

STATELINE MIDWEST



MIDWEST

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THE COUNCIL OF STATE GOVERNMENTS | MIDWESTERN OFFICE

NEED FOR NURSES NEVER HIGHER

States are boosting pay to retain workforce over the short-term; longer-term solutions are also being considered — from laws on working conditions to new scholarship programs

by Tim Anderson (tanderson@csg.org)

Never in the nation's history have there been more registered nurses. And in 2021, the pool of new nurses entering the profession (as measured by the number of individuals taking the licensure test) reached 184,500 — a 17 percent increase from five years ago, according to the National Council of State Boards of Nursing (see bar graph). Yet that same year, some states were taking unprecedented steps to lure nurses to fill open positions in their hospitals, nursing homes and other health care settings. Some examples of recent plans and proposals from the Midwest:

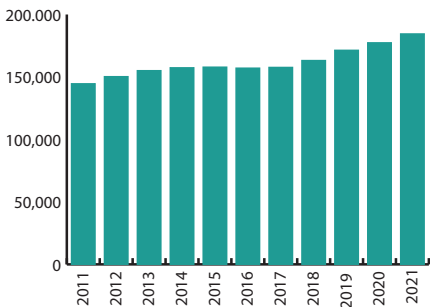
- Kansas created a \$50 million initiative for hospitals to offer premium pay (up to \$13 an hour) or develop other plans to retain their nurses and support personnel.



- *The Des Moines Register* reported in December that Iowa would contract with a health care staffing company to bring in out-of-state nurses and respiratory therapists for a temporary period in order to handle a surge in COVID-19-related hospitalizations. The cost was estimated at \$9 million.
- In Michigan, an alliance of hospital, nursing home, community college and nurse associations urged legislators to address what it says is “an emerging crisis of a shortage of health care workers.” Its \$650 million plan would provide payments to nurses and other health professionals while also establishing a new state-funded scholarship program. Late in the year, too, the Michigan House approved HB 5523, which includes creation of a \$300 million Health Care Recruitment, Retention and Training Reserve Fund.
- Bills introduced early this year in Nebraska would provide \$50 million in premium-pay bonuses for frontline nurses (LB 1055) and \$5 million for a new scholarship program (LB 1091).

The COVID-19 pandemic and a winter surge in cases deepened the demand for nurses, while the

OF NEW U.S.-EDUCATED NURSES, BY YEAR
(BASED ON # TAKING LICENSURE TEST FOR FIRST TIME)



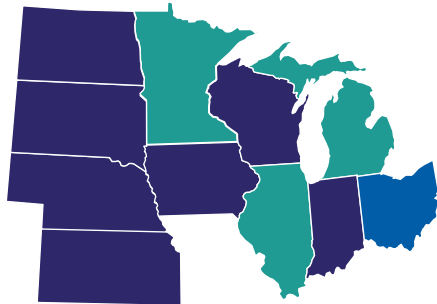
Source: National Council of State Boards of Nursing

availability of new federal funds has allowed states to adopt these pay-boost and retention proposals. “In the short term, when people are in crisis and nurses are in high demand, then competing on wages is certainly one way to attract nurses,” says Karen Lasater, an assistant professor of nursing and a scholar at the University of Pennsylvania Center for Health Outcomes & Policy Research. Lasater cautions, though, that it is not a long-term solution to a “chronic issue” that predates the pandemic — not having enough of a state’s existing pool of registered nurses choosing to work in hospitals or other settings due to factors such as stress and burnout.

EXAMPLES OF STATE LAWS IN MIDWEST ON NURSE STAFFING AT HOSPITALS	
State	Details of law
Illinois and Ohio	Hospitals must have staffing committees (at least 50 percent of the membership in Ohio must be registered nurses, 55 percent in Illinois) that develop nurse-to-patient ratios, other staffing policies; public disclosure of plans required in Illinois
Minnesota	Hospitals’ chief nursing executives or nursing designees must develop a core staffing plan for each care unit; public disclosure required

Source: American Nurses Association

MIDWEST STATES IN NATIONAL NURSE
LICENSURE COMPACT (AS OF LATE 2021)*



- Compact member
- Legislation signed into law to join compact, takes effect in 2023
- Not a compact member

* Member states allow licensed nurses from other compact states to practice without having to obtain additional licenses.

Source: National Council of State Boards of Nursing

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AGRICULTURE & NATURAL RESOURCES

Wisconsin uses \$100 million of federal COVID funds to help farmers recover from the pandemic

by Carolyn Orr (carolyn@strawridgefarm.us)

COVID-19 has shaken farming communities, disrupted supply chains and exacerbated the financial instability that already hovered over many farm families after years of trying production and market conditions. In 2017 and 2018, weather conditions pummeled U.S. farms; in 2019 retaliatory tariffs were implemented and weather conditions led to poor spring planting and then 2020 brought COVID-19.

Since the pandemic began, meat, produce and milk processing plants staggered under labor shortages and supply chain issues. Farmers had to euthanize animals, dump milk and compost fresh produce. And consumers experienced localized shortages even as farmers were disposing of product that had no place to go. There were signs of financial distress even before the impact of the pandemic.

Beginning in late 2019, farmer debt, borrowing and delinquencies were up while capital purchases were down. Subsequent farm-income decreases due to the pandemic varied depending on the commodity; many crop producers saw no change while income from specialty crop, animal and animal products was down an average of 12 percent, according to the U.S. Department of Agriculture. The federal government stepped

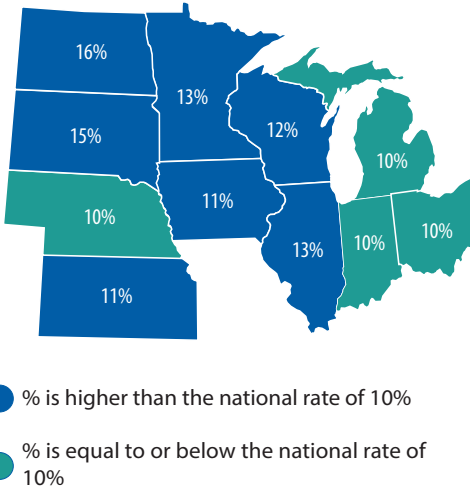
in with direct payments beginning in 2019 with assistance to address market disruptions caused by foreign tariffs, then in 2020 with funding to ease the added impact of COVID-19 on farm income. Nationally, government payments increased from 3 percent of gross cash farm income in 2018 to 5 percent in 2019 and 10 percent in 2020. In some commodities, government payments in 2020 made up 50 percent of cash farm income. Across all Midwestern states, government payments averaged 12 percent of cash farm income in 2020.

STATES STEP UP, TOO

In addition to federal payments, several states have used their allocations of federal COVID dollars to provide further support to COVID-impacted farmers. Wisconsin led the way, providing \$100 million in three rounds of direct aid to farmers who experienced economic losses associated with the pandemic. Thousands of farmers received funding through the Wisconsin Farm Support Program, an initiative of Gov. Tony Evers and a collaborative of the departments of Agriculture, Trade and Consumer Protection (DATCP) and Revenue. “Agriculture is \$104.8 billion industry in the state of Wisconsin,” DATCP Secretary Randy Romanski says. “Clearly the pandemic has had an economic impact across the state. Governor Evers’ goal with the program was to get payments out in a timely manner and

to be nimble, allowing farmers the flexibility to use the funds as they best needed to offset the impacts of the pandemic.” Farmers with total income of anywhere between \$10,000 and \$5 million were eligible to receive aid (Initially, farm income had to be at least \$35,000, but that threshold was reduced to \$10,000 to allow smaller farmers to be eligible.) Nearly 12,000 farmers received \$41.6 million in the first round of funding in June 2020. The second round distributed \$8.4 million in August of that year. A third round distributed \$50 million to more than 20,000 farmers in December 2021. According to Romanski, the payments don’t make anyone whole, but the Farm Support Program was able to assist over 20,000 farmers with direct aid payments of about \$2,500. Funds were split evenly among applicants, rather than being based on farm size. And in a nod to transparency, a county-by-county map of distribution of the payments is publicly available. The program has been “transformational” for family farmers, says Wisconsin Rep. Katrina Shankland, a member of the Assembly’s Agriculture Committee. “[It] helped provide certainty and stability to farmers of all sizes during a difficult time, marshaling needed

GOVERNMENT PAYMENTS AS A % OF GROSS CASH INCOME FOR MIDWESTERN FARMS (2020)



Source: U.S. Department of Agriculture

resources in an efficient and accessible way,” she says. The Evers administration has focused federal COVID funds on the industries it found to have been most impacted by the pandemic: bars, restaurants, “Main Street” businesses and agriculture.

Minnesota Rep. Paul Anderson and Illinois Rep. Norine Hammond serve as co-chairs of the Midwestern Legislative Conference Agriculture & Natural Resources Committee. The co-vice chairs are Saskatchewan MLA Steven Bonk and Kansas Sen. Marci Francisco. Carolyn Orr is CSG Midwest staff liaison to the committee.

ECONOMIC DEVELOPMENT

Aggravated by the pandemic, a child care ‘crisis’ is disrupting, hurting workforce retention

by Laura Tomaka (ltomaka@csg.org)

The child care industry, which was already stressed prior to the COVID-19 pandemic, has faced even more challenges over the past two years — ones that are sending ripples through the economy and the workforce. “This is not a new issue. Even before the pandemic, we had a silent child care crisis in the United States,” said Heather Sandstrom, senior fellow with the Center on Labor, Human Services, and Population at the Urban Institute, during a December 2021 web event hosted by The Council of State Governments’ Midwestern Legislative Conference. “It took the pandemic to show the American public just how critical child care is, not only to children and families, but to businesses and to the broader economy,” Sandstrom said. Large numbers of child care providers permanently shut their doors during the pandemic. According to Child Care Aware, 9 percent of licensed care programs permanently closed between December 2019 and March 2021. Forty percent of early-childhood education workers lost their jobs during the pandemic, and one in eight haven’t returned to work in the child care field, she said. The U.S. Bureau of Labor

Statistics reports that employment in child care services is down 11 percent since February 2020. Sandstrom said the increasing difficulty in finding affordable, reliable child care is leading some parents to leave the workforce — especially women, who report child care issues as a reason for leaving or not returning to work. Women of color report the largest impact of child care on their ability to work. “Parents are able to work if they can find and afford child care with reasonable effort,” said Diane Schilder, senior fellow at the Urban Institute. Affordable, reliable child care relates to greater workforce participation, higher retention rates, better attendance, and higher productivity. “We had a child care crisis before the pandemic,” said Minnesota Sen. Carla



Minnesota Sen. Carla Nelson



Wisconsin Sen. LaTonya Johnson

Nelson said in the webinar. “And now we also have a workforce crisis.” Last year, Nelson was among Minnesota legislators who worked out a package (HF 33) to allocate more than \$524 million in federal funds to support early child care and education across the state. A statewide coalition of child care providers, businesses, advocacy groups and policymakers was assembled to use that money to “address our workforce crisis, our child care crisis, and educational opportunities gap.” Funds were mainly used on facilities and to help build staffing needs through training. “This was an unprecedented amount of federal funds coming to the state,” said Nelson, who has worked to improve accessibility and quality of child care and early education for many years. “Minnesota has been a leader in this area, and we continue to do so through the Minnesota model which provides funding from private, federal and state funds,” she said. “And we empower parents to choose which early-child care setting best fits their need and the needs of their child.” One component that didn’t pass in 2021, but that she hopes to work on this year, is funding for targeted early learning scholarships to “help those who otherwise cannot afford high-quality early learning.”

Helping lower-income families access quality care is a priority, too, for Wisconsin Sen. LaTonya Johnson, who also presented during the webinar. “Quality care costs,” said Johnson, who ran an in-home child program for over 10 years. “For so many of our low-income and poor families, quality care is unattainable because of the families’ portion of the co-pay. Even families that receive subsidies cannot afford the difference in cost of care.” She highlighted a pilot program she initiated in her district to invest in high-quality child care in the largely low-income community. In 2019, the state provided \$1.6 million to increase parental subsidies for child care; raise wages of child care workers; provide scholarships for workers looking to increase their education in early childhood education and staff development; and scholarships for infant-toddler credential programs. “We helped to elevate those day care centers to a higher level,” Johnson said. Illinois Sen. Linda Holmes and Wisconsin Rep. Robert Wittke serve as co-chairs of the Midwestern Legislative Conference Economic Development Committee. Indiana Rep. Ethan Manning is vice chair. Laura Tomaka is CSG Midwest staff liaison to the committee.

CRIMINAL JUSTICE & PUBLIC SAFETY

Strains in Nebraska and Kansas reflect impact of staff shortages in U.S. states' correctional facilities

by Derek Cantù (dcantu@csq.org)

For years, states' departments of corrections have struggled to fully staff their facilities — a phenomenon only exacerbated by the COVID-19 pandemic.

In Nebraska, the shortage has reached "crisis" levels.

According to the latest annual report published by the state Inspector General's Office, there were a record-high 527 vacancies in June 2021, around 23 percent of total positions in the Nebraska Department of Correctional Services. The report also projected that by the end of calendar year 2021, the department will have lost 4,165 employees since 2015.

"Let's face it, working in the correction system is tough work," says Nebraska Sen. John McCollister, who serves as vice chair of The Council of State Governments' Midwestern Legislative Conference Criminal Justice & Public Safety Committee.

"If there are viable alternatives to working in the corrections system, I think some people have opted to take less-stressful work." (Nebraska's unemployment rate in November was 1.8 percent, lowest in the nation.)

Added to the difficulty of the job is a deteriorating work culture, which

Nebraska Inspector General Doug Koebernick says his office has found in recent surveys of correctional staff.

The office's annual report, too, references anecdotal evidence of staff members suffering emotional breakdowns after working mandated overtimes, sometimes lasting 24 hours straight.

Last September, several current and former NDCS employees voiced their concerns to members of the Unicameral Legislature's Judiciary Committee. According to Nebraska Public Media, the hearing lasted more than six hours.

In neighboring Kansas, years of staffing shortages have resulted in in-person visits being suspended indefinitely in one facility, and offenders spending increased time in their cells — sometimes 23 hours a day — at another.

Sarah LaFrenz, president of the Kansas Organization of State Employees, points to other consequences as well.

"We've had two, in less than a month, very serious staff assaults at one particular correctional facility," she says.

"There are fewer people [working] in those living units, maintaining order and ensuring that things are going the way they're supposed to. There are fewer people who are going to [cafeterias] to help [inmates] get their food or get their meds.

"So it very much affects the people that live there, those who are incarcerated. And the safety of the people that work there is very much compromised."

WILL HIGHER PAY HELP?

The governors of Kansas and Nebraska have reached new deals with labor unions representing workers in their respective state correctional facilities.

In both states, the result will be

considerably higher base wages and shift differential pay for overtime work.

In Nebraska, starting pay for a corporal corrections caseworker will jump by 40 percent, from \$20 to about \$28 an hour.

And a new deal with the Nebraska Association of Public Employees (which represents nurses, counselors, food-service staff and others who work in corrections facilities) includes \$3-an-hour raises, increased overtime pay, and 2 percent cost-of-living adjustments for certain employees.

This isn't the first time Nebraska has attempted to offer attractive financial incentives as a recruitment tool. In 2019, the state began offering \$10,000 bonuses for new corporal hires at three of its most understaffed prisons.

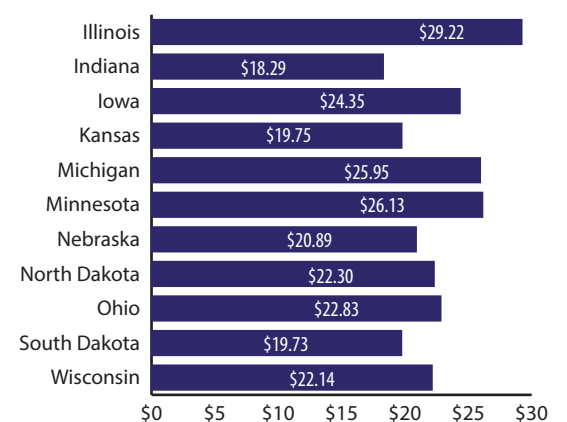
According to the inspector general's report, within two years, almost 60 percent of people who received these bonuses had left NDCS, including 79 employees who quit after being on the job for less than four months.

Additionally, although certain front-line security staff supervisors have recently seen increased pay to reflect their seniority, similar step-pay strategies have not occurred across the board, leading to ongoing wage compression — where subordinate employees eventually earn more than their supervisors, which, in turn, leads to more staff exits.

Despite past events, Koebernick is optimistic about the impact of the latest labor deals.

"It's going to be very difficult for them personally to make that decision to leave

HOURLY MEAN WAGE OF CORRECTIONAL OFFICERS AND JAILERS (AS OF MAY 2020)



Source: U.S. Bureau of Labor Statistics

just because they are getting paid such a significant amount higher than they were before," he says, "and it's going to be harder to find a comparable position with that kind of rate of pay within the community."

Additionally, Koebernick is urging agency leadership and lawmakers alike to check in more frequently with correctional employees in order to assess complaints and staff morale.

McCollister also notes that broader legislative changes would help reduce correctional staff workloads.

"Sentencing reform, probation reform," McCollister says, "those things need to happen to reduce the prison population."

North Dakota Rep. Shannon Roers Jones and Illinois Sen. Robert Peters serve as co-chairs of the Midwestern Legislative Conference Criminal Justice & Public Safety Committee. Nebraska Sen. John McCollister is the vice chair. Derek Cantù is CSG Midwest's staff liaison to the committee.



HEALTH & HUMAN SERVICES

Illinois establishing new license for midwives, with goals of closing service gaps and limiting legal exposure

by Jon Davis (jdavis@csq.org)

Later this year, Illinois will become the sixth Midwestern state to license midwives and allow them to provide birthing services without being advanced-practice nurses.

HB 3401, signed in December, sets qualifications for a new certified professional midwife license, defines the scope of midwifery practice and requires midwives to consult with physicians or certified nurse midwives for problems during birth.

It also creates the Illinois Midwifery Board — five of whose members must be licensed certified professional midwives — in the Department of Financial and Professional Regulation to oversee licensing.

The new law is a personal victory of sorts for the bill's sponsor, Illinois Rep.

Robyn Gabel, who says its passage was something she pursued since 2011, when she was elected to the General Assembly.

For pregnant women who prefer home births, she believes the new law will provide a gap in medical services. For midwives without a license, Gabel adds, there was a potential of major legal exposure if something went wrong.

"Our feeling was women were going to use midwives for home births, so we want them to be licensed so they can have the training we want them to have," she says.

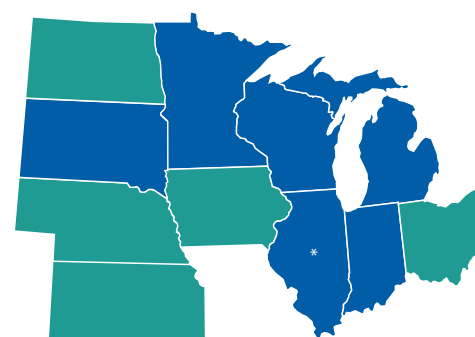
Licensure will also allow midwives to transfer mother and baby to a hospital without legal problems in case medical problems arise, she adds.

The new law does not provide Medicaid coverage of midwife services, but Gabel says she will introduce a bill to provide such coverage in the 2022 session.

Unlike doulas — who also provide physical and emotional support before, during and after birth — midwives can deliver babies, provide medical advice, and make referrals to hospitals if there are complications during a home birth.

Midwifery dates from ancient times but

LICENSURE OF MIDWIVES (AS OF JANUARY 2022)



● Midwives directly licensed

● Midwives licensed as a nursing specialty

* Illinois law takes effect Oct. 1, 2022

Source: Midwives Alliance of North America

secondary programs accredited by the Midwife Education Accreditation Council, certified by the North American Registry of Midwives (NARM), and hold an active CPR certification.

Indiana, Michigan, Minnesota, South Dakota and Wisconsin also directly license midwives who are NARM-certified. Michigan requires midwives to be trained to recognize human trafficking before their first license renewal.

Iowa, Kansas, Nebraska, North Dakota and Ohio allow certified nurse-midwives to practice as advanced-practice nurses.

In Canada, midwives are regulated by the provinces. According to the Canadian Association of Midwives, Ontario and Alberta began regulating them in 1994, followed by Manitoba in 2000 and Saskatchewan in 2008.

Iowa Rep. Shannon Lundgren and Minnesota Rep. Jennifer Schultz serve as co-chairs of the Midwestern Legislative Conference Health & Human Services Committee. Jon Davis is CSG Midwest's staff liaison to the committee.



Illinois Rep.
Robyn Gabel

DIFFERENT STATES, DIFFERENT GOVERNORS — BUT SOME SHARED POLICY PRIORITIES FOR YEAR AHEAD

Here is a look at some of the proposals that came from the January State of the State addresses by the governors in Indiana, Iowa, Kansas, Michigan, Nebraska and South Dakota

1 CONSIDER TAX CUTS AMID REVENUE GROWTH, HIGH BUDGET RESERVES

Tax cuts, some big, some small, were part of each of the first State of the State addresses of the new year. Perhaps most far-reaching of all the plans is Iowa Gov. Kim Reynolds’ proposal to move away from a progressive income tax structure (Iowa currently has nine different rates) in favor of a flat income tax rate of 4 percent. “Yes, we’ll have less to spend once a year at the Capitol,” Reynolds said to legislators, “but we’ll see it spent every single day on Main Streets, in grocery stores and at restaurants across Iowa.”

Most Midwestern states currently employ some type of progressive income tax (see map), including Nebraska. In that state, Gov. Pete Ricketts is proposing a gradual lowering of the top rate (6.84 percent to 5.84 percent) along with continued property tax relief of at least \$548 million. (Legislation from last year provided this relief via an income tax credit.)

In Kansas, Gov. Laura Kelly prioritized the end of her state’s sales tax on food. “With [a budget] surplus in the bank and increased revenue because of our economic growth, we can finally, responsibly, afford to totally eliminate the grocery sales tax,” Kelly told lawmakers.

Most Midwestern states already exempt grocery items from the sales tax, with other exceptions being Illinois (food items are taxed at 1 percent) and South Dakota (taxed at the full rate of 4.5 percent).

Other ideas this year include the end of a “bingo tax” in South Dakota, Indiana Gov. Eric Holcomb’s plan to eliminate a personal property tax levied on new business equipment and Michigan Gov. Gretchen Whitmer’s proposed tripling of the state’s existing earned income tax credit. According to Whitmer, her proposal would deliver an average yearly refund of almost \$3,000 to 730,000 families: “[It] lifts more than 22,000 people out of working poverty,” she said.

2 ATTRACT TALENT, BUILD SKILLED WORKFORCE FOR FUTURE

In his speech, Gov. Holcomb touted Indiana’s region-leading increase in population between 2020 and 2021, but also recognized a lack of growth in many rural areas. Holcomb believes part of the policy solution lies in building stronger regionwide partnerships.

Rather than compete for talent, jobs or cultural amenities, neighboring Indiana counties and cities are getting state-level grants to collaborate. In the current biennial budget, Indiana legislators allocated \$500 million for this new program, known as the Regional Economic Acceleration and Development Initiative, or READI.

That investment is “just the tip of the iceberg,” Holcomb said in his January message to legislators.

READI works this way: Leaders in each of Indiana’s 17 regions work together on a long-term, data-driven plan that reflects the area’s unique characteristics, strengths and needs.

With state dollars, along with a commitment of local public and private funds, these plans direct new investments in any number of ways to attract people and jobs — for example, building cultural amenities, funding new housing projects, or developing new supports for small businesses.

In her speech to Iowa legislators, Gov. Reynolds urged legislators to adjust state policies so that they reflect labor-



Michigan Gov. Gretchen Whitmer



Nebraska Gov. Pete Ricketts



South Dakota Gov. Kristi Noem

market realities. “We’re living in a time of prolonged low unemployment,” she said.

Along with proposing changes to the unemployment system (including dropping the duration of benefits from 26 weeks to 16), Reynolds said her state needs to focus on recruiting and retaining workers in high-need professions. She introduced plans for a \$1,000 bonus for police and corrections officers; a marketing campaign to lure law enforcement officers from other states; and an apprenticeship program that gets high school students on the path to careers in teaching and nursing.

In South Dakota, Gov. Kristi Noem has a \$200 million plan to build more housing for workers across the state, and she also asked lawmakers to fund expansions of college-based workforce training in a handful of areas: cybersecurity, health care, manufacturing, farming and ranching.

3 EXPAND CAPACITY OF MENTAL HEALTH SYSTEMS

“Whether we talk about children or their parents, veterans or farmers, small-business owners or health care workers, this pandemic has exacerbated mental health challenges for so many Kansans,” Gov. Laura Kelly said in her address.

For young people, Kelly is proposing increased funding for school-based mental health intervention teams. She also wants to ensure all Kansans get the care they need closer to home, and her budget calls for a \$29.3 million expansion of regional behavioral services.

Gov. Noem has proposed using \$15 million from the American Rescue Plan Act to build new regional centers or expand the capacity of existing ones.

“[They] will help us get people appropriate care more quickly and close to home,” she said. “This will help relieve the pressure on law enforcement and emergency rooms.”

In Michigan, Gov. Whitmer also is proposing new investments in community-based models. But she said one obstacle to care is an inadequate supply of mental health professionals, and one policy solution is to make state-funded loan repayments available to people entering these careers.

4 MAKE NEW INVESTMENTS TO PRESERVE STATE WATER RESOURCES

The year ahead is shaping up to be a historic one in water policy for Nebraska. In advance of this year’s session, a legislative committee examined projects to improve recreational water access and control flooding, including construction of a 4,000-acre reservoir between Lincoln and Omaha. Gov. Pete Ricketts supports spending \$200 million on various committee-backed projects, and he also has a \$500 million project to protect water supplies in the western part of Nebraska. His idea: Build a \$500 million canal and reservoir system that would include parts of Colorado and southwest Nebraska.

“If we fail to secure our supply from the South Platte River, we could expect to lose 90 percent of the water that currently comes to us from Colorado,” he said.

Other initiatives highlighted by the governors included:

- Indiana’s commitment to spend \$420 million on wastewater, drinking water and stormwater infrastructure improvements.
- Kansas’ restoration of full funding for the State Water Plan, which outlines policies and priorities for protecting water quality and supplies.



Indiana Gov. Eric Holcomb

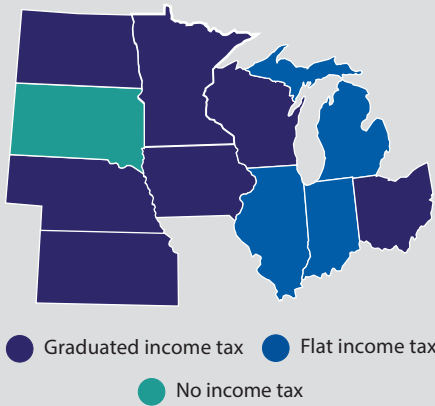


Iowa Gov. Kim Reynolds

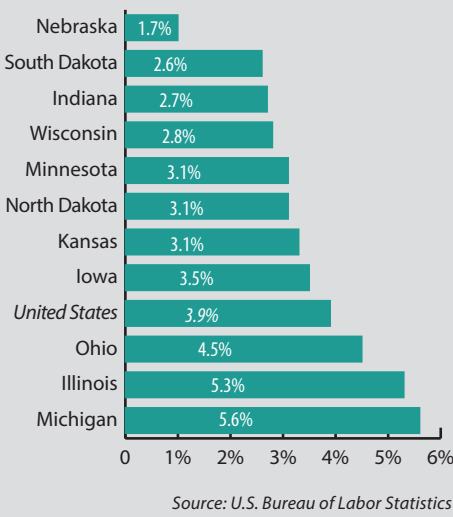


Kansas Gov. Laura Kelly

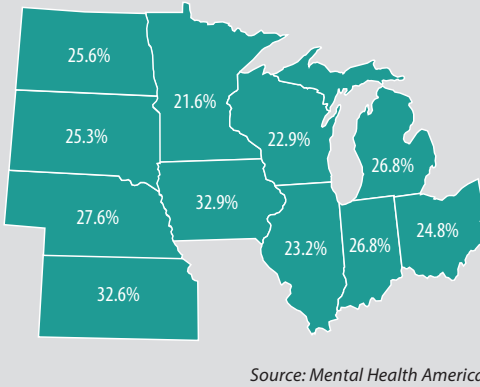
STATE INCOME TAX STRUCTURES IN MIDWEST (AS OF JANUARY 2022)



UNEMPLOYMENT RATES AT END OF 2021



% OF ADULTS WITH A MENTAL ILLNESS WHO REPORT NOT RECEIVING THE TREATMENT THEY NEED



\$ ALLOCATION FOR WATER PROJECTS IN NEW FEDERAL INFRASTRUCTURE LAW*

State	Total
Illinois	\$288 million
Indiana	\$128 million
Iowa	\$111 million
Kansas	\$79 million
Michigan	\$213 million
Minnesota	\$117 million
Nebraska	\$63 million
North Dakota	\$63 million
Ohio	\$242 million
South Dakota	\$63 million
Wisconsin	\$143 million

* Grants, principal loan forgiveness and low-interest loans (via state revolving funds) for projects related to water quality, safe drinking water, cleanup of emerging contaminants and replacement of lead service lines.

Source: U.S. Environmental Protection Agency

WHY, AND HOW, STATE COURTS ARE DRAWING NEW DISTRICT MAPS IN TWO STATES

by Jon Davis (jdavis@csg.org)

As in most states, legislatures in Minnesota and Wisconsin get the first crack at redistricting.

But the process is once again ending up in a familiar place — the courts.

In Wisconsin, with the exception of 2010, judges have been involved in the drawing of new lines for decades.

“When you have divided government, this happens every time ... it will end up in the courts,” says David Cannon, a professor of political science at the University of Wisconsin-Madison.

Court intervention of some kind has occurred in Minnesota after every Census since 1970.

But who in the judiciary does the map drawing?

The answer to this question has shifted over time in Minnesota and Wisconsin. During this cycle, the two states’ supreme courts have jurisdictional control, and they are handling the process in different ways.

DEFER TO THE STATE COURTS

State, rather than federal, courts are in the driver’s seat this time around, thanks in part to a dispute in Minnesota from 30 years ago.

In that state, it had been common for a

federal district court to draw new political lines if the Legislature failed to do so.

But after the 1990 Census, Minnesota’s then-deputy attorney general, John Tunheim, convinced the state Supreme Court to invoke its “inherent authority” to take over redistricting.

“He thought it would be preferable for state courts to get involved because, after all, redistricting is a state matter,” says Peter Wattson, who worked as an attorney in the Minnesota Senate and is a self-described “retired, itinerant redistricting aficionado.”

During the 1990 redistricting cycle, Minnesota’s state court and a federal district court adopted separate plans, setting up a jurisdictional dispute that landed before the U.S. Supreme Court. In a unanimous 1993 decision (*Grove v. Emison*), the justices found that the federal district court had “erred in not deferring to the state court’s efforts.”

Since then, a now-familiar process has unfolded in Minnesota: gridlock over the new maps, jurisdictional control by the state Supreme Court, and appointment by the court of a special panel to handle the redistricting process.

This time around, that panel consists of two state appellate judges and three state district court judges.

A ‘LEAST-CHANGE APPROACH’

The last time maps were court-drawn in Wisconsin, it was done by a panel of three federal judges — after Wisconsin’s Supreme Court justices declined to get involved, noting in a 2002 decision that they had been asked to intervene too late and that work in the federal court already was well underway.

This cycle, though, the state Supreme Court was asked to claim jurisdiction much earlier in the process — in August 2021, once Democratic Gov. Tony Evers had vetoed maps drawn by the Republican-controlled Legislature.

And this time, the court agreed to take on redistricting.

In a 4-3 decision handed down in November, justices said they will employ a “minimum changes necessary” approach. Their rationale: The 2011 maps were drawn by the Legislature and upheld by a federal court, so anything beyond “minimum changes” would amount to imposing political policy choices from the bench.

Dissenting justices argued that adopting this “least-change approach” is an “inherently political choice” that favors a partisan map drawn 10 years ago over neutral redistricting criteria.

No special panel has been appointed to handle the redistricting process in Wisconsin. It’s directly in the hands of the state Supreme Court.

Wattson says he prefers the panel

approach in Minnesota for at least two reasons. One, it frees the state’s top court from having to spend its time drawing maps. Two, it provides a clear appeal process: Individuals who oppose the panel-drawn maps can ask the Supreme Court to intervene. (Note: Wattson is party to one of the four proposed maps being considered by the five-judge panel.)

Regardless of approach, he believes courts produce less-gerrymandered maps than legislatures.

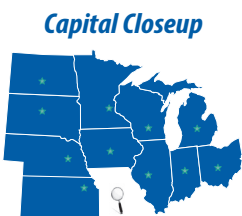
A study of different states’ congressional maps from the last redistricting cycle by the Brennan Center for Justice (“Extreme Gerrymandering & the 2018 Midterm”) seems to back him up.

Yurij Rudensky, an attorney with the center’s Democracy Program who co-authored the report, says court-drawn maps are generally fairer because judges are further away from “self-interest in the outcome of the electoral process.”

But this distance also means any court-run redistricting process needs to be open to public scrutiny, he adds.

“What’s readily apparent when courts are drawn into the map-drawing task in the first instance is that the key is to be as transparent and inclusive of public input as possible,” Rudensky 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.



QUESTION OF THE MONTH

QUESTION | Do states have laws or rules governing the use of race-based mascots by their public schools or universities?

Much legislative activity has occurred over the past decade, with most new laws focusing on limits or bans on the use of mascots with Native American imagery. Still, as of late last year, close to 2,000 public K-12 schools in the United States had Native-themed mascots/names, according to the National Congress of American Indians.

That includes schools in **Kansas**, where a governor’s commission said in 2021 that “the time is right for the state ... to take intentional steps to remove the use of Native American mascots and related imagery in public education settings.”

One of its recommendations: consider adoption of a law modeled after Nevada’s AB 88.

That measure, signed in 2021, requires school boards to adopt a policy that prohibits names, logos, mascots, songs or other identifiers that are racially discriminatory or contain racially discriminatory language or imagery. To use a name or mascot associated with a federally recognized Indian tribe, a Nevada school must now get approval from the tribe.

In 2015, with the passage of AB 33, California became the first U.S. state (and only to date) to directly ban a specific school mascot or nickname — “Redskins.”

Four years later, Maine became the first state to impose an outright ban on the use of Native American mascots (LD 944). Colorado and Washington joined Maine in 2021. Colorado’s law (SB 21-116) covers public schools, including charters, as well as colleges and universities. It takes effect on June 1, 2022. Non-compliant schools will face fines of \$25,000 per month. Washington’s HB 1356 prohibits “the

inappropriate use of Native American names, symbols or images as public school mascots, logos or team names.”

Connecticut has taken a different approach. In that state, municipalities get grant dollars from a pool of revenue generated by tribal-owned and -operated casinos. As part of Connecticut’s new budget, municipalities will lose this grant money if their local public schools or associated athletic teams use Native American names, symbols or images without tribal consent.

In the Midwest, legislation passed in **Wisconsin** more than a decade ago set up a process for removal of a race-based mascot/name. Under that law, a single resident of a school district could file a complaint with the state school superintendent.

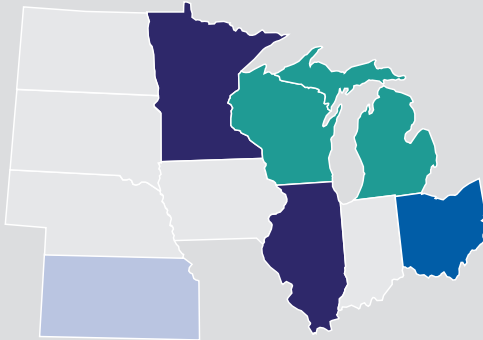
That law was short-lived, however.

In 2013, Wisconsin began requiring a complainant to collect signatures of 10 percent of the school district’s population to initiate the removal process (AB 297). Review of the complaint was shifted from the state school superintendent’s office to the Department of Administration, and those seeking a change in the mascot/name have the burden of proving by “clear and convincing evidence” that its use promotes discrimination, pupil harassment or stereotyping.”

Two decades ago, the U.S. Commission on Civil Rights issued an advisory opinion calling for “an end to the use of Native American images and team names by non-Native schools.”

A resolution by the American Psychological Association followed in 2005, saying Native-themed mascots “are teaching stereotypical,

EXAMPLES OF PROPOSALS FROM 2020 AND 2021 TO ADDRESS ‘NATIVE THEMED’ MASCOTS



- Bills introduced, not passed, to prohibit schools from using a Native American logo or mascot (with some possible exemptions from ban)
- Provide grants to schools to revise or remove existing mascot or imagery (part of enacted state-tribal gaming compact in Michigan; proposed by Wisconsin governor, not part of final budget)
- Legislative resolution introduced, not passed, encouraging schools to retire use of Native mascots
- Governor’s commission recommends schools “review and eliminate” use of Native mascots

Source: National Congress of American Indians

misleading and, too often, insulting images” and “sending the wrong message to all students.”

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.

IN YEAR OF HISTORICALLY LOW POPULATION GROWTH NATIONWIDE, MIDWEST’S NUMBERS DROP

Over the past year, the U.S. population grew — but barely. The growth rate of 0.1 percent between July 1, 2020, and July 1, 2021, marks the lowest year-over-year increase since the nation’s founding, and the most recent U.S. Census Bureau data also show the number of people living in the 11-state Midwest actually on the decline.

Both regionally and nationally, three factors for this stagnation are less international migration, lower birth rates and increased mortality due to the COVID-19 pandemic. For example, **Michigan, Ohio** and **Wisconsin** were among the 25 U.S. states where the number of deaths exceeded births. (Historically, it has been much more typical for all states to have year-over-year natural increases in population.) The United States continues to add people due to net international migration, but at much lower levels — 244,622 between 2020 and 2021 compared to 1,049,000 between 2015 and 2016.

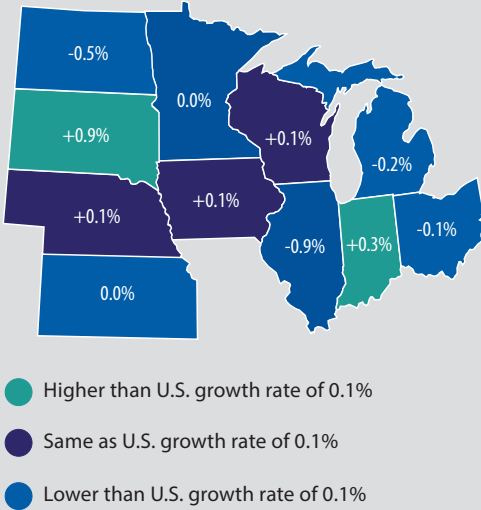
A fourth factor in the Midwest is the loss of people due to the movement of residents from one state to another. In **Illinois** alone, this caused a net decline of 122,460, third-highest in the nation (behind California and New York). Over the past year, **Kansas**, Michigan, **Minnesota**, **Nebraska**, **North Dakota** and **Ohio** also lost people because of trends in domestic migration.

South Dakota led the Midwest in the overall rate of population growth (+0.9 percent) between 2020 and 2021, and **Indiana** had the largest increase in terms of sheer numbers of residents (+20,341).

In an analysis of national trends, Brookings Institution demographer William Frey pointed to the declines in fertility and immigration, noting the long-term impacts on youth and labor-force-age populations. “It is vital that we examine public policies that can overcome barriers to the bearing and raising of children,” he wrote, “and, probably most important, stimulate immigration in ways that will reinvigorate the nation’s population growth.”

In Canada, between the summers of 2020 and 2021, the total population increased by 0.5 percent, the slowest annual rate in more than a century. The primary factor was border restrictions put in place to control the spread of COVID-19. **Saskatchewan** experienced an increase of only 0.05 percent, with one cause being the domestic migration of Canadians to coastal provinces.

RATE OF CHANGE IN POPULATION OF MIDWEST:
JULY 1, 2020, TO JULY 1, 2021



Source: U.S. Census Bureau

HIGH BUDGET RESERVES TRIGGER AUTOMATIC REFUND IN 2022 FOR INDIANA TAXPAYERS

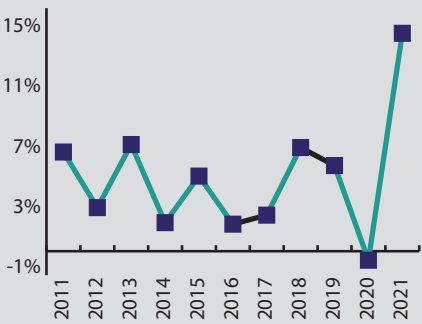
Coming soon to every **Indiana** resident who files income taxes for 2021: a refund from the state of \$125. Under a law that dates back to 2011, the delivery of such a tax refund is automatically triggered when the state ends a fiscal year with reserves that meet or exceed 12.5 percent of general fund spending.

According to *The Indianapolis Star*, Indiana closed the books on 2021 with nearly \$4 billion in reserves. State law calls for “excess” reserves to be split evenly between sending a refund to taxpayers and depositing money into a teacher pension stabilization fund. An estimated \$545 million in tax refunds will be returned to more than 4 million residents.

In advance of the start of legislative session in **Kansas**. Gov. Laura Kelly proposed using a portion of the state’s budget surplus to provide a one-time rebate of \$250 to all residents who file a 2021 income tax return (\$500 for joint filers).

A December 2021 report from the National Association of State Budget Officers highlights the strength of budget conditions: a 14.5 percent increase in U.S. states’ general-fund revenues between fiscal years 2020 and 2021, and record-high balances in rainy day funds. Across the 50 states, the median balance as a share of general funding is 9.4 percent.

ANNUAL CHANGE IN U.S. STATES’ REVENUE
COLLECTIONS: FY 2011 TO FY 2021



Source: National Association of State Budget Officers

OHIO’S NEW SPORTS BETTING LAW ALLOWS LOCAL BARS AND RESTAURANTS TO GET IN ON THE ACTION

Whether it’s on their phones, at a local restaurant or bar, or at one of the state’s commercial casinos, **Ohio** residents soon will have the chance to bet legally on professional and college sporting events. The signing of HB 29 came in late 2021.

Sports wagering already is legal in seven other Midwestern states, but Ohio’s new law is one of the region’s farthest-reaching. It creates a three-tiered licensing structure: 1) online/mobile wagering; 2) in-person sports books at casinos, racinos and other brick-and-mortar locations; and 3) self-service terminals to wager at restaurants and bars.

A 10 percent tax will be imposed on sports betting revenue. The state expects to collect \$10 million or more in licensing fees in fiscal year 2023. By 2024, according to the Ohio Legislative Budget Office, sports wagering will generate \$24 million in additional tax revenue, perhaps more. A vast majority of that money will go to a new Sports Gaming Profits Education Fund for K-12 schools. Fifty percent of the money in this fund must be used to support interscholastic athletics and other extracurricular activities.

Also in late 2021, **Illinois** legislators passed a bill (HB 3139) that expands legalized betting to include wagers on in-state college teams, and **Wisconsin** Gov. Tony Evers amended the state’s compact with the St. Croix Chippewa Indians to allow for gaming at tribal-operated casinos.

According to the American Gaming Association, sports wagering is legal in Illinois, **Indiana**, **Iowa**, **Michigan**, **Nebraska** (not yet operational), North Dakota (limited to tribal casinos), Ohio, South Dakota and Wisconsin.

TAX REVENUE FROM SPORTS BETTING:
JUNE 2018 THROUGH FALL 2021*

State	Amount
Illinois	\$85.9 million
Indiana	\$43.8 million
Iowa	\$11.9 million
Michigan	\$10.2 million
South Dakota	\$21,985

* Numbers are through October 2021 in Illinois and November 2021 in the other states. South Dakota launched sports betting in Deadwood and at tribal casinos in September 2021.

Source: Legal Sports Report

MOST STATE LEGISLATIVE DISTRICTS APPEAR ‘SAFE’ OF MUCH PARTISAN COMPETITION IN YEARS AHEAD

Over the next decade, a vast majority of races for state legislature in the Midwest will take place in districts that fall out of the “competitive zone,” a metric developed by the Princeton Gerrymandering Project as part of its analysis of new redistricting maps. To fall in this zone, the Democratic and Republican vote share must be between 46.5 percent and 53.5 percent.

By the end of 2021, eight of the 11 Midwestern states (all but **Kansas**, **Minnesota** and **Wisconsin**) had finalized their redistricting maps. The percentage of state legislative seats falling within the “competitive zone” range from a high of 20.3 percent in **Michigan** to a low of 5.7 percent in **South Dakota**, project researchers found (see table).

Under the new maps, most U.S. congressional districts in the Midwest also fall out of the competitive zone. The loss of competitive, or “swing,” districts in the U.S. House has been studied extensively by political scholars, with gerrymandering often cited as one cause. Another factor is partisan sorting: voters of similar ideologies and/or the same party affiliation increasingly geographically clustered together.

Redistricting is typically controlled by state legislatures, with maps also requiring approval by the governor. One exception in the Midwest in Michigan, where, for the first time, an independent, citizen-led commission drew the new lines. Its maps were given high marks on measures of partisan fairness, but according to the *Detroit Free Press*, they are being challenged in federal court as a violation of the U.S. Voting Rights Act for disenfranchising Black voters.

As of late 2021, redistricting lawsuits also had been filed against legislative and/or congressional maps in **Illinois** (for alleged racial discrimination) and **Ohio** (for alleged racial discrimination and partisan gerrymandering). A federal court upheld Illinois’ legislative maps in December. In January, in two separate decisions, the Ohio Supreme Court rejected state legislative and congressional maps for being in conflict with constitutional language barring partisan gerrymandering. That language was added over the past decade via voter-approved constitutional amendments. Iowa and Michigan also bar the drawing of districts in a way that favors a political party or incumbent legislators.

% OF NEWLY DRAWN DISTRICTS FALLING
WITHIN PARTISAN ‘COMPETITIVE ZONE’

State	State legislative	U.S. House
Illinois	11.9%	0%
Indiana	7.3%	0%
Iowa	18.0%	0%
Michigan	20.3%	38.5%
Nebraska	8.2%	0%
North Dakota	10.6%	Single district
Ohio*	15.9%	33.3%
South Dakota	5.7%	Single district

* Information is for maps that were subsequently ruled unconstitutional.

Source: Princeton Gerrymandering Project

IN MIDWEST, NUMEROUS BILLS UNDER CONSIDERATION TO STRENGTHEN NURSING WORKFORCE

» CONTINUED FROM PAGE 1

“It’s a mistake to focus on the pipeline alone without addressing the reasons that the pipeline is leaking,” Lasater says. Her work has focused on policy levers to improve working conditions, which also is the aim of some recent legislative proposals in the Midwest. Through new bills and programs, too, states are looking to further expand their numbers of people entering the profession. Here is a closer look at ideas in those two areas: building up the pipeline of registered nurses, and repairing the leaks.

REPAIRING LEAKS IN NURSING PROFESSION PIPELINE

One policy lever of particular interest to Lasater is the implementation of state-level, mandatory nurse-to-patient ratios. She says lower caseloads result in fewer patient deaths, shorter hospital stays and fewer readmissions — all due to improvements in care. And for nurses, the chance to deliver better care means less burnout.

“[With higher caseloads] there’s a disconnect between what nurses know they should be doing for a patient and what they’re able to because they don’t have enough time,” Lasater adds.

To date, only California has adopted mandatory staffing ratios, and hospital associations have typically opposed these state measures, citing increased costs and less flexibility in other staffing areas.

Still, legislation has been introduced in states such as Illinois, Michigan and Ohio.

Michigan’s proposal is part of a three-bill package dubbed the “Safe Patient Care Act,” which also includes new limits on forced overtime and related protections for nurses.

Rep. Sara Cambensy, a sponsor of the overtime bill, says critics of the legislative package point to already-stretched-thin workforce capacity in hospitals during the pandemic. Her response: nurses are leaving, and will continue to do so, without improvements in working conditions.

“We would get more nurses to stay and attract more if we listen to them and address their concerns,” says Cambensy, the daughter of a nurse.

A bill to limit mandatory overtime passed the Ohio House in 2021 with bipartisan support. With exceptions for public health disasters and emergencies, HB 163 would prevent a nurse from working beyond his or her shift as a condition of continued employment.

Ohio hospitals also would need to incorporate these new overtime rules into their broader nurse-staffing plans. Already required under state law, these evidence-based plans are developed by a staffing committee, at least 50 percent of whose members must be registered nurses. (In the Midwest, Illinois and

“It’s a mistake to focus on the pipeline alone without addressing the reasons that the pipeline is leaking.”

Karen Lasater, University of Pennsylvania Center for Health Outcomes and Policy Research

Minnesota also have related laws on nurse staffing.) Ohio Rep. Bride Rose Sweeney, a sponsor of HB 163, says similar bills on mandatory overtime have been introduced in multiple legislative sessions, both a reflection of the difficulty in getting such a measure passed (due in part to the opposition of hospitals) and of the fact that concerns about working conditions have been around much longer than COVID-19.

“Like a lot of issues, the pandemic has shone a light on what is a long-standing problem [in health care],” Sweeney says. In her home state, she adds, some rural areas do lack an adequate supply of registered nurses, but there is no statewide shortage. The more common, persistent problem is keeping enough qualified workers in the profession.

“In Ohio, we already have a plethora of high-quality nursing schools in our public and private colleges and universities,” Sweeney says.

BUILDING THE NURSING PROFESSION PIPELINE

Community colleges across Ohio may soon be added to that list of schools offering bachelor’s degrees in nursing, as the result of language included in last year’s budget bill (HB 110) allowing them to seek such authorization from the Ohio Department of Higher Education.

Requests will be granted if the community college can show that nursing is an in-demand field in its region of the state and that it has an industry partner to provide work-based learning and employment opportunities.

Some Michigan lawmakers are pursuing a similar change in state policy. HB 5556 and 5557, passed out of a House committee in late 2021, would allow community colleges to offer bachelor’s degrees in nursing.

With this change, Rep. John Roth says, people wanting to pursue nursing as a career would have more choices and flexibility, including the opportunity to seek a degree closer to home.

According to Roth, the community-college option is particularly important in areas of Michigan where traditional four-year options are far away and the shortage of available nurses is acute.

“You hear so much about it now

because of the pandemic, but you also heard about it before,” says Roth, whose wife is a registered nurse.

“This is not a temporary workforce problem. It’s a long-term thing, and we have a population in our Grand Traverse [County] area that is aging. We’re going to need more nurses.”

Another question for legislators: Does your state have enough people to teach the next generation of nurses?

“You can’t have nursing students, you can’t have nurses, unless you have the faculty, and right now there’s a shortage of faculty in this country,” says Susan Hassmiller, senior adviser for nursing at the Robert Wood Johnson Foundation and director of its Future of Nursing: Campaign for Action.

“So I would say loans, I would say scholarships and lower payments for nursing faculty [as policy options].”

Illinois lawmakers considered an income tax credit for nurse educators last year, but the final language of SB 2153 did not include such a provision.

However, the enacted bill does authorize the Department of Public Health to award up to \$500,000 a year in scholarships for individuals seeking initial or advanced degrees in nursing.

Under SB 2153, too, Illinois added new requirements to its existing law on hospitals’ nurse staffing committees. For example, the committee must meet at least six times a year, and at least 55 percent of its members must be direct-care nurses (up from 50 percent under the previous law). And if a hospital rejects a committee’s plan for nursing-to-patient ratios, it must provide a written explanation.

Non-compliant hospitals face fines, and that money will go to the scholarship fund. (Dollars also come from hospital licensing fees.)

Across the Midwest, often as part of larger initiatives that target high-demand career sectors, many states already offer scholarships and other financial assistance to help build the nursing pipeline. Examples include a workforce development scholarship in Minnesota and grants in Indiana (known as Next Level Jobs) for individuals to pursue nursing-related degrees or certificates.

Early this year, Iowa Gov. Kim Reynolds announced plans to expand a high school apprenticeship program that introduces students to the nursing profession and allows them to graduate as certified nursing assistants.

Hassmiller also suggests that states look for ways to diversify their nursing workforce. One recent example from the



Midwest: a new dual-admissions pathway for nursing students between the City Colleges of Chicago and University of Illinois-Chicago. A central goal of this new partnership is to improve access to the profession among historically underrepresented racial and ethnic groups.

OTHER STATE OPTIONS INCLUDE CHANGING RULES ON LICENSING

Along with having a central role in training the next generation of nurses, states also control licensing and regulation.

Both Hassmiller and Lasater suggest that policymakers look at some of their states’ existing rules and statutes. For example, is your state part of the National Nurse Licensure Compact? Under this agreement, member states allow licensed nurses from other compact states to practice without having to obtain additional licenses.

The removal of this kind of regulatory burden has the potential of adding to the pool of available nurses in geographic areas of the state with shortages, Lasater says.

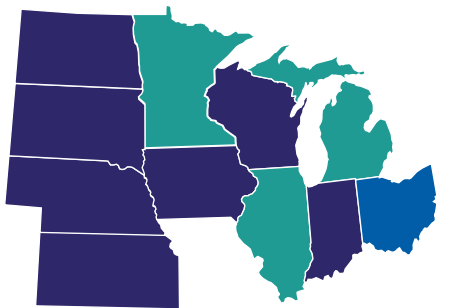
Ohio is set to become the eighth Midwestern state in the compact, as a result of the passage in 2021 of SB 3. (Only Illinois, Michigan and Minnesota are not members.)

For nurses who pursue and obtain advanced degrees, opportunities can vary from state to state because of rules on “scope of practice.”

Currently in the Midwest, Indiana, Iowa, Kansas, Nebraska, North Dakota, South Dakota and Wisconsin give nurse practitioners the authority to prescribe, diagnose and treat patients. Their scope of practice is more limited in other states.

With greater authority, Hassmiller says, nurse practitioners can reduce health costs everywhere and deliver quality care in areas with shortages of doctors and other providers.

SCOPE-OF-PRACTICE AUTHORITY FOR NURSE PRACTITIONERS



- NPs can prescribe, diagnose and treat patients without physician oversight
- Some limits on NPs that reduce practice without physician oversight
- Considered “restrictive” state for NPs due to physician oversight requirements

Source: American Association of Nurse Practitioners



Michigan Rep. Sara Cambensy



Ohio Rep. Bride Rose Sweeney



Michigan Rep. John Roth



PROFILE: WISCONSIN SENATE ASSISTANT MAJORITY LEADER DAN FEYEN

Keys to legislative success? Wisconsin lawmaker identifies at least three: clear communication, a willingness to listen to others, and a strong staff to support you

by Jon Davis (jdavis@csg.org)

It's only an hour or so drive from Fond du Lac to Madison on Highway 151, but for Dan Feyen, the journey from local printer in his hometown to Wisconsin state senator was years in the making.

He had cut his chops in local leadership as an active member of the local Jaycees (including a stint as president) and as Republican Party chair of the Sixth Congressional District.

But run for elective office himself?

Feyen wasn't sure, even after being approached about the idea by the area's outgoing state senator. He and his wife, Lori, mulled the idea for about three months, considering the time commitment, fundraising demands and, inevitably, the negative advertising that would be part of the campaign.

"It was an intriguing thing to look at, and then I sat down with [outgoing Sen.] Rick Gudex and said, 'OK, explain this job to me: What am I getting into if I do it?'" Feyen recalls. "We ultimately decided that if I'm going to make a change, right now is the time to do it."

"So we decided to jump in, and I'm glad I did."

It's given Feyen the chance to be in the middle of decisions on public policies that he has long cared deeply about, from taxes to economic development. And after being elected to the Senate in 2016, he found himself on a fast path to leadership, after the previous Senate assistant majority leader left the Legislature to run for U.S. Senate.

"I sat down and was talking with my chief of staff and said, 'I'm interested in that,'" Feyen says. "So I started making some phone calls around and I had the support of my caucus members to do it."

In only a few years' time, Feyen had gone from the job of press/bindery coordinator at a printing company in Fond du Lac to state lawmaker and legislative leader in the Capitol.

In a recent interview, Feyen reflected on his time in the Wisconsin Senate, his outlook on leadership style, and the legislative year ahead. Here are excerpts.

Q What is your philosophy on leadership? What does it mean to you and how do you try to exercise it?

A The biggest thing is, work with everyone — whether you agree with them or not. And then be willing to listen to make sure that you're not the wrong one [on an issue]. But you need to work with people with all different beliefs within your party, and outside your party as well. Also, surround



BIO-SKETCH: WISCONSIN SEN. DAN FEYEN

- ✓ has served as assistant majority leader since 2019; first elected to Wisconsin Legislature in 2016
- ✓ is chair of the Senate Committee on Workforce Development and co-chair of the Joint Survey Committee on Retirement Systems
- ✓ worked for 29 years in the printing business, retiring as a print/bindery coordinator
- ✓ sits on the Wisconsin Economic Development Corp. board of directors
- ✓ lives in Fond du Lac with his wife, Lori; they have two grown children

"Work with everyone, whether you agree with them or not. And then be willing to listen, to make sure that you're not the wrong one."

yourself with the best staff possible because that can give you the best outcomes possible.

Q What were some of the biggest adjustments for you after joining the Senate leadership team?

A There wasn't a big adjustment there because I've always worked well with the majority leaders themselves to make sure that we're all on the same page. You voice your concerns if you've got some, but we're only a caucus of 21. It's not a lot of people, so you just have to communicate with everyone regularly. I think if you're communicating regularly, then things will go well.

When I was running the district Republican Party, I dealt with 13 counties and all different leaderships in each one of those counties, and they all had different personalities. So I managed to communicate with them on a very regular basis to make sure that we were all trying to accomplish the same goals.

I see my colleagues in the Senate probably a lot more than I saw my district colleagues as Republican Party chairman, but it kind of goes hand-in-hand: You communicate regularly with others while you surround yourself with good people.

Q Has there been anything surprising about being in leadership or the Legislature itself?

A The biggest thing, when I first got elected to the Senate, was there

is so much of state government you don't realize that you don't know.

I came from the printing world, for example. You know your own little world inside out and upside down, but there are so many aspects of state government — health care, education, corrections, health and human services, children and families, just to name a few — that weren't in my wheelhouse.

So you do a lot of reading and a lot of learning. To get up to speed, you talk to a lot of people to learn as much as possible quickly. In your caucus, you rely on experts in areas that you don't know about in order to learn as much as you can.

Q What are the policy areas where you've built up some expertise and that you tend to prioritize?

A Economic development, which quickly turned into workforce development because you can't do economic development without the workforce to fulfill the jobs you're trying to create. How do we get Wisconsin to be more attractive, to attract workers to fill all the great jobs we have available? But that also ties into supporting things like our technical schools and our apprenticeship programs.

Q In terms of your legislative career so far, what would you say is your signature achievement?

A One of the proudest things is that with every budget that I've

been a part of, which is three of them now, we've been able to cut taxes and eliminate others. It's one thing to cut taxes, but when you can eliminate some of them, that means they're never coming back — kind of the same idea as when you put a tax in place, it's hard to get rid of.

So I'm very proud that the tax burden on the average Wisconsin citizen has gone down over the course of my five years in the state Senate. ... And when you lower the tax burden for individuals, you make it a better place to do business as well.

Q Looking ahead to 2022, a non-budget year in Wisconsin's biennium cycle and an election year as well, do you expect the enactment of any big or new policy changes?

A To be honest, I don't think there are any big things out there. It's keep an eye on the purse strings to make sure that we're spending whatever money we're going to spend moving forward wisely. Make sure it's going into the appropriate spaces where it's needed most.

I know the Assembly is looking to wrap up its session by the end of February. The Senate is most likely going to go a little longer than that. I'm not looking to see a lot of major things get done as we move through 2022. The biggest reason I don't think we're going to get a lot of major movements is just due to the fact of the intersection of policy and politics [in an election year], because they do go hand-in-hand.

FIRST PERSON: A LESSON FROM THE EARLY DAYS OF COVID-19 LEADS TO A NEW LAW IN MICHIGAN

Goals are to prevent shortages of emergency supplies, protect frontline workers



by Michigan Rep. Jeff Yaroch
(Jeffyaroch@house.mi.gov)

HOW MICHIGAN WILL BUILD, MAINTAIN ITS STOCKPILE

- ✓ direct the state Department of Health and Human Services to purchase emergency supplies that it deems “necessary to respond to a state of disaster or state of emergency”
- ✓ sell or donate supplies as they near expiration dates and then replenish with new purchases
- ✓ list the state’s inventory, including quantities and expiration dates, on a publicly available website
- ✓ provide a purchasing preference to Michigan-owned and -operated businesses



The COVID-19 health crisis has magnified many issues regarding Michigan’s ability to respond to emergencies — and it exposed some glaring weaknesses.

In the early stages of the pandemic, one of the most troubling shortcomings was the alarming lack of sufficient personal protective equipment (PPE) for health care workers and emergency responders.

This lack of supplies was not unique to Michigan; unfortunately, it was an issue for every state and health system in the nation.

We found there was a troubling lag time in the supply and delivery chain for PPE. Agencies were running out of PPE before new inventory arrived from the Strategic National Stockpile or from suppliers.

As a paramedic and former firefighter, it was my observation that this shortage increased anxiety during the initial months of the COVID crisis. We could not ensure we had enough PPE to protect ourselves — even for the health care workers we relied upon to care for us.

Many manufacturers throughout Michigan eventually began producing PPE to offset the shortages faced by various health facilities, but this took time to ramp up.

It was clear we needed a better, faster and more permanent solution in case of future emergencies.

As a paramedic and former firefighter, it was my observation that this shortage increased anxiety during the initial months of the COVID crisis. We could not ensure we had enough PPE to protect ourselves.

BUILDING A TWO-MONTH SUPPLY FOR MICHIGAN

The state of Michigan already had a process in place to distribute supplies from the Strategic National Stockpile to local health departments and other entities in need of PPE.

This national stockpile is kept by the U.S. Centers for Disease Control and Prevention, under a federal program that dates back to 1999.

In our state, the Michigan Strategic National Stockpile, or MISNS, is maintained within our Department of Health and Human Services’ Division of Emergency Preparedness and Response.

The MISNS program manages the emergency supplies that Michigan receives from the CDC, while also helping local health departments manage stockpile plans.

When the pandemic hit, though, it became clear that we needed to improve the process.

My solution is contained in HB 4087, introduced in February 2021 and signed into Michigan law as Public Act 95 of 2021.

Under this measure, we will create a state stockpile that has a two-month supply of PPE and related medical supplies.

The stockpile was set at two months because that was roughly the time of the supply gap exposed during the pandemic. It was taking about that long for agencies to receive adequate supplies of PPE from suppliers or the Strategic National Stockpile after they began running short.

To help hold us accountable and ensure that the PPE stockpile is maintained, our new law requires the state to maintain a public website

displaying the list of stockpiled inventory, including quantities and expiration dates. This inventory is subject to disclosure under the Freedom of Information Act.

Maintaining our own state stockpile does come with costs.

We try to control those expenses by giving the state Department of Health and Human Services the authority to sell stocked items before their expiration dates to agencies with a higher burn rate. Expired items also may be donated to a nonprofit or educational program.

Due to concerns about supply-chain issues, this law prohibits the state from purchasing foreign goods if there are competitively priced and comparable American medical supplies available for purchase.

In addition, we included language that “preference must first be given to goods or services manufactured or provided by Michigan businesses that are owned and operated by veterans or goods or services that are manufactured or provided by Michigan businesses.”

Initially, our stockpile will be funded with COVID-related funding from the federal government. Eventually, though, building and maintaining it will require the Legislature to appropriate general-fund dollars. *(Note: Federal legislation passed by the U.S. House in October would create a pilot program to help states fund their own stockpile of emergency supplies.)*

HB 4087 passed the Michigan House and Senate with strong bipartisan support.

NOT RELYING ON THE FEDERAL GOVERNMENT TO BE OUR SAVIOR

It is important that we take important

steps like the ones we outlined in HB 4087. In the years immediately following the 9/11 terrorist attacks of 2001, there was a great deal of investment in emergency capability and training.

But as time went on, I have watched people forget what we learned. We have slid backward in our preparation.

We are in an age in which you can wake up on the other side of the globe and be back in your own bed the same day.

We can travel quickly — and so can a virus. COVID-19 may not be the last time we see a pandemic, so states must be better prepared. We cannot rely on the federal government to be our savior.

I am happy to talk to anyone interested in new laws to build up stockpiles in their own states.

Michigan Rep. Jeff Yaroch was first elected to the House in 2016. Prior to being sworn in as a state representative, he served as a firefighter and paramedic for 25 years with the Clinton Township Fire Department in Michigan. He ended his fire service career at the rank of battalion chief. He is also a licensed attorney.

EXAMPLES OF WHAT IS IN THE NATIONAL STRATEGIC STOCKPILE

- containers of nerve agent antidotes
- beds, supplies and medicines to turn a pre-identified building into a temporary medical shelter
- masks, gloves, gowns, N95 respirators, face shields and other personal protective equipment
- ventilators

Source: U.S. Department of Health and Human Services

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@csq.org.

CSG DATABASE TRACKS DIFFERENT WAYS THAT STATES ARE USING FUNDS FROM AMERICAN RESCUE PLAN ACT

Signed into law in March 2021, the American Rescue Plan Act of 2021 included \$195 billion in fiscal recovery funds for state governments and the District of Columbia.

How is each U.S. state planning to use this large influx of federal funding?

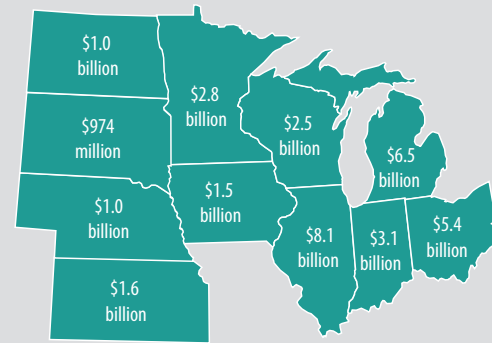
The Council of State Governments provides answers in its State ARPA Utilization Database, the result of an analysis of recent gubernatorial actions, enacted legislation, and reports submitted to the U.S. Treasury. In collaboration with the National Association of State Budget Officers, the state allocations were also reviewed and verified by state budget offices.

Creation of this CSG database reflects a desire among policymakers to learn and share best practices as states look to maximize opportunities under the ARPA.

States must obligate funding by the end of 2024 and expend it by 2026. Funds can be used to:

- support the public health response to the COVID-19 pandemic;
- address the negative economic impacts caused by the public health emergency;
- serve the hardest-hit communities and families;
- replace lost public sector revenue;
- invest in water, sewer and broadband infrastructure; and
- ensure premium pay for essential workers.

MIDWEST'S ALLOCATION UNDER AMERICAN RESCUE PLAN ACT'S STATE FISCAL RECOVERY FUND



Source: U.S. Department of Treasury

CSG BRINGS BIPARTISAN, MULTIBRANCH LEADERS TOGETHER — WITH FOCUS ON HOW TO IMPROVE HEALTH OF STATES

A bipartisan, multibranch national task force of The Council of State Governments will continue its work in 2022 on how to confront key policy challenges, including those resulting from, and intensified by, the COVID-19 pandemic.

Supported by CSG staff and other subject matter experts, the Healthy States National Task Force is developing new resources and recommendations for state action. Its work is focused on the fiscal, economic, civic and human health of states and their residents.

A mix of state legislators, agency heads and judges from the Midwest is serving on the task force and its various subcommittees. That includes Ohio Secretary of State Frank LaRose, co-chair of the task force's Civic Health Subcommittee; and Michigan Chief Justice Bridget McCormack and Nebraska Department of Health and Human Services CEO Dannette Smith, co-chairs of the task force's Human Health Subcommittee.

More information is available at csg.org.

MARK YOUR CALENDAR: PREMIER EVENT FOR MIDWEST'S LEGISLATORS SET FOR JULY 10-13

Meeting will be held in Wichita; featured speakers include historian H.W. Brands

Kansas' largest city will be serving as this summer's host of the premier event for state and provincial legislators from the Midwest.

All lawmakers are invited and encouraged to bring guests of all ages to the family-friendly Midwestern Legislative Conference Annual Meeting. The meeting will be held July 10-13 in downtown Wichita, a vibrant city filled with attractions and activities for people of all ages and interests.

For participants, the event provides countless opportunities to learn from nation-leading policy experts and to collaborate with legislative peers from across the Midwest in a welcoming, nonpartisan setting.

The content of the meeting is designed by and for the region's legislators — with sessions on agriculture, the Midwest's economy, state fiscal conditions, criminal justice, education, health care and much more.

FEATURED SPEAKERS AND EVENTS

Legislators also will hear from several featured speakers, including acclaimed U.S. historian and bestselling author H.W. Brands.



Historian H.W. Brands

Two of Brands' books have been finalists for the Pulitzer Prize, and he also wrote a highly regarded book from 2020 titled "The Zealot and the Emancipator," an account of the epic struggle over slavery as embodied by John Brown and Abraham Lincoln. His most recent book is "Our First Civil War: Patriots and Loyalists in the American Revolution."

More featured speakers will be announced in the weeks and months ahead. The MLC Annual Meeting also is a chance

ABOUT THE MIDWESTERN LEGISLATIVE CONFERENCE AND ITS ANNUAL MEETING

- ✓ The MLC is a nonpartisan association of all legislators representing 11 Midwestern states and the Canadian province of Saskatchewan. The provinces of Alberta, Manitoba and Ontario are affiliate members.
- ✓ The Midwestern Office of The Council of State Governments provides staff support to the MLC.
- ✓ The MLC Annual Meeting is held every year in a different Midwestern city. It dates back to 1945.
- ✓ This year's meeting of state and provincial legislators will be held July 10-13 in Wichita, Kan.

Wichita KANSAS
JULY 10-13, 2022
CSG MIDWESTERN LEGISLATIVE CONFERENCE

for host legislators to showcase their state. For example, special evening events will be held this summer at some of Wichita's top venues — an Opening Night Reception at Botanica, the Wichita Gardens, and Family Night at the Sedgwick County Zoo.

For the guests of attendees, daytime activities and trips will be offered, with separate programming for adults and youths.

Kansas Sen. Carolyn McGinn is leading her state's planning activities as MLC chair.

More information, including how to register for the meeting, is available at csgmidwest.org.

CSG OFFERS INDIVIDUALIZED RESEARCH TO LEGISLATORS

As part of its mission to champion excellence in state government, The Council of State Governments provides year-round, customized research assistance to legislators and legislative staff. At CSG Midwest, this work is led by policy staff who serve as liaisons to the region's states and provinces.

Have a question about a specific topic or issue? Want to know about laws, proposed legislation or policy solutions being pursued in other states? Legislators and legislative staff can contact their respective CSG Midwest liaisons for help:

- **Alberta:** Mike McCabe (mmccabe@csg.org)
- **Illinois:** Mitch Arvidson (marvidson@csg.org)
- **Indiana:** Derek Cantù (dcantu@csg.org)
- **Iowa:** Derek Cantù (dcantu@csg.org)
- **Kansas:** Laura Kliewer (lkliewer@csg.org)
- **Manitoba:** Mike McCabe (mmccabe@csg.org)
- **Michigan:** Laura Kliewer (lkliewer@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)
- **Ontario:** Mike McCabe (mmccabe@csg.org)
- **Saskatchewan:** Mike McCabe (mmccabe@csg.org)
- **South Dakota:** Jon Davis (jdavis@csg.org)
- **Wisconsin:** Jon Davis (jdavis@csg.org)

Individualized research is one of several ways that CSG Midwest supports lawmakers during session. It also can provide or facilitate expert testimony or help organize in-person or virtual sessions.

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.

APPLICATIONS NOW AVAILABLE FOR 2022 BILLD PROGRAM

Lawmakers in their first four years of service are encouraged to seek a fellowship to attend BILLD, the premier legislative leadership program in the Midwest. The application deadline is April 20.

This year's Bowhay Institute for Legislative Leadership Development will be held Aug. 27-31 in Madison, Wis. BILLD's interactive curriculum includes a mix of leadership training, professional development and policy workshops.

Fellowships will be awarded to 39 legislators from the 11 states and four Canadian provinces that comprise the Midwestern Legislative Conference. Each fellowship covers the cost of tuition, lodging and meals, as well as a partial travel stipend.

More information, including an online application, can be found on the CSG Midwest website: csgmidwest.org/billd.



"You will leave better informed and better prepared to make a true impact on your chamber, your legislative body and your community."

Sen. Elgie Sims Jr., Illinois
Class of 2014

"It's a must-do program for any new legislator wanting a better understanding of how to navigate complex systems and become a better legislator."

Sen. Erin Houchin, Indiana
Class of 2018

BILLD SPONSORSHIP OPPORTUNITIES AVAILABLE

The Bowhay Institute for Legislative Leadership Development is made possible by funding from corporate and foundation sponsors who believe in the importance of providing legislators with the tools necessary to improve their leadership and policymaking skills.

BILLD offers a range of sponsorship levels and widely recognizes its partners during the five-day Institute, as well as through a variety of BILLD publications produced throughout the year. Please visit csgmidwest.org/billd for sponsorship information.

THANK YOU TO THE EARLY SPONSORS OF THE 2022 BILLD PROGRAM



Q & A WITH BILLD ALUMS: WHAT STRATEGIES DO YOU USE TO MANAGE YOUR TIME DURING SESSION?

INDIANA REP. ROBIN SHACKLEFORD | BILLD CLASS OF 2014

As legislators, we are stretched thin. Requests come from various directions simultaneously. How many times have you heard?

- Can I chat with you; it will only take a minute?
- Can you stop by and say a few words; we only need 15 minutes?
- Can you pick up dinner on your way home?

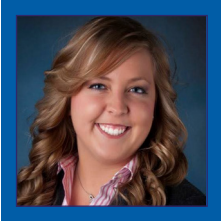


Usually these requests require more time than anticipated. To my fellow legislators, here are my top five strategies that help me stay focused, efficient and timely.

1. **ONE WORLD, ONE CALENDAR:** Allocate time for events, meetings, calls, tasks, etc. If it is not on your calendar, it does not happen.
2. **PREPARE YOUR DAY:** The night before heading to the statehouse, organize your wardrobe and pack your briefcase/tote bag. Include any food/snacks you may need and set your items by the door. Lastly, have your coffee maker on a timer and set it for the morning. Establish morning and evening hour routines.
3. **BLOCK OUT TIME FOR LIFE:** In Indiana, we are not in session on Fridays. Friday and Saturday are reserved for family and friends as well as my outside work. No galas or evening events on those days of the week (unless I am part of the host organization). Sunday is my day to rest and catch up.
4. **INFORM COLLEAGUES OF YOUR SCHEDULE:** Notify your colleagues (for example, those persistent caucus, task force and committee members who like to text late evenings and weekends) that you will not be addressing new legislative work or issues on weekends. It is important to set boundaries in advance.
5. **AVOID UNNECESSARY MEETINGS AND LIMIT EVENTS:** Meeting requests should be prioritized for email, call, text, Zoom or in-person responses. Also, during session, prioritize attending events that coincide with your interests and the bills you are proposing.

KANSAS REP. TORY MARIE ARNBERGER | BILLD CLASS OF 2019

The best piece of advice I have is to prioritize your events. Are there meetings that could have been an email? Always. Are there meetings that attending in person will be more beneficial than attending virtually? Absolutely.



One piece of advice I struggle to implement is to communicate with your spouse before scheduling events. There have been plenty of times I have double-scheduled, and my husband has something planned that I didn't add to my calendar. At the end of the day, my home life needs to come first.

Another piece of advice: You can't do everything. Many of us have alpha personalities (that's probably what led us to run for the legislature) and want to accomplish everything, but delegation is your friend. That has taken me many years to fully grasp, and I'm not perfect at it, but it has saved me numerous hours of work when I step back.

If there is one thing I hope you take from this article, it is to prioritize, and, hopefully, your family is listed as your No. 1 priority.

NORTH DAKOTA SEN. SCOTT MEYER | BILLD CLASS OF 2018

As a part-time legislator in North Dakota, time management is key to a healthy Senate/work/life balance. I am fortunate that I do have an assistant for my mortgage company back home. We start every morning with a Zoom meeting to address our day's agenda prior to me leaving for the Capitol.



Throughout the day I keep an eye on my work email, and she will text me if there are any emergencies that need my immediate attention. Trust and flexibility are key when essentially handing over your livelihood to someone else. Technology has allowed us to connect in many ways, but she also knows how to look up my Senate schedule to see when I'm in committee or on the floor of the Senate. By having my assistant in control of my mortgage career, it allows me to focus on legislative business.

During the day, I try to focus primarily on what I was sent to Bismarck to do, which is represent my constituents and district. I time-block most of my week once I see what time committee hearings are scheduled (floor session is always the same time). I block time to respond to constituent emails/calls, as well as time to read bills that I'll be hearing in committee the next day. Flex time consists primarily of speech writing and interacting with fellow legislators and lobbyists. Finally, I drive home each weekend, and the three-hour drive allows adequate time to call back constituents or media, or just listen to political podcasts.

Finally, as an unmarried man, I don't have the family constraints that others may have. However, I do try to make it to my nephews' and nieces' basketball games or dance recitals, and go to church with them when I am back. A healthy work/life balance is key to being successful in the legislature.

BILLD Steering Committee Officers | Co-Chairs: Illinois Rep. Anna Moeller and Iowa Sen. Amy Sinclair | Co-Vice Chairs: Michigan Rep. Ann Bollin and Kansas Rep. Jarrod Ousley

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 and csg.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 10-13, 2022 | Wichita, Kan.

Contact: Jenny Chidlow ~ jchidlow@csg.org
630.925.1922 | csgmidwest.org



CSG Henry Toll Fellowship Program

August 26-30, 2022 | Lexington, Ky.

Contact: membership@csg.org
859.244.8000 | web.csg.org



Bowhay Institute for Legislative Leadership Development

August 27-31, 2022 | Madison, Wis.
Application deadline: April 20, 2022

Contact: Laura Tomaka ~ ltomaka@csg.org
630.925.1922 | csgmidwest.org



CSG National Conference

December 7-10, 2022 | Honolulu, Hawaii

Contact: membership@csg.org
859.244.8000 | web.csg.org



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