



REDISTRICTING ROUNDUP FOR THE REGION

Recent cycle marked by census delays, use of new processes in states such as Michigan and Ohio, and a rise of legal challenges based on claims of partisan gerrymandering

ILLINOIS: CENSUS DELAY, DEADLINE CAUSED DRAWING OF 2 SEPARATE MAPS

The once-a-decade redistricting task in Illinois was unique this time around in at least one respect. When it came to new state legislative districts, the General Assembly developed and passed, and the governor signed into law, two plans in a single year.

This extra step was due to a delay in the release of official U.S. Census data, along with language in the Illinois Constitution stipulating that the General Assembly complete state legislative districting by June 30 in the year following the census. If this deadline had been missed, a bipartisan, eight-member commission would have taken over the process.

The General Assembly's first map, passed in May 2021, was based on population estimates. Later that year, a three-member federal panel of judges ruled that the legislative districts were unconstitutionally malapportioned.

But even before this October 2021 decision, legislators had passed a second map based on official census data (released in August of that year). This map also faced a legal challenge, on the grounds that it diluted the votes of minority groups and should have included more legislative districts with majority Latino or Black voters.

However, the constitutionality of the General Assembly's second state legislative map was upheld in late 2021. "The voluminous evidence submitted by the parties overwhelmingly establishes that the Illinois mapmakers were motivated principally by partisan political considerations [not race]," the three-member panel of federal judges concluded.

Partisan gerrymandering falls beyond the purview of federal courts, the judges noted.

The General Assembly had no similar constitutional deadline for drawing new U.S. congressional districts. It approved this map in October, having to account for the loss of one seat due to reapportionment.

of census numbers. Its redistricting statute calls for congressional districts to be approved prior to adjournment of the General Assembly's first session following the census. If the task is not done by this time, redistricting duties are turned over to a five-member legislative commission.

The General Assembly was ready to adjourn in April 2021, but did not have the necessary redistricting data in hand. So lawmakers held off official adjournment until the fall, when they could return to the Capitol to approve new maps.

Republican leaders in the House and Senate say the new maps reflect their goal of keeping more "communities of interest" together — for example, 32 counties are now wholly contained within one state House district (up from 26 under the previous map); 65 are contained in one state Senate district (up from 49); and 84 of the state's 92 counties are in a single congressional district.

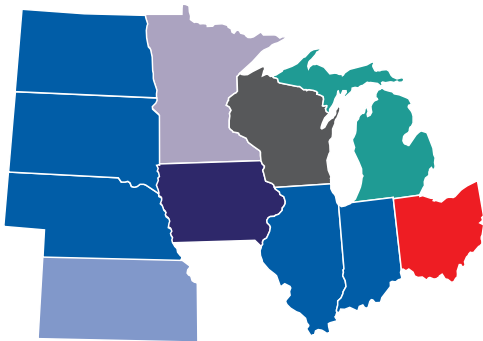
As in Illinois, Indiana's plan was criticized for unduly favoring the party in charge of the redistricting process (Democrats in Illinois, Republicans in Indiana).

The partisan breakdown of Indiana's delegation in the U.S. House is not expected to change with the new maps, however — seven Republicans, two Democrats, according to FiveThirtyEight.

INDIANA: MORE 'COMMUNITIES OF INTEREST' KEPT TOGETHER

Indiana ran into a deadline problem of its own with the delayed release

HOW NEW STATE LEGISLATIVE AND U.S. CONGRESSIONAL MAPS WERE DRAWN BY STATES IN MIDWEST THIS REDISTRICTING CYCLE



- Legislature drew and passed maps; governor approved maps
- Legislature drew and passed maps; governor approved state legislative map and vetoed congressional map; Legislature overrode governor's veto
- Nonpartisan legislative staff drew maps; Legislature voted on and approved maps without amendments
- Independent, non-politician citizens commission drew maps
- Seven-member commission of legislators and statewide elected officials drew maps being used for General Assembly and U.S. House elections in 2022; additional redistricting work required prior to next election cycle
- Panel of state judges drew maps after review of proposed plans from major political parties, other groups
- State Supreme Court selected new maps from competing proposals submitted to the court by the governor, Legislature and other entities

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COURTS PLAYED CRITICAL ROLE IN REDISTRICTING PROCESS IN 3 STATES: MINNESOTA, OHIO AND WISCONSIN

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IOWA: NONPARTISAN STAFF DRAWS MAPS; LEGISLATURE OKS WITH NO CHANGES

Iowa is one of three Midwestern states, along with Michigan and Ohio, that bans partisan gerrymandering.

Since 1980, too, the nonpartisan Legislative Services Agency has steered the redistricting process, drawing new state legislative and congressional lines and presenting these maps to the full Legislature for an up-or-down vote.

If the LSA's first plan is rejected, the agency prepares a second one for a legislative vote, again with no amendments allowed. Legislators can only make tweaks after the first two plans have been voted down and a third plan has been submitted.

Would Iowa's approach hold during this round of redistricting, in a state where one party controls the legislature and governor's office (Republican) and during a period of increased partisanship?

Yes.
During a special session in October 2021, legislators rejected a first LSA plan, citing concerns about the compactness of districts and population deviation. But later that same month, legislators gave near-unanimous approval to the second plan.

Since Iowa first adopted a nonpartisan approach to redistricting, one of the LSA's maps has always been approved without legislative amendment.

state legislative maps, "a show of bipartisan unity" marked by "an ocean of backslapping, plaudits and more than one standing ovation," *The Topeka Capital-Journal* reported. (One of the most controversial parts of the state maps turned out to be the new lines for State Board of Education, a move that caused some Democrats to oppose the final version.)

The Republican-led Legislature's plan for Kansas' four U.S. House seats was more controversial.

Kelly criticized the new congressional lines for diluting the voting strength of minority communities and separating communities of interest — for example, carving Wyandotte County (part of the Kansas City area) into two congressional districts and placing parts of the city of Lawrence in a rural district.

The Kansas House and Senate quickly overrode her February 2022 veto, setting up a legal challenge based on claims of extreme partisan gerrymandering and racial discrimination.

The Kansas Supreme Court, however, rejected these assertions.

Race was not the predominant factor in drawing the districts, the justices concluded, and nothing in Kansas' Constitution or statutes prevents partisan considerations in the redistricting process.



MICHIGAN: MAPS DRAWN FOR FIRST TIME BY INDEPENDENT COMMISSION

Michigan is the only state in the Midwest (and one of nine in the United States) that has put the redistricting process fully in the hands of an independent commission whose members cannot be legislators or other public officials.

Under Michigan's Constitution, the result of a voter-approved ballot initiative from 2018, lobbyists, party officials, legislative staff and campaign workers also are barred from serving on the commission.

The commissioners — four affiliated with the Democratic Party, four with the Republican Party, and five with no major-party affiliation — completed the state's new political maps in December 2021.

Researchers at the Princeton

Gerrymandering Project concluded that Michigan's new redistricting process produced maps that were "fair" to both parties — a grade of "A" on partisan fairness for the state House and U.S. House maps, and a "B" for the state Senate map. (Project researchers noted a "slight advantage" for Democrats with the state House and Senate maps, and no advantage for either party with the new congressional lines.)

Still, legal challenges followed. The League of Women Voters of Michigan — citing the state's new constitutional requirement that no political party get a "disproportionate advantage" — claimed the new maps favored the Republican Party.

The Michigan Supreme Court dismissed the case, however, noting that partisan fairness also must be weighed against other criteria, such as keeping "communities of interest" together in a single district.

Separately, two racial-discrimination lawsuits were filed in state and federal courts.

The Michigan Supreme Court upheld the new maps in a February 2022 decision. Plaintiffs in that case had argued that because the new redistricting plans reduced the number of majority-minority districts (as compared to the old maps), the result would be an unlawful dilution of minority votes.

Similar claims are at the center of the case before a U.S. District Court in Michigan (no ruling had been made as of June).



MINNESOTA: PANEL OF STATE JUDGES DRAWS MAPS AGAIN DUE TO LEGISLATIVE STALEMATE

Minnesota has the only "split legislature" in the Midwest, with Democrats controlling the House and Republicans the Senate.

This power-sharing arrangement made a legislative stalemate over redistricting almost inevitable, in a state where the drawing of new lines by the state judicial branch has become commonplace.

As in recent cycles, the state Supreme Court appointed a panel of judges to oversee the process. The panel

reviewed four separate proposed maps (including those submitted by the two major political parties) before adopting congressional and state legislative redistricting plans in February.

"We are not positioned to draw entirely new legislative districts, as the Legislature could choose to do," the five-judge panel wrote, explaining the "restrained manner" in which it drew the new lines.

"Rather, we start with the existing districts, changing them as necessary to remedy the constitutional defect [caused by population shifts over the past 10 years] by applying politically neutral redistricting principles."

As of June, close to 20 percent of the members of the Minnesota Legislature (39 state senators and representatives) had announced plans to retire at the end of the biennium. One reason for this high number: the redrawn political maps threw incumbents into new districts and/or into races against one another.



NEBRASKA: CHANGES REFLECT BIG SHIFTS IN POPULATION (RURAL TO URBAN)

Leading up to the most recent round of redistricting in Nebraska, a coalition of nonprofit groups announced plans to pursue a constitutional amendment creating an independent, non-politician commission similar to Michigan's.

However, COVID-19-related restrictions ended the groups' signature drive and ensured the Legislature would hold on to its redistricting responsibilities for at least one more cycle.

Lawmakers reached agreement on the new maps during a special session held in September 2021.

In part, the new plans had to account for a continuing shift in population from Nebraska's rural areas to urban centers such as Lincoln and Omaha. For instance, the state's three most populous counties (Douglas, Sarpy and Lancaster) are now home to 56 percent of all Nebraska residents; that compares to 31 percent in 1950, according to the University of Nebraska-Omaha's Center for Public Affairs Research.

Under the new maps, one of Nebraska's largely rural state legislative districts was dissolved into neighboring ones, while a district was added in Sarpy County (part of the Omaha area).

According to an analysis by two Nebraska-based mathematics professors, the new map for state legislative districts was malapportioned to favor rural areas, though within the state's allowable population deviation of +/- 5 percent.



NORTH DAKOTA: NEW MAPS TWEAK USE OF MULTI-MEMBER DISTRICTS

North Dakota is one of two Midwestern states (along with South Dakota) with a single, statewide U.S.

LAWS IN MIDWEST THAT BAN DRAWING OF DISTRICTS TO FAVOR PARTIES OR INCUMBENTS

IOWA STATUTE

"No district shall be drawn for the purpose of favoring a political party, incumbent legislator or member of Congress."

MICHIGAN CONSTITUTION

"Districts shall not provide a disproportionate advantage to any political party."

"Districts shall not favor or disfavor an incumbent elected official or a candidate."

OHIO CONSTITUTION

"No general assembly district plan shall be drawn primarily to favor or disfavor a political party ... The statewide proportion of districts whose voters ... favor each political party shall correspond closely to the statewide preferences of the voters of Ohio." (plan for General Assembly districts)

"The General Assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents." (plan for congressional districts)

House district. The redistricting process, then, focuses on drawing new legislative maps, and one outcome from this cycle was an alteration of North Dakota’s use of multi-member districts.

Typically, two at-large state representatives serve a single legislative district (with one senator representing the entire district).

But this time around, lawmakers approved a plan to create four single-member districts in two areas of the state with Native American reservations. They did so by creating sub-House districts in two separate legislative districts.

Such a split helps prevent the votes of minority citizens from being diluted in a larger, multi-member district; in North Dakota, this change increases the chances of individuals from the Fort Berthold and Turtle Mountain reservations being elected to office.

A lawsuit filed earlier this year challenges the creation of these subdistricts as unconstitutional racial gerrymandering. In May, a three-judge federal panel declined the request for a preliminary injunction. “We conclude the plaintiffs are not likely to prevail,” the panel concluded.

In a second lawsuit, the Turtle Mountain Band of Chippewa Indians and the Spirit Lake Tribe say North Dakota’s new map unconstitutionally dilutes the strength of Native American voters.

OHIO: NEW ERA OF REDISTRICTING MARKED BY TUMULT AND COURT BATTLES

Ohio entered a new era of redistricting this cycle as the result of voter-approved constitutional amendments from 2015 and 2018. Both of these measures were designed, in part, to prevent partisan gerrymandering and encourage the drawing of maps that garner bipartisan support.

Still, Ohio’s redistricting process has proven to be contentious.

Under the 2015 law, a seven-member commission — the governor, secretary of state, state auditor and four legislative representatives from both parties — draws the lines for state legislative districts.

The incentive for approval of a bipartisan plan is this: A commission-drawn map with approval from members of both political parties is in place for 10 years; one without such bipartisan support must be replaced after only four years. Still, the commission never passed a plan with support from its two Democratic members.

After the commission approved its first plan for new General Assembly districts in September 2021, three lawsuits soon followed, with the plaintiffs asserting that the new maps violated the state’s constitutional prohibition on partisan gerrymandering.

The state Supreme Court rejected the commission’s first map, and also invalidated three separate revised plans. All four commission-approved plans, the justices ruled, fell short of the state’s new “partisan fairness” standards.

Minus a court-approved plan, which map would be used for the 2022 election cycle?

The answer came from a three-member panel of U.S. District Court judges.

It ordered that the commission’s “second revised plan” be used for this year’s election cycle only. (Because of the drawn-out process, Ohio’s primary for state legislative races was moved from May to August.)

Under the state’s 2018 constitutional amendment, the full General Assembly has the opportunity to draw new congressional lines.

During the first stage of the process, any Assembly-approved plan must receive a three-fifths “yes” vote in the House and Senate, including support from at least half the members of each major political party. No such plan was passed during this stage.

Next, the Redistricting Commission is given a window of time to approve new congressional lines, but its plan must have bipartisan support. This did not occur either.

During the third stage, the General Assembly can approve a congressional map by a simple majority vote, but the plan then only remains in place for four years (rather than the full decade).

A map did clear the General Assembly along partisan lines, but it was subsequently declared unconstitutional by the state Supreme Court for being “infused with undue partisan bias.”

The Redistricting Commission then passed a new congressional map, which was used for the May primary that included races for Ohio’s 15 U.S. House districts. That map also is being challenged in state court on a partisan-gerrymandering claim.

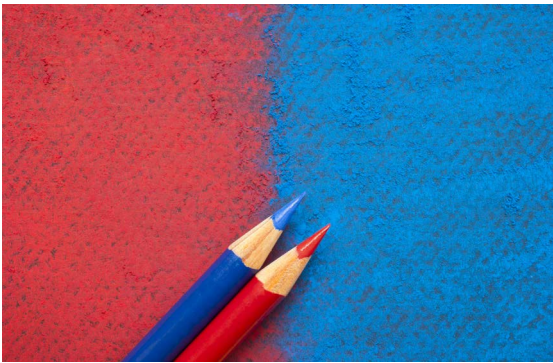
SOUTH DAKOTA: SMALL IN NUMBERS, BUT DEMOCRATS PLAY ROLE IN FINAL MAP

In South Dakota, Republicans hold close to 90 percent of the state’s legislative seats — the most lopsided partisan advantage in the Midwest.

But seven Democratic “yes” votes in the House ultimately played a key role in getting a redistricting plan approved and to the desk of Republican Gov. Kristi Noem.

According to the (Sioux Falls) *Argus Leader*, the House and Senate developed competing plans during this redistricting cycle, and disagreements emerged among moderate and conservative Republicans as they worked to draw new lines that reflected a large shift in population over the past decade from rural areas to Sioux Falls and Rapid City.

The Legislature met in special session in November 2021 to approve a new map. House and Senate leaders sought to reach a compromise between their competing plans, but many House Republicans ultimately voted against the Senate-approved map.



“For a faction of conservatives in the Legislature, the bulk being members of the House, the [Senate] map is seen as an attempt to undermine the ability of far-right conservatives from winning elections in parts of South Dakota like Brown County, the Sioux Falls area and Rapid City,” the *Argus Leader* reported.

The Senate’s version passed 37-31 in the House, thanks to the seven votes of Democrats.

Noem signed the redistricting bill only weeks ahead of a constitutional deadline of Dec. 1, when the responsibility of drawing new lines would have been turned over to the South Dakota Supreme Court.

WISCONSIN: PROCESS LED BY STATE SUPREME COURT; NATION’S TOP COURT ALSO WEIGHS IN

Along with Minnesota, Wisconsin was the other Midwestern state where a standoff over new political maps was expected. Republicans control the Assembly and Senate, but unlike in Kansas, they did not have enough votes to override a gubernatorial veto.

Democratic Gov. Tony Evers rejected both sets of maps in November 2021.

In the ensuing months, the supreme courts of both Wisconsin and the United States got involved.

Justices of the state Supreme Court decided not to craft their own maps, but to instead choose from plans brought forward by the governor, legislature and others.

The court used the following criteria to guide its selections: sets of maps that make minimal changes to the existing lines while making the necessary adjustments to account for population changes and state and federal redistricting standards.

In March, in a 4-3 decision, the court selected Evers’ two plans.

However, later that same month, the U.S. Supreme Court ruled that the Wisconsin justices had erred in accepting the governor’s state legislative map. His map had added a majority-minority district.

According to the ruling, there was not sufficient evidence (using the judicial standard of “strict scrutiny”) to justify race-based districting as being necessary to comply with the federal Voting Rights Act.

The Wisconsin Supreme Court then reconsidered the competing proposals, and in April, it chose the plan of the Republican-led Legislature. The end result: Congressional lines drawn by Evers, and new state Assembly and Senate lines designed by the Legislature.

Redistricting roundup compiled and written by Tim Anderson, CSG Midwest director of communications. He can be reached at tanderson@csorg.

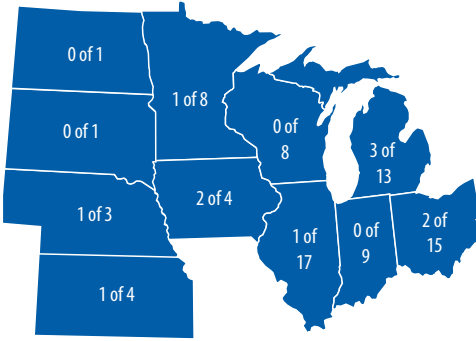
OVERVIEW OF LEGAL CHALLENGES TO NEWLY DRAWN CONGRESSIONAL AND LEGISLATIVE MAPS IN MIDWEST (AS OF JUNE 2022)*

State	Details
Illinois	Legislative map challenged based on claims of racial discrimination
Kansas	Congressional map challenged based on claims of partisan gerrymandering and racial discrimination
Michigan	Legislative map challenged based on claims of partisan gerrymandering and racial discrimination Congressional map challenged based on claims of racial discrimination
North Dakota	Legislative map challenged based on claims of racial discrimination
Ohio	Legislative map challenged based on claims of partisan gerrymandering Congressional map challenged based on claims of partisan gerrymandering and racial discrimination

* As of June 2022, Ohio was the only state in the Midwest where the courts had ordered a redrawing of the maps. In the other 10 states, the maps had been upheld by the courts, cases were still pending, or no litigation had been filed.

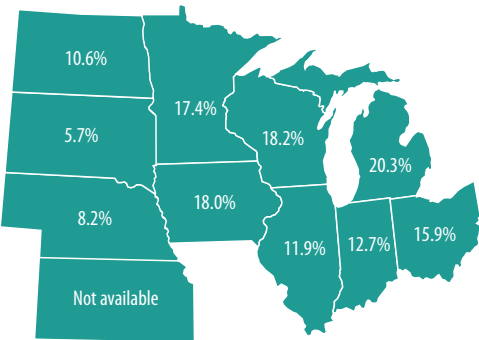
Source: Brennan Center for Justice

OF CONGRESSIONAL DISTRICTS (UNDER NEWLY DRAWN MAPS) RATED AS ‘HIGHLY COMPETITIVE’ BASED ON EACH DISTRICT’S PARTISAN COMPOSITION



Source: FiveThirtyEight

% OF STATE LEGISLATIVE DISTRICTS (UNDER NEWLY DRAWN MAPS) THAT FALL IN ‘COMPETITIVE ZONE’*



* The competitiveness zone applies to districts where the Democratic and Republican vote share is between 46.5 percent and 53.5 percent

Source: Princeton Gerrymandering Project

AGRICULTURE & NATURAL RESOURCES

Help at home for selling abroad: Wisconsin and Saskatchewan have bolstered export assistance for their agriculture and food producers

by Carolyn Orr (carolyn@strawridgefarm.us)

This year, as the world scrambles to replace some of the corn, wheat and vegetable oils normally supplied by Russia and Ukraine, states in the Midwest and neighboring provinces are expected to export record amounts of agricultural products — \$70 billion and \$42 billion, respectively.

Commodity prices are high and global demand is robust for the region’s agricultural products.

Market conditions, of course, are bound to shift, but one constant for agricultural producers can be export assistance from their home states or provinces.

The economic case for providing such help: In 2020, U.S. agriculture exports supported more than one million jobs, according to the U.S. Department of Agriculture.

This activity already is concentrated in the Midwest, and export-led assistance for farmers is now getting even greater attention in places such as Wisconsin and Saskatchewan.

WISCONSIN HAS NEW GOALS, PLAN FOR BOOSTING EXPORTS

Ninety-five percent of the world’s population lives outside of North America; that is lot of people to feed and potential customers for the Midwest’s agriculture and food sector.

Already, on average, 23 percent of U.S. farm products are exported. This economic activity accounts for about 36 percent of U.S. farm income.

In this region, most states rank in the top 10 of U.S. states in terms of the value of their agricultural export markets; Iowa, Illinois and Minnesota all were in the top five as of 2020 (see map).

Wisconsin is looking to move up in those rankings, and it has a new law (AB 314, passed in late 2021) to get there.

Earlier this year, state funds were released to begin implementing the Wisconsin Initiative for Agricultural Exports. Under this initiative, two state entities — the Economic Development Corporation and the Department of Agriculture, Trade

and Consumer Protection — are designing programs to increase the export of Wisconsin’s dairy, meat and crops.

The new law sets a specific goal: over the next five years, increase the export of each of these types of agricultural products by 25 percent.

Legislators did not dictate the implementation of specific types of programs or supports.

Instead, they allocated \$2.5 million to increase dairy exports, and \$1.25 million each for meat and crop products. Every year, the Wisconsin Legislature will get a report on the progress being made toward reaching the 25 percent goal.

Sen. Joan Ballweg, a chief sponsor of AB 314 along with Rep. Tony Kurtz, says a newly formed Agricultural Export Advisory Council is working with state agencies to develop new programs and supports for farmers. That council is a governing body that includes participation from representatives of every agricultural industry.

“As the leading exporter of such diverse items as cranberries and bovine semen, as well as a major exporter of dairy products, Wisconsin’s diverse export portfolio required involvement from an equally diverse set of industry advisors,” Ballweg says.

“The council members have been so excited by the program that their involvement has gone beyond the mandated semiannual meetings.”

Some of the new state funding will support hands-on training for Wisconsin producers and agribusinesses interested in exporting products. And at least 15 percent of the money will be awarded as grants to exporters.

SASKATCHEWAN HAS EIGHT OVERSEAS TRADE OFFICES

Compared to their U.S. counterparts, Canada’s agriculture producers are even more dependent on trade. Approximately half of everything Canada produces is exported, with more than 90 percent of farmers dependent on exports. Half of the country’s jobs in agriculture are dependent on exports.

In Saskatchewan, producers export 70 percent of their soybeans and pork as well as 90 percent of their canola.

Three years ago, when Saskatchewan Premier Scott Moe laid out his decade-long vision for the province, much of it centered on building overseas markets —

EXAMPLES OF EXPORT SERVICES PROVIDED BY STATES

- TRADE SHOWS AND MISSIONS
- TRAINING PROGRAMS AND SEMINARS
- CLIENT EXPORT COUNSELING
- MARKET RESEARCH
- EXPORT READINESS TRAINING
- DEVELOPMENT OF STRATEGIES FOR ENTERING NEW MARKETS
- FUNDING/STAFFING OF OVERSEAS OFFICES OR REPRESENTATIVES

Source: survey done by State International Development Organization

increase the value of exports by 50 percent; grow the province’s number of international markets; boost sales of agri-food exports to \$20 billion a year; and expand the capacity of the province’s export assistance.

This year, the Saskatchewan Legislative Assembly provided a \$3.1 million increase to provide full-year funding for the province’s eight international trade offices — in China, India, Japan, Mexico, Singapore, United Arab Emirates, United Kingdom and Vietnam. (Many states also have international trade offices of their own.)

“With our dependence on exports, we felt that it would be advantageous to have dedicated trade offices that promote Saskatchewan products and attract investment,” says Steven Bonk, a member of the province’s Legislative Assembly who, in the private sector, has worked as an advisor on international trade and market access.

These offices provide farmers and other exporters with individual consulting on market research, required documentation and participation in trade shows.

In addition, the province provides \$3.2 million for a joint venture with private businesses known as the Saskatchewan Trade Export Partnership.

One benefit of STEP: expanding the reach of export services to international markets where the province does not have a trade office.

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.

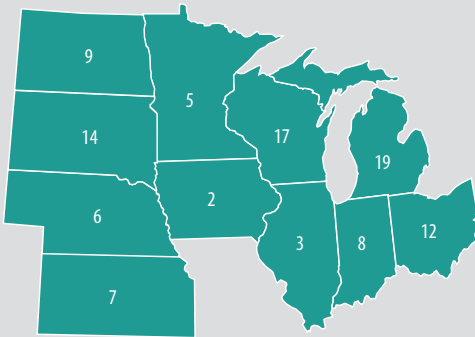
TOTAL AGRICULTURAL EXPORTS IN MIDWEST'S STATES (2020)	
State	\$ value
Illinois	\$8.8 billion
Indiana	\$5.2 billion
Iowa	\$11.4 billion
Kansas	\$5.7 billion
Michigan	\$3.1 billion
Minnesota	\$7.2 billion
Nebraska	\$7.1 billion
North Dakota	\$4.3 billion
Ohio	\$4.1 billion
South Dakota	\$3.7 billion
Wisconsin	\$3.2 billion

Source: U.S. Trade Representative

VALUE OF AGRICULTURAL EXPORTS IN FOUR CANADIAN PROVINCES (2020)*	
Province	\$ value
Alberta	\$9.6 billion
Manitoba	\$4.9 billion
Ontario	\$11.7 billion
Saskatchewan	\$13.5 billion

* Figures come from each province's agricultural ministries and are in U.S. dollars.

U.S. RANKING OF MIDWESTERN STATES ON EXPORT OF AGRICULTURAL PRODUCTS (BASED ON \$ VALUE OF PRODUCTS SOLD OVERSEAS)



Source: U.S. Trade Representative

TRENDS IN AGRICULTURAL EXPORTS FROM 11-STATE MIDWEST: 2000-2020



CRIMINAL JUSTICE & PUBLIC SAFETY

Majority of Midwest states now have ‘permitless carry’ laws in place

by Derek Cantù (dcantu@csg.org)

Gun owners in Ohio and Indiana no longer need to obtain a permit in order to conceal a firearm on their person.

These two legislative changes in the Midwest, adopted in early 2022, continue a national trend toward “permitless” or “constitutional” carry.

Across the country, 25 U.S. states (including six in the Midwest) now have such measures in place.

“Making lawful people jump through these hoops [in order to secure a concealed-carry permit] doesn’t stop the criminals from breaking the law,” says Indiana Rep. Ben Smaltz, a chief sponsor of his state’s permitless-carry legislation (HB 1296).



Indiana Rep. Ben Smaltz

He adds that a person ultimately is responsible for his or her own safety, citing previous U.S. Supreme Court decisions (for example, *Castle Rock v. Gonzales* of 2005) which

found that law enforcement does not have a constitutional duty to protect individuals from harm.

According to Smaltz, views on permitless carry among Indiana law enforcement have been evenly divided over the past five years it’s been proposed. This year, though, some of the most vocal, high-profile opposition to HB 1296 came from police testimonials, including Detective Matt Foote of Fort Wayne.

During an eight-hour committee hearing on the bill, Foote told legislators that the state’s gun-permit requirement has given officers some peace of mind during traffic stops and other interactions with the public. The reason: the information collected via the permitting system is documented in law-enforcement databases, which officers can then access while on duty.

“A valid handgun permit currently is prima-facie evidence that somebody is a proper person [to carry],” Foote said. “If we do not have a database, officers are going to have to conduct their own background investigation.”

Foote stressed to lawmakers that the necessity to conduct such searches could extend the length of traffic stops to as long as 45 minutes.

Hamilton County, Ohio, Sheriff Charmaine McGuffey — an opponent of the state’s new permitless carry law (SB 215) — says prolonged traffic stops jeopardize officer safety.

“How many times have we seen officers either hit or nearly hit in traffic accidents because the officer is standing at the car he or she has stopped?” McGuffey asked.

According to FBI data, between 2017 and 2021, 16 police officers nationally were accidentally killed while performing a traffic stop, with another 34 officers feloniously killed during traffic-related incidents.

As part of Ohio’s new law, a new “duty to inform” provision is in place: when an officer asks a person if he or she is in possession of a firearm, the individual must answer truthfully. The state’s previous statutory language required individuals to “promptly inform” police that they were carrying a concealed handgun.

McGuffey believes putting the onus on law enforcement to ask (instead of on the individual being stopped by police) not only adds to officers’ already complicated duties, but could result in judges dismissing certain cases due to an officer forgetting to pose the question.

But Ohio Sen. Theresa Gavarone, a co-sponsor of SB 215, says the “promptly inform” standard was too ambiguous.

Placing the responsibility on law enforcement takes out any legal guesswork, she says, adding that “sometimes people get stressed [during police interactions] and they forget, not through any bad intentions.”



Ohio Sen. Theresa Gavarone

CONCEALED-CARRY LIMITS

According to the Giffords Law Center to Prevent Gun Violence, federal and state laws across the country prohibit individuals with felony convictions from possessing firearms. From there, the restrictions can vary from state to state. For instance, Indiana’s ban also covers individuals with violent or gun-related misdemeanors, while Ohio law prevents gun access to people with a serious mental condition or an addiction to drugs or alcohol.

Those two states’ existing restrictions remain in place. Previously, though, all individuals had to undergo background checks before being legally authorized (via a state permit) to carry a concealed firearm. Now, securing such a permit is no longer required.

Indiana Sen. Liz Brown is concerned that the change in law will make it easier for domestic abusers and other prohibited permit carriers to escape prosecution for illegally carrying a concealed weapon.

“Now the law says you’re only going to get in trouble for [carrying] knowingly or intentionally,” says Brown, who views HB 1296 as allowing an ignorance-of-the-law defense.

During debate over HB 1296, she recommended keeping the licensing

system but creating a provisional permit until completion of the background check. Her amendment did not receive a vote.

According to Smaltz, prosecutors will still have discretion to determine whether someone knowingly carried a gun illegally.



Indiana Sen. Liz Brown

SAFETY TRAINING FOR PERMITS

Five Midwestern states still require a concealed-carry permit (see table). Typically, in permit-to-carry states, individuals must take part in firearms safety courses. In Nebraska, for instance, permit holders complete a course approved by state police. (Ohio’s requirement, which was eight hours of training, was removed under SB 215; Indiana did not require such training under its permitting system.)

“It’s important, one, that people who are concealed-carrying have the highest safety and training standards,” says Nebraska Sen. Adam Morfeld, who voted against an unsuccessful permitless-carry bill (LB 773) this year.

“Two, I think it’s important that [people] be required to understand all of the laws surrounding concealed carry, because they can end up in some pretty serious trouble.”

For example, even if they don’t need a permit, gun owners often are barred from carrying firearms inside schools and courthouses. Additionally, each state has its own unique gun reciprocity laws.

One commonality, however, among the 11 Midwestern states is their “shall-issue” status, meaning little to no discretion is given to law enforcement to deny a permit to an individual who meets statutory qualifications. The eight U.S. states that provide more discretion are known as “may-issue.”

A combination of data limitations, state-to-state policy differences and research restrictions makes it difficult to determine what casual effects these state-level gun classifications have on public safety. For example, the 2020 RAND Corporation meta-analysis study “The Science of Gun Policy” found shall-issue, concealed-carry policies have an uncertain effect on suicides, homicides, robberies and assaults.

Rosanna Smart, the study’s lead researcher, cautions inconclusive evidence does not mean an effect doesn’t exist, but that researchers “don’t quite know yet what that effect is likely to be.”

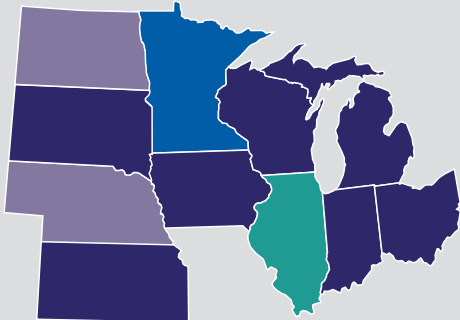
North Dakota Rep. Shannon Roers Jones and Illinois Sen. Robert Peters serve as co-chairs of the Midwestern Legislative Conference Criminal Justice & Public Safety Committee. Nebraska Sen. John McCollister is the vice chair. Derek Cantù is CSG Midwest’s staff liaison to the committee.

LAWS ON CARRYING OF CONCEALED FIREARM

State	Minimum age	State rules
Illinois	21	Permit required
Indiana	18	Permitless carry
Iowa	21	Permitless carry
Kansas	21	Permitless carry
Michigan	21	Permit required
Minnesota	21	Permit required
Nebraska	21	Permit required
North Dakota	18	Permitless carry
Ohio	21	Permitless carry
South Dakota	18	Permitless carry
Wisconsin	21	Permit required

Source: United States Concealed Carry Association

OVERVIEW OF CONCEALED-CARRY RECIPROCITY LAWS*



- Concealed-carry permits from other U.S. states are not honored
- Concealed-carry permits from most or all other U.S. states are honored, including all other states in Midwest
- Concealed-carry permits from most or all other U.S. states are honored, including most other states in Midwest (Nebraska does not honor Indiana’s; North Dakota does not honor Illinois’)
- Concealed-carry permits from some U.S. states are honored, including five in Midwest (Illinois, Kansas, Michigan, North Dakota and South Dakota)

* State may have additional restrictions/requirements for out-of-state permits

Source: United States Concealed Carry Association

2 OTHER NOTABLE NEW GUN LAWS, PROPOSALS IN MIDWEST THIS YEAR

ILLINOIS’ NEW BAN ON ‘GHOST GUNS’

With the signing of HB 4383, the sale and possession of “ghost guns” has been prohibited in **ILLINOIS**. These unserialized, privately made firearms are difficult or impossible for law enforcement to trace. Illinois State Police say ghost guns are increasingly getting into the hands of young people and have been used in multiple carjacking incidents.



IOWA’S ‘STRICT SCRUTINY’ PROPOSAL

This fall, **IOWANS** will vote on a proposed constitutional amendment enshrining the “right to keep and bear arms” and making any restrictions on this right subject to “strict scrutiny” — the highest legal standard for judges to use when determining the constitutionality of laws.



HOUSING & ECONOMIC DEVELOPMENT: SHORTAGES IN RURAL AREAS ARE STIFLING GROWTH, CAUSING STATES TO ADOPT NEW TARGETED INCENTIVES

Kansas launches tax credit for developers; Nebraska expands grant program

by Laura Tomaka (*ltomaka@csg.org*)

In the small, north-central Kansas town of Stockton, more than 100 jobs are open.

The number of available places for prospective workers and their families to live?

Two, Kansas Sen. Rob Olson says. “And we have [other] cities that are busing in 200 people to work because there is no available housing,” he adds.

Many rural areas have been disproportionately impacted by a widespread lack of affordable housing. Factors include a housing stock that is aging and in decline, higher new-construction costs compared to urban and suburban areas, and appraisal values that oftentimes fall below the price of building a new home or fixing an existing one.

“When you have a small community that doesn’t have the proper housing,



Kansas Sen. Robert Olson

and you have businesses that want to grow or expand or move there, that’s a missed opportunity,” Olson says.

Through a mix of new income tax credits, loan guarantees and

state grants, Olson and other Kansas legislators took sweeping actions this legislative session to jump-start rural housing development.

KANSAS INVESTS IN NEW TAX CREDITS, LOAN GUARANTEE

With this year’s passage of HB 2237, Kansas will begin funding an income tax credit program for developers who invest in the construction of affordable housing in smaller-populated counties:

- up to \$35,000 in tax credits for each new housing unit in counties with fewer than 8,000 people;
- up to \$32,000 for each new housing unit in counties with 8,000 to 25,000 people;
- up to \$30,000 for each new housing unit in counties with between 25,001 and 75,000 people.

This approach, which Olson likens to his previous legislative work on angel-investor tax credits to spur business development, got bipartisan support in the Republican-led Legislature and

the backing of Democratic Gov. Laura Kelly. Various stakeholders (real estate agents, bankers, mobile-home groups, the Farm Bureau, etc.) also got behind the proposal.

“We need to get more funding in the rural parts of the state,” says Olson, who, as chair of the Senate Federal and State Affairs Committee, played a lead role in this year’s legislative efforts.

Under the same new law, a total of \$2 million in loan guarantees will go to projects that build new homes or rehabilitate existing ones in Kansas’ smallest counties (fewer than 10,000 residents). The guarantee, capped at \$100,000 per home, is an attempt to address the problem of construction costs sometimes coming in higher than the appraised value of homes.

A second new law in Kansas, SB 267, directs more dollars to a program that assists local communities looking to spur the construction of moderate-income, workforce housing — whether that be multi-family rental units or single-family homes.

Prior to this year, Olson says, Kansas was providing \$2 million in assistance.

“We were barely scratching the surface [of needs],” Olson says. “This year, we added \$20 million, putting in enough money to fund it for about three to four years.”

The program targets help for communities of fewer than 60,000 residents; the new dollars come from the state’s allocation of American Rescue Plan Act funds. Separately, SB 267 also designated \$20 million in general-fund dollars to establish a Rural House Development Revolving Loan Program. Loans or grants will go to rural communities for infrastructure projects related to moderate- and low-income housing development.

“It’s going to take four or five years to really start to see the change, but it’s going to be there,” Olson says. “You’ll see growth and expansion.”

Olson himself represents Olathe, a suburb of Kansas City that is among the top five largest cities in the state. But he believes a boost in rural activity will help the entire state.

“The larger communities are doing everything that we can, but we are not using the full potential of the rural parts of our state,” he says. “We have opportunities for growth.”

NEBRASKA EXTENDS STATE-LOCAL HOUSING PARTNERSHIP

Lawmakers in neighboring Nebraska also prioritized rural housing this session, approving a measure (LB 1069) that extends and expands an existing state program.

As in Kansas, previous efforts in Nebraska have showed signs of success, but not on a scale large enough to stem a housing crisis.

According to the University of Nebraska-Lincoln’s Department of Agricultural Economics, the state’s

majority of non-metropolitan housing stock is more than 50 years old.

And more recent economic trends have made it more difficult to add housing stock, says Sen. Matt Williams, the sponsor of LB 1069. “We have seen increased building costs, supply-chain delays, and fewer contractors — [all] amplifying the problem,” he says.

Further, Williams says, Nebraska’s lack of workforce housing is intensifying the state’s ongoing workforce shortage.

As originally enacted in 2017, the Rural Workforce Housing Investment Act created a \$7 million grant fund, which resulted in a \$110 million investment in rural workforce housing and more than 800 housing units.

Two years ago, the state appropriated another \$10 million in general funds for a second round of grants.

The program was set to expire at the end of this year. LB 1069 extends the program for the next five years with an additional \$40 million in state funds. With this money, the state awards grants to nonprofit development organizations for the construction of workforce housing in counties with fewer than 100,000 people. These grants aim to mitigate the financial risk associated with the high cost of building in rural areas.

Under the 2022 law, the state is increasing the maximum allowable costs for grant-eligible projects — up to \$325,000 for an owner-occupied housing unit (from \$275,000) and up to \$250,000 for rental housing units (from \$200,000).

Additionally, lawmakers removed a cap on the amount that a nonprofit organization can receive; instead of \$2 million, the limit will be determined by the state Department of Economic Development. Lastly, the local match to receive state funds was relaxed, from 100 percent to 50 percent.

For Williams, one of the program’s most promising aspects is that it’s built to last — because of the type of funding mechanism typically being used at the local level to meet the state’s matching requirements.

“Most are using a revolving-fund arrangement so the local programs keep growing,” he explains. “It’s the gift that keeps giving.”



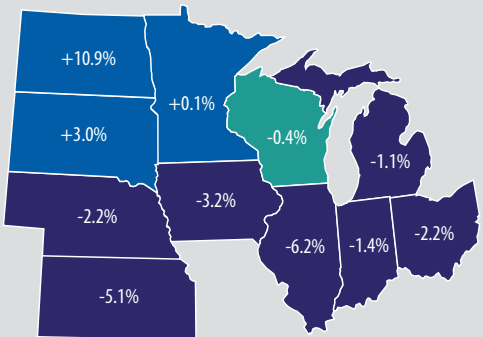
Nebraska Sen. Matt Williams

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 the vice chair. Laura Tomaka is CSG Midwest’s staff liaison to the committee.

AGE OF HOUSING UNITS IN MIDWEST’S RURAL AND SMALL-TOWN AREAS (2021)			
State	% of units built in 2010 or later	% of units built prior to 1980	% of units built prior to 1950
Illinois	1.3%	71.8%	34.6%
Indiana	1.6%	65.1%	30.8%
Iowa	1.5%	75.3%	40.5%
Kansas	1.5%	71.3%	33.7%
Michigan	1.1%	60.9%	23.5%
Minnesota	1.6%	61.8%	26.9%
Nebraska	1.6%	73.9%	36.5%
North Dakota	6.3%	65.4%	24.8%
Ohio	1.2%	66.3%	31.3%
South Dakota	2.6%	63.6%	29.4%
Wisconsin	1.5%	58.5%	26.5%
United States	2.3%	55.3%	18.2%

Source: Housing Assistance Council

% CHANGE IN RURAL POPULATION: 2010-2020



- Rural population grew
- Rural population fell, but at lower rate than national average of -0.5%
- Rural population fell, and at higher rate than national average of -0.5%

Sources: U.S. Census Bureau population estimates and Pew Research Center

BREAKDOWN OF HOUSING TYPES IN MIDWEST’S RURAL AND SMALL-TOWN AREAS (AS OF 2016)

State	% of units owner-occupied	% of units renter-occupied
Illinois	74.5%	25.5%
Indiana	74.5%	25.5%
Iowa	75.2%	24.8%
Kansas	69.7%	30.3%
Michigan	77.6%	22.4%
Minnesota	76.9%	23.1%
Nebraska	71.3%	28.7%
North Dakota	70.3%	29.7%
Ohio	70.7%	29.3%
South Dakota	69.1%	30.9%
Wisconsin	74.2%	25.8%

Source: Housing Assistance Council



HOUSING & HUMAN SERVICES: UNDER NEW LAW, ILLINOIS LANDLORDS CAN'T DISCRIMINATE BASED ON TENANTS' 'SOURCES OF INCOME'

Goal is to increase housing choices; some Midwest states already have bans

by Jon Davis (jdavis@csg.org)

Illinois this spring became the fourth Midwestern state to enact a ban on housing discrimination based on a tenant's sources of income — a move advocates of the bill, including its author, say will make more housing options available to those who need them the most.

Under the federal Fair Housing Act, seven classes are protected from discrimination: race, color, sex, national origin, religion, disability and family status.

U.S. states and localities can add additional protected groups to this list. One option: include source-of-income (SOI) discrimination bans, which prevent landlords from rejecting prospective tenants because of earnings from non-wage income such as Social Security payments or federal housing ("Section 8") vouchers.

The Illinois law adds SOI language to the existing Human Rights Act. It takes effect next year.

According to the National Multifamily Housing Council, 20 states already had such discrimination bans in place as of earlier this year, including North Dakota, Wisconsin and Minnesota.

Under North Dakota's human rights statute, discrimination in housing and other areas (employment, public accommodation, etc.) is prohibited based on a person's "status with regard ... to public assistance."

Judicial rulings have reduced the scope of Minnesota's and Wisconsin's SOI laws:

- In Wisconsin, a statute dating back to 1980 protects individuals from SOI discrimination in the housing market. However, ever since a 1995 U.S. appellate court decision in a case involving this statute, Section 8 vouchers have not constituted income in Wisconsin.

- Minnesota's 1990 law was limited by a 2010 state appellate court ruling (*Edwards v. Hopkins Plaza Ltd. Partnership*). Because participation in the Section 8 program is voluntary for property owners, the state court ruled, they aren't required to accept the vouchers as a source of income.

'RELENTLESS COALITION'

The American Bar Association, which supports SOI laws, noted their importance in the November 2019 edition of its magazine *Human Rights*, citing past research to suggest families with housing choice vouchers have greater success using them where these legal protections are in place.

Denial of housing often serves as a pretext for prohibited forms of discrimination and disproportionately affects renters of color, women and people with disabilities, the authors wrote.

"Source-of-income discrimination contributes to the perpetuation of racially segregated communities and neighborhoods with concentrated poverty," they said.

"One of the most important goals of SOI laws has been to open up higher-opportunity and lower-poverty neighborhoods to families with [housing choice vouchers]."

That was a big reason why Rep. La Shawn Ford sponsored this year's SOI law in Illinois (HB 2775).

"For years, this was something that Illinois has been trying to pass. It's high time that we join the other states [with SOI] laws," he says.

The difference this year, Ford adds, was a large, "relentless" coalition of housing advocates.

"One, we were able to educate and convince people that it's wrong to discriminate against someone based on source of income," Ford says.

"And two, we were able to show that source-of-income discrimination has been banned in other states with no backlash to property owners."

OPPOSITION TO SOI LAWS

Not all property owners are happy with SOI laws, however.

The National Multifamily Housing Council, an apartment industry advocacy group, says these measures have the effect of turning a voluntary program (Section 8 vouchers) into a mandatory one.

"Congress specifically made participation voluntary because of the regulatory burdens associated with it," according to a 2019 position paper from the group.

"While often well-intentioned, such mandates are self-defeating because they greatly diminish private-market investment and reduce the supply of affordable housing."

The council instead suggests policymakers can have a bigger impact by addressing land costs, zoning (and density) policies, red tape and property tax rates — all of which it posits are bigger drivers of housing affordability than consideration of renters' incomes.

Among the council's policy recommendations to help increase the supply of affordable rental housing:

- invest broadly in transit and utility infrastructure, which will attract more housing development;
- make public land more readily available for multi-

family housing development, which reduces the cost of such housing;

- streamline the review process for required studies and allow more housing types to be built "by right" (allowable without requiring a zoning variance).

- allow development bonuses (for more units, for example) where applicable for density, design flexibility and reduced parking.

MORE HOUSING OPTIONS

Bob Palmer, policy director for the advocacy group Housing Action Illinois, was part of La Ford's "relentless" coalition. He says the primary goal of Illinois' new SOI law is preventative, to not have landlords discriminate in the first place. It won't bar property owners from evaluating prospective tenants on legal criteria and references, he adds.

"We know from talking to fair housing organizations and directly impacted people that people are denied if they have non-wage income," Palmer says.

"We don't think it will happen immediately, but over time, it should expand the choice of housing," he says.

La Ford says the new law already is prompting discussions among landlord and renters' advocate groups as to how to implement it.

"It's going to have an impact even before it takes effect," he says

SOI bills also were introduced in Indiana (HB 1397) and Kansas (HB 2065) in 2022, but did not advance.

Minnesota Rep. Jennifer Schultz and Michigan Rep. Bronna Kahle serve as co-chairs of the Midwestern Legislative Conference Health & Human Services Committee. Jon Davis is CSG Midwest staff liaison to the committee.



Illinois Rep. La Shawn Ford

MAJOR SOURCE OF INCOME (SOI) FOR HOUSEHOLDS THAT RECEIVED FEDERAL HOUSING CHOICE VOUCHERS IN 2021

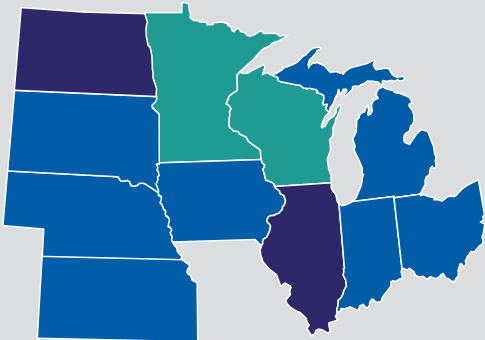
State	% with wages as the major SOI	% with welfare as the major SOI ¹	% with other major SOI ²
Illinois	26%	2%	61%
Indiana	22%	1%	68%
Iowa	21%	2%	70%
Kansas	19%	1%	67%
Michigan	20%	1%	73%
Minnesota	28%	8%	61%
Nebraska	27%	2%	64%
North Dakota	22%	1%	69%
Ohio	22%	1%	64%
South Dakota	19%	1%	73%
Wisconsin	21%	1%	72%

¹ Welfare includes Temporary Assistance for Needy Families, General Assistance or public assistance.

² Other includes sources such as pensions, Social Security payments, and Supplementary Security Income (SSI) for the aged, blind and disabled.

Source: U.S. Department of Housing & Urban Development

STATUS OF LAWS IN MIDWEST THAT PROTECT RENTERS FROM DISCRIMINATION BASED ON THEIR SOURCES OF INCOME



- State has a source-of-income discrimination law
- State has a source-of-income discrimination law, but scope limited by court rulings
- State does not have a source-of-income discrimination law

Source: National Multifamily Housing Council

USE OF FEDERAL HOUSING CHOICE PROGRAM (SECTION 8 VOUCHERS) FOR LOW-INCOME HOUSEHOLDS, 2021

State	# of available subsidized units	% of units occupied
Illinois	113,477	86%
Indiana	43,906	84%
Iowa	23,692	82%
Kansas	13,961	80%
Michigan	64,122	85%
Minnesota	37,166	85%
Nebraska	13,898	83%
North Dakota	9,532	73%
Ohio	103,189	86%
South Dakota	6,855	80%
Wisconsin	33,312	79%

Source: U.S. Department of Housing & Urban Development





PROFILE: KANSAS SENATE PRESIDENT TY MASTERSON

‘Assume good intentions’: Leader shares how he tries to build legislative relationships, and trust, during a divisive period in American politics

by Laura Kliewer (lkliewer@csg.org)

“If you’re not willing to do something about it, don’t complain.”

That family adage and ethic was instilled into Ty Masterson from an early age, eventually helping catapult him to becoming one of Kansas’ top political leaders. But it took a while. Up until his early 30s, when it came to politics, “something” for Masterson mostly meant just voting for others running for office. A spark to do more came from dissatisfaction with his local government in the town of Andover, a suburb of Wichita.

You can’t just complain, he thought, and voting is not enough. So Masterson sought and won a seat on the City Commission in 2005, and that same year, he already was being asked by local Republican Party officials to finish the term of a departing state representative.

His initial idea: Help out the party, but don’t spend more than one session in the Legislature, a place Masterson wasn’t sure he belonged.

“I had a bit of an [uninformed] view that those in the state legislative branch needed to have a Ph.D. or expertise in a subject matter,” he recalls.

“But I learned that it’s just a lot of good people who are interested in making their communities better. It’s more about people than subject matter. You can learn [the subject matter]; there’s no one who goes there who knows enough about everything that we deal with.

“And if there is an area that God seemed to have given me an ability, it’s dealing with people.”

That skill has proven to be invaluable during his 17 years in the Legislature, especially as Masterson began to take on various leadership roles. He currently is president of the Kansas Senate.

In a recent interview with CSG Midwest, Senate President Masterson shared his perspective on legislative leadership, civility and relationship building.

Q How do you go about bridging personal or partisan differences with fellow lawmakers?

A In the Legislature, there are 165 different points of view and 165 different personalities. Working with people who feel differently on issues and/or have different personalities is essential. So it’s always a constant search for common ground. It’s not always possible, but even hints of common ground will give you some place



BIO-SKETCH: KANSAS SEN. TY MASTERSON

- ✓ serves as president of the Kansas Senate
- ✓ previously served as chair of the Senate Ways and Means Committee
- ✓ has been a member of the Kansas Legislature since 2005: House from 2005-2008 and Senate since 2009
- ✓ works for Wichita State University and owns a small business
- ✓ lives in Andover (a suburb of Wichita) with his wife, Marlo; they have six children and five grandchildren

“That’s the challenge. OK, this person thinks very differently than I do. What do I need to understand [about his or her motivations] in order to get some level of agreement on a particular issue?”

to start. Different people have different motivations, different priorities. I am a very logical [and mathematical] thinker, and I used to think I could just walk people into a “logic box” and they would come to the same conclusion as I did. But then you get down to the end, and they have a whole different set of math. So I’m trying to find out what motivates them; that’s the challenge. OK, this person thinks very differently than me. What do I need to understand in order to get some level of agreement on a particular issue?

Q You have mentioned having to overcome some learning challenges in your life, namely attention deficit disorder and dyslexia. On a state level, have you brought a certain spotlight or sensitivity because of that?

A I do sit on a dyslexia task force. But what I have brought more than anything is that I understand that your weaknesses don’t necessarily make you weak, just different. You may have strengths in other areas, and I can recognize that in other people.

Q You help lead a Republican caucus of legislators, and have served several years with a Democratic governor, including now with Laura Kelly. Are there areas of political leadership that you’ve learned from this?

A Absolutely, and it’s also been about learning how to build

relationships with someone who is on the “edges” of my own party. One thing we have in common is that we sincerely want to make Kansas better, although we may have very different views of what that is. With Governor Kelly, it was easier because she served in the Kansas Senate for eight years, and she was actually the ranking Democrat for four years on a committee that I chaired (Ways and Means). We had daily committees, conference. I had a good working relationship with her before she became governor, so that really didn’t change.

Q What advice would you give for working with the governor of another party?

A I’d say, assume good intentions. When you are on different teams, it’s just human nature that you may impugn motivation. So it’s good to have the best in mind when you start.

Q In general, how have you tried to build relationships of trust and civility?

A Reaching out and taking the effort to actually get to know somebody. In the legislature, it’s a job, right? But if you get beyond, and develop a personal relationship, it really can make a difference. For example, with our Senate minority leader, Senator Dinah Sykes, we did a fantasy football league together, had dinners together occasionally. There’s been times where we don’t talk shop, we just talk. It’s hard to have a lot of vitriol against someone you actually like as a person.

So I put a lot of effort into getting to know people, on a personal level, and caring about them as individuals. In politics, it’s so easy to sit back with the one-liners, take potshots. It’s becoming, sadly, more common. It’s been here forever, but seems even more prevalent today, particularly nationally.

Q What do you consider the most important qualities of a leader?

A Honesty. Integrity. Courage. Listening. Hearing others out. Follow through. And I live by the adage that you don’t ask someone else to do something you’re not willing to do yourself.

Q Do any of those qualities stand out as being particularly important to your approach to leadership?

A Honesty is top for me. ... You can’t deal with anything appropriately if you don’t have candid, accurate information. It’s human nature. We typically want to hide certain things that might make us look bad or make someone else feel bad, but it’s important to have that communication. And that’s why relationships are so important. You have to be able to trust someone enough to have that difficult conversation — particularly if you are a different party or organization — and trust that someone isn’t going to use something personally against you in any way.

FIRST PERSON: A NEW PLAN IN MICHIGAN WILL COMBAT OPIOID ADDICTION AT ITS SOURCE

Bipartisan measure ensures patients will have access to non-opioid directive forms, and be more aware of other options to manage pain



by Michigan Rep. Mary Whiteford
(MaryWhiteford@house.mi.gov)

Opioid addiction and overdose plagues states across the Midwest. From injured student athletes with no history of drug abuse, to grandmas and grandpas recovering from joint replacement surgery, no one is safe from the risk of addiction to opioid painkillers.

Opioids are different from other illicit drugs because most users don't have to venture to dark alleyways or nightclub bathrooms to get their fix — they get their supply legally from their doctor or surgeon.

Don't be fooled: over-prescription of opioids from health care providers is the root cause of addiction. That's not a personal opinion, that's a fact. The U.S. Department of Health and Human Services estimates that in 2016, 40 percent of opioid overdose deaths involved a prescription opioid.

The U.S. Department of Health and Human Services estimates that in 2016, 40 percent of opioid overdose deaths involved a prescription opioid.

The problem began in the late 1990s when pharmaceutical drug companies assured the medical community that patients would not become addicted to opioid pain relievers, which led to an uptick in prescriptions from health care providers.

This increased rate of prescription resulted in widespread misuse of both prescription and non-prescription opioids, creating greater opioid dependence with each passing year over the next two decades. By 2017, the federal government declared the opioid crisis a public health emergency.

A total of 2,684 residents in my home state of Michigan died due to opioid overdoses in 2020. As a registered nurse, I'm passionate about this issue, and sought to use my platform as a state representative to ignite change.

AN OPTION TO OPT OUT: NON-OPIOID DIRECTIVE FORMS

Most recently, I introduced a plan that ensures all patients in Michigan are given the opportunity to opt out of being offered, prescribed or administered opioids from health care providers.

Signed into law earlier this year as a four-bill legislative package (HB 5261-HB 5264), the plan has gained a lot of attention nationwide, and I am hopeful other states will follow our lead.

The measure requires health care providers and insurers to make non-opioid directive forms available upon plan enrollment. These forms not only allow patients to make their own medical decisions, but also bring awareness to patients about medical alternatives that prevent initial exposure to opioids.

It is imperative that patients be given the opportunity to opt out of opioid use and are informed of alternative options for pain management — of which there are several.

This isn't a partisan issue.

It's a simple solution to an undeniable problem. That's why I was able to gain the support of my colleagues on both sides of the aisle.

Three Republicans and three Democrats sponsored this plan, and the measure was passed unanimously by the full House. A few months later our package of bills was signed into law as Michigan Public Act 41 of 2022.

We can all agree that protecting patients from the risk of lifelong addiction to opioid painkillers is good policy. I am urging other Midwestern states to introduce their own opioid opt-out measures because this is an approach that will save lives.

STEPS IN MICHIGAN TO ADDRESS A PUBLIC HEALTH CRISIS

In recent years, our state has taken several other steps to combat the opioid crisis.

In 2017, we passed a law that expanded access to addiction treatment, while also requiring doctors to educate patients about the potential harm caused by opioids prior to writing a prescription. We also implemented a school curriculum regarding the risks of prescription drug abuse. (These provisions were part of a 10-bill legislative package.)

Two years later, we ensured that acupuncture, a safe opioid alternative, is available to people suffering from chronic pain.



The U.S. Department of Veterans Affairs and America's Health Insurance Plans recognize licensed acupuncturists as non-opioid pain management professionals, but policy holders had been unable to get these services covered since the state had not yet licensed the profession.

By simply creating a licensing structure for acupuncturists (HB 4710), we opened new, alternative pain-management options for people across the state.

In 2020, another law was signed (SB 254) to mitigate instances of fraudulent opioid prescriptions. Under the law, doctors must send all prescriptions through a secure computer system, reducing prescription errors caused by illegible handwriting and detecting inappropriate prescribing of opioids and other medical errors. Studies show that e-prescribing also reduces "doctor shopping" — the practice of getting prescriptions from multiple doctors.

We've made great strides in Michigan, but there's more we can do to combat the staggering instances of opioid abuse and overdose. Together, Midwestern states must commit to adopting new laws that curtail the over-prescription of these highly addictive drugs, hold doctors accountable, and raise public awareness for alternative methods for pain management.

Rep. Mary Whiteford was first elected to the Michigan House in 2016. A registered nurse, she serves as chair of the House Appropriations Subcommittee on Health and Human Services as well as a member of the House Health Policy Committee. Rep. Whiteford is a 2016 graduate of CSG Midwest's Bowhay Institute for Legislative Leadership Development (BILLD).

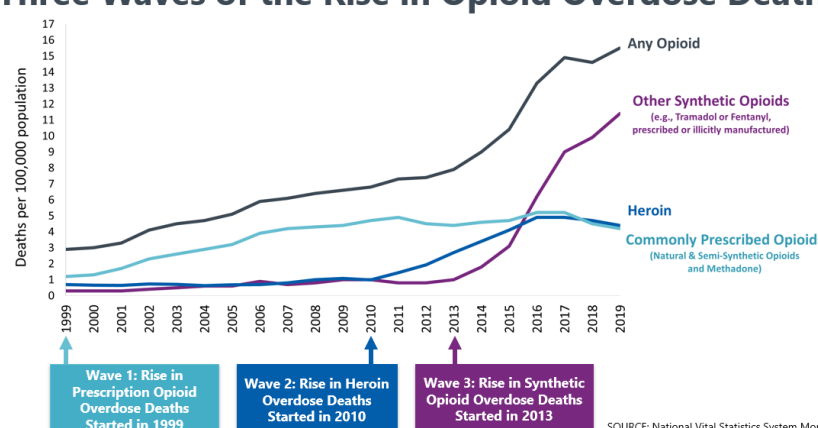
ESTIMATED # OF DRUG OVERDOSE DEATHS IN MIDWEST (2021)*

State	Deaths	% increase from 2020
Illinois	3,846	7.4%
Indiana	2,755	21.3%
Iowa	471	12.4%
Kansas	680	42.9%
Michigan	3,040	9.3%
Minnesota	1,343	26.1%
Nebraska	215	1.4%
North Dakota	133	7.3%
Ohio	5,407	3.7%
South Dakota	100	35.1%
Wisconsin	1,754	14.0%

* In 2021, the estimated number of U.S. deaths was 107,622. Of that total, 75.1 percent were opioid overdoses (most involving synthetic opioids).

Source: U.S. Centers for Disease Control and Prevention, National Vital Statistics System

Three Waves of the Rise in Opioid Overdose Deaths



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.

NEW CSG JUSTICE CENTER STUDY FINDS MOST STATE JUVENILE COURT SYSTEMS UNDERFUNDED, UNDER-SUPPORTED

A 50-state study from The Council of State Governments Justice Center shows that most states do not have dedicated juvenile court judges, and only a few require these judges to have any specialized training, expertise or experience.

The study, released in May with The National Council of Juvenile and Family Court Judges (NCJFCJ), found that many states don't provide adequate resources to guide juvenile court judges in making informed decisions, including risk assessments and reports, tools to help engage young people's families, or data on effective community programs and services. Among the recommendations for states:

- Establish specialized, dedicated juvenile and family court judges responsible for hearing delinquency cases.
- Ensure that judges have the information, tools and data needed to make decisions based on research to improve public safety and youth outcomes.
- Require all judges who hear delinquency cases to receive training on adolescent development and juvenile justice research prior to taking the bench.
- Use federal funding, through the Court Improvement Project, to provide more supports for juvenile judges and others in the system.
- Identify statewide performance measures for juvenile court judges and collect and use data to strengthen decision-making and accountability.

The report (available at csgjusticecenter.org) highlights two best practices in the Midwest:

- North Dakota's support in helping all judges understand and effectively handle juvenile cases. For example, the state has produced "bench cards" for judges working on cases with dual-status (child welfare and juvenile justice involved) youths. These cards detail applicable case law along with family engagement and support processes.
- Ohio has a department (housed in its office of the state court administrator) that provides specialized administrative assistance, training and guidance to juvenile court judges.

INDIANA'S WORK WITH CSG JUSTICE CENTER CULMINATES IN NEW LAW TO IMPROVE JUVENILE JUSTICE SYSTEM

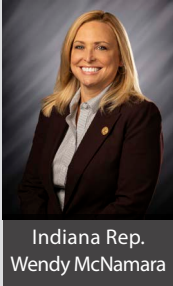
Significant reforms of Indiana's juvenile justice system became law earlier this year (HB 1359), the result of a two-year collaboration among The Council of State Governments' Justice Center and state policy leaders. Key provisions include:

- Creating statewide grant programs to increase diversion opportunities, establish community-based alternatives to incarceration and expand reintegration services.
- Requiring the use of risk-based screening and assessment tools to improve decisions on the types of supervision and services for juveniles.
- Using a detention screening tool and limiting the detention of youths under 12 years old unless there is a direct public safety risk.
- Establishing a statewide plan for data collection that allows policymakers to measure progress as well as identify what is and is not working in the juvenile justice system.

Among the legislative leaders in this effort were Rep. Wendy McNamara and Sen. Michael Crider.



Indiana Sen. Michael Crider



Indiana Rep. Wendy McNamara

LAWMAKERS LEAD, TAKE PART IN FOUR-PART WEBINAR SERIES OF MIDWESTERN LEGISLATIVE CONFERENCE FORUM ON SOCIAL JUSTICE

The Midwestern Legislative Conference Forum on Social Justice hosted an inaugural, four-part series earlier this year focused on identifying racial inequities and potential state policy responses in criminal justice, education and public health.

Michigan Sen. Marshall Bullock facilitated the health session, which included a presentation by Illinois Sen. Mattie Hunter on recent new laws and initiatives in her home state. Her colleague, Illinois Sen. Elgie Sims (a past chair of the MLC), moderated a session on police reform.

Slides and videos of all these webinars can be found at csgmidwest.org/events-past.



MLC



Michigan Sen. Marshall Bullock



Illinois Sen. Mattie Hunter



Illinois Sen. Elgie Sims, Jr.

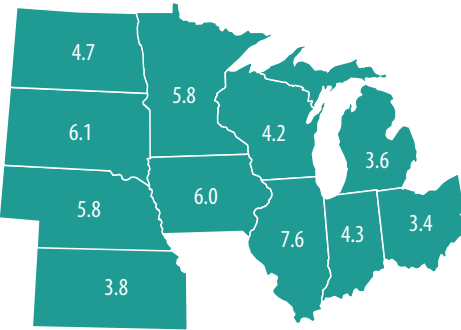
ABOUT THE SOCIAL JUSTICE FORUM

Created in 2021, the MLC's nonpartisan Forum on Social Justice aims to provide legislators from the Midwest with opportunities to address a wide range of racial and social justice issues — economic equity; systemic racism and discrimination; racial disparities in public health, education, criminal justice and corrections; police reform; voting rights; and more.

It is led by a steering committee of legislators from across the region. For more information, contact CSG Midwest director Mike McCabe at 630.925.1922 or mmccabe@csg.org. CSG Midwest provides staff support to the nonpartisan, binational Midwestern Legislative Conference.

SNAPSHOT OF MLC FORUM ON SOCIAL JUSTICE WEBINAR SERIES: PRESENTATION EXCERPTS

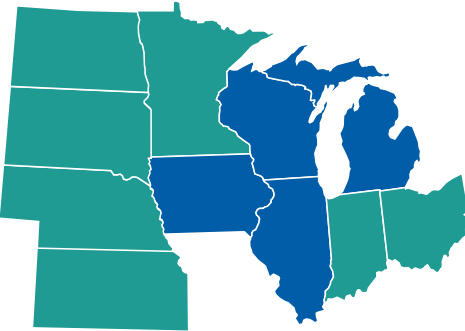
RELATIVE RATE RATIO: ARRESTS OF BLACK INDIVIDUALS COMPARED TO WHITE INDIVIDUALS IN MIDWESTERN STATES (2020)*



* Figures show how many more times it is likely for a Black individual to be arrested than a White individual. The national ratio is 2.3.

From presentation by Jessica Saunders of The Council of State Governments Justice Center

PERFORMANCE MEASURES AND FINANCIAL INCENTIVES IN MIDWESTERN STATES' MEDICAID PROGRAMS*

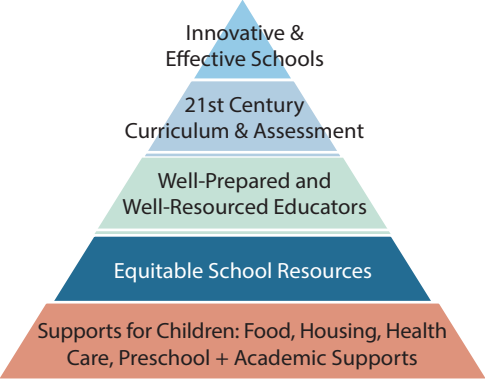


- State makes health disparities a performance measure for financial incentives
- State does not make health disparities a performance measure for financial incentives

* Information as of October 2021

From presentation by Samantha Artiga of the Kaiser Family Foundation

ANATOMY OF EQUITY IN K-12 EDUCATION: A POLICY FRAMEWORK FOR STATES



From presentation by Tara Kini, chief of staff and director of state policy at the Learning Policy Institute

ALL PRESENTATIONS, ALONG WITH VIDEOS OF EACH OF THE WEBINAR SESSIONS, ARE AVAILABLE AT [CSGMIDWEST.ORG](https://csgmidwest.org) (SEARCH UNDER "PAST EVENTS")

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.

38 LEGISLATORS FROM ACROSS MIDWEST AWARDED LEADERSHIP FELLOWSHIPS

A bipartisan group of legislators from the Midwest has been selected to take part in a one-of-a-kind leadership program. The Bowhay Institute for Legislative Leadership Development is designed for legislators from this region in their first four years of service. Photos of the state and provincial legislators selected to take part in the 2022 institute can be found below. This year's program will be held Aug. 27-31 in Madison, Wis. It will mark the 27th year in which the Midwestern Legislative Conference has offered leadership training to its members: legislators from 11 member states, one member

Canadian province (Saskatchewan) and three Canadian affiliate provinces. The Midwestern Office of The Council of State Governments provides staff support to the MLC. This year, more than 70 lawmakers applied for a fellowship. Selections were made in May by the BILLD Steering Committee, a bipartisan group of legislators from 11 Midwestern states. Along with overseeing the selection process, this MLC committee guides fundraising and development of the BILLD curriculum. The committee officers are Iowa Sen. Amy Sinclair and Illinois Rep. Anna Moeller, co-chairs; and Michigan Rep. Ann Bollin and Kansas Rep. Jarrod Ousley, co-vice chairs.



ILLINOIS



Rep. Dagmara Avelar



Rep. Maurice West



Rep. Patrick Windhorst

INDIANA



Rep. David Abbott



Rep. Carolyn Jackson



Rep. Jake Teshka

IOWA



Rep. Lindsay James



Sen. Michael Klimesh



Rep. Henry Stone

KANSAS



Sen. Michael Fagg



Rep. Christina Haswood



Rep. Nick Hoheisel



Rep. Mari-Lynn Poskin

MICHIGAN



Rep. Abraham Aiyash



Rep. Andrew Beeler



Rep. Amos O'Neal

MINNESOTA



Rep. Esther Agbaje



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Rep. Kristin Robbins

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MLA Tim McLeod



MLA Erika Ritchie

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Rep. Becky Drury



Sen. Erin Tobin



Sen. David Wheeler

WISCONSIN



Rep. Samba Baldeh



Sen. Julian Bradley



Rep. Jodi Emerson

ALBERTA



MLA Nathan Neudorf

MANITOBA



MLA Josh Guenter

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

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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.



MLC

CSG Henry Toll Fellowship Program

August 26-30, 2022 | Lexington, Ky.

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



Henry Toll Fellowship
THE COUNCIL OF STATE GOVERNMENTS

Bowhay Institute for Legislative Leadership Development

August 27-31, 2022 | Madison, Wis.

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



BILLD

Great Lakes-St. Lawrence Legislative Caucus Annual Meeting

September 23-24, 2022 | Chicago

Contact: Mike McCabe ~ mmccabe@csg.org
630.925.1922 | greatlakeslegislators.org



**GREAT LAKES
GLLC
ST. LAWRENCE**
LEGISLATIVE CAUCUS

CSG National Conference

December 7-10, 2022 | Honolulu, Hawaii

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



Midwestern Legislative Conference Annual Meeting

July 9-12, 2023 | Detroit

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



MLC

STATELINE MIDWEST

Stateline Midwest is published 11 times a year by the
Midwestern Office of The Council of State Governments.

Annual subscription rate: \$60
To order, call 630.925.1922

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June/July 2022

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