

STATELINE MIDWEST



MIDWEST

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RISE OF SCHOOL-BASED MENTAL HEALTH

Increasingly, states are looking for ways to bring these services to students, and encourage partnerships with local providers who can deliver specialized care

by Tim Anderson (tanderson@csg.org)

In one Cleveland suburban district, licensed psychologists are regularly visiting schools and delivering clinical levels of care to students.

Hundreds of miles away, in the southernmost part of the state, a small district is converting part of its board offices (located on the same campus as its schools) into a school-based health center. There, young people will get access to an array of services, including mental health treatment.

These are two of the more than 3,000 local initiatives across Ohio getting state support because of legislative action taken two years ago — an unprecedented, \$675 million funding commitment by the state to help schools provide

nonacademic, wraparound services to students. “As much as we like to say the education system is about academics, the reality is that those issues of student wellness are tremendously important to enabling a successful academic experience,” Ohio Superintendent of Public Instruction Paolo DeMaria says.

“If children come to school hungry, or can’t see the whiteboard, or have a high level of trauma or stress, they’re not going to be in a position to be educated.”

Mental health, above all other types of eligible services, is what schools targeted for support through Ohio’s new Student Wellness and Success Fund.

That choice is not surprising, DeMaria says, considering what he has heard from school administrators, teachers and parents on listening tours across the state. And that was before the potential impacts of the COVID-19 pandemic on the mental health of people of all ages.

Across the country, “there was a ton of activity, pre-COVID, around state actions to support mental health and schools,” says Alex Mays, senior national

program director for the Healthy Schools Campaign.

If anything, circumstances of the past year will only heighten this activity.

“For a variety of reasons, the education sector is increasingly seeing its role as supporting the mental health of students and staff,” says Dr. Sharon Hoover, co-director of the National Center for School Mental Health.

“At the same time, we see the behavioral health sector recognizing schools as an important venue for service provision. We also have more and more examples of how to structure those services and get reimbursed for them in the school setting.”

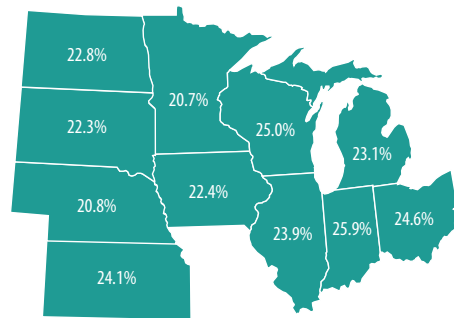
POLICY OPTIONS FOR STATES

Hoover points to a number of state-level, school-centered policies and investments that can help young people.

One strategy is to improve mental health literacy among students.

“Just like we’d want young people to know about their physical health and nutrition as part of health education, we want them to understand mental health — how do you obtain

% OF 3- TO 17-YEAR-OLDS WITH A MENTAL, EMOTIONAL, DEVELOPMENTAL OR BEHAVIORAL PROBLEM



Source: Data Resource Center for Child & Adolescent Health, “2018-2019 National Survey of Children’s Health”

% OF CHILDREN, AGES 3-17, WITH A MENTAL/BEHAVIORAL CONDITION WHO RECEIVE TREATMENT OR COUNSELING

State	Received treatment or counseling for condition	Did not receive treatment or counseling for condition
Illinois	65.5%	34.5%
Indiana	49.3%	50.7%
Iowa	61.8%	38.2%
Kansas	52.7%	47.3%
Michigan	57.8%	42.2%
Minnesota	65.3%	34.7%
Nebraska	59.1%	40.9%
North Dakota	66.8%	33.2%
Ohio	57.9%	42.1%
South Dakota	66.8%	33.2%
Wisconsin	52.6%	47.4%

Source: Data Resource Center for Child & Adolescent Health, “2017-2018 Survey of Children’s Health”



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AGRICULTURE & NATURAL RESOURCES

Midwest states battling California law they say dictates how region's farmers must raise livestock

by Carolyn Orr (carolyn@strawridgefarm.us)

The U.S. Department of Justice in December joined six Midwestern states (plus nine others) and the North American Meat Institute in the latest legal effort to block a 2018 California ballot initiative that opponents say will dictate how farmers across the region can raise their livestock.

California voters approved Proposition 12 by a 63 percent to 37 percent margin, thereby establishing production standards for pigs and veal calves within California — but also prohibiting the sale of meat produced outside the state if those animals were not raised in accordance with the requirements.

It also augments Proposition 2 of 2008 (approved by an almost-identical percentage), which required that cage-laying hens have enough space to extend their wings in all directions.

Proposition 12 eliminates cages for hens, and requires farmers to provide veal calves with 43 square feet and sows with 24 feet of space by 2022.

Uncooked meat, poultry and eggs must be produced under these standards to be sold in California, a big market for agriculture producers in the Midwest. For example, the state accounts for about 20 percent of the U.S. pork market.

California's regulations "hurt consumers by increasing prices for pork, veal and eggs and hurt farmers by increasing the cost of producing

animal proteins," says Iowa Sen. Annette Sweeney, who is also a farmer.

"This proposition does not improve animal welfare or food safety, and California voters shouldn't be telling Iowa farmers how to raise their hogs." (In 2018, Iowa legislators approved HF 2408, which requires grocery stores to sell conventional eggs from hens raised in cages if they also sell "specialty" eggs, such as cage-free, to ensure consumers and food programs had access to economical eggs.)

In an amicus brief, Kansas Attorney General Derek Schmidt said Proposition 12 would establish a national animal-husbandry policy via rules allowing California officials to conduct on-site inspections of farming operations in other states and impose record-keeping requirements.

"California's attempt to regulate animal agriculture outside its borders is an unconstitutional barrier on interstate commerce and will be devastating to Kansas agriculture," Schmidt said.

The U.S. Justice Department's brief contends that California's Proposition 12 disrupts U.S. Department of Agriculture food programs.

"[It] would frustrate USDA policy not to buy products that are specialized or geographic in nature for the Emergency Food Assistance Program,"

VALUE OF HOG PRODUCTION IN MIDWEST AS OF OCTOBER 2018		
State	Value of production (\$1,000)	Inventory (1,000 head)
Illinois	1,132,050	5,350
Indiana	913,318	4,050
Iowa	5,670,532	22,800
Kansas	432,851	2,110
Michigan	294,849	1,190
Minnesota	2,021,704	8,500
Nebraska	717,838	3,600
North Dakota	36,767	147
Ohio	557,004	2,950
South Dakota	399,771	1,560
Wisconsin	84,912	305

Source: U.S. Department of Agriculture, National Agricultural Statistics Service, Meat Animal Production, Income, October 2018

ONGOING LEGAL BATTLES

Proposition 12 has survived previous attempts to kill it in court.

In November 2019, a U.S. District Court in California denied the North American Meat Institute's request for a preliminary injunction, finding that the law did not have a discriminatory purpose. A three-judge appellate panel denied an appeal, saying that Proposition 12 is not discriminatory since it applies to producers both within and outside of the state.

In late December, the court denied a request for a rehearing by the full panel of judges. The North American Meat Institute is considering an appeal.

A previous complaint against Proposition 12 — filed in December 2019 by the National Pork Producers Council and the American Farm Bureau Federation (joined by several states) — was dismissed in April 2020 by a federal judge who ruled the law did not discriminate against interstate commerce and did not directly regulate extra-territorial conduct.

Indiana, Iowa, Kansas, Nebraska, Ohio and South Dakota are among the 15 U.S. states supporting the North American Meat Institute's current lawsuit against California's Proposition 12.

Carolyn Orr serves as CSG Midwest staff liaison to the Midwestern Legislative Conference Agriculture & Natural Resources Committee.

HEALTH & HUMAN SERVICES

Some states look to expand postpartum Medicaid coverage from 60 days to full year

by Jon Davis (jdavis@csg.org)

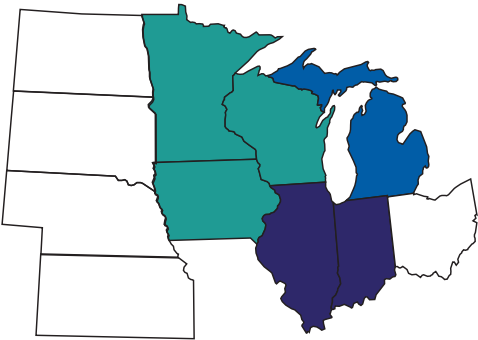
A new Kaiser Family Foundation report recommends that states seeking to reduce maternal mortality should expand their Medicaid programs' postpartum coverage from the federally mandated 60 days to a full year from the date of birth.

The report also recommends:

- raising parental income eligibility levels;
- expanding coverage for specific populations, such as under-insured women or mothers suffering from substance use or mental health disorders;
- providing postpartum services such as lactation consultations and breastfeeding supplies;
- including family planning services to provide pregnancy planning and healthy birth spacing; and
- adopting the Affordable Care Act's Medicaid expansion (most states in the Midwest already have done so).

Federal law requires states to provide postpartum coverage for women with incomes of up to 138 percent of the federal poverty level, which in

OUTCOME OF EFFORTS IN MIDWEST TO EXPAND POSTPARTUM MEDICAID COVERAGE IN 2020



- Expansion legislation signed into law
- Expansion legislation introduced but did not pass
- Expansion being sought via a Section 1115 federal waiver*

* Section 1115 waivers let states run a demonstration or pilot program to show whether a new approach to Medicaid goals will work.

Source: National Academy for State Health Policy

2020 was \$21,720 for a family of three. Babies born to women on Medicaid are automatically covered for their first year.

Medicaid pays for prenatal care, childbirth and delivery services. States

that adopted Medicaid expansion must also cover certain services recommended by the U.S. Preventative Services Task Force.

Beyond that, states can choose which other services to cover.

Illinois and Indiana are seeking federal waivers to expand coverage from 60 days to one year.

Illinois' plan, submitted in January 2020, would extend coverage to reduce maternal deaths and better address social determinants of health, as well as improve the health of babies covered by the Children's Health Insurance Program.

Indiana wants to expand coverage for mothers who are living at or below 213 percent of the federal poverty level and who are suffering from opioid use disorders. State officials say this change in policy would reduce maternal morbidity and mortality "by providing additional health care access and case management support."

Michigan's 2021 budget includes \$12.6 million for the Healthy Moms, Healthy Babies initiative, which expands coverage to a full year.

Other legislation to expand such coverage was considered in 2020 but

failed in Iowa (SF 2062), Wisconsin (SB 630/AB 693), and Illinois (an amendment to HB 4 that would have covered doula and evidence-based home visiting services for up to a year following birth).

Minnesota's HF 7 would have directed the state's human services commissioner to study ways to expand postpartum Medicaid coverage, including federal waivers, and report to the Legislature by Dec. 15, 2021. Introduced during a special session, that measure also failed to advance.

Maureen Hensley-Quinn, senior program director at the National Academy for State Health Policy, says postpartum Medicaid coverage will continue to be one of the primary non-COVID-19 issues in health in 2021.

"Maternal health and morbidity is a priority for many states," she says. "We know that Black and minority women are more likely to be uninsured, and therefore more likely to have conditions that lead to morbidity."

Jon Davis serves as CSG Midwest staff liaison to the Midwestern Legislative Conference Health & Human Services Committee.

CRIMINAL JUSTICE & PUBLIC SAFETY

Kansas commission seeks budget savings for state by standardizing supervision, expanding diversion

by Mitch Arvidson (marvidson@csg.org)

Like most states, Kansas is facing a budget deficit in fiscal year 2021 because of the COVID-19 pandemic. Estimated in the fall to be \$152 million after an initial \$1.4 billion deficit forecast in April, it will precipitate cuts this legislative session.

Advocates of criminal justice reform say recommendations approved in November by the Kansas Criminal Justice Reform Commission could help close that gap, as well as save money into the future, by using stronger, non-incarceration supervision and community-based treatments.

“When you think about the cost of housing someone in prison [\$30,000 to \$75,000 per year], and then the ancillary economic costs of criminal activity, you begin to realize that focusing on treating the symptoms of what leads people to criminal activity would be a more cost-effective approach to dealing with crime,” says Rep. Stephen Owens, vice chair of the commission.

One recommendation seeks to standardize and consolidate parole and probation supervision standards to eliminate duplicative state efforts.

Currently, the Kansas Department of Corrections handles parole supervision



while various state courts handle probation supervision. This can lead to dual supervision for one person — multiple meetings, fees, drug tests and little to no coordination of efforts among state agencies.

In fiscal year 2019, \$84 million of Kansas’ spending on criminal justice came from individuals incarcerated due to violations of supervision or drug offenses.

To reduce these costs, and prioritize prison beds for violent offenders, the commission recommends expanding the use of diversion programs.

SB 123 of 2003 authorized prosecutors and judges to assign nonviolent drug possession offenders with no prior convictions to certified substance abuse treatment.

In practice, however, this supervision falls under the responsibility of county/district attorney offices, many of which in Kansas are run by a single, part-time, prosecutor.

On behalf of the commission, Owens introduced HB 2708 in February 2020.

The bill would have authorized prosecutors to enter into memoranda of understanding with court services or community corrections offices to

supervise offenders. It also would have provided funding via federal grants.

HB 2708 unanimously passed the House but died in the Senate’s Judiciary Committee when COVID-19 shut down most legislative activity.

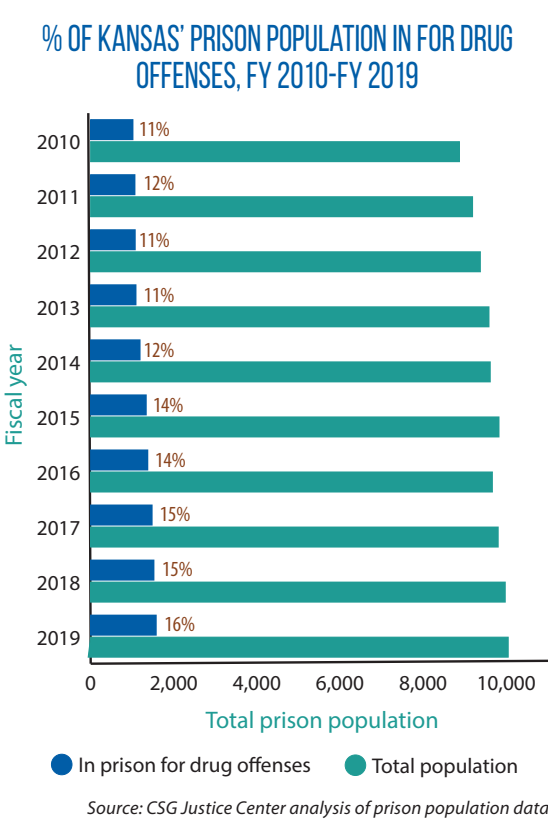
Owens says the measure will be considered again in 2021.

“The goal being, let’s help the people who need help with their addictions,” he says. “Let’s help them turn their lives around and in the end if they’re able to, let’s make sure they’re not branded with a felony for the rest of their life.”

The Council of State Governments Justice Center helped the Kansas commission by providing comparative research from other states, and with on-the-ground data collection and stakeholder interviews in nearly 100 Kansas counties.

“Their team literally swarmed our state and did research that, as citizen legislators, we simply don’t have time to do,” Owens says.

“For them to be able to step in and do so much of that homework, that research, and to work with all of these



different agencies, [it] was an invaluable resource [leading] to the success of our Criminal Justice Reform Commission.”

Mitch Arvidson serves as CSG Midwest staff liaison to the Midwestern Legislative Conference Criminal Justice & Public Safety Committee.

GREAT LAKES

Proposed Asian carp barrier gets federal backing; new rules on treatment of ballast water moving forward

by Tim Anderson (tanderson@csg.org)

The year 2020 ended with two policy developments likely to shape future regional efforts to protect the Great Lakes from one of its greatest threats — the introduction and spread of aquatic invasive species.

As part of a spending bill approved in December, the U.S. Congress authorized an \$858 million project to add a new electric barrier and other fish-control technologies at Brandon Road Lock and Dam near Joliet, Ill. The goal: keep Asian carp and other invasive species from reaching the Great Lakes via the Chicago Area Waterway System.

This fall, too, the U.S. Environmental Protection Agency released draft standards for how the ballast water on oceangoing vessels must be treated.

PROGRESS ON BRANDON ROAD

The new barrier and controls at Brandon Road are a project of the U.S. Army Corps of Engineers. Such projects typically require a non-federal sponsor that pays for 35 percent of the costs, but Great Lakes advocates and congressional supporters were able to boost the federal share of Brandon Road’s costs to 80 percent.

That still leaves a considerable amount of money needed for a project with a current price tag of close to \$1 billion.

Illinois has signed an agreement with the Army Corps to be the project’s non-

federal sponsor for the pre-construction engineering and design phase.

And it will be receiving some financial assistance from a Great Lakes neighbor.

Michigan has committed \$8 million for this phase of the project. Illinois will contribute the remaining \$2.5 million that is needed. The two states entered into an intergovernmental agreement in late December. More costs will come, and have to be covered, for the actual construction phase.

NEW RULES, BUT NOT YET

Concerns about Asian carp are behind the push for the Brandon Road project.

These species of fish were initially brought to the United States to control algae blooms and vegetation in aquaculture facilities in the South. They escaped and have spread throughout the Mississippi and Ohio rivers, which are connected to the Great Lakes via the Chicago Area Waterway System, where Brandon Road Lock and Dam is located.

But most invasive species, including sea lamprey and zebra mussels, came to the Great Lakes via the discharge of ballast water from oceangoing vessels.

“[It] accounts for anywhere from 55 to 70 percent of the reported introductions since 1959,” Sarah LeSage, aquatic invasive species program coordinator for the Michigan Department of Environment, Great Lakes and Energy, said in December during a presentation to the Great Lakes-

St. Lawrence Legislative Caucus.

Preventing these introductions is the goal of the EPA’s proposed new rules, which include discharge-specific standards for 20 different types of vessel equipment and treatment systems. They are the result of the Vessel Incidental Discharge Act of 2018.

Great Lakes advocates largely supported this law because it ensures that the EPA can regulate ballast water discharges as a pollutant under the Clean Water Act, and thus establish science-based treatment standards.

But these gains in federal protection will come with a loss of policy authority for states, which will be largely barred from setting more-stringent standards of their own. Michigan, Minnesota and Wisconsin currently have state-level permitting programs and/or requirements for ballast water management. “That [pre-emption] happens when the standards are final, effective and enforceable,” LeSage said.

These new federal rules, which will be enforced by the U.S. Coast Guard, could take effect as early as 2023, she said.

At that point, the only policy pathway

ASSESSING THE HEALTH OF THE GREAT LAKES ECOSYSTEM		
Indicator	Current status	Trend
Drinking water	Good	Unchanging
Beaches	Good	Unchanging
Fish consumption	Fair	Unchanging
Toxic chemicals	Fair	Unchanging to improving
Habitat and species	Fair	Unchanging
<i>Invasive species</i>	<i>Poor</i>	<i>Deteriorating</i>
Groundwater	Fair	Undetermined
Watershed impacts	Fair	Unchanging
Climate trends	No overall assessment	
Source: “State of the Great Lakes 2019” (Governments of Canada and the United States)		

for Great Lakes states will be for their governors to petition the EPA and ask for more-stringent standards.

CSG Midwest provides staff support to the Great Lakes-St. Lawrence Legislative Caucus. Illinois Rep. Robyn Gabel serves as chair. Minnesota Rep. Jennifer Schultz is the vice chair.

NOT BUSINESS AS USUAL: COVID-19 PROTOCOLS ARE IN PLACE IN ALL OF MIDWEST’S LEGISLATURES, BUT RULES VARY WIDELY FROM CHAMBER TO CHAMBER

by Tim Anderson (tanderson@csg.org)

For a second calendar year, the nation’s “laboratories of democracy” are having to experiment with new ways of conducting legislative business amid the outbreak of a deadly infectious disease.

The early results for 2021: a varied set of COVID-19-related rules and protocols in place for the start of session in the Midwest’s 21 state legislative chambers; proposed new laws on how legislatures can meet during future outbreaks; and the implementation of technologies to ensure public access to the legislative process.

Here is an overview, based on a CSG Midwest review of legislative documents, discussions with legislative staff and news reports as of early January.

MINNESOTA HOUSE GOES REMOTE IN 2021

At least for the start of the year, most legislative leaders in the Midwest chose to hold their sessions and committee meetings in person, in their respective state capitols.

The Minnesota House is one notable exception. Session began there in early January with some members in the chamber, but most taking their oaths of office through Zoom, according to the online House publication *Session Daily*. For the entirety of the 2021 session, too, House leaders had procedures in place to allow for online legislating, including plans for all committee meetings to be held remotely. (The Minnesota Senate is employing a mix of in-person and online meetings.)

Prior to the COVID-19 pandemic, most states did not have specific laws spelling out when and how legislatures could meet remotely. States such as Minnesota have instead used changes in legislative rules. However, at the beginning of this year, bills were being introduced in some of the region’s capitols to provide specific statutory authority.



A proposal in North Dakota (SB 2124) would allow the Legislative Assembly “to use any technology or electronic means available to conduct meetings and transact legislative business” when meeting in special session to “address a state of emergency or disaster.”

Bills in Illinois (HB 5868 and SB 4030) outline a process for when and how the state General Assembly could conduct legislative business virtually — “in times of pestilence or an emergency resulting from a domestic or a foreign terrorist attack,” and under rules that the House and Senate would be required to have in place.

“The intent of the legislation is to provide for the very rare circumstances where it is extremely dangerous or impossible to meet,” says Illinois Rep. Ann Williams, sponsor of HB 5868.

Wisconsin is one of the few U.S. states with a long-standing, comprehensive law on virtual legislating during publicly declared disasters. That law was used in 2020 to help plan and execute sessions in which legislators participated and voted on bills remotely.

VIRTUAL OPTION FOR INDIVIDUAL MEMBERS

In some Midwestern states, legislative leaders are holding in-person sessions while giving individual members the chance to participate virtually. That extends to voting on bills in states such as North Dakota, where new rules give “the same rights, privileges and duties” to members who are not “physically present.”

South Dakota’s joint rules permit legislators to attend and vote remotely under certain circumstances and with the approval of leadership.

“Members of the Legislature have battled COVID

themselves, had family members contract it, or been exposed to others who have had it,” South Dakota Senate President Pro Tempore Lee Schoenbeck said prior to the start of session.

“We know the situation in our state, and plan to do what we can to mitigate the spread. But we still understand that legislative business has to go on.”

Late in 2020, Attorney General Derek Schmidt advised the Kansas Legislature that members should be “physically present” for votes in committee and on the floor. He based this advisory opinion on quorum rules and constitutional language requiring legislators to meet (which commonly means “come together,” according to Schmidt) in the state capital.

“Bills passed by a procedure inconsistent with [these] requirements may be subject to challenge in court and will be invalidated if found constitutionally infirm,” Schmidt wrote.

MASK REQUIREMENTS IN SOME CHAMBERS

Kansas’ legislative session began in January in person. According to the *Topeka Capital-Journal*, steps to mitigate the spread of COVID-19 in the state Capitol include having members of the House use the chamber’s gallery to allow for social distancing and utilizing remote testimony on bills before legislative committees.

Many other legislatures are employing these same strategies. Other protocols for 2021 include the installation of plexiglass barriers in committee rooms and on the chamber floor; new limits on the number of people in committee rooms; temperature checks for legislators, staff and the public; and COVID-19 testing.

In Indiana, the 100-member House moved its floor sessions to a larger government office building. It also started the year by holding only one floor session per week. (The House has typically met three times a week.)

Legislatures split on the question of whether to require the wearing of masks or simply encourage it, though the latter has been more common (see top map). In some states, too, mask wearing is optional for members of the legislature, but mandatory for staff, visitors and/or the media.

When Saskatchewan’s new Legislative Assembly met for the first time in late 2020, members wore masks while in session. Plexiglass shields also were installed on members’ desks.

UPGRADES IN TECHNOLOGY IN PLACE

According to *The Bismarck Tribune*, North Dakota lawmakers used a portion of federal CARES Act dollars over the interim to improve public access to the legislative process — for example, technological upgrades to live-stream committee meetings and floor sessions and to allow remote testimony on bills.

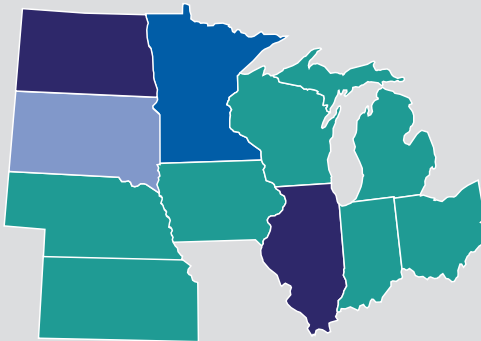
The Minnesota House expanded the number of committee meetings that can be live-streamed simultaneously (from two to five), with the goal of having “most, if not all, regular House activity ... visible via webcast,” according to *Session Daily*.

In addition, to improve the functionality of remote legislating, the House is using a fingerprint authentication system. Each member was issued a fingerprint reader and had two fingers registered prior to session.

“Now, when a vote is taken, we use the fingerprint reader to verify who we are, and then vote online,” says Minnesota Rep. Paul Anderson, noting that this change allows the chamber to bypass the cumbersome process of virtual roll-call voting.

“When all the kinks get worked out, it should speed up the process of [online] voting,” he added.

ARE LAWMAKERS REQUIRED TO WEAR MASKS FOR LEGISLATIVE SESSION? (AS OF JANUARY 2021)

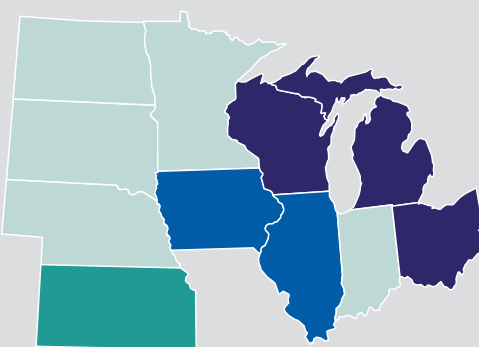


- Yes
- Yes in House, no in Senate
- Yes in Senate, no in House
- No

SNAPSHOT OF LEGISLATURES IN MIDWEST FOR 2021 SESSIONS		
State	# of members	% of legislators serving in first year*
Illinois	118 in House, 59 in Senate	11%
Indiana	100 in House, 50 in Senate	11%
Iowa	100 in House, 50 in Senate	16%
Kansas	125 in House, 40 in Senate	20%
Michigan	110 in House, 38 in Senate	20%
Minnesota	134 in House, 67 in Senate	14%
Nebraska	49 in Unicameral Legislature	16%
North Dakota	94 in House, 47 in Senate	8%
Ohio	99 in House, 33 in Senate	17%
South Dakota	70 in House, 35 in Senate	17%
Wisconsin	99 in House, 33 in Senate	14%

* Excludes members who previously served or switched chambers

LEGAL LIMITS ON LENGTH OF SESSION?



- No
- No, but incentives in place to limit length (higher vote thresholds for bills in Illinois, end of legislator per diems in Iowa)
- Yes, but only in even-numbered years
- Yes

Source: The Council of State Governments’ “Book of the States”

'BEING IN TWO PLACES AT ONCE': SMALL PARTY CAUCUSES POSE BIG CHALLENGES

by Jon Davis (jdavis@csg.org)

Not much changed across the Midwestern legislative landscape when the dust from the November 2020 general election had settled. No chamber changed partisan hands, but as the size of some majorities grew, the size of corresponding minorities stood out like a sore thumb.

Or, as South Dakota Sen. Red Dawn Foster says, like a “sore pinky.”

When the 35-member Senate began its 2021 session in January, Foster was the newly minted assistant minority leader for a Democratic caucus of three: herself, Minority Leader Troy Heinert and Minority Whip Reynold Nesiba.

Politics aside, that number presents a huge practical hurdle: with 13 standing committees in the Senate, the caucus doesn't have nearly enough members to attend them all.

Heinert says interns and volunteers are being relied upon to take notes in the committee meetings that he, Nesiba and Foster can't attend so they can discuss bills during caucus time. (South Dakota's Legislature sets caucus meetings for times when no committee meetings are held).

Nesiba adds there are times when he'll have to leave one of his assigned

committees to testify on a bill elsewhere. “If I have to leave the Appropriations Committee, then there'll be no [Democrat] in that committee,” Nesiba says. “There's going to be real challenges. I think it's going to be harder than [the 2020 session], when we were five.”

At the start of session, Heinert asked various committee chairs to let his three-member caucus place comments on the record regarding bills and to accommodate schedule quirks as they arise. Most have been understanding, he says. “That's going to be the hard part — being in two places at once,” he says. “But I have faith in our members.

We work well together, and maybe we'll have to save arguments for floor debates. But we had to do that as a caucus of five.” The South Dakota Senate was fairly evenly split along partisan lines as recently as 2009, with 20 Republicans and 14 Democrats. Republicans gained 10 seats in the 2010 election, and Democrats have been in single digits ever since. By percentage terms, South Dakota's Senate Republican majority of 91 percent is the most lopsided among the region's legislatures, although North Dakota's Republicans have majorities of 85 percent in both chambers and Indiana Senate Republicans occupy 78 percent of the

chamber's 50 seats. The Saskatchewan Party controls 79 percent of the province's 61-member unicameral Assembly, making it safe from “no confidence” votes that can bring down the government and force a new election.

There are lopsided majorities outside the Midwest as well. Hawaii's 25-seat Senate began its 2021 session with just one Republican (and one vacancy). Since 1992, that GOP caucus has fluctuated between five (2002 through 2006) and none (2017 and 2018).

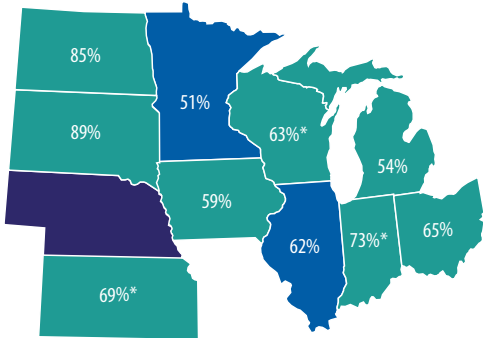
“Regardless of how small the representation is for the other party, it's still worthwhile that their voice be heard,” says South Dakota Senate Majority Leader Sen. Gary Cammack, who also is the 2021 chair of CSG's Midwestern Legislative Conference.

Perhaps counterintuitively, Cammack believes the situation in South Dakota can take some of the politics out of cross-aisle dialogue. “On issues where you disagree, you can have a real one-to-one conversation and talk it out. A 50-50 situation would change those dynamics,” he says.

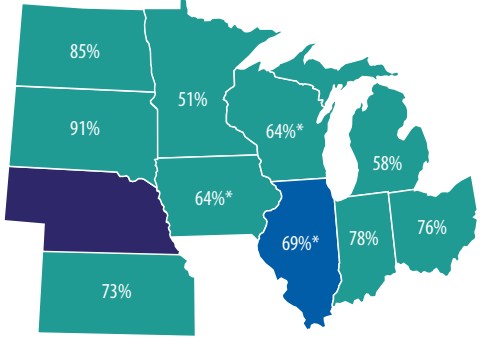
Capital Closeup is an ongoing series of articles focusing on institutional issues in state governments and legislatures. Previous articles are available at csgmidwest.org.

% OF SEATS HELD BY PARTY IN CONTROL OF LEGISLATIVE CHAMBERS (JANUARY 2021)

HOUSE/LOWER CHAMBER



SENATE/UPPER CHAMBER



● Democratic control ● Republican control ● Nonpartisan, unicameral legislature

* Chamber has a vacant seat, pending appointment or special election of a new member

QUESTION OF THE MONTH

QUESTION | What actions have states in the Midwest taken regarding the regulation of pharmacy benefit managers (PBMs)?

In a December 2020 decision, the U.S. Supreme Court unanimously affirmed that states can regulate pharmacy benefit managers (often abbreviated as PBMs), the “middlemen” between health insurance plans and pharmacies, to curb rising prescription drug prices.

According to the National Academy for State Health Policy, PBMs administer health plans' pharmacy benefits, which can involve setting up a pharmacy network, designing the list of covered prescription drugs, and establishing what plan members pay out of pocket.

Some PBM practices have come under scrutiny, including requiring rebates (which may not get passed on to the health plan or consumers) from manufacturers to put drugs on a “preferred” list; creating lists that benefit the PBM at consumers' expense; requiring the purchase of drugs from PBM-controlled pharmacies; restricting price and cost information that pharmacies can share with consumers; and failing to safeguard the financial interest of their health plan's clients.

To address those concerns, the National Academy for State Health Policy suggests states require PBMs to be licensed, have a fiduciary duty, disclose conflicts of interest, and report rebates and fees to the state, which would then make public any non-proprietary information.

The academy also recommends a prohibition on co-payments/co-insurance higher than the cost of a drug; statutory language that ensures pharmacists have the ability to inform customers; and a ban on penalties against patients who don't use pharmacy services in which the PBM has a financial interest.

As of October 2020, 46 states had enacted some type of law regulating PBMs, including measures enacted in six Midwestern states over the past two years.

Among the states requiring PBMs to share information on pricing and rebates with pharmacies and/or administrative organizations are **Illinois** (HB 465), **Indiana** (HB 1588), **Iowa** (SF 563) and **Minnesota** (SF 278).

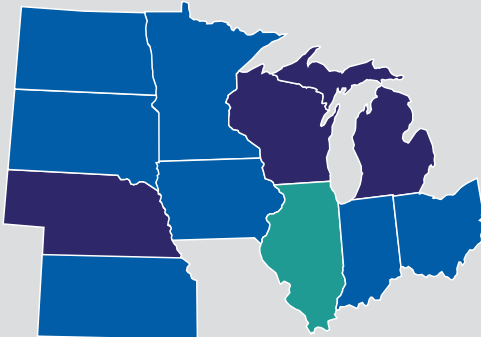
Under HB 1207 and SB 241, Indiana's insurance commissioner may adopt rules to specify PBM licensure and financial standards, as well as ban PBMs from reimbursing affiliates more than independent pharmacies.

In 2018, as part of SF 2418, Iowa barred PBMs from prohibiting pharmacies or pharmacists from discussing cost information with covered individuals, or from selling more-affordable alternatives. The bill also prohibited health benefit plans from requiring pharmacy benefit co-payments that exceed submitted charges.

In Minnesota, PBMs cannot bar pharmacists from disclosing information about drug costs and alternative therapies, nor can they retroactively adjust claims for reimbursement submitted by a pharmacy.

Ohio's 2019 budget (HB 166) incorporated bans on retroactive claim adjustments and requiring pharmacies to not disclose lower-priced and therapeutically equivalent drugs. The state also reorganized its Medicaid managed care program, opting to contract with a single PBM by July 2020. The state's PBM must meet strict transparency requirements and disclose any received financial benefits or other payments, conflicts of interest,

STATE LAWS ON LICENSURE/REGISTRATION OF PHARMACY BENEFIT MANAGERS IN MIDWEST (AS OF DECEMBER 2020)



● PBMs must be licensed ● PBMs don't need to be licensed but must be registered ● No licensure or registration required

Sources: National Community Pharmacists Association and CSG Midwest research

drug-pricing arrangements and rebate deals with drug manufacturers and distributors.

South Dakota in 2019 enacted HB 1137, limiting the amount by which a PBM can charge or adjust a payment and barring them from discriminating against pharmacies participating in certain health plans, and from setting patient co-pays/co-insurance higher than the cost of the drug.

Question of the Month response by Laura Kliever (lkliwer@csg.org), senior policy analyst for CSG Midwest, which provides individualized research assistance to legislators, legislative staff and other government officials. This section highlights a research question received by CSG Midwest. Inquiries can be sent to csgm@csg.org.

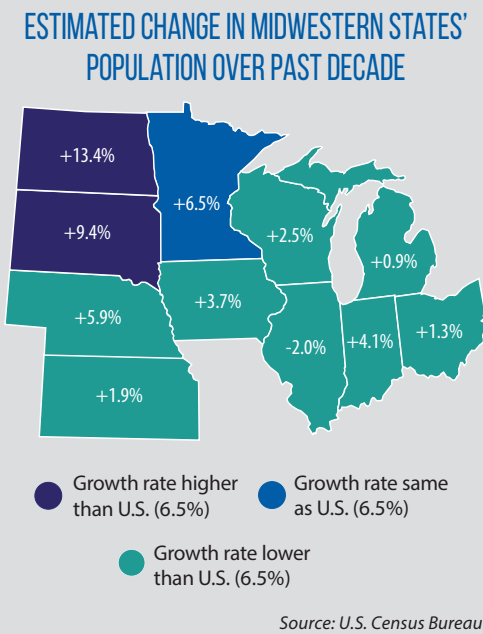
U.S. POPULATION GROWTH SLOWED IN PAST DECADE; TREND WAS EVEN MORE PRONOUNCED IN MIDWEST

In a decade of historically low population growth nationwide, most states in the Midwest had even smaller increases, with one experiencing a net decline in residents between 2010 and 2020, according to U.S. Census Bureau estimates released in late 2020. Only **North Dakota** and **South Dakota** outpaced the U.S. growth rate; a third state in the upper Midwest, **Minnesota**, has had a population increase on par with the rest of the United States. Conversely, the latest estimates show **Illinois** as one of six U.S. states losing people between 2010 and 2020.

Three factors cause changes in a state’s population: 1) the number of births vs. the number of deaths; 2) domestic migration (movement between states); and 3) international migration. On that first factor, there has been a “natural increase” in population of every Midwestern state, though one notable recent trend across the nation has been a smaller and smaller birth-to-death ratio. Patterns in domestic migration are caused by factors such as quality of life and economic opportunity. For example, much of North Dakota’s decennial increase occurred in the first part of the decade, during an oil boom in the western part of that state.

Prior to this past decade, the lowest rate of decennial population growth in U.S. history was 7.3 percent and occurred in the 1930s, according to demographer William Frey, a senior fellow in the Brookings Institution’s Metropolitan Policy Program. The new U.S. Census Bureau estimates show this past decade’s increase as being below 7 percent.

“It is roughly half the growth rate of the 1990s, a time of rising [international] immigration and millennial-generation births,” he wrote in December. Frey adds that the COVID-19 pandemic stunted population growth, with several states — including Illinois, **Michigan** and **Ohio** in the Midwest — experiencing a net loss of population over the past two years. Nationwide, the increase between July 2019 and July 2020 is estimated to be 0.35 percent, the lowest annual growth rate since at least 1900, says Frey, noting that the pandemic led to more deaths and restrictions on immigration.



SUPPORTERS OF NEW COMPENSATION LAWS FOR STUDENT-ATHLETES GET WINS IN MICHIGAN, NEBRASKA

Michigan and **Nebraska** are among the first states in the nation with laws that allow collegiate athletes to use their own names, images, likenesses and reputations for financial compensation. Michigan’s HB 5217 and 5218 were signed in December and take effect in 2023. The bipartisan measures were sponsored by two former college athletes: Reps. Brandt Iden and Joe Tate.

Iden notes that in his college days, he had opportunities to give tennis lessons to young players at recreational centers and camps, but was not allowed to advertise his status as a player on his Kalamazoo College team. Such a qualification, he says, would have presented additional value when offering his services.

In late 2019, the NCAA’s governing board voted to allow student-athletes to earn compensation from the use of their names, images and likenesses. However, Tate, who played football at Michigan State University, believes a codification of student-athletes’ rights in state law still is needed. Under HB 5217 and 5218, Michigan’s post-secondary institutions are barred from denying eligibility or scholarships based on an athlete pursuing certain financial opportunities. The bills also allow agents to enter into contracts with student-athletes.

Nebraska’s LB 962 was signed into law in July and becomes effective on July 1, 2023.



SPENDING CUTS IN EARLY PART OF FISCAL YEAR ILLUSTRATE PANDEMIC’S IMPACT ON STATE FINANCES

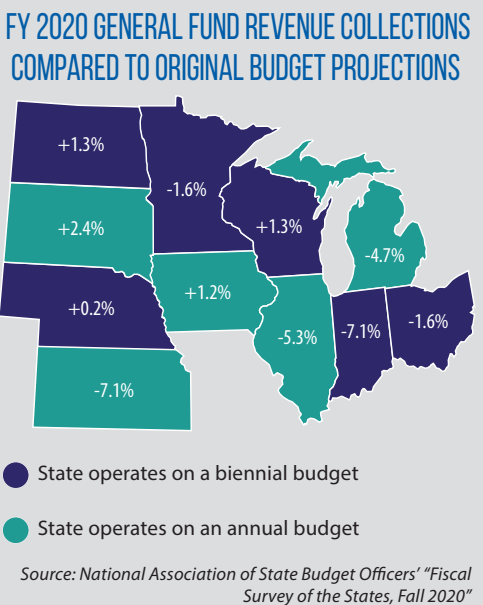
The COVID-19 pandemic’s teeth sank deeper into state budgets’ general funds from fiscal year 2020 to 2021 as it slowed economic activity and as federal aid to states ran out, prompting spending cuts and other mitigation efforts, according to the National Association of State Budget Officers in its December 2020 “Fiscal Survey of the States.”

Among the report’s findings: general fund spending in U.S. states’ enacted FY 2021 budgets declined 1.1 percent from FY 2020 (the first year-over-year decline since the Great Recession), and general fund revenue is projected to decline by 4.4 percent this fiscal year compared to “already depressed” levels from FY 2020.

Data for the report were collected from August through November 2020, only the first few months of the new fiscal year in most states. Still, many mid-year cuts already were being reported — for example, a reduction of \$421.3 million in **Indiana**, due in part to state agencies slashing their budgets by 15 percent along with 7 percent cuts to public universities; and \$437.6 million in **Kansas**, based on a mix of targeted and across-the-board cuts proposed by Gov. Laura Kelly.

Based on responses from state budget leaders, NASBO also reported the use of across-the-board or targeted cuts in **Michigan**, **Nebraska** and **South Dakota**, as well as staff furloughs and salary reductions in **Ohio** and hiring freezes of some kind in Indiana, Kansas, Nebraska and Ohio.

Most states entered the recent downturn in relatively strong fiscal shape. Rainy day fund and total balances were at record highs before the pandemic hit, NASBO says, but total balances among U.S. states were already being projected to decline by \$33.3 billion in FY 2021 compared to 2019 levels.

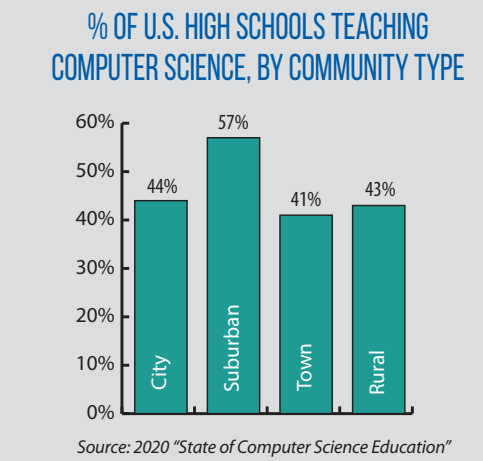


IOWA WORKING TO GET ALL STUDENTS ACCESS TO QUALITY COMPUTER SCIENCE INSTRUCTION

By fall of 2022, every high school in **Iowa** will be required to offer instruction in computer science, and the state is making plans now to have its teacher workforce ready and a strong curriculum in place. Legislators approved HF 2629 in 2020, a bill that created the new instructional requirements and established a Computer Science Work Group. This group began meeting early this year to develop recommendations on how to teach computer science and promote this subject area among K-12 students and families.

Since 2017, Iowa has had a Computer Science Professional Development Incentive Fund, which prepares K-12 instructors to teach specific computer science courses and/or earn university endorsements to teach computer science. A total of \$883,097 was awarded this past year to more than 167 school districts and nonpublic schools.

Under Iowa’s HF 2629, high schools must offer at least one computer science course by July 1, 2022. One year later, Iowa’s elementary and middle schools must begin providing instruction in at least one grade level.



MINNESOTA GETS TOP RANKING IN NATION FOR WORK ON CYBERSECURITY, TECHNOLOGY MODERNIZATION

Minnesota is a national leader among state governments on cybersecurity preparedness and IT modernization, the result of a mix of legislative actions and investments as well as leadership from the executive branch, according to a December 2020 report from the Internet Association, a group composed of global internet companies. The state has a cybersecurity budget of \$5 million, experiences a smaller-than-average number of ransomware attacks, and is guided by a centralized chief information security office. Minnesota also is one of three U.S. states with a “cloud first statute,” which the Internet Association describes as a commitment to leveraging commercial technologies to save taxpayer money and modernize the delivery of services.

Minnesota was one of three states given a rating of “very good” in the study. **Iowa**, **Kansas**, **North Dakota** and **Ohio** were placed in the middle “good” tier; with **Illinois**, **Indiana**, **Michigan**, **Nebraska**, **South Dakota** and **Wisconsin** in the lower “getting started” tier.



NEW FUNDING MECHANISMS HELP SCHOOLS BECOME HUBS OF MENTAL HEALTH SERVICE

» CONTINUED FROM PAGE 1

and maintain positive mental health,” Hoover says.

Some states (New York and Virginia) have begun requiring mental health education as a part of the school curriculum, and Illinois was the first U.S. state to adopt standards for social emotional learning.

Another option for states is to set a goal or requirement for the number of school-employed psychologists, social workers, counselors and nurses per student. (The ratio in nearly all states is currently below recommended levels.)

“Those staff are critical to providing universal mental health prevention and supports in the schools, and that can reduce the needs for higher levels of care,” Hoover says.

“It’s not just looking immediately at what community providers we can bring in to the school.”

INCREASE IN SCHOOL-PROVIDER PARTNERSHIPS

That kind of outside help, though, can be essential, especially in delivering specialized, higher-level care to students. Many of the new state-funded initiatives in Ohio, for example, involve partnerships between the schools and local providers.

Minnesota has one of the Midwest’s longest-running, comprehensive

programs. Its grants for school-linked mental health services date back to 2007; they bring practitioners into the school building for direct care and treatment, assessments of student needs, and training of staff.

Separately, Minnesota has a “safe school levy,” a provision in state law that permits local districts to collect property taxes for specific purposes, including the hiring of licensed school counselors, nurses, psychologists and social workers, as well as contracting with mental health professionals.



Minnesota Sen. Greg Clausen

Sen. Greg Clausen, a leading legislative advocate of school-based mental health, traces his interest in the issue back to his past experience as a school principal and administrator.

“There were a number of students where you saw the need, and there was a frustration that we didn’t have a lot of services we could provide,” Clausen says. “And then when we tried to go outside the school, it was, ‘Well, we can get you in in three months.’”

“It really provided the spark that we needed to do something.”

According to Mays, who tracks state activity across the country for the Healthy Schools Campaign, Michigan has emerged as a leader in recent years on school-based mental health — for example, appropriating \$31 million for schools to bring in licensed behavioral health providers and changing the state’s Medicaid program so that it can cover services for general-education students (those who don’t have an individualized education plan).

“The challenge you run into a lot is whether a state program is sustainable or whether it’s just a one-off,” Mays says.

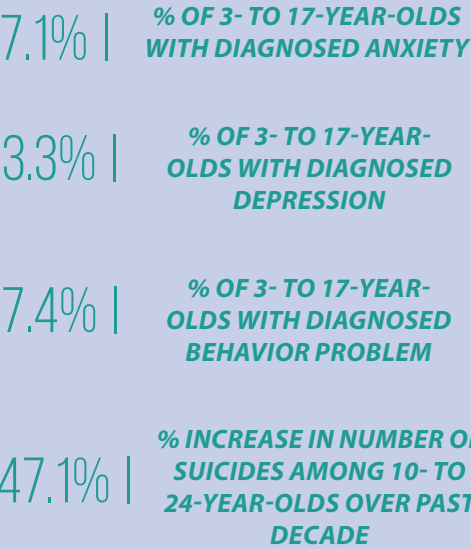
“That’s why I think it’s important for states to look at ways to tap into health care funding, like Medicaid.

“If these services were being provided in a hospital or a community clinic, it would be reimbursed, no questions asked. Schools should be recognized as another site of service.”

That change in Medicaid policy, she adds, is needed specifically for services being provided by school-employed staff. (Outside mental health providers already can be reimbursed.)

According to Hoover, a variety of funding streams are now available

MENTAL HEALTH AND YOUNG PEOPLE



Source: U.S. Centers for Disease Control and Prevention

to provide for school-based mental health, including new federal grants, greater flexibility in public and private insurance plans, and programs being developed by the states themselves.

Ohio’s \$675 million Student Wellness and Success Fund is a case in point.

“Maybe 10 years ago, you would have heard the argument, ‘This is not what schools ought to be about,’” DeMaria says. “Not anymore.”

EXAMPLES OF STATE ACTIONS IN MIDWEST TO BOLSTER SCHOOL-CENTERED MENTAL HEALTH POLICIES



To improve early detection of student needs, school-entry health exams in **ILLINOIS** must include screenings for social and emotional well being (SB 565 of 2017). Illinois also was the first U.S. state to adopt standards for social emotional learning.



Under a 2019 law (SB 325), **INDIANA** has begun offering grants for schools to develop plans that help students in need of mental health services. These plans (developed with parental involvement and consent) can include school-based or outside services.



IOWA’s top school official is helping lead that state’s first-of-its-kind, stand-alone Children’s Mental Health System. Created two years ago (HF 690) to close gaps in access and improve services, this system is overseen by a state board, with the Department of Education director serving as one of two standing co-chairs.



Legislative appropriations in **KANSAS** in recent years have led to the creation of mental health intervention teams in select school districts. School liaisons and clinical therapists in the community work on these teams; they help identify students in need and connect them to appropriate services.



According to Alex Mays of the Healthy Schools Campaign, **MICHIGAN** is a national leader on school-based mental health, noting it was one of the first U.S. states to have such services covered by Medicaid. This year, too, legislators dedicated nearly \$37 million for mental health services in schools.



More than a decade ago, **MINNESOTA** launched the groundbreaking School-Linked Mental Health Services program. Along with bringing clinical-level care to schools, the program helps identify children with serious mental health needs.



A bill introduced this year in **NEBRASKA** (LB 87) would dedicate a portion of lottery proceeds to grants that train teachers and other school personnel in mental health first aid. The goal: Ensure students in crisis get immediate help, and get connected to appropriate services in the community.



In recent years, **NORTH DAKOTA** has started and expanded a prevention and early intervention program in the schools. The pilot initiative helps schools integrate behavioral health strategies into existing educational and support systems for students.



OHIO is investing a historic amount of state dollars this biennium on student wellness. The \$675 million Student Wellness and Success Fund goes to projects developed by local schools. That includes new school-based mental health services and partnerships with community providers.



Across **SASKATCHEWAN**, at least one staff member in every school will receive training this year on “mental health first aid” — for example, recognizing symptoms of students in crisis, providing initial assistance and connecting them with professional care. Saskatchewan is spending \$400,000 on this training.



In **SOUTH DAKOTA**, as part of the state’s Project AWARE initiative, system of care coordinators are forging new relationships between local school districts and the state’s community mental health centers. These coordinators help assess student needs and develop action plans.



Students in **WISCONSIN** are being empowered to recognize the warning signs of depression and suicide among their peers, and then offer evidence-based supports. State funding for peer-to-peer training is the result of last year’s passage of AB 528. Wisconsin high schools can now apply for state grants.



PROFILE: SOUTH DAKOTA SENATE MAJORITY LEADER GARY CAMMACK

A leader in business, on conservation and now of state government, he sees important economic and policy opportunities for South Dakota in year ahead

by Jon Davis (jdavis@csg.org)

Gary Cammack's road to legislative leadership began, and continues, in the western part of his beloved home state of South Dakota.

He and his wife, Amy, met while in high school in the town of Sturgis, got married in 1972 and, one year later, bought a business.

"Just a little general store 12 miles off a paved highway," Cammack recalls.

Six years later, they bought another location in the town of Union Center ("this time on a paved highway," Cammack says) and continued to grow the business into what it is today — one of the area's most successful and respected supply stores for ranchers and farmers.

Along the way, Cammack also worked in construction, as an ironworker helping build the Alaska Pipeline. That job helped the family erase its debts and buy the first acres of land that is now their 11,000-acre, conservation award-winning ranch. The Cammacks began a family as well, now grown to four sons and 10 grandchildren.

And then came the chance to enter politics.

"I'd always had an interest in that, in having a front-row seat to democracy," Cammack says.

When a spot opened on the commission of his home county, Cammack, a longtime business leader, was an obvious choice. He eventually made the jump to the Legislature in 2012, winning a three-way primary for a House seat and then the general election. He soon joined the state's upper chamber and emerged as a top legislative leader there — first as president pro tempore, and now as Senate majority leader.

Cammack also is now chair of The Council of State Governments' Midwestern Legislative Conference, the binational, nonpartisan group of all state and provincial lawmakers from this region. In that position, he will guide the work of the MLC in 2021, including its Annual Meeting (that event is scheduled to be held July 11-14 in Rapid City, S.D.).

In a recent interview with CSG Midwest, Sen. Cammack discussed his views on leadership, the challenges and opportunities that lie ahead for his home state of South Dakota, and the value of the Midwestern Legislative Conference. Here are excerpts.

Q What do you view as some of the most important responsibilities of the Senate majority leader?

A In South Dakota we do have a supermajority of Republicans in



BIO-SKETCH: SOUTH DAKOTA SEN. GARY CAMMACK

- ✓ chosen Senate majority leader in late 2020; previously served as Senate president pro tempore
- ✓ first elected to South Dakota Senate in 2014 after serving one term in the House
- ✓ elected as 2021 chair of The Council of State Governments' Midwestern Legislative Conference
- ✓ owns and operates Cammack Ranch Supply with his wife, Amy
- ✓ winner of 2018 Leopold Conservation Award for successful, innovative practices on Cammacks' 11,000-acre cattle ranch
- ✓ he and Amy have four sons and 10 grandchildren

"You can't push people to do things and be very successful for any period of time. My leadership style is to encourage folks, and to make sure I adequately communicate the vision I have."

the Legislature, and we hold all of the constitutional offices in the executive branch.

So Republicans have a very strong representation in state government, and sometimes that has a tendency to create fractures based on differing viewpoints.

It's important that we maintain some really good communication — within the [Senate Republican] caucus and also with the executive branch, the House of Representatives and the public in general. The other thing is that I think it's really important, regardless of a personal position [on an issue], to make sure all viewpoints are heard in the caucus. Then, we agree upon a direction and move in that way so we can speak as mostly a unified voice.

Q In terms of leadership style, what have you seen work, or not work?

A In leadership, you've got to do exactly that, you've got to lead. You can't push. You can't push people to do things and be very successful for any period of time. My leadership style is to encourage folks, and to make sure that I adequately communicate the vision I have on any given issue. I try to do my best to find common ground so that we can move forward with some broad-based support.

When I've seen real success [in the Legislature], it's when individuals are able to bring people together, identify that common ground, and then commit

to thoroughly discussing an issue in order to find other areas of agreement.

Q The past year was incredibly challenging for all states and their legislatures because of the COVID-19 pandemic. What is the outlook for South Dakota in 2021?

A We've got a really unique and wonderful opportunity, actually. In our state, we never shut down and ended up, revenue-wise, in a very strong position. We also used the funds that came from the federal side wisely.

Because of all that, we've got approaching a couple hundred million dollars of money that's available to us for one-time spending. So we're going to have a really golden opportunity to be able to do some important things in the state of South Dakota that we might not have been able to do otherwise.

Q What are some ideas on how the state can use that money?

A There's going to be a focus on expanding and completing our broadband initiative. ... Our goal is to have all of our citizens well-connected, so that's going to be one of the big things.

We're also going to be taking a hard look at trying to expand the capabilities of small packing plants and harvest facilities for livestock. We want to expand

their capabilities and create some new ones, if it's possible.

Last year, the people in the U.S. for the first time — well, I'm fairly certain in anybody's lifetime that's around right now — saw meat cases that were empty. And all of a sudden, it became a fairly clear reality that we need to develop those opportunities and expand those existing plants. Our smaller mom-and-pop plants can provide that local food and also provide opportunities for local producers in agriculture.

That's one of the things I'm certainly going to be taking a look at.

Q You're also taking on another leadership role: chair of the Midwestern Legislative Conference. What are your goals for this nonpartisan, regional association of legislators?

A Where I hope to leave the MLC is in a stronger position as far as participation and membership, and to be able to communicate to more people the value of the organization.

There's always some improvement to be made, but the main thing is we have to make sure that the folks that we serve have a clear understanding of all of the good things that we can do, and all of the help that we can be to those members. Any time I've attended one of the MLC meetings, you cannot walk away without having ended up with a lot of insights.

FIRST PERSON: EMPOWERING LOW-INCOME CHILDREN WITH HIGH-QUALITY EARLY LEARNING OPPORTUNITIES

‘Minnesota model’ combines use of scholarships, Parent Aware rating system



by Minnesota Sen. Carla Nelson
(sen.carla.nelson@senate.mn)

When I was a young girl both of my parents worked — my dad as a principal and my mom as a teacher.

So, every day, my mom dropped my brother and me off at Grandma Bowman's home. Grandma Bowman wasn't our real grandma; that's just what we called her. She was my family's day care provider in the little town where I grew up, where everyone knew everyone.

Child care has changed a lot since then, in large part because we have learned about the importance of early brain development. Brain scientists tell us that up to 80 percent of brain development happens by age 3.

We also know that achievement gaps can be measured as early as age 1. The data send a clear, urgent message: we must stimulate young brains early in life.

IMPORTANCE OF QUALITY, CHOICE

Armed with this knowledge, today's parents expect the use of early-learning best practices, such as an evidence-based curriculum, well-equipped learning environments, and opportunities for play that support fast-developing young brains. Parents don't merely want child care. They want the kind of high-quality child care that forms the foundations of education.

Taxpayers are demanding quality, too.

Research from the Federal Reserve Bank of Minneapolis shows that taxpayers can yield a return of up to \$16 for every \$1 invested in helping low-income children access quality early-learning programs.

However, economists stress that the highest returns are only available if the investment goes to high-quality programs that are successfully preparing low-income children for kindergarten.

The highest returns on investment occur if it goes to high-quality programs that are successfully preparing low-income children for kindergarten.

On the flip side, research from the Eunice Kennedy Shriver Institute of Child Health and Human Development shows that low-quality programs not only don't produce a high return on investment, they can actually set vulnerable children backward.

Fortunately, high-quality child care can come in many shapes and sizes.

We've seen in Minnesota that best practices can be adopted in homes, schools, centers or churches. That's great news, because parents want and need the ability to choose the setting that is right for their family.

As a former teacher, I have seen the impact of high-quality child care first hand. I think of a kindergartner who did not know how to open a book to read, opening it with the spine on the right. You don't see that with children who have experienced a high-quality program.

I am a firm believer that the first and most important teacher in a student's life is the parent. But many parents from all walks of life are working full time and need assistance; quality programs provide the help that they and their young children need. So, when I think about child care, what I think about is adequately preparing young children to enter school.

What should that look like?

THE 'MINNESOTA MODEL'

Along with other states, Minnesota has been a leader in providing high-quality child care that prepares kids for school.

As a first-year lawmaker in the Senate in 2011, I began working with the business community on this issue.

Our state's business community was, and is still, very concerned about Minnesota's achievement gaps, which are some of the worst in the nation. Those gaps pose a threat to having the kind of educated workforce needed to compete in the global economy.

After reviewing the best available research, business and civic leaders raised \$20 million in private funds to identify an effective way to use early learning to address achievement gaps.

From 2006 to 2011, the Minnesota Early Learning Foundation piloted and vigorously evaluated early versions of

Early Learning Scholarships and Parent Aware Ratings, which some have come to call the "Minnesota model."

After results of that pilot program proved very encouraging, I helped pass legislation to bring Early Learning Scholarships and Parent Aware statewide, and have been fighting since then to maintain and expand these programs.

To date, the state has awarded more than 50,000 of these scholarships, and every year, 100,000 young children are served in Parent Aware-rated programs. This is one of my proudest achievements in public office.

Thanks to the Minnesota Early Learning Foundation pilot program and evaluations, scholarships are aligned with four research-based principles.

- First, financial help is targeted to children in low-income families who can't access quality early-learning programs. Research shows that this kind of targeted investment yields the highest return on investment for taxpayers.
- Second, scholarships are available early in life, from birth to age 5, before achievement gaps grow too large and become difficult to close.
- Third, by making these scholarships flexible, parents are empowered and put in the driver's seat. Parents can choose from an array of high-quality programs to find one that best fits their individual preferences and needs.
- Finally, and perhaps most importantly, our scholarship program demands quality. Scholarships can only be used at programs that use kindergarten-readiness best practices, as measured by our research-driven Parent Aware rating system.

The results have been amazing.

Privately funded, third-party evaluations found that children in Parent Aware-rated programs make significant gains on kindergarten readiness measures: vocabulary, early math skills, social competence and executive function, and phonics. Low-income children make the biggest gains of all.

Evaluations also showed that flexible scholarships helped low-income families access high-quality programs, and were very popular with providers and parents.

The only problem with these Early Learning Scholarships is that there aren't enough of them, due to lack of state funding. Currently, 35,000

low-income children under age 5 still can't access high-quality programs. We continue to search for a bipartisan way to fund more scholarships.

Beyond our experience in Minnesota, it has been very gratifying to see similar approaches adopted around the nation.

There are at least 18 state or municipal initiatives that are aligned with a majority of the tenants of what we call the "Minnesota Model of Early Learning." In other words, these jurisdictions have programs that are targeted to the children most in need, tied to quality, start early in life, and offer families flexibility and choice.

A few notable examples: Quality First Scholarships in Arizona, Indy Preschool Scholarships, Erie's Futures Fund in Pennsylvania, and Maryland's Child Care Scholarship Program. All have significant similarities to our approach in Minnesota, with interesting twists that we're studying.

'ALL HANDS ON DECK' MOMENT

Child care is no longer just about keeping children sheltered, fed, safe and healthy. For students to be successful in school and life, they also need to have their brains stimulated in quality, play-based early-learning programs. The stakes are high for our taxpayers, communities, economy and most-vulnerable children.

This must be an "all hands on deck" moment. We are failing too many disadvantaged children by shutting them out of opportunities that build equity.

At the state, local and national levels, we have to do a better job to ensure that all children enter kindergarten prepared to succeed. The Minnesota model provides a proven path forward.

Sen. Carla Nelson is chair of the Minnesota Senate Taxes Committee and previously served as chair of the E-12 Finance and Policy Committee. She has been a member of the Minnesota Legislature since 2003. Sen. Nelson is a graduate of CSG Midwest's Bowhay Institute for Legislative Leadership Development.



SUBMISSIONS WELCOME

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwestern Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or tanderson@csg.org.

7 WAYS FOR NEW, AND RETURNING, LEGISLATORS TO MAKE THE MOST OF CSG

The Council of State Governments advances work of states by providing services to lawmakers, other policy leaders

Across the Midwest, 232 people are serving in a state legislature for the first time. The Council of State Governments congratulates and welcomes all of these new public servants, and looks forward to helping them in the months and years ahead.

CSG is the nation's only organization serving all three branches of state government. Through its region-based structure, CSG fosters the exchange of insights and ideas to help state officials and to strengthen public policy.

The nonpartisan, nonprofit organization offers unparalleled regional, national and international opportunities to network, develop leaders, collaborate and create problem-solving partnerships. CSG's mission is to champion excellence in state governments to advance the common good.

For first-year and veteran lawmakers alike, here are seven ways to make the most of CSG in 2021 and beyond.

1 GET INVOLVED IN CSG'S MIDWESTERN LEGISLATIVE CONFERENCE

CSG's binational, nonpartisan Midwestern Legislative Conference includes all legislators from 11 member states, as well as the Canadian province of Saskatchewan. Three Canadian provinces also are affiliate members of the MLC (see map).

The MLC is led by a four-officer team of state legislators as well as a bipartisan Executive Committee of legislators from across the Midwest. These leaders guide the work of CSG Midwest in providing services and support to the region's lawmakers.

2 TAKE PART IN CSG'S IN-PERSON AND VIRTUAL EVENTS IN 2021

From its inception in 1933, CSG has been dedicated to helping states fulfill their roles as the nation's "laboratories of democracy." With that in mind, CSG regularly brings together legislators and other leaders of state government to learn from one another, as well as top national policy experts.

For example, the MLC Annual Meeting is the only event of its kind designed by and for the Midwest's state and provincial legislators. It is scheduled to be held this year on July 11-14 in Rapid City, S.D. The CSG National Conference is scheduled to be held Dec. 1-4 in Santa Fe, New Mexico. CSG also holds policy academies focused on specific issue areas in state government.

Throughout the year, too, CSG offers virtual sessions on public policy and professional development; visit csgmidwest.org and csg.org to learn more.

3 PARTICIPATE IN MLC COMMITTEES, OTHER INTERSTATE WORKING GROUPS

Many of CSG Midwest's events help support the work of seven binational, interstate policy committees. These groups allow legislators to



work together on common policy priorities while sharing ideas and best practices: This is the MLC's current committee lineup:

- Agriculture and Natural Resources,
- Criminal Justice and Public Safety,
- Economic Development,
- Education,
- Fiscal Affairs,
- Health and Human Services, and
- Midwest-Canada Relations.

Appointments to these committees are made by legislative leaders in individual states as well as MLC leaders. This year, too, the MLC has launched two new working groups: one focusing on issues of social justice, a second on the continuance of legislative operations during situations such as a pandemic.

Please contact CSG Midwest director Mike McCabe (mmccabe@csg.org) if you're interested in serving on one of these interstate committees.

CSG also supports various national committees and task forces.

4 LEAD ON PUBLIC POLICIES IMPORTANT TO STATES AND THE MIDWEST

How can U.S. states and Canadian provinces better protect the Great Lakes?

What policies can help improve public safety, cut corrections costs and reduce rates of recidivism?

When can interstate compacts be used to help states work together to solve common problems?

These questions, along with evidence-based policy responses, are the focus of CSG-led groups such as the Great Lakes-St. Lawrence Legislative Caucus (GLLC), the Justice Center and the National Center for Interstate Compacts.

CSG Midwest staffs the GLLC, as well as regional groups to strengthen passenger rail and to plan for the safe shipment of radioactive waste through the region.

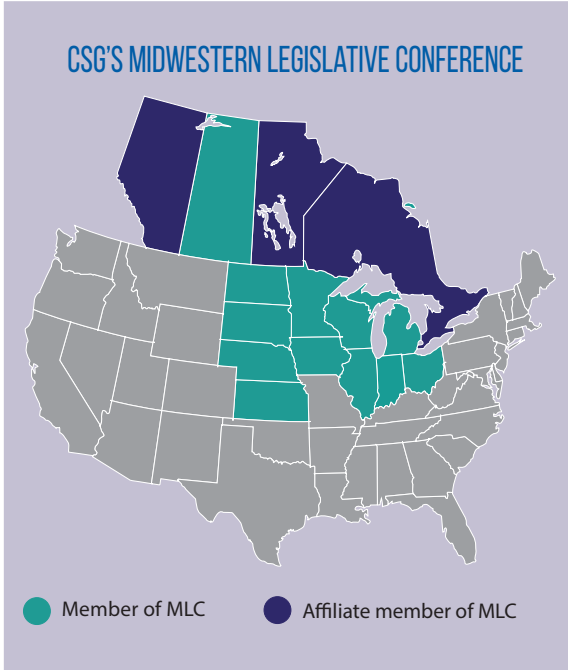
5 BUILD YOUR LEADERSHIP, LEGISLATIVE SKILLS WITH HELP OF CSG

Hundreds of legislators from the Midwest are alumni of CSG's two leadership training programs:

- the Bowhay Institute for Legislative Leadership Development (BILLD), the only leadership-development program designed specifically for Midwestern state legislators; and
- Toll Fellows, CSG's national leadership development program for state officials from all three branches of government.

Information on these programs, including how to apply, is available at csg.org and csgmidwest.org.

And through its Under the Dome initiative, the MLC brings customized professional development and policy training to the region's capitols. For more information, please contact CSG Midwest's Laura Tomaka (ltomaka@csg.org) or Cindy Andrews (candrews@csg.org).



6 GET CUSTOMIZED RESEARCH ASSISTANCE ON PUBLIC POLICY FROM CSG MIDWEST

Throughout the year, CSG Midwest provides individualized research assistance to legislators and legislative staff. This research is coordinated by CSG's liaisons in each state. Please contact them for assistance.

- Illinois — Mitch Arvidson, marvidson@csg.org
- Indiana — Ilene Grossman, igrossman@csg.org
- Iowa — Ilene Grossman, igrossman@csg.org
- Kansas — Laura Kliewer, lkliwer@csg.org
- Michigan — Laura Kliewer, lkliwer@csg.org
- Minnesota — Mitch Arvidson, marvidson@csg.org
- Nebraska — Tim Anderson, tanderson@csg.org
- North Dakota — Laura Tomaka, ltomaka@csg.org
- Ohio — Laura Tomaka, ltomaka@csg.org
- South Dakota — Jon Davis, jdavis@csg.org
- Wisconsin — Jon Davis, jdavis@csg.org

7 STAY UP TO DATE ON TRENDS AND INNOVATIONS IN STATE GOVERNMENTS

CSG's regional and national publications keep lawmakers informed on key policy trends and innovations in state government, as well as important institutional issues in state government.

• This publication, *Stateline Midwest*, is produced 11 times a year and focuses on key policies and trends of interest to this region and its elected officials.

• *Capitol Ideas*, CSG's national magazine, is published five times a year and covers cutting-edge issues and forecasts policy trends in state government.

• "The Book of the States," an annual encyclopedia of essential information on state government, is a premier resource for policymakers and academic institutions throughout the nation.

CSG's policy research also can be found at csgmidwest.org, csg.org and csgjusticecenter.org.

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

BILLD ALUMNI NOTES:
GRADUATES SERVING AS
TOP CAUCUS LEADERS

Kansas Sen. Dinah Sykes (BILLD class of 2017) was elected in January to serve as minority leader of the Senate, making her the first new senator to hold this post in nearly a quarter century. Her predecessor had served in this position since 1996.



“I am humbled by the trust my colleagues have placed in me,” Sykes told CSG Midwest. “And I am grateful to be working alongside them as we face the challenges ahead.”

She said the caucus’s priorities will be on Medicaid expansion, access to health care services such as preventative screenings and mental health resources, and funding for public schools.

“I will continue to build on the relationships I have with Republicans, build relationships with the freshman class, and find areas where we can come together to pass good policy for the people of Kansas.”

Several other graduates of CSG Midwest’s Bowhay Institute for Legislative Leadership Development are serving this year as top caucus/legislative leaders.

- **Illinois Sen. Don Harmon** (class of 2005): Senate president
- **Indiana Rep. Todd Huston** (class of 2016): speaker of the House
- **Minnesota Rep. Kurt Daudt** (class of 2011): minority leader
- **North Dakota Rep. Chet Pollert** (class of 2001): majority leader
- **Ohio Rep. Emilia Sykes** (class of 2018): minority leader
- **South Dakota Rep. Jamie Smith** (class of 2017): minority leader

In addition, **North Dakota Rep. Kim Koppelman** (class of 1997) was selected to serve as speaker of the House for this legislative session. In this position, he is the presiding officer of the North Dakota House of Representatives.

Please submit Alumni News to Laura Tomaka, CSG Midwest program manager for BILLD. She can be reached at ltomaka@csg.org.

BILLD NEWS: LEGISLATORS
CAN APPLY NOW FOR
2021 FELLOWSHIP

Lawmakers in their first four years of service are encouraged to seek a 2021 fellowship to attend BILLD, the premier legislative leadership program in the Midwest. The application deadline is **April 8**. This year’s Bowhay Institute for Legislative Leadership Development is scheduled to be held **July 30-Aug. 3** in Minneapolis and include a mix of sessions on leadership training, professional development and policy. Close to 900 legislators have graduated from the annual leadership institute since it began in 1995. To learn more about the program and how to apply, please visit csgmidwest.org.

Q & A WITH BILLD ALUMS: WHAT IS YOUR ADVICE FOR
LEGISLATORS IN THEIR FIRST YEAR OF SERVICE?

ILLINOIS REP. TIM BUTLER | CLASS OF 2016
ASSISTANT MINORITY LEADER

“There are a million different issues which will come your way as a legislator. You have a lot of colleagues, many with backgrounds and knowledge different than yours. You can’t tackle all the issues. Find the issues you are passionate about, line up your committee assignments along those issues, and work hard on those things on which you know you can make a difference. Then lean on your colleagues with expertise on other issues that you may not know as well.”



INDIANA REP. PHIL GIAQUINTA | CLASS OF 2009
MINORITY LEADER

“I would remind them not to forget about their constituents back home. Constituent services are just as important, if not more important, than your legislative work to your constituents. I also tell new members not to put too much pressure on themselves to master the legislative process in their first year. It took most veteran legislators several session to get to the point where they felt perfectly comfortable with the legislative process.”



IOWA REP. ANN MEYER | CLASS OF 2019

“The best advice I received as a new legislator was to keep in contact with your constituents. Schedule town halls at local libraries, do a weekly newsletter, and post at least a weekly video update from the Capitol to your social media. I get the best feedback from the videos; my constituents love being kept ‘in the loop!’”



MINNESOTA REP. KURT DAUDT | CLASS OF 2011
MINORITY LEADER

“The most successful new legislators are the ones who know what they’re passionate and knowledgeable about, and are willing to focus and dive in on those topics. The experience of being a new legislator is overwhelming, and you can’t try to bite off too much in your first term if you don’t know where all the bathrooms are in the building. Diving in on issues you care about will earn you respect from your colleagues on both sides, and you’ll have a chance to make a difference really quickly if you focus your energy on those things as you learn the others.”



NORTH DAKOTA REP. SHANNON ROERS JONES | CLASS OF 2017

“Talk to people with whom you generally don’t agree. Develop relationships with people who are unlike you. When you understand who your colleagues are, and where they are coming from, you develop your common ground. For the most part, people have much more in common than not. When we can start our conversations acknowledging the things that we don’t disagree on, resolving those issues that we disagree on seems like a more attainable task.”



SOUTH DAKOTA SEN. JIM BOLIN | CLASS OF 2012
MAJORITY WHIP

“Be patient and realize that the legislative process is very challenging and can be daunting. You may have an idea you believe is great, but you must persuade others that they should support it. Many new legislators come with the idea that change will be quick and easy. The legislative process is perilous, and a bill with any controversy will often times be defeated. However, over time and with persuasion, a new idea may be approved. Persistence is a key quality.”



WISCONSIN SEN. JANIS RINGHAND | CLASS OF 2012
ASSISTANT MINORITY LEADER

“Listen, listen, listen! We are not elected to preach our political position, we are elected to listen to our constituents and take positive action to make our state a better place for all to live in.”



Through the Bowhay Institute for Legislative Leadership Development, or BILLD, CSG Midwest provides annual training on leadership and professional development for newer state and provincial legislators from this region. This page provides information related to the BILLD program, leadership development and legislative leadership. CSG’s Midwestern Legislative Conference BILLD Steering Committee — a bipartisan group of state and provincial legislators from the Midwest — oversees the program, including the annual selection of BILLD Fellows.

STATELINE MIDWEST

THE COUNCIL OF STATE GOVERNMENTS | MIDWESTERN OFFICE

CSG EVENTS

CSG Midwestern Legislative Conference Virtual Events for Legislators

Visit csgmidwest.org to find dates of upcoming webinars and view recordings of past webinars on public policy, professional development and leadership training.



Midwestern Legislative Conference Annual Meeting

July 11-14, 2021 | Rapid City, South Dakota
Contact: Cindy Andrews ~ candrews@csg.org
630.925.1922 | csgmidwest.org



Bowhay Institute for Legislative Leadership Development

July 30-August 3, 2021 | Minneapolis, Minnesota
Contact: Laura Tomaka ~ ltomaka@csg.org
630.925.1922 | csgmidwest.org



CSG Henry Toll Fellowship Program

August 20-24, 2021 | Lexington, KY
Contact: Kelley Arnold ~ karnold@csg.org
800.800.1910 | csg.org



Great Lakes-St. Lawrence Legislative Caucus Annual Meeting

September 24-25, 2021 | Québec City, QC
Contact: Lisa Janairo ~ ljanairo@csg.org
630.925.1922 | greatlakeslegislators.org



Great Lakes-St. Lawrence
Legislative Caucus

CSG National Conference

December 1-4, 2021 | Santa Fe, New Mexico
Contact: Kelley Arnold ~ karnold@csg.org
800.800.1910 | csg.org



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