico, North Dakota, Oklahoma, South Carolina, South Dakota, Utah, Virginia

**JULY**
Georgia

**AUGUST**

**SEPTEMBER**
Delaware, Guam, Massachusetts, New Hampshire, New York, Rhode Island

**OCTOBER**
Louisiana


**35 MEMBERS OF THE U.S. SENATE ARE UP FOR ELECTION IN 2014.**

**61 SUPREME COURT SEATS ARE UP FOR ELECTION IN 2014.** OF THAT 61, 25 ARE STRICTLY RETENTION VOTES. KENTUCKY, NORTH CAROLINA AND SOUTH DAKOTA WILL ELECT THE MOST JUSTICES; EACH STATE WILL ELECT 4.

1,235 SENATE SEATS, 59.6 PERCENT OF ALL SEATS, AND 4,977 HOUSE SEATS, 90.4 PERCENT OF ALL SEATS, WILL BE ON THE BALLOT IN 2014.
39 GOVERNORS
33 LIEUTENANT GOVERNORS,
31 ATTORNEYS GENERAL,
26 SECRETARIES OF STATE,
25 TREASURERS AND 16 AUDITORS
ARE UP FOR ELECTION IN 2014.

U.S. TERRITORIES
AMERICAN SAMOA
GUAM
NORTHERN MARIANA ISLANDS
PUERTO RICO
U.S. VIRGIN ISLANDS

BALLOT INITIATIVES

IN NORTH DAKOTA, VOTERS WILL CONSIDER A SO-CALLED “PERSONHOOD” INITIATIVE, WHICH WOULD GRANT LEGAL RIGHTS TO EMBRYOS AT THE MOMENT OF FERTILIZATION, EFFECTIVELY OUTLAWING ABORTION IN THE STATE.

ARKANSAS VOTERS WILL DECIDE WHETHER TO EXTEND THE STATE’S EXISTING TERM LIMITS FOR STATE LEGISLATORS FROM 14 YEARS TO 16 YEARS.

SOUTH DAKOTA VOTERS WILL CONSIDER A MEASURE THAT WOULD RAISE THE MINIMUM WAGE FROM $7.25 TO $8.50 AND INCREASE IT EACH YEAR BASED ON INFLATION.

THREE STATES—COLORADO, OREGON AND WASHINGTON—CONDUCT ELECTIONS BY MAIL. ALL REGISTERED VOTERS ARE AUTOMATICALLY MAILED A BALLOT PRIOR TO THE ELECTION.
CDC Earns EMAP Accreditation

The Centers for Disease Control and Prevention has received accreditation by the Emergency Management Accreditation Program. The intent of EMAP is to promote consistent quality in emergency management programs.

“Through your accreditation, (the CDC) have set the example for other public health emergency management programs to follow your lead,” Ed Buikema, EMAP commissioner, said in a press release.

NHCSL and the Borinqueneers

At its 11th National Summit in November, the National Hispanic Caucus of State Legislators hosted an awards ceremony commemorating members of the Borinqueneers for their dedicated service. The 65th Infantry Regiment of Borinqueneers was the largest and longest-standing Hispanic segregated unit, serving during World War I, World War II and the Korean War.

NHCSL recognized the heroic actions of these soldiers and has taken a stance to increase Congressional support for the regiment. Members approved a resolution “Recognizing the 65th Infantry Regiment, Known as the Borinqueneers, for their Service to the United States of America during Wartime.” It will be sent to Congress to request the Borinqueneers be honored through the awarding of the Congressional gold medal.

The Borinqueneers soldiers already have earned 628 Bronze Stars, 258 Silver Stars, 10 Distinguished Service Crosses and more than 2,700 Purple Hearts.

Legislative Council on River Governance Meets

The Legislative Council on River Governance held its 2013 meeting Oct. 3-4 in Boardman, Ore., at the Port of Morrow. Oregon Sen. Doug Whitsett chaired the council, with a major focus on the Columbia River Treaty and the benefits the treaty provides to Columbia River Basin States. As 2014 is the first year that Canada or the United States can choose to unilaterally give 10-year notice of their intent to end the treaty, both the U.S. and Canada are thoroughly reviewing the treaty.

Representatives from the Army Corps of Engineers, Bonneville Power Administration and the Columbia River Treaty Review Team for the Government of British Columbia shared their perspectives on the treaty. Council members also heard from the First Nations, ports and agricultural interests about the treaty, and received an update on the Hanford Nuclear Site Cleanup. The 2014 meeting will be held in Montana and chaired by Montana Sen. Jennifer Fielder.
Western Legislators Complete Intensive Skills Training

Thirty-eight lawmakers from the Western region graduated Nov. 16 from the 14th Western Legislative Academy, CSG West’s professional development program for newer legislators. The WLA class of 2013 experienced three-and-a-half days of training sessions aimed at strengthening their skills and building stronger legislative institutions.

Training sessions included time management, leadership, the art of decision-making, mental toughness, legislative ethics, negotiations, consensus building, and approaches to enhancing communication with constituents and the media.

Participating lawmakers also were provided an overview of legislative institutions, conducted team building exercises at the U.S. Air Force Academy and were inspired by a historical portrayal of America’s first president, George Washington.

Class members elected Arizona Sen. Kelli Ward as the 2013 WLA class president. In this capacity, Ward will represent the class at upcoming CSG West events.

APPRA Releases Report

The American Probation and Parole Association, in partnership with the National Center for State Courts and The Pew Charitable Trusts, has released a report, “Effective Responses to Offender Behavior: Lessons Learned for Probation and Parole Supervision.” The report was the result of a meeting of representatives from 14 states to discuss the use of effective administrative responses in probation and parole supervision.

NASFA Accepting Nominations for Innovations Award

The National Association of State Facilities Administrators is accepting nominations for its 2014 Innovations Award. The program, established in 1993, recognizes outstanding achievement by a state facility organization for establishing an innovative new program or improving an existing one. For more information, visit http://www.nasfanet.org/?page=2014innovations. The deadline for submitting an application is Feb. 28.

Hispanic Participation in Clinical Trials

The National Hispanic Caucus of State Legislators is leading efforts to increase cultural competency in health care with a resolution, “Eliminating Restriction and Barriers to Health Care Access and Maintaining Independent Oversight.” Although the American Cancer Society reports that one in two Hispanic men and one in three Hispanic women will be diagnosed with cancer in their lifetime, less than 2 percent of the growing Hispanic population participates in clinical trials. To learn more about the resolution, visit www.nhca.org.
When Nevada Sen. Tick Segerblom presses his children to consider running for the state legislature, he’s only half joking. That’s because Segerblom would like to see his family’s tradition of service continue into the next generation. He’s a fourth-generation legislator coming down from his mother’s family line. “It does show a history of wanting to serve the public,” Segerblom said. “It’s a huge sacrifice; people have no idea the sacrifice we make, but it’s worth it.” A 2013 CSG Toll Fellow, Segerblom would like, because of his family history, to improve the stature of not only the Nevada legislature, but also legislatures around the country. Because of term limits, legislatures are not as effective as they could be, he said. “The longer you can serve, the better it is, the more effective you’re going to be,” he said. Because state legislators hold the elected office closest to constituents, their role is important. “To have our role diminished does a disservice to the country,” he said.

Do you know someone in state government who deserves a shout out? Email Mary Branham at mbranham@csg.org.
For more than 70 years, The Council of State Governments Eastern Regional Conference (ERC) has facilitated information sharing and cooperation among its member jurisdictions in pursuit of multi-state or region-wide solutions to public policy challenges facing the Northeast. In pursuit of its mission, ERC conducts public policy research, issues policy reports and newsletters, holds seminars and conferences, conducts leadership training and promotes the interests of the region at the federal level.