STATELINE MIDWES



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FUTURE OF CARBON-CAPTURE PIPELINES RUNS THROUGH REGION'S LEGISLATURES

South Dakota enacted a series of bills this year that proponents say will protect landowners

by Jon Davis (jdavis@csg.org)

he idea seems simple: draw off the carbon dioxide (CO₂) created during ethanol's fermentation process at myriad Midwestern production plants before it enters the atmosphere and send it via pipelines to sequestration wells to be stored deep underground.

But two recent pipeline proposals faltered in the face of local opposition in the form of county-level setback requirements and landowners fighting the potential use of eminent domain.

These developments drew attention from Midwestern legislators as they wrestle with both ongoing questions over the siting of pipelines and newer questions about whether and how to regulate CO, sequestration.

For state policymakers, pipelines raise familiar, if thorny, questions about land access requirements, the use of eminent domain and where pipeline siting authority should lie, and newer ones such as whether to enact moratoria on CO₂ pipeline construction pending new federal safety regulations.

In parts of the Midwestern region with the underground geology suited for sequestration, legislators are also discussing what their state's sequestration policies should be.

Who, for example, owns underground "pore space" (the layers into which CO,

is injected)? Who owns sequestered CO₂ after decades or even centuries? Is CO a commodity like oil or natural gas?

The answers may go a long way toward determining the success of CO₂ capture and sequestration, which now is a component of federal climate change policy.

FEDERAL FUNDING FLOWS

The Infrastructure Investment and Jobs Act of 2021 increased federal spending for carbon capture and sequestration from \$2.7 billion in fiscal year 2022 to \$4 billion in FY 2023.

This includes low-interest loans for eligible CO₂ pipeline projects and funding for the development of facilities that capture CO₃ from industrial production processes or directly from the atmosphere (known as "direct capture").

The Inflation Reduction Act of 2022 increased a federal tax credit incentivizing carbon capture from \$50 per ton to \$80 for removal from industry and \$180 for direct capture.

"That's why we're seeing all of the large pipeline projects that are being developed and proposed and discussed and causing a lot of emotion across [this] region of the country," says Matt Fry, a senior policy manager at the Great Plains Institute.

"If we're going to actually address climate impacts, we're going to have to capture and store these large volumes of CO₂,"Fry says. "They have to get that captured CO, to a geology where it can actually be stored."

NEW LAWS IN SOUTH DAKOTA

In October 2023, citing "the unpredictable nature of the regulatory and government processes," Navigator CO₂ Ventures canceled plans for a 1,300-mile pipeline to carry CO₃ from 20 ethanol plants in Iowa, Minnesota, Nebraska and South Dakota to a sequestration site in Illinois.

Also last year, Summit Carbon Solutions hit regulatory roadblocks when the North Dakota and South Dakota public service commissions both rejected its initial permit applications for a 2,000-mile pipeline to carry CO, from 34 ethanol plants in five different Midwestern states to a sequestration site in western North Dakota.

The company said it would refile its South Dakota application and, as of March, was waiting for a decision from the Iowa Utilities Board following hearings held in November.

The proposal also led South Dakota legislators to consider nine pipelinerelated bills during their 2024 legislative session, of which three became law:

• SB 201 specifies that the South Dakota Public Utilities Commission has siting authority for pipelines, and allows

► COVER STORY CONTINUED ON PAGE 3

CARBON CAPTURE AND STORAGE: #S ON POTENTIAL FOR REDUCING CO, EMISSIONS (AS OF 2021)

2.5 BILLION	TOTAL METRIC TONS OF ANNUAL CO ₂ EMISSIONS THAT ARE POTENTIAL CANDIDATES FOR CARBON CAPTURE AND STORAGE
62.1%	SHARE OF THE TOTAL FROM ELECTRIC POWER (1.5 BILLION METRIC TONS)
32.1%	SHARE OF THE TOTAL FROM INDUSTRIAL ENERGY (776 MILLION METRIC TONS)
1.8%	SHARE OF THE TOTAL FROM ETHANOL PRODUCTION (45 MILLION METRIC TONS)
5.0%	SHARE OF THE TOTAL FROM OTHER SOURCES: CEMENT AND AMMONIA PRODUCTION, NATURAL GAS PROCESSING, AND IRON AND STEEL MAKING (121 MILLION METRIC TONS)

Source: Congressional Budget Office, "Carbon Capture and Storage in the United States" (December 2023)



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 Ohio, Illinois and Indiana are now collecting more tax revenue from sports betting than nearly every other U.S.

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MORE SPORTS BETTING, MORE TAX REVENUE FOR STATES — WITH THREE IN MIDWEST NEAR THE TOP

During the last three months of 2023, state governments collected more than \$758 million in taxes from sports betting, a 26 percent jump compared to the final quarter of 2022. Among the states bringing in the most tax receipts: **Ohio**, **Illinois** and **Indiana**. Nationwide, only New York and Pennsylvania collected more than these three Midwestern states, which accounted for 90 percent of the total in this 11-state region (see bar graph for state-by-state information).

The end-of-year data comes from the U.S. Census Bureau's "Quarterly Survey of State and Local Revenue." With the exception of **Wisconsin**, every Midwestern state derived some revenue from sports betting, which includes parimutuel activities such as horse racing

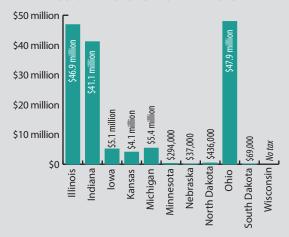
State legislatures have chosen different ways to use the influx of new revenue from sports betting, either targeting it for specific programs and services or using it for general-fund purposes.

As part of Ohio's most recently enacted budget, legislators changed the allocation formula so that nearly all of the revenue from sports betting goes to general support for K-12 schools. Previous law had earmarked a portion of the money for K-12 athletics and extracurricular activities. The new budget also doubled Ohio's sports gaming receipts tax rate, from 10 percent to 20 percent.

In Illinois, most of the money goes to capital infrastructure projects, and as of April, legislators were considering a proposal by Gov. J.B. Pritzker to increase the tax paid by sportsbooks from 15 percent to 35 percent. According to the American Gaming Association, the tax rate in Indiana is 9.5 percent, with most of the revenue going to the state general fund.

The association lists every Midwestern state except **Minnesota** as allowing sports betting (beyond parimutuel wagering). However, considerable variation exists in these authorization laws — for example, in some states, licenses are limited to Native American tribal operators, and only in-person (not mobile) wagering is permitted.

STATE TAX COLLECTIONS FROM LEGAL SPORTS BETTING, INCLUDING PARIMUTUEL WAGERING: OCTOBER 2023 TO DECEMBER 2023



Source: U.S. Census Bureau

IOWA AND SOUTH DAKOTA LEGISLATORS ESTABLISH NEW MINIMUM SALARIES FOR TEACHERS

New laws in Iowa and South Dakota are setting a new floor for what teachers in those two states must be paid.

With the enactment of SB 127, South Dakota joins the group of states that sets in statute a minimum salary for starting teachers. The initial threshold is \$45,000 for fiscal year 2025 and will be adjusted annually based on a "target teacher salary" that also is set in statute. South Dakota school districts must begin paying the minimum starting teacher salary with the 2026-'27 school year.

lowa already required that a minimum salary be paid to teachers, but this year's HF 2612 raises the amount from \$33,500 to \$47,500 in fiscal year 2025 and \$50,000 in FY 2026. Additionally, teachers with at least 12 years of experience will be guaranteed a salary of \$62,000 or more in FY 2026.

At least three other Midwestern states also set statutory minimum salaries:

- The minimum in **Illinois** is \$40,000, with automatic inflationary adjustments scheduled for future school years. This year's SB 2627 would raise the minimum salary for teachers to \$50,000 in 2024-'25 and \$60,000 in 2026-'27. That bill also would require the state's Commission on Government Forecasting and Accountability to determine a minimum teacher salary for the 2027-'28 school year.
- In Ohio, the minimum salary for a teacher with a bachelor's degree is \$35,000. It would be raised to \$50,000 under HB 411.
- The threshold in **Indiana** is \$40,000; school districts paying under this amount must provide an explanation to state officials for why this threshold cannot be met. HB 1037 would have raised the minimum salary to \$60,000; it did not pass.

Wisconsin's AB 517/SB 511, which did not pass, called for a statewide minimum salary for teachers that could not be "less than the annual salary paid to a state legislator." Also under the bill, after 20 years of service, a teacher would make at least \$100,000 a year.

AVERAGE STARTING TEACHING SALARY IN MIDWEST, 2022-2023 (U.S. RANK IN PARENTHESES)*



* Average teacher starting salaries in every Midwestern state were less than the national average starting salary of \$42,844.

Source: National Education Association

MINNESOTA, WISCONSIN AMONG STATES WITH NEW TAX CREDITS FOR FAMILIES

Already one of six states that builds off the federal Child and Dependent Care Tax Credit, **Wisconsin** is now expanding the reach of its state-level credit as the result of AB 1023, a measure that passed with near-unanimous legislative support and was signed into law in March.

The credit reimburses qualifying families for child care expenses incurred while parents or guardians work or look for work. The amount of Wisconsin's credit has been raised from 50 percent to 100 percent of the federal Child and Dependent Care Tax Credit; additionally, the maximum amount of qualifying child care-related expenses was increased from \$3,000 to \$10,000 for one qualifying dependent and from \$6,000 to \$20,000 for two or more qualifying dependents.

AB 1023 is one example of legislative steps being taken by Midwestern states to implement or expand their own versions of federal tax credits for working families. Several states in the region provide for earned income tax credits, and Michigan expanded its EITC in 2023 with the passage of HB 4001. Under the new law, Michigan's EITC jumped from 6 percent to 30 percent of the federal credit.

Last year, **Minnesota** became the first Midwestern state to establish a Child Tax Credit (HF 1938). The maximum amount of the credit is \$1,750 per child, and there is no limit on the number of children, age 17 and under, that can be claimed. However, various income thresholds are set. For married couples who file jointly, the credit begins to be phased out starting with incomes of \$35,000 a year, and it is not available for higher-earning families; for example, married couples who file jointly, have two children and make more than \$96,245 annually do not qualify.

In April, Minnesota Gov. Tim Walz said the average credit for families thus far has been \$2,508. This year's HF 2483 would extend Minnesota's Child Tax Credit to 18-year-olds.

STATE VERSIONS OF THREE DIFFERENT FEDERAL TAX CREDITS (AS OF 2023)

Type of credit

State versions in place in...

Earned Income
Tax Credit

Illinois, Indiana, Iowa, Kansas,
Michigan, Minnesota,
Nebraska, Ohio and Wisconsin

Child and
Dependent Care
Tax Credit

Iowa, Kansas, Minnesota,
Nebraska, Ohio and Wisconsin

Child Tax Credit Minnesota

Source: Tax Credits for Workers and Families

MICHIGAN, NEBRASKA RANK HIGH IN STUDY OF U.S. STATE ELECTION LAWS AND ADMINISTRATION

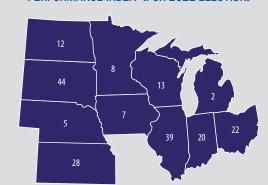
Over the past decade, policy changes across the country have improved how elections are administered in nearly every state, according to the MIT Election Data and Science Lab. The lab's Election Performance Index uses 18 different indicators on voter access and election security to measure progress and rank all 50 U.S. states. Results for the 2022 election cycle were released in March, with **Michigan** (second), **Nebraska** (fifth), **Iowa** (seventh) and **Minnesota** (eighth) ranking in the top 10 of U.S. states.

The indicators include voter turnout and registration rates; effective administration of voter registration, absentee and mail ballots, and overseas voting; the use of post-election and risk-limiting audits; and wait times to vote. The index shows decades-long progress in election administration in 10 of the 11 Midwestern states. **North Dakota** is the lone exception, but it still ranked relatively high, 12th, among the 50 states.

"The biggest factors that influence where a state stands in the [index] are matters of policy, such as whether [states] require post-election audits, or state capacity, such as whether they deploy the web for registration and communicating with voters about their ballots," writes Charles Stewart III, the lab's founding director.

Every state in the Midwest now requires post-election audits, but as of 2022, none mandated special risk-limiting audits designed to assess and spot potential problems with voting equipment. In 2022, voter turnout rates in this region (as measured by the total number of people who cast a ballot divided by the eligible voting population) ranged from a low of 37.4 percent in **Indiana** to a high of 61.0 percent in Minnesota.

U.S. RANKINGS ON MIT ELECTIONS PERFORMANCE INDEX (FOR 2022 ELECTION)





HANDFUL OF SEQUESTRATION SITES ALREADY OPERATIONAL IN MIDWEST

» CONTINUED FROM PAGE 1

counties to levy a new surcharge of \$1 per linear foot of pipeline on CO₂ pipeline operators. This revenue will be split: half as property tax relief for affected property owners, and half to be allocated as determined by the county.

• HB 1185 changes the process for notifying landowners of surveys for "proposed facilities" and requires a new one-time payment of \$500 to the landowner for access to their property (separate from payments that may be required for property or crop damage).

• HB 1186 limits CO₂ pipeline easements to 99 years and voids the easement if a pipeline is not in operation five years after the easement is recorded. Easements are also voided after five years of nonuse at any time after the Public Utilities Commission issues a permit.

South Dakota legislators also codified a 15-part landowner "bill of rights" (SB 201) covering issues ranging from liability to repairing any property damage.

South Dakota House Majority Leader Will Mortenson, an agricultural real estate attorney, says many of the provisions now in state law have many of the same terms that he has negotiated for individual clients dealing with pipeline companies.

"To a pretty large extent, I viewed every landowner in the state as my client, and it's my job to go in and negotiate them the best terms I could from the position I was in," he says.

Senate Majority Leader Casey Crabtree says the new laws resulted from conversations over the previous 12 months among landowners, agricultural



producers, the agriculture industry, utilities and other stakeholders.

The linear-foot surcharge and access fee are new policies for South Dakota, he says, but are a recognition that there is a cost

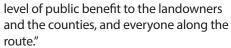
to landowners and counties where pipelines get installed.

Mortenson says those provisions also reflect the fact that the use of

CO₂ pipelines to sequester the gas underground is "fundamentally different" from using

pipelines to move commodities like oil or natural gas from the ground to market.

"That's why we have different regulations, different accommodations," he says, "and we require a higher



South Dakota Rep.

Will Mortenson

PART OF THE ANSWER ...

The destinations for all carbon pipelines are wells that inject CO₂ into deep rock formations. These wells are known as "Class VI" wells, a designation in the U.S. Environmental Protection Agency's Underground Injection Control program. This program aims to protect underground sources of drinking water.

The wells send CO₂ a mile or more deep into strata of porous rock underneath a layer of non-porous "cap" rock that blocks the gas from returning to the surface. Such formations underlie most of the Midwest, according to the U.S. Department of Energy's most recent "Carbon Storage Atlas" (released in 2015).

One of the nation's first CO₂ sequestration test sites came online in November 2011 at an ethanol production plant in Decatur, Ill. By November 2014, more than 1 million tons of CO₂ from that plant had been injected into a sandstone layer. Monitoring is ongoing. Another test site is operating in northern Michigan.

A December 2023 Congressional Budget Office report notes there are 15 sequestration sites operating nationwide, seven of which are in Illinois, Michigan, Kansas and North Dakota.

Fry cites a North Dakota law from 2010 and a newer Indiana law (HB 1209 of 2022) among model frameworks for developing CO₂ sequestration sites. Additionally, Nebraska enacted the Geologic Storage of Carbon Dioxide Act (LB 650) in 2021.

All three laws address ownership of

underground pore space and require operators to pay fees into a fund to help defray monitoring costs even after a sequestration site closes — a key step to maintaining safety into the future, Fry says.

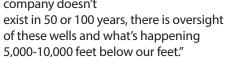
This year, Illinois legislators have been mulling a trio of bills (SB 2421 and HB 3119, and HB 569) to establish a similar framework. These bills would also ban the use of eminent domain to access surface property.

Indiana Rep. Ethan Manning, a co-chair of The Council of State Governments' Midwestern Legislative Conference Energy & Environment Committee, says his state's HB 1209 was designed with the future in mind.

"We set the rules so everyone knows what they need to do, we provide a way for the companies themselves to pay into [a trust fund

managed by the Department of Natural Resources], so it's self-funding," he says.

"Then we say what happens after a project is complete and the state eventually takes over, so even if BP or any other company doesn't



Ethan Manning



Not everyone is convinced that CO_2 sequestration is viable.

In a December opinion piece published in *Scientific American*, Jonathan Foley, executive director of Project Drawdown, a nonprofit organization focused on stopping climate change, said industrial-scale sequestration can do no more than remove "a few seconds' worth of our yearly greenhouse gas emissions," removing a few million metric tons when global carbon emissions in 2023 were 40.5 billion tons.

Moreover, he said, the technology is too expensive compared to other climate solutions and, if used to extract more oil and gas, defeats its very purpose.

OF CARBON SEQUESTRATION WELLS LICENSED OR UNDER LICENSE REVIEW IN MIDWEST; STATUS OF PERMITTING AUTHORITY AS OF NOVEMBER 2023*



- State has primacy for issuing Class VI well permits
- State is pursuing primacy for issuing Class VI well permits
- Federal government has primacy for issuing Class VI well permits

* Numbers indicate active carbon sequestration well permits under review or issued by the U.S. Environmental Protection Agency. Class VI is the EPA designation for carbon sequestration wells. The EPA has primary enforcement responsibility, or "primacy," for these wells except in states that have applied for and been granted primacy.

Sources: Carbon Capture Coalition, Clean Air Task Force and U.S. Environmental Protection Agency

CARBON DIOXIDE EMISSIONS (In Million Metric Tons) in 2021 And Changes Since 2010

AND UNANUES SHIEL ZO ID					
State	2021	Change from 2015	Change from 2010		
Illinois	233.0	-17.4%	-22.3%		
Indiana	229.6	-15.5%	-18.1%		
lowa	92.1	-7.9%	-21.5%		
Kansas	74.2	-7.1%	-19.1%		
Michigan	177.1	-11.6%	-14.5%		
Minnesota	108.5	-4.6%	-12.2%		
Nebraska	48.9	-6.7%	-4.7%		
North Dakota	54.7	-5.6%	+19.4%		
Ohio	246.5	-6.5%	-20.4%		
South Dakota	16.3	+6.9%	-0.1%		
Wisconsin	101.0	-7.5%	-7.8%		

Source: U.S. Environmental Protection Agency

OVERVIEW OF OTHER RECENT CARBON PIPELINE AND SEQUESTRATION LEGISLATION IN MIDWEST

(see cover article for new laws enacted this year in South Dakota)

PIPELINE MORATORIA/BANS

- Illinois Impose moratorium on construction of CO₂ pipelines for four years or until enactment of new federal safety regulations (HB 4835 and SB 3441 of 2024)
- Iowa Ban issuance of permits for ${\rm CO_2}$ pipelines and prevent granting the right of eminent domain (HF 576 of 2023)
- **Nebraska** Ban transportation of CO₂ in a pipeline (LB 1140)

PROTECTING LANDOWNERS FROM EMINENT DOMAIN

- **South Dakota**'s HB 1256 and **lowa**'s HF 565 (from 2023) would have required pipeline operators to get voluntary easements from 90 percent of landowners on their proposed routes before using eminent domain to secure the rest.
- **Iowa** Allow court challenges to projects using eminent domain prior to issuance of state permit (HF 2664 of 2024)
- **South Dakota** Bar use of eminent domain for CO₂ pipelines (HB 1219 of 2024)

CARBON SEQUESTRATION POLICY

- Illinois Establish a legal framework for sequestration: ownership of pore space, banning the use of eminent domain, and establishing funds and assessing fees for long-term monitoring (HB 569, HB 3119 and SB 2421 of 2024)
- Indiana Establishes a legal framework for sequestration, including ownership of pore space as well as new funds and fees for long-term monitoring (HB 1209 of 2022; signed into law)
- **Iowa** Require CO₂ pipeline operators to permanently sequester the gas and show that their project will "result in a significant reduction" in atmospheric CO₂ (HF 682 of 2024)
- if it is 90 percent effective in capturing and storing CO₂ and is not used for enhanced oil recovery (SB 271 of 2023 session; signed into law)

 Minnesota Declare as state policy support for development and deployment of CO₂ capture and sequestration technologies as way to

• Michigan — Defines carbon sequestration as a "clean energy system"

reduce greenhouse gas emissions (HF 342/SF 298 of 2023)

• Ohio — Declare intent to establish a CO₂ capture and sequestration framework; specify that capture and storage technologies encompass both industrial emissions and direct capture (HB 358 and SB 200 of 2023)



EDUCATION & WORKFORCE DEVELOPMENT

Rates of chronic absenteeism are much higher than pre-pandemic levels; Indiana is among the states with a new law to address it

by Derek Cantù (dcantu@csg.org)

he long-term consequences for habitually missing school are numerous.

A student falls behind in reading comprehension during the pivotal early grades. Social-emotional development is diminished. And it becomes more common that a young person will not graduate on time or will drop out of school entirely.

In every Midwestern state, students are considered "chronically absent" if they miss 10 percent or more of the school year. This attendance problem worsened during the pandemic, and despite a return to in-person learning, rates of chronic absenteeism have yet to drop back down to pre-pandemic levels (see table for the Midwest).

GETTING TO THE ROOT CAUSES

The nonprofit initiative Attendance Works categorizes the root causes of chronic absenteeism, placing them into one of four "buckets" (see graphic).

A student's socioeconomic status can play a role in how many buckets are filled or the severity of the contributing factors that keep them from school

— for example, housing insecurity, community violence or a lack of transportation.

But Attendance Works founder and executive director Hedy Chang adds that all young people are susceptible to having attendance impediments, to becoming disengaged with learning, and to possessing a negative association with

the school environment. "Aspects of the buckets changed

during the pandemic," Chang says.

"[Chronic absenteeism is] deeper and more pervasive in some ways among economically challenged communities. And there are more kids who are not economically challenged who are chronically absent than ever before."

To turn around this trend, Chang stresses the importance of collecting good, timely data. She points to Connecticut as an example of this approach.

During the pandemic, that state not only adopted a universal definition for both in-person and virtual-learning attendance, but also began collecting attendance data monthly instead of annually.

This new drove of data, plus a commitment to making attendance rates public and promptly addressing any reporting inaccuracies, led to the creation of a home-visit model: the Learner Engagement and Attendance Program.

Visits began being made to the homes of a targeted set of chronically absent students in order to make direct connections with students and their families. Though chronic

absenteeism in Connecticut remains high, these interventions helped to reduce rates by almost 3 percentage points between academic years 2022 and 2023.

The visits also have led to student placements in after-school, summer school and other learningenrichment programs.

Chang has said, too, that these visits "improved family-school relationships, increased feelings of belonging, improved access to resources, and [led to] greater gratitude and appreciation" — all of which can improve attendance.

INDIANA'S NEW INTERVENTIONS

Tackling chronic absenteeism was a top priority this year for Indiana lawmakers.

"Almost one in five Indiana students were chronically absent last year," Sen. Linda Rogers says. "There were 547 schools where a quarter of the students were chronically absent, and 84 schools where half of the students were chronically

She was a co-sponsor of this year's SB 282. Signed into law in March, it requires school districts to develop

> truancy prevention plans while also creating a framework for future state action.

> "Absent students," those missing five days of school within a 10-week span, will be provided with wraparound services to increase the likelihood of attendance and be referred to counseling or mentoring.

The parents/guardians of "absent students" will be required to take part in a school-initiated conference

about the attendance problem. They also will be informed about the legal consequences of a student becoming habitually truant, and may be expected to attend counseling or mentoring with their child.

Indiana Sen.

Students with unique attendance barriers — Dani Isaacsohn for example, foster care placement, homelessness and life-threatening illness — will receive additional services.

Ohio Rep.

SB 282 also gives Indiana's attendance officer (who is appointed by the state secretary of education) a new responsibility: regularly collect ideas and recommendations for legislative action from local school officials, and then provide a yearly report to the General Assembly.

Initially, the bill included a more punitive approach: authorizing juvenile courts to impose civil fines of up to \$1,000 on the parents/guardians of habitually truant students.

After receiving feedback from various stakeholders, Rogers says, she and her colleagues amended the bill with a "softer approach."

Chang says she understands and believes in the idea of holding students and families accountable. But she also suggests that lawmakers be wary of punitive approaches, which often don't take into account the root causes of absenteeism and also can lead to inequitable treatment.

"You have two kids who are both sick: One kid has a doctor and brings in a doctor's note, and the other kid doesn't have access to health care and doesn't bring a note," she says. "The kid without the note is going to have the unexcused absence."

Chang also points to a 2020 report by The Council of State Governments Justice Center on findings from South Carolina. In that state, the CSG study found, the involvement of the juvenile justice system for chronically absent students resulted in even worse attendance rates.

FINANCIAL 'NUDGE'?

This year in Ohio, lawmakers have been debating the efficacy of a new way to boost attendance — financial incentives.

Under HB 348, the state would establish two pilot programs. The first would provide cash transfers ranging from \$25 to \$500 to a select group of kindergarten and ninthgrade families whose students maintain an attendance rate of at least 90 percent within a two-week, quarterly or yearlong period.

The second pilot program would award selected students \$250 for graduating high school, and an additional \$250 for maintaining a grade-point average of 3.0.

"My seventh-grade social studies teacher always told us, 'Always remember this kids, Money isn't

everything, but it's way ahead of whatever's in second place," Rep. Bill Seitz, one of the bill's two primary sponsors, said during a committee hearing on previous incentives that schools have offered to improve attendance.

The attendance-specific pilot program would target schools with the highest quartile of chronic absenteeism in

"[What we want to test is] how many people there are who could be nudged or who could be moved with a cash incentive to shift toward a culture of daily and regular attendance," says the bill's other main sponsor, Rep. Dani Isaacsohn.

Derek Cantù is CSG Midwest staff liaison to the Midwestern Legislative Conference Education & Workforce Development Committee. Ohio Sen. Hearcel Craig and Wisconsin Rep. Joel Kitchens serve as committee co-chairs. Minnesota Sen. Heather Gustafson is the vice chair.

RATES AND TRENDS IN CHRONIC ABSENTEEISM IN THE MIDWEST STATES

% of students who missed 10 percent or more of school days State 2018-'19 2022-'23 2021-'22 Illinois 28.3% 29.8% 17.5% Indiana 19.3% 21.1% 10.6% 25.6% 21.0% 12.0% Iowa Kansas 21.8% 25.4% 13.9% Michigan 30.8% 38.5% 19.7% Data not found, but pre-pandemic rates were Minnesota 30.2% about 15% 22.4% 23.9% Nebraska 14.7% North Dakota 20.0% 22.0% 12.0% Ohio 26.8% 30.2% 16.7% South Dakota 21.0% 14.0% 22.7% (for 2021-'22; Wisconsin 2022-'23 not found on 12.9% state website)

> Source: FutureEd and CSG Midwest research of state department of education websites



ROOT CAUSES OF CHRONIC ABSENTEEISM: THE FOUR 'BUCKETS' AS IDENTIFIED BY **ATTENDANCE WORKS**

Barriers

- · Chronic and acute illness
- · Family responsibilities or home situation
- Trauma
- Poor transportation
- · Housing and food insecurity
- Inequitable access to needed services
- · Involvement in justice system
- Lack of predictable
- schedules for learning Lack of access to
- technology
- · Community violence

Aversion Struggling academically

- or behaviorally Unwelcoming school
- Social and peer challenges
- Anxiety
- Biased disciplinary and suspension practices
- Undiagnosed disability and/or disability accommodations
- Caregivers had negative educational experiences

Misconceptions

Absences are only a

problem if they are

Missing 2 days per

Lose track and

absences

month doesn't affect

underestimate total

stay home for any

symptom of illness

Assume students must

Attendance only matters

unexcused

<u>Disengagement</u>

- Lack of challenging, culturally responsive instruction
- No meaningful relationships to adults in the school (especially given staff shortages)
- Lack of enrichment opportunities
- Lack of academic and behavioral support
- · Failure to earn credits
- Need to work conflicts with being in high school
- in the older grades



GREAT LAKES

Race to zero: Proposed federal rule, laws in states such as Minnesota are targeting a full replacement of lead service lines over next decade

by Jessica Lienhardt (jlienhardt@csg.org)

ach policy conversation about lead in drinking water begins with a shared foundation: there is no safe level of lead in the human body. It is a persistent public health issue, one that for generations has disproportionately affected young people, particularly those living in underserved communities.

No immediate solution is in sight, but over the past few years — in response to the devastating Flint water crisis in Michigan and other high-profile cases of lead exposure in communities — there has been a swell of new laws and regulatory activity.

It's part of a "race to zero": eliminating the threat of lead in drinking water.

And parts of the Great Lakes region are most in need of these protections and improvements to the water infrastructure (see table).

"Every dollar spent on removing lead in drinking water puts two dollars back into the economy," says Minnesota Rep. Sydney Jordan, noting a 2019 study from her state's Department of Health.

That study pegged the cost of removing the two most significant sources of lead in Minnesota's drinking water (lead service lines and plumbing fixtures) at up to \$4.12 billion over a 20-year period, but the benefits at as much as \$8.47 billion.

This return on investment, the study's authors say, comes from ending Minnesotans' exposure to lead in drinking water. For example, exposure is linked to developmental delays and reduced cognitive functioning, resulting in less productivity and fewer earnings over a person's lifetime.

NEW GRANTS IN MINNESOTA

Last year, Jordan and other Minnesota legislators established a new statewide goal: remove all lead service lines in the state by 2033. The same legislation, HF 24, also created a \$240 million grant fund to pursue work related to this goal.

Priority is going to the removal of lead pipes in areas where young people have elevated levels of lead in their blood, and where there are schools,

child care centers or "other properties ... used by disproportionately large



going toward work in disadvantaged communities. "Environmental justice is a top priority for [us], so we want to target

numbers of children." Priority also is

renvironmental justice is a top priority for [us], so we want to target areas where lead exposure is greatest," says Jordan, chief author of HF 24.

The grant program also addresses a common financial hurdle for fully replacing lead service lines. Typically, part of a lead service line is owned by the public utility; the other by the homeowner.

To fully replace that line, a homeowner can be burdened with thousands

of dollars in replacement costs. But with Minnesota's new grant program, the state covers all of the replacement costs for private service lines (and 50 percent for the publicly owned portion).

BIG CHANGES IN FEDERAL RULE

Minnesota's investment is coming at the same time that states are getting historic amounts of federal assistance to remove lead service lines, via the Drinking Water State Revolving Loan Fund (see graphic) as well as \$15 billion over the next five years from the Infrastructure Investment and Jobs Act.

Still, current levels of federal support fall short of the costs of full replacement, and under a proposed rule change of the U.S. Environmental Protection Agency, most water systems would need to remove lead service lines over the next decade.

This proposed revision of the Lead and Copper Rule is expected to be finalized sometime in 2024. Another key provision in it would lower the "lead action threshold" from 15 parts per billion to 10 ppb. This threshold triggers requirements regarding public notification and remediations to reduce lead exposure.

The accelerated replacement of lead pipes has been a policy priority of groups and coalitions such as the Great Lakes Lead Elimination Network. But Melissa Cooper Sargent, who co-manages this regional network through her work at the nonprofit, Michigan-based Ecology Center, also notes there are exceptions in the proposed federal rule

to account for the pace of replacement and for large water utilities with high numbers of lead pipes.

"A large city like Chicago would maybe even have 40 years to replace those pipes; that's just too long ... for people to continue to be exposed to lead," she says.

MORE TESTING IN SCHOOLS

Minus a full replacement of lead service lines, state laws that require an inventory of lines as well as a testing of drinking water can help identify areas in need of lead-eliminating filters and other immediate remediations.

In Indiana, for instance, Rep. Carolyn Jackson has been part of past legislative efforts that now mandate

> the testing of drinking water in schools (HB 1265 of 2020) and child care facilities (HB 1138 of 2023).

"The state of Indiana has not put any money in to help cover testing and remediation of lead in drinking water; the money we get is coming from the EPA," says Jackson, who has introduced measures for a new state grant program

for schools.

Indiana Rep.

Carolyn Jackson

Some of these federal dollars are coming from the EPA's Voluntary School and Child Care Testing and Reduction Grant Program. To date, program recipients have tested for lead in more than 12,500 U.S. schools and child care facilities.

This grant program also is being used to reach tribal schools and child care centers. The Great Lakes Inter-Tribal Epidemiology Center coordinates much of the work being done in Wisconsin and Minnesota.

"We work closely with the states to make sure we're not duplicating services and helping each other fill gaps," says Jacob Rimer, a public health specialist with the center.

CHALLENGE IN CANADA

In 2019, the Government of Canada released guidelines on lead in drinking water, recommending corrosion control of lead pipes and/ or lead service line replacement as remediation measures, as well as lowering the action threshold from 10 ppb to 5 ppb.

However, the province of Ontario's action threshold remains at 10 ppb.

"Health Canada guidelines are not enforceable in Ontario," Ontario Water Works Association executive director Michele Grenier says. She does not expect the province to adopt the federal guidelines; Québec did so in 2019.

As of late 2023, 21 municipalities in Ontario had filed lead control plans since 2007. Seven of those communities opted for a strategy of total lead service line replacement and eight are pursuing corrosion control. Six are pursuing a combination of these strategies.

The replacement of the privately owned portion of lead service lines also is an ongoing challenge in Canada.

"There needs to be a funding source for homeowners to access to help them get it done. ... The uptake on [loan and repayment plans] is incredibly low," Grenier says.

Jessica Lienhardt serves as Great Lakes program director for CSG Midwest, which provides staff support to the binational, nonpartisan Great Lakes-St. Lawrence Legislative Caucus.

PROJECTED # OF LEAD SERVICE LINES IN MIDWEST

State	Total	% of U.S. total
Illinois	1,043,294	11.35%
Indiana	265,400	2.89%
lowa	96,436	1.05%
Kansas	54,107	0.59%
Michigan	301,790	3.28%
Minnesota	136,873	1.49%
Nebraska	53,230	0.58%
North Dakota	26,443	0.29%
Ohio	745,061	8.11%
South Dakota	4,141	0.05%
Wisconsin	341,023	3.71%

Source: U.S. Environmental Protection Agency, "Drinking Water Infrastructure Needs Survey and Assessment, 7th Report to Congress"

FEDERAL HELP FOR STATES: \$ THAT WENT TO DRINKING WATER REVOLVING FUNDS TO REPLACE LEAD SERVICE LINES IN FY 2023*



* Allocations are based in part on an assessment of the number of lead service lines that need to be replaced. States with more lines to replace receive additional federal funding.

Source: U.S. Environmental Protection Agency

EXAMPLES OF RECENT LEGISLATIVE ACTIVITY IN GREAT LAKES REGION

ILLINOIS



• Require public notice of lead pipe replacements (HB 2776 of 2023)

• Require water utilities to replace all lead service lines; create low-income water assistance program that includes lead pipe replacement (HB 3739 of 2021)

INDIANA



- Require testing of drinking water in child care facilities (HB 1138 of 2023)
- Require testing of drinking water in schools (HB 1265 of 2020)

<u>MICHIGAN</u>



- Require screening and recordkeeping for lead poisoning in minors (SB 31 of 2023)
- Require child care centers and schools to install filtered faucets, develop a drinking water management plan, and conduct sampling and testing (HB 4341, HB 4342 and SB 88 of 2023)



MINNESOTA

• Establish a \$240 million grant program to replace lead service lines and set a goal of full, statewide replacement by 2023 (HF 24 of 2023)

HEALTH & HUMAN SERVICES

States are reimagining child welfare policy, funding to address what some national experts view as a 'design flaw' in the traditional system

by Tim Anderson (tanderson@csq.org)

n 2022, the last year of available federal data, state child protection services (CPS) received an estimated 4.3 million referrals alleging child maltreatment. The number of children involved in those referrals: about 7.5 million.

Ultimately, though, most of these young people and their families did not receive any CPS-related supports or services.

"Families who come [to the attention] of child welfare have one set of needs, and they come to a system that is designed to do something else," says Katie Rollins, a policy fellow at the University of Chicago's Chapin Hall.

According to Rollins, that "something else" has been to investigate and, when deemed necessary, place abused or neglected children in foster care.

David Sanders, another leading expert on state child welfare policy, says this traditional model is akin to a health system exclusively offering emergency care, with little or no capacity to deliver preventative services.

"It's as if right now the only thing that's offered is an ER visit, while what people really need is primary care," says Sanders, executive vice president of systems improvement for Casey Family Programs.

"That's where the reimagining [of child welfare policy] has to occur. Many families who need help are not getting it now. All they're getting is an investigation."

Yet Sanders also sees reason for hope.

States are restructuring their systems in ways that invest in upstream services to prevent CPS involvement, that focus on keeping at-risk or in-crisis families together, and that provide more supports for kinship caregivers.

This shift is occurring in part because of changes in federal law, including the Family First Prevention Services Act of 2018 and the new policy and funding opportunities that it provides to states.

"It's one of the most exciting things that's happened in child protection over the past 50 years," Sanders says

OPENING NEW DOORS, NARROWING OTHERS

In an April 2024 study, Rollins and her Chapin Hall colleagues provide a framework for states to fix what they see as a longstanding "design flaw."

They envision a system in which child protective agencies only get involved in the most serious cases of abuse and neglect: Narrow that "front door," while also opening up



"Many families who need help are not getting it now. All they're getting is an investigation."

David Sanders, executive vice president, Casey Family Programs

new opportunities for families to get help through home-visiting programs, services for behavioral health or substance abuse disorder, housing and child care assistance, and concrete economic supports.

"Before things become a crisis, we might be able to prevent many families from being involved in the child welfare system at all," says Yasmin Grewal-Kök, also a policy fellow at Chapin Hall, who has written about the value of concrete economic supports in reducing child maltreatment and improving overall outcomes.

Of those 4.3 million referrals in 2022 alleging child maltreatment, about half were "screened out" by CPS agencies, meaning the referral did not lead to an investigation or report from child protective services. But many of these "screened out" families and children often still need help, Rollins and Grewal-Kök say, and the referral itself can and should connect them to services.

About half of these referrals are "screened in," involving an estimated 3.1 million children nationwide. When a subsequent investigation does not find child abuse or neglect, post-response services for the child occur about 23 percent of the time. In referrals and investigations that lead to a finding of child abuse or neglect, 54 percent of child victims receive post-response services.

According to Rollins, these numbers point to a missed opportunity for states.

"Young people are struggling to find the supports they need in their communities, in their schools," she says. "And when families are unable to handle those needs and unable to get the supports they need, kids too often end up in the child welfare system.

"And then those young people too often end up in the deep end of the system — in foster care, in congregate care and aging out."

INDIANA'S 'COMMUNITY PATHWAYS' MODEL

Indiana often is cited as one of the states leading the way in "reimagining" child welfare policy since federal adoption of the Family First Prevention Services Act.

In 2019, Indiana legislators passed HB 1001, which restructured how the state pays for family preservation services. The state implemented a per-diem payment model (vs. fee-for-service) to improve the coordination of services and accountability through a single provider, as well as to ensure the use of evidence-based interventions.

Indiana's Family Preservation
Services program is for families with
a substantiated case of abuse or
neglect. The Department of Child
Services, though, determines that with
appropriate home- and evidence-based

interventions, the child can be safely cared for in the home. Early results show that the program has reduced rates of future child maltreatment.

Additionally, Indiana is an early implementer of a "community pathways" model under the 2018 federal law. Families that have certain risk factors for future foster-care involvement are identified and made eligible for Healthy Family Indiana — home-visiting services that provide parents with hands-on education and supports and that connect them to community-based resources.

Notably, these upstream services are provided prior to any child welfare involvement at all. And federal funding is available through the Family First Prevention Services Act.

"Families are getting help in the community, with resources that in the past only would have gone toward an investigation or placement of children," Sanders says.

MORE HELP FOR FORMAL AND INFORMAL KIN CAREGIVERS

Another option for states: boost support for kinship caregivers.

Two years ago, with the passage of SB 3853, Illinois legislators initiated a pilot program to expand services for family members who are caring for the child of a relative. This includes home visiting, parent mentoring, and customized case management.

Earlier this year, Michigan became the first U.S. state to get federal approval of a plan to establish a separate, simpler licensing standard for kin caregivers. As part of the plan, too, the state will provide kin caregivers with the same level of financial assistance that any other foster care provider would receive.

Rollins says states also can do more to help informal kin caregivers, those individuals providing for children without formal involvement by the child welfare system.

"Many times these are economically fragile families, and it's often the grandparents, who are likely to be on a fixed income, who now need to care for the child," she says. "They're often not eligible for supports and services they need, and that can lead the caregiving arrangement to be disrupted."

In Ohio, though, these informal kin caregivers are explicitly eligible for assistance under the state's Kinship and Adoption Navigator Program.

Tim Anderson is CSG Midwest staff liaison to the Midwestern Legislative Conference Health & Human Services Development Committee. Kansas Rep. Susan Concannon and Illinois Sen. Julie Morrison serve as committee co-chairs. South Dakota Rep. Taylor Rehfeldt is the vice chair.

CHILD MALTREATMENT: DATA ON STATE INVESTIGATIONS AND VICTIMS IN 2022

State	# of children subject of investigation alleging child maltreatment	# of child maltreatment victims
Illinois	158,622	32,433
Indiana	123,644	19,185
lowa	38,790	11,150
Kansas	24,366	1,861
Michigan	138,966	23,500
Minnesota	32,958	5,299
Nebraska	27,634	2,026
North Dakota	4,764	1,132
Ohio	102,858	22,439
South Dakota	3,987	1,451
Wisconsin	30,556	4,082

Source: "Child Maltreatment, 2022," U.S. Department of Health & Human Services

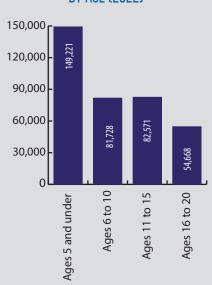
TYPES OF MALTREATMENT EXPERIENCED BY CHILD VICTIMS (2022)*

NEGLECT**	74.3%
PHYSICAL ABUSE	17.0%
SEXUAL ABUSE	10.6%
PSYCHOLOGICAL MALTREATMENT	6.8%

* Percentages add up to more than 100% because multiple types of maltreatment may be experienced by the same child.

Source: "Child Maltreatment, 2002," U.S. Department of Health & Human Services

OF U.S. CHILDREN IN FOSTER CARE, By Age (2022)



Source: U.S. Department of Health & Human Services' Adoption and Foster Care Analysis and Reporting System

^{***} States use varying definitions of neglect. Federal law defines it as "any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse or exploitation ... or an act or failure to act which presents an imminent risk of serious harm."

AROUND THE REGION



ADDRESSING VIOLENT CRIME: A FIVE-POINT PLAN FOR STATES DEVELOPED BY THE CSG JUSTICE CENTER

New laws, programs in Midwest have states pursuing related reforms



SOLVE MORE CASES OF VIOLENT CRIME

Nationwide, the number of violent crimes solved by law enforcement continues to decline. In 2022, no arrest was made in 63 percent of the violent crimes reported to law enforcement.

According to the CSG Justice Center, research is clear that the certainty of getting caught — not the severity of punishment — is what can deter crime.

Targeted state investments and grant programs can be used to:

- Boost support and training for local police agencies, particularly those with low solve rates.
 - Reduce detective caseloads.
- Improve law enforcement's engagement with witnesses and victims. **Illinois**, for instance, funds a program that helps witnesses of violent crimes pay for relocation and housing-related expenses.

The CSG Justice Center also points to recent investments in the state of **Ohio**: more than \$13 million for a Crime Lab Efficiency Program that aims to reduce and eliminate backlogs, decrease evidence processing times and upgrade lab technology.

Six years ago, the Utah Legislature established a statewide cold case unit (SB 160). Under the law, local enforcement must submit to a staterun database crimes that remain unsolved for three years. State investigators support the work in trying to solve these cold cases.



INVEST IN DATA-DRIVEN VIOLENCE PREVENTION

About half of the nation's violent crimes are never even reported to law enforcement. That fact points to the importance of having effective crime-prevention strategies.

Legislatures can be a catalyst for this work.

The CSG Justice Center singles out legislative-initiated work being done in the state of Washington: Researchers there were tasked with identifying the most cost-effective programs to prevent crime; the findings are now used to determine ongoing state investments.

As part of a statewide crime prevention strategy, the CSG Justice Center says, data-driven, evidence-based initiatives should target help for the communities most impacted by violent crime.

This can include increasing social and public health services, supporting culturally responsive violence reduction programs, and improving neighborhood infrastructures. In recent years, Illinois has allocated \$250 million to the Reimagine Public Safety Act for this type of programming.



ADDRESS TRAUMA TO PREVENT TRAUMA

Illinois, Iowa and **Ohio** are among the 12 U.S. states that are home to at least one Trauma Recovery Center. The goal of this TRC model is to provide help to the survivors of violence. For example:

- evidence-based psychotherapy to target symptoms of distress and to increase interpersonal safety;
- clinical case management to address legal, housing, financial or medical needs;
- help for survivors in securing the victim-compensation benefits that they are eligible to receive.

"Ensuring that individuals experiencing trauma are connected to relevant support and resources is critical to breaking the cycles of violence," the CSG Justice Center

In late 2023, lawmakers in **Michigan** passed the bipartisan Crime Victims Rights Package. This suite of enacted bills includes HB 4420, a measure that allows police officers or prosecuting attorneys to share victims' contact information with domestic and sexual violence service providers who can provide supportive services.

Also last year, the **Minnesota**Legislature established a \$500,000
grant program to address the health
and wellness needs of victims, and their
families, who have experienced trauma.



SET STATEWIDE GOALS TO REDUCE RECIDIVISM

Earlier this year, **Nebraska** became the fourth U.S. state to join Reentry 2030, a national initiative to improve the reentry success for people with criminal records. Within a state, the initiative establishes specific goals to reduce rates of recidivism. It involves partnerships among state and local leaders in the justice, workforce, health and housing sectors.

Among the new goals for Nebraska to reach by 2030:

- Increase GED completion among incarcerated individuals by 30 percent and college coursework enrollment by 50 percent.
- Expand participation in vocational and life-skills programming by 25 percent.
- Ensure enrollment in Medicaid for all individuals who are incarcerated and eligible for this public health insurance program.
- Make sure all individuals who are incarcerated obtain state identification and birth certificates prior to release.
- Within 30 days of parole placement, at least 90 percent of individuals who are released from incarceration will be gainfully employed.

Nationwide, falling rates of recidivism point to progress and the impact of

New resources, help for state leaders from the CSG Justice Center

The CSG Justice Center has created two new resources for policymakers:

1) "Five Ways States Can Reduce Violent Crime"; and 2) snapshots for each of the 50 states on what the most up-to-date data show about trends in crime, arrests, behavioral health, workforce, recidivism and more. Experts at The CSG Justice Center are available to help state leaders looking to unpack the data and dig deeper into how to improve community safety.

Please contact Madeleine Dardeau at *mdardeau@csg.org* to learn more.



Justice Center
THE COUNCIL OF STATE GOVERNMENTS

state-level policy changes. Still, 70 percent of people released from prison are re-arrested within five years.



IMPROVE JUSTICE DATA COLLECTION AND USE

A lack of sound data collection, reporting and analysis hampers efforts to improve criminal justice systems. "You can't fix what you don't measure," the CSG Justice Center says. "Data on crime, arrests, backlogs and punishments are hard to get.

"And despite an increasing focus on improving reentry outcomes, only half of states report data on outcomes for the millions of people sentenced to probation supervision."

One option for states: Join the Justice Counts initiative, a nationwide coalition that is adopting a common set of metrics to provide key insights on trends, operations and outcomes in the criminal justice system.

The CSG Justice Center is leading this effort.

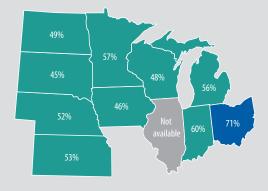
Iowa joined a handful of other states as a founding member of Justice Counts. **Illinois** and **Wisconsin** have secured federal grants to pursue the initiative's goals.

The use of data also is central to the technical assistance provided to states via the Justice Reinvestment Initiative. In this region, nine states have partnered with the CSG Justice Center on this initiative: Indiana, lowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio and Wisconsin.

The result has been the adoption of data-driven, evidence-based policies to improve public safety, save taxpayer dollars, reduce rates of recidivism, and help victims of crime.

CSG Midwest provides staff support to the Midwestern Legislative Conference Criminal Justice & Public Safety Committee. Nebraska Sen. John Cavanaugh and Wisconsin Sen. Jesse James serve as committee co-chairs. Ohio Sen. Michele Reynolds is the vice chair.

% OF VIOLENT CRIMES KNOWN TO LAW ENFORCEMENT THAT WENT UNSOLVED IN 2022*



- Rate of unsolved violent crimes was lower than U.S. rate of 63%
- Rate of unsolved violent crimes was higher than U.S. rate of 63%
- * Rates are based on reporting to the FBI's Uniform Crime Reporting Program. Unsolved rates are the number of reported crimes not cleared by arrest or by exceptional means divided by the number of reported crimes. Violent crimes include homicide, aggravated assault, robbery, and rape. The crimes of robbery and rape are most likely to go unsolved.

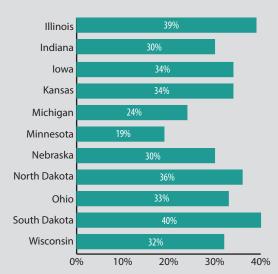
Source: CSG Justice Center

STATE AND LOCAL SPENDING ON LAW ENFORCEMENT SERVICES [2021]

(2021)				
State	Per capita spending	% of total state, local spending		
Illinois	\$471	3.4%		
Indiana	\$251	2.3%		
lowa	\$296	2.2%		
Kansas	\$391	3.2%		
Michigan	\$291	2.5%		
Minnesota	\$450	3.1%		
Nebraska	\$283	2.0%		
North Dakota	\$354	2.3%		
Ohio	\$333	2.7%		
South Dakota	\$274	2.4%		
Wisconsin	\$339	2.8%		

Source: CSG Justice Center, using data from U.S. Census Bureau's "Annual Survey of State and Local Government Finances"

% OF EXITING PRISONERS IN STATE WHO WERE REINCARCERATED WITHIN THREE YEARS (BASED ON DATA FROM STATE-SPECIFIC RECIDIVISM REPORTS)*



*The year of the exit from prison is 2020 in Iowa; 2019 in Illinois, Indiana, Nebraska, North Dakota, South Dakota and Wisconsin; 2018 in Kansas, Michigan and Minnesota; and 2016 in Ohio.

Source: CSG Justice Center

CAPITAL INSIGHTS



PROFILE: KANSAS HOUSE SPEAKER DANIEL HAWKINS

One of the state's top political leaders reflects on his lifelong, but unexpected, path to the Legislature — from dairy farm, to military service, to Topeka

by Laura Kliewer (Ikliewer@csg.org)

ork hard. Learn the rules and follow the process. Commit to serving others.

They sound like ingredients for success in the legislative arena, and Kansas Speaker Daniel Hawkins says he was fortunate to have learned each of them even before thinking about running for office.

He points to three experiences, in particular, that prepared him not only for legislative service, but also the chance to rise quickly in leadership.

First, as a child, Hawkins spent much of his time on his grandfather's dairy farm, working from sunup to sundown and building an appreciation for family and the value of hard work. Hawkins jokes that he also developed a lifelong sleeping pattern sometimes at odds with his friends in the Legislature.

"If you want to get ahold of me, you can send me a text at 11 o'clock at night — but I'm going to return it at 4 in the morning," he says.

The second experience: Twelve years of service in the Kansas Army National Guard, which demanded a strong work ethic and instilled in Hawkins the kind of skills and mindset that would help any legislator succeed.

"The military is very regimented; they do things a certain way," he says. "And the legislature is very regimented in our processes as well. Those who can learn the process have a leg up, as well as those who learn the rules."

Lastly, Hawkins has had decades of experience in successfully building and running his own insurance business, one focused on employee benefits.

"Every single client wants something different, and you need to be able to work with them to get them what they want," he says. "And that is the same as what we are doing here [in the Legislature]; we're helping people get what they need."

Now in his 11th year as a legislator, and second as House speaker, Hawkins recently spoke with CSG Midwest about his views on leadership and the policy challenges that lie ahead for his home state of Kansas. Here are excerpts, with questions and answers lightly edited for brevity and clarity.

How did you first become interested in politics?

I had paid attention to some politics, but not a lot. In 2006, our then-governor, Kathleen Sebelius, decided to try and bring universal health care to Kansas. It wasn't something that I thought Kansans really wanted



BIO-SKETCH: KANSAS REP. DANIEL HAWKINS

- ✓ elected speaker of the House prior to the 2023 session
- \checkmark served as majority leader from 2019 to 2022; first elected to the House in 2012
- ✓ served 12 years in the Kansas Army National Guard
- ✓ married to his college sweetheart, Diane; they have two daughters and two grandchildren
- ✓ longtime business owner who still works in the insurance industry in his hometown of Wichita
- ✓ has a bachelor's degree in marketing from Emporia State University

"You can be one person with one vote, or you can be one person with 20 votes because you have built a coalition of people of like mind who will get things done. I'll take the guy who can get 20."

to do, and I became very active in the association that I belong to about making sure we educate the governor and others on what we have and why universal health care may not be the best idea. We ended up being successful.

During that time, I spent a lot of time talking with [legislators] and educating them on what this would do, what would be the end result.

So that work really got me interested in the Legislature.

You've spoken about the importance of your time in the military as helping shape your outlook on legislative service. What lessons did you take away from your military bosses?

Probably the thing that I learned from them the most is that in the military, you are trying to build a team. And you don't get a choice of who you get — you get who they send you. You then have to learn how to mold those individuals into a team.

It's the same way with our Legislature. I don't get to pick who comes here. Each district elects a representative and each member comes here with different experiences, different wants, different desires, different self-interests. They come in with their particular life experiences, and you have to mold all those people into a team, to where you can get things done.

Conversely, what are some of the unique aspects of leading in a legislative setting,

compared to the military or most other environments?

For one, I can't fire a single person. The voters can fire them, but we can't. ... So we have to figure out how to make things work, how to get those who may not agree with us to come to the table and sit down and talk. Then we can figure out what it is going to take to get things done.

With that said, what do you consider to be the most important qualities of a legislative leader?

To get things done, you have to listen more than talk. You have to sit there and maybe have someone tell you something you don't agree with — you may not even like — to try and understand why they are saying what they are saying. Because there is a reason for it. It is important to them.

If you will listen enough, ask a few questions and get an understanding of where the person is coming from, you can find a way to meld things together.

If you never do that, you won't get 84 or 85 people working together. You just never do. So really, it's about building relationships and listening.

What piece of advice do you tend to give to newer members?

I always tell freshmen when they come in, "You know, you can be one person with one vote, or you can be one person with 20 votes because you

have built a coalition of people of like mind who will get things done."

I'll take the guy who can get 20 over the guy who can get one any day.

What are two or three of the most important challenges you think your state will be facing and needs to address over the next 10 years?

I'm going to start off with water, because water is absolutely an issue no matter where you are in the United States. For Kansas, the western side of the state is primarily agricultural and depends on water for irrigation and to grow the crops. It's extremely important out there. And then if you live on the eastern side of the state, where the majority of the population is, water is coming from lakes and from some aquifers. And those lakes are all silting in.

We formed a water committee. I have some fantastic people who are working on it. They are very passionate about solving the water [sustainability] problems with some voluntary conservation methods and various other approaches. So water is definitely the No. 1 issue.

The other issue is making sure we do everything we can to bring people into this state and have the workers. We have lots and lots of jobs, and now we're really starting to work to make sure our kids stay in the state and fill those jobs. So the workforce is going to continue to be an issue.

Third is probably child care, because it has a lot to do with workforce participation.



PROFILE: IOWA HOUSE MINORITY LEADER JENNIFER KONFRST



History-making lawmaker discusses political leadership and communication, including what she views as an under-utilized legislative tool — the floor speech

by Derek Cantù (dcantu@csg.org)

ennifer Konfrst likes to say she grew up around the lowa Capitol. As a girl, she would often tag along with her father, a statehouse reporter for more than 30 years with the Associated Press.

"I used to sell Girl Scout cookies on the floor of the Iowa House of Representatives," she recalls.

Konfrst also did a lot of listening and learning. One of the most lasting memories: the day she oversaw a heated exchange between the House speaker and a Republican lawmaker. The two were screaming at each other, seemingly the worst of enemies.

"After the argument, they were laughing and patting each other on the back," says Konfrst, who was 10 at the time. "I asked my dad, 'How can they be so mad at each other and still be friends?'

"And he said, 'It's the only way it works.'"

It turned out to be an important lesson for someone who went from young observer of the Legislature to, many years later, one of its top leaders.

Konfrst points to her involvement in her children's schools, as a longtime parent volunteer and PTA president, as a catalyst for bringing her back to the Capitol.

"I started to think about [running for the] school board and realized that they don't get to pick how much money they have," she says. "So I decided to run for the Legislature instead."

Once in office, she quickly took on leadership roles and, in 2021, became the first woman to lead lowa's House Democratic Caucus.

In her "day job," Konfrst is an associate professor of public relations at Drake University, and while on sabbatical during the 2022-'23 school year, she embarked on a research project that brought together two of her longtime interests: the legislative process and communications strategy.

Specifically, Konfrst wanted to learn how floor speeches are used as a communications tool by legislators and party leaders. To find answers, she surveyed and interviewed legislative leaders from across the country.

In a recent interview with CSG Midwest, Konfrst discussed that project and its findings, as well as her overall views on legislative communication and leadership. Here are excerpts, with questions and answers lightly edited for clarity and brevity.

Why did you decide to study floor speeches in



BIO-SKETCH: IOWA REP. JENNIFER KONFRST

- ✓ has served as lowa House minority leader since 2021; first elected to the lowa House in 2018
- ✓ is an associate professor at Drake University's School of Journalism and Mass Communication; previously led communications strategy and development for Iowa Public Television
- ✓ earned bachelor's and master's degrees from Drake University
- ✓ resides in Windsor Heights (in the Des Moines area) with her husband, Lee; they have two children: Ellie and James

"Floor speeches are some of the most important things that we do as legislators from a communications standpoint."

legislatures, and what did you discover from your surveys and interviews with leaders?

I believe that floor speeches are some of the most important things that we do as legislators from a communications standpoint. It's when the media are listening, when our colleagues are listening, and when the public is listening.

I asked legislative leaders of majority and minority parties from all states: "How do you decide who speaks on the floor?" "How do you decide what your floor strategy will be and who writes these remarks?"

What I found was there really isn't a strategy that is universal.

There are no trends in minority versus majority. There are really no trends even in large states and small states. What I found was that really members are driving whether or not they speak on the floor. It's almost like a crapshoot. It's just, "Who wants to speak on this bill? Great, go for it."

And I see that, personally, as a wasted opportunity. We're the only ones who get to talk on the floor. Everybody else, pundits [and] staff, can talk everywhere else. But this is our place to speak, and I think that we should be leveraging it more to explain our votes — or sometimes to not speak, which sends a message as well.

How can floor speeches be utilized, and can they still change minds in today's highly partisan legislative environment?

I think they can be used more strategically. Leaders and members could work more collaboratively to determine floordebate messaging to make sure it's as effective as possible. It brings message

cohesion; it brings more discipline to your messaging. ...

Most of the time in today's environment, the vote is decided before you come to the floor. Whether or not that's the way it should be, it is the way it is. I don't believe that right now these speeches are incredibly persuasive to our colleagues across the aisle. Therefore, I believe that our audience really is the media and the public watching. ...

However, I do believe that if we have very persuasive arguments that are based in logic and reason and fact, and that we use good arguments on the floor, there could be and have been a few people who might switch a vote.

Have you seen examples of this in lowa?

There was a representative from the other party [when] we were speaking on a gender-affirming-care ban. It was a very passionate, emotional debate.

One of the members of the Democratic caucus told the story of his daughter who had received gender-affirming care and said, "If anybody wants to talk to me about my daughter's experience, please do." In the course of that debate, that member [from the Republican side] went over because of the invitation on the floor, spoke to our member and changed his vote. Was it the floor speech itself, or was it the opening of the door to have the conversation? I won't know, but it was sparked by a floor speech.

Your caucus made lowa history in 2022 by electing an all-women leadership team. What new perspectives do you think this team has brought? It wasn't intentional. I didn't go around recruiting women to run. It's just that those were the leaders who stood up and raised their hand. ... When I noticed it was all women running, I got a little excited because I thought, "Well, this is organic." ...

We bring very diverse interests to the table. We have educators, we have a minister, we have a former political professional who also worked at Planned Parenthood. We come from safe seats, flipped seats, purple seats.

Certainly, the "mom ethos" is part of the women-leadership era. We lead in a [way that is] more, "How might we bring these two people together to get something done?" We lead that way based on our experiences. I don't say it's because we were born with two X chromosomes. I believe it's because as women in this society, we were raised to be rewarded for finding consensus.

How would you describe your personal leadership style?

I lead a group of independently elected officials who don't work for me. So it's really about leading, not bossing around, not forcing ideas. I work hard to find the balance, and I try to be very intentional about it. A balance between caucus consensus, leading with the priorities that I think are important to the caucus, and then trying to build our reputation over on the campaign side. ...

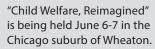
When I'm talking with [caucus staff], it's about "How can I build your career here?" Because I really feel that part of my responsibility as a leader is to build a bench of excellent, ethical, strong, talented staff in the state.

CSG MIDWEST NEWS & EVENTS

'CHILD WELFARE, REIMAGINED': POLICY WORKSHOP BEING HELD ON JUNE 6-7 FOR MIDWEST LEGISLATORS; SOME SCHOLARSHIPS AVAILABLE

In partnership with Casey Family Programs, CSG's Midwestern Legislative Conference is holding a two-day event for legislators to explore

policy strategies that can improve child welfare systems and long-term outcomes for young people and families.





CSG Midwest is pleased to offer a limited number of scholarships of up to \$1,200 for participating legislators' travel-related expenses. This workshop is being held as part of The Council of State Governments' support of the Midwestern Legislative Conference Health & Human Services Committee. Please contact Tim Anderson (tanderson@csg.org), CSG Midwest liaison to the committee, to learn about the availability of scholarships or to express your interest in taking part in the workshop. Information and a registration form also are available at csgmidwest.org.

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MARK YOUR CALENDAR: CSG'S IN-PERSON EVENTS FOR STATE LEADERS IN 2024



June 3-6: National Transportation Stakeholders Forum; includes meeting of CSG's Midwestern Radioactive Materials Committee | Denver



June 6-7: "Child Welfare, Reimagined: Policy Workshop for Legislators" (see above) | Wheaton, III.



July 21-24: Midwestern Legislative Conference Annual Meeting | Columbus, Ohio (details on this page)



Aug. 23-27 — Bowhay Institute for Legislative Leadership Development (BILLD) | Madison, Wis.



Sept. 9-10 — Great Lakes-St. Lawrence Legislative Caucus Annual Meeting | Duluth, Minn.



Oct. 25-26 — Meeting of Midwestern Legislative Services Agency Directors & Other Leaders of Nonpartisan Legislative Staff | Chicago



Sept. 18-20 — Midwest Interstate Passenger Rail Commission Annual Meeting | St. Paul, Minn.



Dec. 4-7 — CSG National Conference | New Orleans

To learn more, contact CSG Midwest at csgm@csg.org or visit csgmidwest.org and csg.org



COUNTDOWN TO COLUMBUS: THE TOP MEETING FOR MIDWEST'S LEGISLATORS IS JULY 21-24

Register by June 21 and join your legislative colleagues in Ohio's capital city for a family-friendly event that offers four days of learning, collaboration and fun

our days of learning, collaboration and networking opportunities for legislators in a welcoming, nonpartisan environment. The chance for legislators and their invited guests (of all ages) to discover a great city of the Midwest.

That is what The Council of State Governments' family-friendly Midwestern Legislative Conference Annual Meeting has been delivering for nearly 80 years. Sen. Bill Reineke, MLC chair in 2024, and his colleagues in the Ohio General Assembly are ready to carry on that tradition and showcase their state's vibrant capital city of Columbus.

June 21 is the deadline to register and secure a room at the meeting's group rate at the host hotel, the Hyatt Regency Columbus.

Please visit *csgmidwest.org/mlc24* to register, view the meeting agenda, and learn how to make the most of your time in the Buckeye State. Here are more meeting details.

IDEAS TO INSPIRE YOUR LEGISLATIVE WORK

The meeting begins on the morning of July 21 and runs through the early afternoon of July 24. These four days will be filled with sessions and workshops on public policy and professional development — all designed by and for legislators from the Midwest.

The goal of these interactive sessions is to give participants the opportunity to learn from one another as well as top policy experts. In addition, the meeting will include legislator-led Breakfast Table Topic roundtable discussions and several featured speakers (see highlights on this page).

There also will be site tours in the Columbus area that give legislators a unique look at policy areas ranging from economic and workforce development to the future of energy and transportation in the Midwest.

EVENTS AT TOP COLUMBUS VENUES

Three terrific venues in the Columbus area are hosting this year's evening events for attendees and their guests. You'll have the chance to dine in the splendor of the Ohio Statehouse, as well as enjoy receptions at the Franklin Park Conservatory and National Veterans Memorial and Museum catered by nationally renowned Columbus restaurateur Cameron Mitchell.

A full listing of meeting activities is available at *csgmidwest.org/mlc24*. It also includes exciting daytime activities for attendees' guests of all ages — for example, visits to the Columbus Zoo and Aquarium and Bridge Park. The children of attendees also will have the chance to attend a Columbus Clippers baseball game on the evening of the MLC State Dinner (July 23), which is for attendees and their adult guests.

FEATURED MEETING SPEAKERS (WITH MORE STILL TO COME!)



April Ryan, the longest-serving African American female White House correspondent, will share her insights on the U.S. political scene — past, present and future



Political strategist Karl Rove will discuss lessons for today from his award-winning book of history, "The Triumph of William McKinley: Why the Election of 1896 Still Matters"



Mark Gerzon, mediator and author of the book-turneddocumentary "The Reunited States of America," will lead an interactive session for legislators on finding common ground



CNBC contributor, acclaimed journalist and Ohio native Rebecca Fannin will share findings from her recent book "Silicon Heartland: Transforming the Midwest from Rust Belt to Tech Belt"

FEATURED SESSIONS & EVENTS

- MLC Chair's Initiative on Workforce Innovation and Transformation
- Learning site tours to two economically revitalized towns in Ohio, an innovative solar project in the Columbus area, and Honda's Transportation Research Center
- Keynote sessions on protecting the region's water resources and planning for a sound energy future
- Policy sessions on agriculture, child services, criminal justice, education, energy, the environment, health care, Midwest-Canada relations and more



THREE SPECIAL EVENING EVENTS FOR MLC MEETING ATTENDEES & GUESTS



Opening Night Reception at the Franklin Park Conservatory



Reception at the National Veterans Memorial and Museum



State Dinner at the Ohio Statehouse

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, North Dakota, Ohio, South Dakota and Wisconsin) and the Canadian province of Saskatchewan. The provinces of Alberta, Manitoba and Ontario are MLC affiliate members.

CSG MIDWEST'S BILLD PROGRAM

BILLD ALUMNI NOTES: LEADERS ON STATE WORKFORCE POLICY

Across the Midwest, graduates of the Bowhay Institute for Legislative Leadership Development (BILLD) program are helping shape workforce policy as leaders of legislative committees and/or members of state-level workforce boards.

- Illinois Rep. Elizabeth Hernandez | Class of 2010 Chair of Job Growth and Workforce Development Subcommittee
- Indiana Rep. **Bob Behning** | Class of 1995 Member of Indiana Governor's Workforce Cabinet
- Indiana Sen. **Jeff Raatz** | Class of 2016 Chair of Education and Career Development Committee Member of Indiana Governor's Workforce Cabinet
- Iowa Sen. Adrian Dickey | Class of 2021 Chair of Senate Workforce Committee
- Kansas Rep. Jason Probst | Class of 2021 Member of KansasWorks State Board
- Minnesota Sen. Carla Nelson | Class of 2003 Member of Governor's Workforce Development Board
- Nebraska Sen. Lou Ann Linehan | Class of 2018 Member of Governor's Workforce Working Group
- Nebraska Rep. **Scott Louser** | BILLD Class of 2013 Chair of House Industry, Business and Labor Committee
- North Dakota Rep. **Shannon Roers Jones** | Class of 2017 Chair of Legislative Assembly Interim Workforce Committee
- Ohio Sen. Catherine Ingram | BILLD Class of 2018 Ranking Member of Workforce and Higher Education Committee
- Ohio Sen. Bill Reineke | BILLD Class of 2016 Member of Governor's Executive Workforce Board
- Ohio Rep. Andrea White | BILLD Class of 2022 Member of Governor's Workforce Transformation Board



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This list of early sponsors is as of April 26. CSG Midwest continues to accept corporate, foundation and other sponsors for this year's BILLD program. Please contact CSG Midwest director Laura Tomaka (Itomaka@csg.org) to learn about the many benefits of supporting this premier leadership training program for Midwestern legislators.

Q&AWITH ABILLD ALUM: IDEAS FOR LEADING ON POLICY THAT HELPS STUDENTS FIND PURPOSE, CAREER SUCCESS

Workforce Innovation and Transformation

About the MLC Chair's Initiative

of Ohio Sen. Bill Reineke, BILLD

well as membership on the Governor's

He is now helping lead a regionwide

effort on workforce as chair of The

Midwestern Legislative Conference.

This topic is the focus of his MLC

prominently at the MLC Annual

one in Stateline Midwest.

Chair's Initiative. It will be featured

Meeting on July 21-24 (see page 10)

and highlighted in articles such as this

Council of State Governments'

Class of 2016

For years, Sen. Bill

Reineke has been

on issues related

That includes his

major legislation as

Executive Workforce Board.

sponsorship of

to workforce.

a leader in his state

Why have you made workforce a top priority during your time as an Ohio legislator, and now as 2024 chair of CSG's Midwestern Legislative Conference?

Workforce is the bedrock of individual, business and community success. As a business owner, I struggled with recruiting new employees, and I could not understand why it was so difficult to attract students into the career tech and trades pathways. The opportunities for these careers are not only more modern and technology-driven than one would expect, they are truly endless.

I had thought that the K-12 education world moved the way it was supposed to, preparing students for the workforce and for college. Instead, I found that business and education have an awkward relationship, which was ultimately out of alignment with student success. At the time, about 25 percent of Ohio high school graduates needed remediation after graduation, so my goal became to merge business and education to help every student find their purpose by reforming the way we talk about education and the system of administering K-12 education.

I wanted the education system to meet students where they are and help them find success through the traditional path, certificates, work-study programs, apprentice programs or a combination of approaches — in order to develop the workforce that is needed for our students and state to succeed.

From your experiences, how can legislators position themselves as leaders on this issue?

We meet with constituents, organizations and all kinds of groups. This provides an invaluable resource to

understanding the needs of employers today and provides a preview of what the future will look like for companies and organizations. The state can't solve workforce innovation on its own. However, we can assess the needs of workforce and students to help formulate a solution. I became the sponsor of legislation that reformed how we view education in Ohio by working with my local school officials who were struggling to align students with workforce needs and skills to succeed after high school. Together, we are now looking at education as a foundation for the future workforce, instead of in silos.

How do effective new laws on workforce policy get made? Do you have any tips or ideas for fellow legislators?

Hear from all parties involved, those that agree and disagree with you, when creating new legislation so that you have all your facts in order. I spent considerable time learning about the educational system and what the baseline results were in our schools, including high rates of absence, low success rates, too many study halls, high remediation rates, and understanding the failure to help each student with finding and pursuing their purpose. Go directly to the sources of what you are trying to solve. In the case of education, employers and student-centered organizations provided their perspective on the problem and how to solve it.

In Ohio, what specific successes or advances in recent years would you point to as being especially significant?

In 2023, I introduced Senate Bill 1, which reorganizes the Department of Education into the Department of Education and Workforce led by a cabinet-level director. The department's focus became two-fold: primary and secondary education, and career technical education. Both our traditional and career-technical education divisions needed to work together so our students can experience an "all of the above" approach to their futures instead of a "one-size-fits-all" model. With both of these pillars of student success under one roof, I envision more communication and collaboration.

In addition, I introduced Senate Bill 166. It is designed to combat our high remediation rate in Ohio, and will help students identify their purpose and gain much-needed experience. Likewise, it will help employers find qualified, well-trained employees. It will incentivize business to hire student workers via tax incentives, providing students with a better perspective on careers.

What are the most important workforce challenges for your state and other states to address?

The biggest barrier to success out of high school is the stigma associated with not going to college and getting a four-year degree. It is crucial that we change the way we view students going straight into a career. Career and technical education isn't even "dirty jobs" anymore. Advanced manufacturing, coding, jobs in IT and the tech space are common options, and students can avoid much, if not all, of the debt associated with college. We need to encourage parents and students to explore what works best for their child and what the landscape of certificate-ready careers looks like.

Redesigning education and workforce is essential in every state. Some states have ramped up their efforts to customize education, but as a nation, we need to be focused on our youngest citizens who will be entering the workforce of tomorrow with all of its advancements and technology. We can empower educators and students with educational pathways that help a student find their purpose and provide them employment.

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.

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