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July/August 2015

State Legislatures

National Conference of State Legislatures

Capitol Challenges

Fighting Over Federal Lands

Discovering What Voters Need

Applying Brain Research Wisely

Keeping Budgets in Balance

Avoiding Social Media Blunders

Getting Women to Run
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ENVIRONMENTAL POLICY LEADER & FORMER ASSISTANT SECRETARY OF STATE

nuclear. clean air energy.
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At statehouses, the press corps continues to shrink and change in unexpected ways and with uncertain consequences.

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Low turnout at the polls has officials asking whether voters have the information they need to cast smart ballots.
**EXPERTISE**

“The one word we have not used since the recession has been ‘robust.’”
NCSL’s Arturo Pérez about the slow-moving economic recovery, in Bloomberg.

“That’s going to start a lot of conversations in other states.”
NCSL’s Dustin Weeden on a Washington proposal to cut college tuition by as much as 25 percent, in The Seattle Times.

“You get some revenue out of it, and if you don’t do it too often, it can be effective.”
NCSL’s Mandy Rafool on state tax amnesty programs, in CPAPracticeAdvisor.com.

“State legislators often do look at what their colleagues in other states are doing.”
NCSL’s Richard Cauchi in The Wall Street Journal, on bills to require the pharmaceutical industry to disclose drug costs.

“The states aren’t passive purchasers.”
NCSL’s Laura Tobler on the importance of state oversight when managed-care companies administer Medicaid programs, in The Des Moines Register.

“There’s a whole swath of ideas that they’re looking at.”
NCSL’s Suzanne Hultin on state efforts to crack down on sexual assaults at colleges, in The Washington Times.

**D.C. ADVOCACY**

**Victory on the Hill**
NCSL’s D.C. staff, led by Susan Parnas Frederick and Jennifer Arguinzoni, celebrated the passage of the Justice for Victims of Trafficking Act this spring. NCSL had focused much of its advocacy efforts on this federal legislation that will strengthen enforcement efforts and assist trafficking victims.

NCSL not only assisted in drafting provisions in this bill, but also supported other trafficking legislation, as the issue has become a growing concern for many state legislators. “This legislation,” says Bill Pound, NCSL executive director, “addresses the common goal federal, state and local governments share of eradicating the inhumane practice of human trafficking.”

State lawmakers play a vital role in directing NCSL’s advocacy work on Capitol Hill. Legislators and staff from across the country who participate in NCSL’s eight standing committees adopt policies for consideration at the annual business meeting during the Legislative Summit. If two-thirds of the states in attendance approve them, these policies become the backbone of NCSL’s efforts to fight unwarranted federal pre-emption of state laws, unfunded mandates and federal legislation that threatens state authority and autonomy.

**STAFF SECTIONS**

Members of the National Legislative Program Evaluation Society’s Executive Committee planned their fall professional development seminar while in Denver, where it will be held in October.

**Coming This Fall: Professional Development for Staff**

- American Society of Legislative Clerks and Secretaries, Raleigh, N.C.: Sept. 20-25
- Leadership Staff Section (LSS) and Legislative Information and Communications Staff Section, Phoenix, Ariz.: Oct. 18-21
- Legislative Research Librarians, Legal Services Staff Section, Research and Committee Staff Section, Austin, Texas: Oct. 4-7
- National Association of Legislative Fiscal Offices, Portland, Maine: Oct. 14-17
- National Association of Legislative Information Technology, Sacramento, Calif.: Sept 29-Oct. 2
- National Legislative Program Evaluation Society, Denver, Colo.: Oct. 11-14
- National Legislative Services and Security Association, Santa Fe, N.M.: Sept. 13-18
Utah Senator and NCSL president-elect Curt Bramble (R, left) testified before the U.S. Senate Commerce Subcommittee in May, urging Congress to ensure the continued solvency of the Highway Trust Fund and commit to a long-term agreement on surface transportation funding.

Indiana Senator Pat Miller (R) brought some “homework” to an NCSL meeting on the Centers for Disease Control and Prevention’s Winnable Battles initiative. While listening to the presentation, she was able to sign a five-inch stack of congratulatory letters to all her constituents graduating from high school and making honor roll, proving once again that a legislator’s job is never done!

The Honorable Alexandre Postal (left), president of Brazil’s UNALE, thanks NCSL Executive Director Bill Pound for NCSL’s help in strengthening the group’s organizational structure. UNALE is modeled after NCSL and represents and supports state and district legislators in Brazil.

NCSL health care policy expert Richard Cauchi didn’t forget. He brought the magazine to the site of the world’s first legislative body: Iceland’s famous, but remote, Thingvellir (“Parliament plains”). It looks like the same barren field it was when the country’s governing body convened there in 930 A.D. Cauchi drove far into the sparsely inhabited southwest region to find it and he challenges all readers to send their traveling shots with the magazine to magazine@ncsl.org.

U.S. Secretary of Education Arne Duncan and EPA Administrator Gina McCarthy were among the speakers at a briefing for state legislative leaders at the White House this June. Legislators attending NCSL’s Symposium for Legislative Leaders also discussed the president’s trade bill and occupational licensing. Before traveling to 1600 Pennsylvania Ave., the group met with members of Congress at the Capitol.

State Legislatures magazine—Don’t leave home without it!
Advertising apples as oranges? Such type of misleading advertising occurs with health care services, too. In some states the term “physical therapy” is misrepresented or inappropriately advertised to the public by individuals who are not licensed as physical therapists. This characterization is misleading to the public, illegal in some states, and an issue of public protection for patients who think they are under the care of a licensed physical therapist, but in reality are not.

“Physical therapy” is not a generic term—it describes the care provided by or under the direction of licensed physical therapists. When people seek “physical therapy” they deserve to know their care is in the hands of a licensed physical therapist. Other health care providers might share some of the same treatment techniques or rehabilitative procedures used by physical therapists, but the care should only be described or advertised as “physical therapy” or “physiotherapy” when provided by or under the direction of a licensed physical therapist.

While two health care professions may share common elements, labeling them the same thing is not right—it’s like comparing apples to oranges.

Truth in Advertising?

To obtain information about what you can do to ensure your constituents have term protection for “physical therapy” in your state please contact the American Physical Therapy Association State Government Affairs Department at 800/999-2782 ext. 3161.

American Physical Therapy Association.
www.apta.org
The Rising Cost of Raising a Child

Bringing up baby isn’t getting any cheaper. Parents of a child born in 2013 will spend an estimated $245,340 to raise him or her to age 18, according to the U.S. Department of Agriculture. The increasing costs of child care aren’t helping. In 2013, child care and education expenses ate up 18 percent of the total cost of raising a child; in 1960, only 2 percent went toward those expenses. Child care is not only a necessity for working parents, if it’s high-quality care, it can help prepare kids to succeed in school. In any given week, 11 million children under the age of 5 nationwide are in some kind of a child care setting. But child care costs can be daunting for some families, who on average make the equivalent of $2,000 less every year than workers the same age did in 1980, according to the Census Bureau. And while take-home pay for nearly everyone has dipped, the cost of child care only goes up.

The average annual cost to have an infant in a child care center in 2013 was higher than a year’s tuition and fees at a four-year public college in at least 31 states. The annual cost of having two children in a child care center full time is the highest single household expense in the Northeast, Midwest and South. In the West, housing is the only budget item higher in cost than child care for two kids.

—Alison May and Julie Poppe

Child Care Costs
The average cost of having two children in a child care center in 2013 varied by region.

- West: $17,941
- Midwest: $17,258
- South: $15,409
- Northeast: $22,513

Percentage of Income
Families below the federal poverty line spent roughly four times the percentage of their income on child care as other families.

Families not in poverty: 8%
Families in poverty: 30%

Sources: Expenditures on Children by Families, 2012. U.S. Department of Agriculture, Center for Nutrition Policy and Promotion, August 2013; Child Care Aware report; USDA; Census Bureau.
Term limits put an end to Louisiana Senator Sharon Weston Broome’s (D) legislative career in June. But the 23-year statehouse veteran jumped right back into politics as a candidate for mayor-president of East Baton Rouge Parish. Broome, who was elected to the House in 1992, made history when she became the first woman elected speaker pro tempore.

Oregon Senate President Peter Courtney (D) received an honor many politicians don’t live to see. Western Oregon University has named its health and wellness center after the veteran lawmaker, who is serving a record seventh term as his chamber’s leader. Courtney was honored at the university’s commencement, at which he delivered the keynote address. His association with the university spans 30 years, with work as an assistant to six presidents and as a speech communication instructor. Courtney was elected Senate president in 2003, when the chamber was split 15-15, and has held the post ever since. When his term ends, he will be the longest-serving legislator in Oregon history.

“I think that was obviously the common-sense interpretation from what Congress intended, and that to rule otherwise would’ve simply been an ideological shot at the policy itself versus what was clearly intended. It would wreak havoc.”

—Georgia Senator Elena Parent (D), on the Supreme Court’s ruling to let the subsidies stand in the health reform act, as reported by Decaturish.com.

“There are currently four Texans, by birth or choice, running for president, but Texas House Speaker Joe Strauss (R) has his favorite. His choice—among native son and former Governor Rick Perry; Jeb Bush, born in Midland; Ted Cruz, born in Canada but raised in Houston; or Rand Paul who grew up in Texas where his father was a congressman—was easy. Jeb Bush. “I have been a friend of his family for many, many years … I think he’s going to be the best chance Republicans have of taking the White House after eight long years,” said Strauss.

“It is a sad day for religious freedom, for states’ rights and the future of America. The Supreme Court has defied reason, the Constitution and God by declaring homosexuality to be marriage.”

—Oklahoma Representative Sally Kern (R), in the Tulsa World.
With only seven hours left in the session, Missouri Representative Todd Richardson (R) was elected speaker of the House on a voice vote and sworn in by state Supreme Court Justice Patricia Breckenridge. Richardson succeeds John Diehl (R), who resigned his leadership post and seat May 15. Diehl, who spoke a final time on the dais before the handoff to Richardson, apologized for making a mistake—he had acknowledged sending suggestive text messages to an intern—and received a standing ovation from Republicans.

Three incumbents were toppled in June primary contests in Virginia, with voter turnout averaging 7.7 percent. Veteran Senator Stephen Martin (R) lost the seat he’s held since 1994 in a three-way race to Amanda Chase (R). Martin was one of the most senior members of the GOP caucus. Delegate Johnny Joannou (D), who served a combined nine terms in the House and Senate, was defeated in his primary by lawyer Steve Heretick (R). First-term Delegate Mark Berg (R) lost his seat to Christopher Collins (R) in a race that garnered less than 3 percent turnout. In the contest that drew the highest turnout of the day—15.6 percent—Speaker William Howell (R) defeated his primary candidate, Susan Stimpson (R), who had the support of the tea party.

Mississippi House Speaker Philip Gunn (R) in June called for the removal of the Confederate battle emblem from the state flag. “We must always remember our past, but that does not mean we must let it define us,” Gunn said. “We need to begin having conversations about changing Mississippi’s flag.” Gunn’s comments came several days after nine African-Americans were killed in a church in Charleston, S.C. Governor Phil Bryant (R) believes the flag should stay and so did Mississippi voters in 2001, by a 2-1 margin. Senator Kenny Wayne Jones (D), chair of the Legislative Black Caucus, said his members are looking “very seriously” at changing the flag when the Legislature convenes in January. “That flag, as a representation of the state, has no right to be here,” he said. Senator Melanie Sojourner (R) disagrees, stating that the ‘flag was no more the ‘source’ of horrible acts against mankind than a gun is the ‘source’ of someone’s death. Simply placing blame on something that some see as a symbol only perpetuates the problem.”

“Supreme Court upholds Obamacare subsidies. Our Founding Fathers are rolling over in their graves.”

—Alabama Representative Mack Butler (R), in response to the Court ruling upholding the federal subsidies in the law, in the Alabama Political Reporter.

“America has sustained herself as one of the greatest, freest countries on earth, not by limiting the rights of her citizens to certain groups, or the majority, but with the promise of equal treatment under the law for every American.”

—Ohio Representative Tim Brown (R), following the Supreme Court Ruling in support of gay marriage, in the Nordonia Hill News-Leader.

South Carolina Senator Clementa Pinckney (D) spent the last day of his life securing more foster-care funding at a state budget hearing, then leading a prayer group at the historic Emanuel African Methodist Episcopal Church in Charleston. He was among nine people slain on June 17 when a gunman opened fire on a bible study group. The senator had been the church’s pastor since 2010. When he began his legislative career in 1996, he was the youngest African-American ever elected to the state’s General Assembly. He moved to the Senate four years later. “He had a passion for helping the poor, for helping to improve the quality of life for all mankind, but especially those who are the least among us,” said Senator Kent Williams (D), Pinckney’s cousin. “We had differences in opinion in regard to a lot of other matters, but I always enjoyed working with him. His eyes were always toward justice,” said Senator Tom Davis (R). Following tradition, his desk on the Senate floor was draped in black. Pinckney was 41.
Utilities Lead the Way on Solar Power

Solar energy is an important part of our nation’s current and future electric generation mix—and America’s electric utilities are leaders when it comes to expanding solar energy options for their customers.

Large-scale utility solar now amounts to about 60 percent of all installed solar capacity, and the total amount of utility solar is expected to triple by the end of 2016. More broadly, the electric power industry is spending $90 billion per year, on average, to transition to cleaner generating sources and to enhance the reliability and resiliency of the grid.

As America continues to expand the use of solar power, utilities will continue to innovate with new technologies and programs to meet customer needs. We look forward to a bright, sustainable future for solar power.
BOOK REVIEW

Rules for State Legislators: Jerry Kopel’s Guide

By Jerry Kopel and David Kopel
Kindle edition, $14.95

The late Gerald H. “Jerry” Kopel was elected to the Colorado House of Representatives in 1964, after careers in law and journalism. During his 22 years at the Capitol, he proved himself to be a master of legislative rules and procedures, an advocate for civil rights and a partisan statesman unafraid to reach across the aisle.

“Jerry Kopel was a legislator’s legislator,” former Denver Mayor Wellington Webb said at a House memorial after Kopel’s death in 2012.

Kopel, a Democrat, served as assistant minority leader, as chairman of the House Judiciary Committee and, after he retired in 1992, as a volunteer analyzing pending legislation. For many years, he wrote a column for the weekly Colorado Statesman.

In the new book “Rules for State Legislators,” Kopel’s son David, a lawyer and research director at the Independence Institute, lays out his father’s advice on what to do after getting elected—“Tips for Winners”—where to sit in the chamber and how to pass bills when you’re in the minority party. The “rules” are derived from the elder Kopel’s Statesman columns, and the book preserves his plain-spoken, sometimes colorful newspaperman’s tone. His counsel comes across best when you read it for yourself, in his own words.

**Do your homework.** When it comes to voting, there are legislators, especially new ones, who will follow the lead of legislators who have been in office for a few years. That is really dumb, especially when you later discover that legislator watching someone else’s vote before deciding.

**Sponsor bills that have no fiscal impact.** If you feel it’s important to get bills passed that carry your name as chief sponsor, then introduce bills that have no fiscal impact. Bills with no fiscal impact can give members of the minority party a better chance of success.

**Don’t commit early and don’t commit often.** You will be confronted by hundreds of bills. If you commit early to support a bill, chances are you will have to go to a particular lobbyist or legislator and confess to having changed your position.

**Learn the rules.** There is more to the House and Senate rule books than the daily routine. You will be amazed to discover how many motions you never knew existed and that are seldom used. I have killed bills by using up all possible motions, having all the motions defeated and leaving one bill, as the Rocky Mountain News reported, “like a dead horse in a bathtub.”

“Rules for State Legislators” is peppered with anecdotes from Colorado’s legislative history, but there’s plenty here for legislators from any state to appreciate. Kopel endears himself a bit like a good-natured older brother—someone genuinely interested in seeing you succeed, but not so serious that he wouldn’t enjoy a practical joke played at your expense. —Reviewed by Kevin Frazzini
Biologic medicines provide needed relief to millions of Americans with arthritis, psoriasis, Crohn’s and other diseases. The medicines, also known as biologics and biopharmaceuticals, are derived from living organisms by programming cell lines to produce therapeutic substances.

Common biologics include human growth hormone, injectable treatments for arthritis and psoriasis, the hepatitis B vaccine and stem cell therapy. They work for many patients like no other drugs have, but often are more expensive. They account for about 2 percent of U.S. prescriptions but include life extending products for cancer treatment and rare diseases.

Enter biosimilars. These “highly similar” versions of biologics are just starting to hit the market. Although prices are not yet set, they are calculated to be less expensive. Regulating biologics raises new issues for state and federal policymakers alike. Because of their complexity, biologic drugs are more difficult to replicate than the chemically produced generics for other drugs. And, because biologics are derived from unique cell lines, truly identical generic versions are virtually impossible to produce. Once patents for existing brand-name biologics expire, however, biosimilars may be more readily produced.

The U.S. Food and Drug Administration must deem generics “interchangeable” before they can be used as substitutes for brand-name biologics. In early March, the FDA approved the first biosimilar, a version of the drug Neupogen, which is used mostly for patients whose ability to make white blood cells has been compromised by chemotherapy or bone marrow transplantation.

The FDA confirms that at least three other biosimilars are awaiting approval. Many others are in development.

But patient advocates worry the new copies will be substituted for the already proven successful original medications, without their knowledge.

All of this recent activity is prompting states to consider laws that require doctors to be informed when biosimilars are substituted for name brands.

So-called notification bills began popping up in states two years ago, but most were deferred or defeated in the face of opposition from biosimilar manufacturers and organizations representing pharmacists, who object to the extra work that notification requirements can entail.

The landscape, however, has shifted in the past six months partly due to agreements over wording, initiated by legislators in Georgia, Massachusetts, Utah and Washington. With required “notification” changed to required “communication,” which includes electronic records, interest has expanded. The number of enacted laws has increased from seven states last year to 14 states as of mid-June this year.

—Richard Cauchi
Campus Carry – What’s in Your Bookbag?

In June, Texas became the eighth state to allow faculty and students to carry concealed handguns into buildings on public college campuses.

The bill, which was enacted over opposition from university officials, prevents schools from prohibiting firearms but allows administrators to establish “reasonable” regulations and ban guns from certain buildings. To carry a concealed weapon, students must be at least 21 and have a permit.

At least 15 other states introduced legislation this year to allow some degree of concealed carry on college campuses. Most bills failed, but legislation is still pending in Nevada, Ohio, Oklahoma and South Carolina.

Nineteen states have gone the opposite direction and have banned concealed weapons on college campuses, and in the other 23 states, the decision is left up to the college or university.

There are some variations in the laws. The Kansas legislation prohibits colleges and universities from banning concealed weapons unless buildings have “adequate security measures.” Institutions’ governing boards, however, may prohibit concealed weapons for up to four years by applying for and receiving an exemption from the law. Arkansas allows only faculty to carry guns, if a college’s governing board doesn’t object.

Supporters of concealed carry laws claim they protect the rights of licensed gun owners and may help save lives during an emergency. Opponents argue that allowing guns on campus does nothing to enhance safety and only increases the risk of injury.

—Suzanne Hultin

The Buzz Over Renewable Energy

Under scrutiny this year were renewable portfolio standards—the mandates requiring utilities to sell a certain percentage of electricity from renewable energy sources like hydropower, biomass, solar and wind.

Supporters argue that the mandates increase energy diversity, promote job growth, lower emissions and serve as important policy tools for complying with the federal government’s proposed greenhouse gas emission-reduction requirements.

Opponents argue the mandates interfere with energy markets, give renewable energy unfair advantages over other technologies and no longer serve as the best method for increasing renewable energy investments.

This year, legislatures continued to debate repealing or modifying their renewable portfolio standards. Boldly going where no state has gone before, Hawaii passed a bill directing its utilities to generate 100 percent of their electricity sales from renewable resources by 2045. Governor David Ige (D) signed the measure in June. Several states—Illinois, Michigan, Montana, New York and Wisconsin—and the territory of the Northern Mariana Islands will meet their mandates, meaning requirements must be extended or allowed to sunset. New York earlier announced it will not extend its renewable portfolio standard and will instead explore new ways to increase investments through a program called Reforming the Energy Vision.

No state had fully repealed its mandate, as of press time.

Despite this year’s trends mirroring those of previous sessions, several actions stand apart from the crowd. The Vermont legislature sent a bill to the governor that would replace the state’s non-binding goal with a renewable energy mandate. If enacted, this would be the first new mandate since Puerto Rico’s in 2010. Additionally, West Virginia became the first state to repeal a voluntary goal with legislation enacted in February. Kansas recorded a first by enacting legislation that changed the state’s enforceable mandate, which many utilities had already met, into a non-binding goal.

Although many legislatures have adjourned for the year, renewable portfolio standards and goals may still see action in a number of states.

—Jocelyn Durkay
Keeping Trolls in Their Holes

More than half the states have joined the battle against the most litigious of patent-assertion entities, those known as patent trolls. Vermont led the charge in 2013 by passing the first legislation addressing the menace. Seventeen states followed in 2014, and eight have so far this year, with another one waiting only for the governor’s signature.

Trolls are rarely the inventors or original owners of patents. Scavengers by nature, they buy up patents from defunct or struggling companies, then send vague, threatening letters to all kinds of businesses accusing them of violating these patents. The letters often require the unreasonably quick payment of a settlement or license fee that is disproportionately high based on the value of the patent.

Patent trolls are a threat to businesses of all sizes, but young, startup companies are the most vulnerable because the possibility of litigation costs can scare off potential investors.

Although patent issues are typically handled by the federal government, states have made the biggest impact on patent trolls, and a 2014 federal court decision in Vermont reinforced the validity of state action in this field. And by far, states’ actions have had the biggest impact on trolls.

State law varies. Several define terms or list the offenses that may be investigated and prosecuted. Others focus on patents and how they are issued. Still others provide remedies when abuses occur.

The federal government has demonstrated its support of state efforts to combat trolls. President Obama has likened their actions to extortion. The U.S. Supreme Court has limited what can be defined as a patent. And an anti-troll bill in Congress has bipartisan support.

With 26 states now in the fight, patent trolls may soon find themselves stuck in their holes with nowhere left to go.

—Jonathan Griffin

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Carolann Broekhuizen won big in 2013, collecting $10,000 on a “bet” she placed—not at a casino, but in the form of deposits at her local credit union. The Michigan woman earned that extra return on her investments in a prize-linked savings account called “Save to Win.”

Save to Win has awarded more than $1.4 million in prizes to more than 14,000 members in four states since 2009. Prize-linked accounts offer a lottery-like feature to encourage people to save money. Investor options might be savings accounts or certificates of deposit, but both are held in a financial institution risk-free, just like traditional accounts. The difference is that participants are entered into a drawing based on the number or size of their deposits during a given time period. The prizes are funded through the interest that accrues across the pool of the account.

For many Americans, setting money aside can be difficult. The personal savings rate in the U.S. sat at 4.9 percent of disposable income last year compared with a high of 17 percent in 1975. In a 2014 survey by the Employee Benefit Research Institute, 36 percent of U.S. workers reported having less than $1,000 in savings or investments. Many still place their hope in the lottery. According to the Consumer Federation of America, in 2010, 38 percent of people earning less that $25,000 a year think the lottery is the most practical way to accumulate a few hundred thousand dollars during a lifetime.

When Michigan launched the Save to Win pilot project in 2008, it was the only state authorizing credit unions to hold savings promotion raffles. Banks and other financial institutions were prohibited by federal law from operating lotteries. At the end of the project’s first phase, 11,666 new accounts had been opened.

Proponents argue that prize-linked accounts offer an appealing, entertaining way to save money. Opponents, including some banking associations, say the programs foster a gambling mentality and unfairly favor credit unions over banks and other institutions.

As an alternative to the savings promotion raffles, some banks have offered deposit sweepstakes, which, unlike the prize-linked accounts, cannot require participants to have an account at the bank to be eligible to win.


To address the concerns of banks and other financial institutions, and to help prize-linked savings programs expand, Congress passed the American Savings Promotion Act in December 2014. In fact, the laws enacted in Connecticut, Maine, Maryland, New York and Washington were written for all financial institutions, in anticipation of a change in that law. The laws in Indiana, Nebraska, North Carolina and Rhode Island apply to credit unions. In 2014, Michigan enacted legislation allowing savings raffles to be administered by state-chartered banks. In 2015, Arkansas, Minnesota, Oregon and Virginia passed laws authorizing savings raffles.

Legislation to authorize savings raffles is pending in Illinois, Maryland, Minnesota, Nebraska, New Jersey, Oregon, Texas and Virginia. The bills in Maryland and Nebraska seek to amend the existing statutory provisions.

—Heather Morton
1. **GAMING TRUMPS TAXES**

Alabama lawmakers, facing a revenue shortfall of more than $260 million, got a surprise offer of assistance from an unlikely source: the Poarch Band of Creek Indians. In exchange for exclusive gambling privileges in the state and land for a fourth casino, the tribe would pay off nearly all of next year’s budget deficit. With the alternative fiscal fix being limited tax increases, the Republican-led Senate is taking a hard look at the tribe’s offer. “Republicans, by and large, aren’t big advocates of gaming,” Senate President Del Marsh (R) told the New York Times. “But they sure as hell don’t like taxes.”

2. **NEVADA’S GOT CHOICE**

The Nevada Legislature stunned the education world by passing the most expansive public school choice program in the nation. It allows any student who has been enrolled in a public school for at least 100 days to withdraw from the school system in exchange for an education savings account containing roughly $5,000. The funds can be used to pay for a wide range of educational offerings. The legislation applies to all public school students and has no budget or enrollment caps. Students will be required to take either the state assessment or a nationally norm-referenced exam each year so the state can evaluate results.

3. **SMOKE DETECTOR**

Colorado’s at the forefront of disaster preparedness with recently passed legislation that funds a cutting-edge wildfire prediction system. Using atmospheric weather data, fire officials hope to predict the intensity and direction of fires 12 to 18 hours ahead of time. “That is really important so we know where to direct our planes ... and our firefighters,” says Representative Tracy Kraft-Tharp (D), the bill’s sponsor. “This is really revolutionary.” The system, which will cost $1.2 million over the next two years, was developed at the National Center for Atmospheric Research in Boulder, Colorado.

4. **CLARIFYING CONTROL**

Texas lawmakers passed a bill giving the state exclusive jurisdiction to regulate oil and gas operations. It preempts local efforts to ban some oil and gas drilling activities, including hydraulic fracturing. Representative Drew Darby (R), says the measure was intended “to clarify where local control ends and state law begins.” Energy companies and industry groups say the bill will support the growth of healthy and vibrant economies, but environmentalists and some local officials worry it will erode cities’ authority to ensure local health and safety.

5. **CRUMBLY COUNTRY ROADS**

South Carolina ranks second in the nation in fatalities on rural roads, according to a new study by the national transportation research group TRIP. An average of 3.4 people per million vehicle miles die on the Palmetto State’s rural roads. (Connecticut ranks No. 1.) Senator Brad Hutto (D) hopes to change that statistic. He says lawmakers are working to generate an extra $300 million to $800 million annually to improve rural road conditions. The state Department of Transportation estimates the need to be more than $40 billion over the next 25 years.
6 EYE OF THE BEHOLDER
Tennessee’s new logo for official documents—the white letters “TN” on a red background—has drawn mixed reactions. It was part of an effort to "brand" the state with a more unified look on signs and letterheads. But Chris Butler, with watchdog.org, was unimpressed. “This is something a fifth-grader could easily produce on his or her computer at home,” he said in a recent interview. Possibly, though there’s little doubt a fifth-grader would have charged less than the $46,000 the state paid to the professional designers.

7 WHAT’S THE RUSH?
The speed limit on some Wisconsin highways would rise to 70 mph under a proposal approved by the Senate recently. Maximum speed limits in the Badger State—the Midwest’s 65 mph holdout—would increase on stretches of interstates and some other four-lane highways. The proposal’s lead sponsor in the Senate, Devin LeMahieu (R), called it “common sense legislation” that leaves the final decision on limits up to state transportation officials. Wisconsin’s neighbors have maximum limits of 70 mph or higher, and the state is the only one between Pennsylvania and Oregon that doesn’t have a maximum limit of at least 70 mph. On the East Coast, maximum speed limits are set at 65 mph, with the exceptions of Florida, Georgia, Maine, parts of New Hampshire, the Carolinas and Virginia, all of which have limits of at least 70. Wisconsin’s deliberate pace on the issue is perhaps wise. Speed is a factor in 30 percent of all fatal car crashes, according to the National Highway Traffic Safety Administration.

8 NO TO ‘MILLIONAIRE TAX’
Looking for a way to boost funding for education, Illinois House Speaker Michael Madigan (D) proposed asking voters to amend the state’s constitution to impose an extra 3-percentage-point income tax on those who make more than $1 million a year. “This simply says that, for those that have done well in this state, we’re going to ask you to provide a little more help for the state so our future children can do better in life,” Madigan said. But the bill failed over concerns that, if passed, it would cause millionaires to flee the state. “We ought to be encouraging job creators. ... [not] pushing them out,” Representative Ron Sandack (R) said. He argued that since lawmakers were partly responsible for the state’s poor financial condition, they shouldn’t go looking to millionaire taxpayers to fix the problem.

9 CAMERAS DON’T LIE
South Carolina now requires all law enforcement officers in the state to use body cameras. Senator Gerald Malloy (D), the bill’s sponsor, said the first-in-the-nation legislation will help to “protect officers, protect citizens and protect the truth.” The law also creates a fund to help pay for buying, operating and maintaining the equipment. Seven other states this year have enacted laws addressing body-worn cameras, and three more state legislatures have passed bills that are awaiting governors’ signatures.

10 PUTTING THE ‘BAR’ IN BARBER
Many California hair salons offer a complimentary drink to customers, even though it’s illegal. Businesses aren’t allowed to serve alcoholic beverages without a license. But a bill brewing in the legislature could change that. Assemblyman Tom Daly (D) has introduced legislation to add barbershops and beauty salons to the exempted list, which now includes limousine and hot air balloon companies. The businesses would be limited to serving 12 ounces of beer or 6 ounces of wine per client. Drinks would have to be free and served before 10 p.m.
Since the end of the Great Recession, despite changes in policies and politics, states have rolled along the fiscal highway at a slow but steady pace. Revenue growth has been modest—enough to maintain state spending, but not robust enough to sustain any broad new initiatives.

But now, as fiscal year 2016 begins, some states are encountering more speed bumps along the road to recovery. How drastic are conditions changing? It varies by state.

**Surprise, Surprise!**

In a development that surprised most budget observers, more than a dozen states had to close shortfalls as they prepared to enact FY 2016 budgets. Alaska legislators faced one of the largest, at more than $3 billion for the new fiscal year. That’s a big chunk of a budget that in FY 2013 was just over $7.5 billion.

The state relies on revenues from oil and gas for about 80 percent of its general fund, so Alaska’s finances were hit particularly hard when the price of a barrel of oil dropped from $115 in mid-2014 to around $45 at the start of this year. It took a special legislative session for lawmakers and the governor to hammer out a spending plan for FY 2016 before the July 1 deadline.

Louisiana also was hurt by falling oil prices. The drop in oil revenue was a major factor in a $1.6 billion projected budget shortfall for FY 2016, though other structural and economic challenges, including a weaker-than-expected personal income tax performance, were also to blame.

To bridge the budget gap, the Legislature ultimately relied on a mix of tax increases and tax credit reductions. The budget-balancing package included a $180 million cap on the state’s popular film tax credit program and a 50-cent-per-package increase in cigarette taxes.

Lawmakers in Kansas had a difficult time agreeing on a spending plan for the new fiscal year as state coffers were projected to be short by more than $400 million in the new budget year. The legislators’ debate over how best to close the gap made the 2015 session the longest in state history.

Officials in Kansas pointed to several rea-
sons for the shortage, including weaker-than-projected economic growth coupled with lower severance tax collections and a drop in corporate income taxes. The Legislature extended its regular session into early June and eventually passed a balanced budget that included an increase in the statewide sales tax from 6.15 percent to 6.5 percent and a hike in the cigarette excise tax rate from 50 cents per package to $1.29. A shift toward sales taxes and away from income taxes was seen in other states too, as lawmakers looked for ways to fill the gaps.

**Working Overtime**

Three states facing budget challenges had yet to complete their budget sessions as this issue went to press at the end of June.

In Illinois, an assortment of economic issues, along with public pension liabilities and expiring temporary taxes, contributed to a $6 billion deficit at the start of FY 2016. The General Assembly and the governor spent much of the 2015 session battling over how to close the gap. Among the unresolved issues were a proposal from the new governor to freeze property taxes and a fix for the nation’s worst-funded public pension system.

In Pennsylvania, the legislature and governor were sparring over the best way to cover a $1.4 billion budget shortage. By the beginning of June, the legislature had agreed on a plan to balance the budget, but after the business community expressed concerns over corporate income tax increases, the governor and lawmakers reopened negotiations as the start of the new fiscal year approached.

In Connecticut lawmakers entered into their budget negotiations facing a $1.4 billion shortfall. By the beginning of June, the legislature had agreed on a plan to balance the budget, but after the business community expressed concerns over corporate income tax increases, the governor and lawmakers reopened negotiations as the start of the new fiscal year approached.

**Smooth Sailing for Some**

The underlying reasons for state budget gaps vary greatly, and not all spell trouble. Most states have recovered from the harshest effects of the recession, with a few reporting “strong” fiscal conditions. And despite the general lack of revenues, a handful of state legislatures managed to enact balanced budgets for FY 2016 with plenty of time to spare.

The Arizona Legislature completed its work on the state’s spending plan and adjourned with the shortest legislative session in nearly half a century.

Even California—a state that has struggled significantly in the recent past to adopt a budget on time—made the deadline. California lawmakers sent a spending plan to the governor before the June 15 budget deadline, after which they would have had to forfeit their pay.

In Colorado and Utah, lawmakers were in the enviable position of having to decide what to do with surplus tax revenue.

**Tough Choices Remain**

In the rest of the states, however, the underlying reasons for fiscal wariness vary from lower-than-expected oil revenue, to unusually high health care expenses, with many others in between.

In several states, spending pressures are threatening to outpace revenue growth. Increasing health care and education expenses continue to consume an ever-increasing share of state revenues.

At the same time, revenue growth has been notably slow—averaging between 1 and 3 percent since the recession ended in 2009, compared with 5 percent or more before the recession.

The heightened feeling of fiscal uncertainty leaves lawmakers dodging potholes as they decide how best to allocate limited revenues.

Fortunately, many have driven this road before.

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**Percent Change in General Fund Appropriations for Major Budget Categories in FY 2015 (projected)**

<table>
<thead>
<tr>
<th>Category</th>
<th>Percent Change</th>
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<tr>
<td>Higher Education</td>
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</tbody>
</table>

**Source:** NCSL survey of state legislative offices, summer 2014

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The State of FY 2016 Budgets

**JUNE 30, 2015**

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**The State of FY 2016 Budgets**

**JUNE 30, 2015**

**Source:** NCSL
Women lawmakers have struggled to gain more than a quarter of all legislative seats.

BY KATIE FISCHER ZIEGLER

A woman will lead this organization over my dead body.”

Shortly after the chairman of NCSL’s nominating committee made this pronouncement at an annual meeting of the organization in Seattle, the Women’s Network was born.

The year was 1985. Hairstyles, eyeglasses and shoulder pads were big. But the number of women in influential government positions was not. There were only three women leading foreign nations, 24 in Congress, two in governorships and 1,101 (14.8 percent) in all 50 state legislatures.

The chairman’s words traveled quickly through the convention center. Many of the female lawmakers there had developed strong ties with one another through informal but regular lunches during NCSL meetings. After learning of the chairman’s remark, the group decided it was time to act. They believed women needed to play a greater leadership role in the organization.

Louisiana’s Mary Landrieu, a state representative then, announced the creation of the Network during the business meeting. “I rise on behalf of all fair-minded men and women today,” she said. “We hold the leadership responsible for appointing people who will extend the opportunity for leadership in this organization to all.”

The initial goals of this bipartisan group of women were to support and promote one another in leadership positions in NCSL and in their home states. They also agreed to promote some public policies they felt were too often ignored by their male colleagues, such as insurance coverage for mammograms, the availability of affordable child care and research into women’s health.

Thirty years later the statistics for women in state legislatures are somewhat better. Women now comprise 24.3 percent of all legislative seats, and the number of women in major legislative leadership positions has grown from 12 in 1985 to 61 today. And, since
1985, when the chairman drew his line in the sand, seven women have led NCSL, including the current president, Nevada Senator Debbie Smith.

The increase in women lawmakers overall, however, has been slow. After jumping from 8.1 percent in 1975 to 20.5 percent in 1993, the share of female legislators has grown by less than 5 percentage points since then.

The importance of having women in leadership roles continues to be a high priority for the Network. “The decisions that get made by a speaker or a senate president really drive a lot of the process and how things end up,” says Oregon Speaker Tina Kotek (D). “When you don’t have a diverse set of individuals in those rooms, you’re going to have a skewed perspective.”

Run, Baby, Run

One reason women haven’t approached parity is not that they can’t win elections; it’s that they simply are not running. When they do run, women are just as likely to win elections as men. So what’s keeping women from throwing their hats into the state legislative ring? Three main factors, according to several studies, keep women from running for office:

• They lack political ambition.
• They need to be asked.
• They don’t have well-developed fundraising networks.

A large, multi-year study by political scientists Jennifer Lawless from American University and Richard Fox from Loyola Marymount University examined potential candidates (lawyers, business owners and executives, educators and political activists) with equal levels of participation in public speaking, service on boards and political and policy work.

Across the board, men were significantly more likely than women to have considered running for office and to have an interest in running in the future. Women were significantly less likely than men to consider themselves qualified to run.

It’s All About Relationships

Political science researchers Susan Carroll and Kira Sanbonmatsu surveyed women state legislators in all 50 states, between 1981 and 2008, and concluded that for women, candidacy is a “relationally embedded decision.”

In other words, women’s decisions about holding office are less likely to be influenced by personal ambition than by the “beliefs and reactions, both real and perceived, of other people.” Women more often will consider how a political campaign and job would “affect the lives of others with whom the potential candidate has close relationships,” the researchers found.

"The issue for women is 'not yet.' We're socialized to wait and see, and we just have to get over that.”

—OREGON SPEAKER TINA KOTEK

Women in Legislative Elections 1976-2012

Source: Center for American Women and Politics
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If we want to keep America working, we need policymakers to support policies that will keep safe and reliable nuclear energy plants working for all of us. Voice your support for sensible policies that drive our national economy and join us on Facebook.

NUCLEAR MATTERS nuclearmatters.com
But, the idea that family considerations outweigh personal political ambition for women more than they do for men may be changing. Lawless and Fox’s research found that family structures and responsibilities—marital and parental status, type of household and child- and elder-care responsibilities—made no difference in a potential candidate’s interest in running for public office. Former Massachusetts Senate President Therese Murray (D) notes that before she stepped down in 2014, she had begun to notice that younger male members were “far more involved with their families” as both partners and parents.

Statistically, however, among state legislators today, women are still less likely than men to have minor children living at home.

The college years appear to be a decisive time for developing political ambition, according to additional research by Lawless and Fox. Although high schoolers of both sexes show similar levels of interest in future candidacy, a gender gap begins to open among college students. Interest stagnates among women, while it increases among men.

Women are more likely to say that working for a charity is the best way to bring about social change, whereas men say the best way to accomplish change is running for office, the researchers found. Young men are also more likely to be exposed to the idea that running for office is a viable option for them, whether in political science classes, in campus political groups or among peers. Competitiveness among male students is encouraged through organized sports, which they are more likely to participate in than girls. Boys, much more than girls, are also more likely to care about winning.

Survey Says ...

A survey by the Center for American Women and Politics found that nearly twice as many female as male elected legislators reported that they “had not seriously thought about running until someone else suggested it.”

“Women need to be asked; men are more self-starters,” Oregon’s Kotek says. “A lot of the literature says this, and I’ve found it to be completely true.”

But that’s not true for all women. Tennessee Speaker Beth Harwell (R) was interested in politics from an early age. She remembers watching the Watergate hearings with her grandmother. “My grandmother’s hero was a senator from North Carolina, Sam Ervin, and my hero was a senator from Tennessee, Howard Baker. And I told my grandmother that someday I was going to meet those folks.” While a student at Vanderbilt, Harwell did meet Ervin.

A Little Network History

What was formalized in 1985 as the Women’s Network had existed in some capacity since NCSL’s founding in 1975. At early NCSL meetings, Maryland Delegate Pauline Menes convened groups of women to discuss issues they were working on and frustrations they were experiencing.

The first official chairwoman, Washington Representative Shirley Hankins, was named in 1985, and by 1987 it became clear a dedicated staff person was necessary to conduct all the fundraising, planning and outreach work the group generated. So former Iowa Representative Sue Mullins was hired as the first executive director.

Newsletters kept track of women in leadership positions and encouraged women to get their colleagues involved with the organization. In the 1990s, the Network hired its second executive director, former Kansas Representative Nancy Brown, and offered a series of leadership development seminars. In 2000, the name was changed to the Women’s Legislative Network of NCSL, and in 2002 the organization became a core program of the NCSL Foundation for State Legislatures and was fully staffed by NCSL.

Today, the Network’s mission is to promote the participation, empowerment and leadership of women legislators. It continues to offer leadership training and networking opportunities.

New Mexico Representative and Network President Jane Powdrell-Culbert is optimistic about the organization’s future. “I hope to see growth, and I hope to see even more leadership training. We’ve got to help the new women coming into legislatures define themselves in order to get them ready to take on bigger roles.”

The Network will celebrate its 30th anniversary at the Seattle Legislative Summit in August with a gala reception and several sessions. Don’t wait to be asked, just come!

The Gap

Out of 7,383 state lawmakers, 1,793 or 24.3 percent, are women, but it varies from a high of 41.1 percent in Vermont to 11.8 percent in Louisiana.
JULY/AUGUST 2015
STATE LEGISLATURES

who was kind enough to write a note to her grandmother. Harwell became a professor of political science, and “decided that I was going to put a little of that book knowledge to practical use and see if I could actually run for office myself.”

Likewise, Murray’s love of politics started early. She first worked on a political campaign at age 12 making phone calls for Ted Kennedy. “I really caught the bug then. … I never thought I’d run myself for office. I’d been asked many times in my district…. Eventually I did run, against a 20-year incumbent, and I won.”

The Road Less Traveled

Carroll and Sanbonmatsu say “the pool of women eligible to run is both wider than commonly perceived and more than sufficient for women to achieve parity in state legislatures.” Those who feel the country needs more women in state legislatures, they argue, “need not wait for a social revolution.” Maintaining and expanding current programs is all that is needed, they believe, to recruit and train enough good women to run for office.

They point out that there is no one “women’s pathway” into politics with respect to women’s educational and occupational backgrounds and motivations. But women legislators are somewhat more likely than men to say that a specific public policy issue motivated them to run, beyond their desire to serve the public.

That was Kotek’s experience. What ultimately drew her into public service was her advocacy work. When a seat opened in her district, she decided to run in part because “the issues I was working on—poverty and kids’ issues—were not getting enough attention.”

For New Mexico Representative Jane Powdrell-Culbert (R), the current president of the Women’s Legislative Network, the pathway into politics was paved by a simple mistake. “I signed in on the wrong sheet,” she says.

“I was at a luncheon for prospective candidates, and I signed on the candidate sheet. Shortly after that, I was called and asked to really consider running. I figured I had the time to run a campaign, and I knew the issues and I felt like, the worst that could happen is I would lose. And, 14 years later, the rest is history.”

The Dollar Divide

Among state legislators, there is also a stark difference between the sexes’ perceptions of the challenges of fundraising. While 90 percent of male legislators believed that raising campaign funds is equally difficult for both men and women, only 44 percent of the women did. Women felt they had a harder time of it because they lacked the deep pockets men had. They also believe women are less comfortable asking for money on their own behalf.

“I love when I look down the financial disclosure list and I see that women have given to other candidates, whether they are

Party Breakdown of Women Legislators, 2015

As more women get into places of leadership, there will be more opportunity to move women up.”

—FORMER MASSACHUSETTS SENATE PRESIDENT THERESE MURRAY

“We’ve got to get comfortable with the fact that women should be contributing financially to the political process.”

—TENNESSEE SPEAKER BETH HARWELL

Source: NCSL
“We’ve got to help the new women coming in to legislatures define themselves in order to get them ready to take on bigger roles.”
— New Mexico Representative Jane Powdrell-Culbert

male or female,” says Harwell. “Because that’s the last frontier for women. We’ve got to get comfortable with the fact that women should be contributing financially to the political process.”

What Difference Does It Make?

It isn’t easy to determine what “difference” women make to policy once they reach the statehouse. Traditionally, women in legislatures have been more likely than men to focus on bills related to women, children, families and education. But as the political landscape shifts and becomes more polarized, those issues can generate sharp partisan divides, which often override any unified women’s position.

Murray notes, however, that simply having women in the process is important. “If you’re not at the table, you don’t have a voice. … I’ve frequently been the only woman at the table. I’ve sat there while they’re appointing people to a commission, and I’ve stopped and said, ‘Do you know any women or minorities who might be good for this position?’ It’s not that they didn’t know them, but they didn’t think of them. Once I brought it up, they appointed them to the positions. As more women get into places of leadership, there will be more opportunity to move women up.”

Powdrell-Culbert was conscious of the difference she could make in her new role as a committee chair this session. “I was very clear on how I wanted things to run. I wanted respect for each committee member; no matter what ax you have to grind, don’t do it on my committee. I also wanted respect for the citizens who come in to speak and give their time.”

“It helps being a female,” says Harwell, the first female presiding officer in Tennessee. “I think females can, for the most part, be good listeners and have good listening skills. And that’s certainly something you need to be an effective speaker. I also take very seriously that there are young girls who may be looking to my leadership style and how I conduct myself in the political process to determine whether they’d like to be involved in politics.”

Kotek agrees that women tend to have different strengths than men: “I think women are more prone to collaborate. They’re competitive, but they also know that to win you can collaborate. And I don’t think that’s always true for men. Although I think the most successful male leaders are more collaborative. I just think it comes more naturally to women by virtue of our socialization.”

Research supports her observation. Women in state legislatures, in general, adopt more collaborative and consensus-based leadership styles than men. They tend to be more inclusive and more interested in bringing diverse viewpoints into discussions.

A large-scale analysis of leadership effectiveness that appeared in the Journal of Applied Psychology found that women are more likely than men to self-identify as less effective leaders, even though women’s colleagues rate them as very effective. In fact, women were rated by colleagues as more effective leaders than men.

Kotek makes a conscious effort to encourage other elected women to consider leadership positions. “The issue for women is ‘not yet.’ I think there’s this feeling of, ‘I need to be in office for more years before I can even think about leadership.’ My male colleagues don’t have that compunction. They think, ‘I’m elected, I should be in leadership.’ Women wait and think, ‘I have to be experienced enough.’ Well, your experience is no different from the next guy, you should do it. We’re socialized to wait and see, and we just have to get over that.”

The women legislators at the 1985 NCSL meeting weren’t willing to wait to be invited into the leadership ranks. One of their first projects was developing a “scorecard” to track how many women served on NCSL’s committees and in other organizational leadership roles. They recruited women to run for leadership positions within NCSL and in their own legislatures.

They made their voices heard, and they made a difference.
A new partnership targets the land around military bases.

BY JENNIFER SCHULTZ

Jennifer Schultz is an NCSL policy associate and staff to the Task Force on Military and Veterans Affairs.

At one time, most of our nation’s military installations were located in rural areas, far from the subdivisions and shopping malls of today. The rapid pace of development in recent years, however, is pushing communities closer to perimeter fences, challenging the military’s access to lands and airspace needed for training.

Encroachment—development that’s incompatible with military needs—can limit the use of training ranges, present obstacles to low-flying aircraft, cause light pollution that interferes with night training and degrade communication frequencies.

Meanwhile, working lands and wildlife habitat near bases are threatened, too. Lands used for farming, ranching and forestry are vital to sustaining agricultural productivity and safeguarding natural resources. Despite a variety of state programs, the country annually loses 1 million acres of farmland to development. In addition, the loss of wildlife habitat is transforming military bases into unlikely refuges for more than 300 threatened and endangered species.

A Partnership Is Born

Is there a solution that can satisfy these competing interests? The U.S. Departments of Defense, Agriculture and the Interior, along with state, local and private actors, are hoping a new effort called the Sentinel Landscapes Partnership will be a win-win for all involved. The program’s goals are to protect working lands, preserve wildlife habitat and sustain military readiness by focusing on places where these priorities overlap. It will reward landowners for management practices that benefit the land and their own livelihoods while helping to sustain military training ranges and airspace.

The theory is being tested at the partnership’s first site: Joint Base Lewis-McChord, located in the heart of Washington’s Puget Sound region. It’s the largest military installation on the West Coast, a top employer in the state and a major contributor to the local economy.

But why the base was chosen as the first Sentinel Landscape is its very fragile prairie ecosystem. Troops train with live fire, combat vehicles roam the land and enormous C-17 transport planes fly directly to and from areas of conflict on land that is home to a wide array of plants and animals at risk of extinction.

The streaked horned lark, Mazama pocket gopher and Taylor’s checkerspot butterfly survive on only...
3 percent of the historic 150,000-acre prairie habitat that remains, most of it inside the 91,000-acre base.

Before the land surrounding the base was chosen for the Sentinel Landscapes Partnership in July 2013, the program already had invested about $13 million to protect 2,600 acres of privately owned land around the base through voluntary conservation easements, management endowments and other tools.

The program also supports restoration of prairie habitat, which in turn has created work for returning servicemen and women through the Veterans Conservation Corps.

More Sentinel Landscapes

Joint Base Lewis-McChord is just one of more than 420 military installations in 47 states, the District of Columbia, Guam and Puerto Rico. The bases and their training ranges cover about 25 million acres and encompass all the terrain and climate conditions troops may encounter in combat areas—from the harsh desert of the Marine Corps Base in Twentynine Palms, California, to the frozen landscape of Camp Ripley, near Little Falls, Minnesota.

Building on the positive start to the first Sentinel Landscapes project in Washington, two more sites were designated in April: Fort Huachuca in southeast Arizona and Naval Air Station Patuxent River-Atlantic Test Ranges in Maryland.

Fort Huachuca’s remote location in the Sonoran Desert has made it the primary training area for unmanned aircraft systems in the Western United States. Local, state and federal partners will try to reduce the amount of land and water development around the base while protecting ranches and native grasslands. Water conservation will limit the need for new wells, preserving water necessary for military operations and the continued health of species on and off the installation.

Naval Air Station Patuxent River, located on the Chesapeake Bay, also has received federal funding that, along with donations from Delaware and Maryland and the Chesapeake Conservancy, will be used to protect 1,300 acres of forests, wetlands and farmland under restricted airspace on the Delmarva Peninsula known as the Atlantic Test Ranges. Maintaining undeveloped areas beneath the airspace reduces noise and safety concerns and helps protect the Chesapeake Bay watershed.

“What excites me the most about this announcement,” says John Conger, performing the duties of the assistant secretary of defense for energy, installations and environment, “is how this partnership will protect the test missions at Pax River and Fort Huachuca. The Sentinel Landscapes will be a magnet for conservation activities, but the real motivation at [the Defense Department] is creating the buffer we need to protect these critical missions.”

Managing Community Growth

The effects of incompatible development on military activities, wildlife habitat and working lands are becoming increasingly apparent in many states. Although the federal government can provide valuable assistance in mitigating those effects, the ultimate responsibility for managing community growth and development rests with state and local governments.

In fact, one of the key objectives of the Sentinel Landscapes Partnership is to encourage state participation and the use of state resources to more effectively engage private landowners and provide them with a range of incentives to promote compatible land use.

Legislation enacted in Minnesota this year aims to do just that. House Bill 283 establishes a coordinating committee to identify lands around Camp Ripley that meet the criteria of a Sentinel Landscape. The committee will work with willing landowners to encourage management practices compatible with the National Guard training facility. Representative Ron Kresha (R), one of the bill’s sponsors, believes Camp Ripley is an important resource for the state and views the legislation as a first step toward nomination for official Sentinel Landscape status. The designation, he says, will “ensure a buffer zone that works for both the property owners and the military base.”

State laws that help to minimize encroachment and sustain the economic benefits of the military’s presence also support the goals of the Sentinel Landscapes Partnership. Policy options include farmland and forestry preservation programs and tax incentives for private land conservation and economic development.

What Are Sentinel Landscapes?
Their are the working or natural lands around military bases important to the nation’s defense mission—places where land conservation will:
- Benefit farms, ranches and forests.
- Preserve habitat and natural resources.
- Protect vital military testing and training activities.

How Are Sentinel Landscapes Designated?
The Sentinel Landscapes Partnership Federal Coordinating Committee annually reviews potential candidates for designation. A formal nomination process will be announced this fall.
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Farm Programs

Farm viability programs in Connecticut, Maine, Massachusetts, Minnesota, New Jersey, New York and Vermont offer assistance to farmers to improve their profitability. In addition, 27 states compensate landowners to keep productive land available for agriculture—providing them with a financially competitive alternative to selling land for development.

Many state laws also require or encourage local governments to create plans that protect farmland. They often specify what, if any, level of development is compatible with agricultural operations.

More than half of all forested land in the United States is privately owned. Along with protecting farmlands, some states also promote long-term management and retention of private forest lands, which provide such benefits as clean air and water and wildlife habitat.

In 2001, the Minnesota Legislature created an incentive program that annually offers eligible landowners $7 per acre of forested land to offset property taxes. In return, landowners agree to follow an approved forest management plan. Michigan enacted similar legislation in 2013, creating a private forest land enhancement fund to help administer cost-sharing and incentive programs.

Tax Incentives

Tax credits are another way to encourage the preservation of land near military bases. Lawmakers in Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Maryland, Massachusetts, Mississippi, New Mexico, New York, South Carolina, Virginia and Puerto Rico have enacted legislation creating a conservation easement tax credit, allowing landowners to claim up to 50 percent of the fair market value of land donated to a government agency or private land trust. Colorado, Georgia, New Mexico, South Carolina and Virginia allow credits to be transferred to individuals or corporations with high tax liability, generating immediate income for the donor.

Landowners may also qualify for special property tax treatment. In North Carolina, for example, property taxes for agriculture, horticulture and forest lands are based on the value of the land in its current use, rather than its market value. California assesses a lower property tax rate on landowners who contract with local governments to restrict their land to agricultural and open space uses.

Alaska, Georgia and Maryland have created enterprise zones around military bases. Alaska Representative Steve Thompson (R) sponsored legislation in 2012 that created "military facility zones," wherein municipalities and private businesses are offered low-cost loans and tax credits to spur economic development and compatible land uses.

Thompson says the law not only will help Alaska’s bases become “more efficient and better able to effectively perform their mission,” but also “clearly demonstrates the state’s continuing and substantive support for the armed services.” Farm preservation programs, tax incentives and military facility zones are but a few state policy options that can be used to complement and support a Sentinel Landscape.

It’s a Win-Win Proposal

The Sentinel Landscapes Partnership presents promising new opportunities where national defense, conservation and working lands intersect. The Department of Defense has succeeded in securing military land buffers since 2002, but those behind this new partnership believe its comprehensive approach will attract private investment, encourage market-based solutions and interest private landowners.

State participation is vital to the success of the effort, particularly as the program evolves and new Sentinel Landscapes are designated in the coming years.

If the project at Joint Base Lewis-McChord is any indication, states and localities have something to look forward to. And we can be pretty sure the horned lark and checkerspot butterfly would agree.

This Land Is Whose Land?

In a renewed effort to control federal lands, an alternative path has emerged.

BY KEVIN FRAZZINI

The federal government has long had control issues when it comes to public lands in the West. It manages and pays for nearly everything that happens on more than 300 million acres, from recreation and wildlife conservation to mining, logging, grazing and oil and gas drilling.

This presents the states with a range of challenges as high and wide as the Western sky. Much of the land sits atop energy and mineral resources they’d love to develop. Federal lands are not subject to state or local taxes, of course, affecting revenue generation, and they sometimes wrap around state or private lands that do generate revenue, leading to conflict because of federal environmental regulations.

Furthermore, the Federal Land Policy Management Act stipulates that “public lands be retained in federal ownership.” What’s a state to do?

Since the federal act’s passage in 1976, Western legislators have periodically chafed at what they claim are limits on their ability to manage the land inside their borders and develop their economies.

Land Locked

Those claims took on a renewed vigor in 2012 when the Utah Legislature passed the Transfer of Public Lands Act, sponsored by Representative Ken Ivory (R), a vocal proponent of conveying federal land to state control. Ivory founded the nonprofit American Lands Council, which advocates for “locally driven stewardship to improve public access, environmental health and economic productivity on public lands,” according to its website.

Kevin Frazzini is the assistant editor of State Legislatures magazine.

Source: U.S. Geological Survey

Around 93 percent of public land managed by the federal government is located in the West.
Utah’s law, which authorized suing the federal government if it didn’t turn over more than 30 million acres to the state by the end of 2014, has resulted in a standstill: The feds haven’t transferred title to any land, and so far the state hasn’t filed suit, though it recently hired a firm to prepare a legal strategy.

The law “expressly takes off the table the national parks, congressionally designated wilderness and other national treasures,” Ivory says. Utah lawmakers passed legislation last year supporting the 2012 bill, proving that measure wasn’t a “land grab,” as some critics have suggested, the American Lands Council says. Rather, it’s “truly an effort to bring reasonable management and use practices to public lands in Utah and throughout the West.”

For Ivory, it’s a matter of fairness. “The federal government honored the promise to transfer title to the public lands to all states east of Colorado (and with Hawaii to our far west),” he said of his bill. “Yet, after 116 years, the federal government still controls more than 65 percent of Utah’s lands and our abundant natural resources.”

In recent years, at least 10 other states have considered legislation similar to Utah’s. Most have passed measures that call for studies of the land-transfer issue, with attention to its economic feasibility and legality.

In Montana, for example, Senator Jennifer Fielder (R) backed a measure typical of others introduced throughout the West. It would have created a task force to study the ways Montana might benefit if the state, and not the U.S. government, managed the roughly 25 million acres of federal land within its boundaries.

Although the bill didn’t pass, Fielder, like other advocates, says decisions on use and development are best made by the people closest to the issue—those living on or near the land in question.

“The goal is better management that improves access, environmental health and economic activity,” she says. The federal government is so far removed from these lands there’s “no accountability” for the way its decisions affect the people who live nearby, Fielder says.

The once-plentiful logging jobs in her rural district have become scarce largely because of federal land-management policies, she says.

Critics Cite Cost, Access

On the other side of what at times has been a partisan debate, land-transfer opponents—conservationists, hikers, hunters and anglers, among others—want to keep the feds involved in land-use decisions.

The biggest problem, they say, is the enormous cost of managing federal land. Paying for wildfire protection alone—it accounts for about half of the U.S. Forest Service’s annual budget of $6.5 billion—would burden Western taxpayers, says the Center for Western Priorities, a conservation group.

States would be forced to raise taxes or sell off iconic national properties to developers or other private investors in order to pay for everything the federal government does now—from complicated tasks like enforcing environmental regulations and maintaining cultural and historic resources to simple ones like putting up road and trail signs.

Another problem is access. If states were to pay their bills by selling federal land gained from a transfer, the amount of land available to the public for hunting, fishing and recreation could be reduced to a patchwork.

Polls of Western voters have found attitudes toward land transfers vary, though a 2015 Colorado College State of the Rockies Project survey found a majority of voters in six Western states strongly believe public lands belong to all Americans, not just the residents of particular states.

The Western Perspective

In each of six Western states, 400 voters were asked, “Do you think public lands are more American places that belong to everyone in our country, or state places that belong more to the people in the state?”

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<td>Total</td>
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Source: 2015 Western States Survey, Colorado College State of the Rockies Project
This year, the Arizona Legislature approved a measure to study the land-transfer issue, and Wyoming extended funding for a commission that’s looking into state management. In Alaska, a bill to transfer federal lands to the state is pending.

In New Mexico, a bill that would have created a study commission died in part because of objections from conservationists and American Indian tribes. And in Colorado, a transfer-study bill died after conservationists and sportsmen rallied together at the state Capitol to “Keep public lands in public hands.”

“Transferring control of public lands to the states is a budget-busting idea that is contrary to Colorado values of environmental protection and equal access to all on our open spaces and natural areas,” the nonprofit group Conservation Colorado said.

Sportsmen echoed the group’s concerns. “For hunters and anglers, our public lands are the backbone of our passions, and it’s on public lands that we hunt and fish,” Ty Churchwell, of Colorado Trout Unlimited, told the Durango Herald at the rally.

**Complicated History**

The deliberate approach Western states are taking on the land-transfer issue is no surprise. They’ve been here before.

The current debate echoes arguments made during the Sagebrush Rebellion of the late 1970s, when Nevada—the “Sagebrush State”—filed a lawsuit claiming the Bureau of Land Management territory inside its borders.

Starting in 1980, so-called sagebrush legislation was considered—if not passed into law—in almost every other Western legislature, Robert H. Nelson writes in a history of the movement. The rebellion’s rhetoric suggested that federal land ownership was being forced on Western states by a domineering U.S. government.

The reality was that the West had found the rewards of federal ownership—the right to graze certain public lands at less than market rates, for example—to be worth the annoyances.

In the end, although the sagebrush rebels opened a debate in the West on land tenure, they did not persuade the region’s opinion leaders or most of the key Western members of Congress to enact significant change.

**Constitutional Hurdles**

A further complication for the sagebrush rebels then and those who would renew the effort today is that the federal courts have not been sympathetic to the states’ arguments, according to Martin Nie, director of the Bolle Center for People and Forests at the University of Montana.

“The courts have been consistent in their reading of the U.S. Constitution’s Property Clause, which gives Congress proprietary and sovereign powers over its property and the power to delegate decisions regarding federal lands to executive agencies. The Supreme Court has repeatedly observed that this power over federal land is ‘without limitations,’” Nie said in recent testimony to the Montana Legislature as part of a public land study.
There’s also the problem that states officially and explicitly gave up their rights and title to federal lands within their borders as a condition of statehood.

Section four of Montana’s law, for example, says the state “forever disclaim[s] all right and title to the unappropriated public lands lying within the boundaries thereof…” Nie argues that beyond the legal issues there’s a strong case for federal control of public lands, especially given big-picture concerns besides cost: the management of wide-ranging endangered species, the expansiveness of Western watersheds and the often long-lasting impacts of mineral and energy development. Despite the long odds, some state legislators argue all of these tasks states can do, and do better than a federal agency.

A Way Forward

As long as legislators continue looking for greater control over land within their state boundaries and conservationists and outdoor enthusiasts remain wary of losing access to what they say belongs to all Americans, it’s a near certainty that the land-transfer debate will continue.

Is there a middle way? Perhaps, if legislation Colorado passed recently is any indication. The new law offers local governments technical and financial support so they can address concerns about the management of federal lands without taking control of them. The text reads like a measured attempt to address anxieties on all sides:

“Early and consistent cooperative and collaborative involvement of local governments in federal land management decision-making processes can improve federal land management outcomes, reduce conflict and save state, local and federal resources.”

The goal seems clear enough: Get people at the local and federal levels talking. Locals will feel they have more say in decisions that affect their jobs and lifestyle; the feds will be more responsive to local concerns when managing the vast resources in their care.

The bill passed with bipartisan support and was signed by the governor in May. “While the movement to transfer public lands to state control may have some merit, it’s not likely to happen for a long time and not without a level of political support that doesn’t yet exist,” says Representative Bob Rankin (R), the bill’s sponsor. “Meanwhile, there are many ways that our communities and the state can incrementally become better and stronger partners with federal land managers.”

The law will both protect the environment and provide local officials with the money and expertise they need to develop their own plans for recreation, grazing and mineral development. “This is a practical response to what local governments are asking for,” says Representative KC Becker (D), a co-sponsor.

Conservationists, as well, approved of the legislators’ approach. In a statement, Conservation Colorado said, “House Bill 1225 represents the best of state and federal partners working together collaboratively as stewards of Colorado’s incredible national public lands.” The group congratulated legislators “for choosing to lead in a spirit of cooperation rather than dead-ended bluster and conflict.”
In statehouses across the country, legislators are making difficult decisions that directly affect the people they serve. Every year, lawmakers consider thousands of bills, plus countless choices about leadership, ethics and how to strengthen the legislative institution.

Meanwhile, in very different institutions, researchers in cognitive psychology, neuroscience and other disciplines are making exciting discoveries about the science of human decision-making. These intriguing, often surprising findings offer legislators and other high-stakes decision-makers practical insight into what they can do to perform at their best.

“One of the overarching discoveries about the brain is that a lot of our intuitive assumptions about how we make decisions are just wrong,” says David Rock, director of the NeuroLeadership Institute, a global initiative that applies neuroscience to the art of leadership. “If you’re involved in governing,” Rock says, “it’s good to stay close to what we’re learning about human nature.”

The Myth of Multitasking

Today, many of us assume multitasking—being able to do several things at the same time—is a skill to be proud of, one that helps us accomplish more.

Think again, researchers suggest. They have found that the brain actually appears to have been designed to focus on only one thing at a time—and to ignore the rest. In a now-classic experiment, for example, researchers asked people to watch a short video of two teams passing a basketball and silently count how many times one of the teams passed the ball. While they watched, a gorilla strolled into the scene, faced the camera and thumped its chest before walking on through. About half the viewers, however, were so focused on counting that they never even noticed the gorilla in the film.

How could people miss something so obvious? At any given time, we are bombarded by countless sights, sounds and smells. To deal with this, researchers believe, our brains are designed to filter out whatever information seems unnecessary for the task at hand.

As a result, says molecular biologist John Medina, “multitasking, when it comes to paying attention, is a myth.” Research indicates that when we try to think about two things at once (writing an email while listening to a colleague, for example), we’re actually switching our attention back and forth—not dividing it equally—between them. This takes more time and mental energy, and we miss things. “If you try to do two things in the laboratory, it takes you 50 percent longer to finish the tasks—and you make three times more errors while you’re trying to do them.”

Jaime Rall is a freelance contributor and former NCSL staffer.
If you think you’re a talented multitasker who can beat these odds, you might want to reconsider. A recent University of Utah study confirmed that people who multitask the most actually tend to be the worst at it, even though they “harbor the illusion they are better than average,” notes senior author and psychologist David Strayer.

Other new research suggests that you don’t have to be actively multitasking to be distracted. Just being able to see a cell phone was enough to interfere with cognitive performance and social interactions in experimental studies.

**Digital Distractions on Overdrive**

For legislators, who must keep several balls in the air at once, this may not be good news. Lawmakers and their staffs handle hundreds of emails a day, plus phone calls, impromptu meetings, streams of unexpected visitors and, increasingly, the demands of social media sites like Facebook and Twitter.

“I think people think that, because of all our mobile devices, we can get so much more done and work so much more efficiently,” says Wyoming House Majority Leader Rosie Berger (R). “But I have to disagree. I think you have to take time to really study issues, really have some quiet in your life in order to make good decisions.”

At least 36 states limit or ban the use of technology in legislative chambers. The rules, generally meant to preserve decorum and tradition, can be contentious—after all, many modern legislators appreciate being able to quickly access information and communicate with constituents from their phones or other devices with them on the floor.

At the same time, Vermont Senator Richard Mazza (D), whose chamber has banned not only using electronic devices but also reading newspapers during legislative debate, believes such restrictions can help the decision-making process.

“There’s a time for everything,” Mazza says. “But when you’re trying to multitask and go online during live discussion, I don’t know how you could focus on both. One, or both, is not getting the attention it needs.”

**Trusting Your Gut?**

“To a politician,” writes Marty Lin-sky, former Massachusetts legislator and longtime leadership expert, “intuition is a resource.” But when can we trust our gut?

One of the most startling revelations of recent research is the way beliefs and behavior are shaped by information and ideas we don’t even know we have. Imaging studies have illustrated how different regions of the brain are unconsciously involved in emotional and cognitive tasks.

“A tremendous amount of how we make decisions and solve problems is driven by unconscious processing deep in the brain,” says Rock. “There’s just so

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**Putting Brain Research to Work**

As researchers unravel the mysteries of the mind, legislators can draw valuable lessons from their findings.

1. **Avoid multitasking**: Your complete attention is always better than your divided attention.
2. **Hide the phone**: Place your mobile device or other electronic gadgets out of sight when a task requires full attention.
3. **Think twice**: Before making an impulsive, split-second decision, check your intuitions against another trustworthy source.
4. **Share your story**: By trading personal experiences with colleagues across the aisle, you can get to know them better and gain insight that helps you do your job.
5. **Take a lap**: A short walk during the workday will stimulate both body and mind.
6. **Tune out, turn in**: Getting a good night’s sleep is a great way to stay at your best.
7. **Make time for yourself**: Much of a legislator’s work involves helping others. Finding time to do the things you love lowers stress.

—Zita N. Toth, NCSL intern
much more going on behind the scenes than it appears.”

All that unconscious work leads to important intuitive insights. “Intuition is how we use our experience to size up situations and make decisions. So intuition is essential to decision-making,” says research psychologist Gary Klein, a pioneer in studying how people make real-life decisions. “Research shows that brain damage that disconnects patients from their intuition, but doesn’t affect their IQ or reasoning ability, devastates their decision-making and their lives.”

“Respecting the power of the unconscious for problem-solving is something we could all do better,” advises Rock. “Let the unconscious be heard. When the unconscious is solving a problem, the solution will not rise to the surface if you’re anxious and you don’t leave time and space for the signal to come through. You literally need a quieted mind.”

But the unconscious can also lead us astray. “You can trust your gut when you have great experience and expertise, like a chess grand master,” says University of Washington professor Tony Greenwald, a leading researcher of unconscious attitudes and beliefs. “It’s not an advantage in many, and perhaps most, other circumstances.” One danger, Greenwald says, is that the unconscious harbors hidden biases. For decades, Greenwald has co-led Project Implicit, a research collaborative whose simple online tests have revealed widespread, unconscious biases that can influence our behavior.

“If you have a brain, you’re biased,” says Rock. “In many instances, these biases work against us, and we don’t know that we’re making a decision based on incorrect reading and data.” And, Greenwald warns, knowledge of these blind spots “is not sufficient to protect against them.” Worse, the brain tricks us with a false sense of certainty, leading us to accept ideas we should be questioning.

To make our best possible decisions, researchers suggest, we shouldn’t ignore our hunches, but we shouldn’t blindly accept them, either. Checks and balances are key. “Intuitions, valuable as they are, can mislead us,” says Klein. “We should always try to assess whether intuitions are plausible. That said, we should never trust analyses either, because these can also mislead us. Analyses need to be double-checked, the same as intuitions.” For legislators, this can mean checking their intuitions against nonpartisan research, testimony and other data, appreciating what each has to tell them.

Gaining Perspective

Lawmakers do well, experts agree, at gathering diverse perspectives in the decision-making process, which can help broaden and double-check their thinking. Klein notes that legislators are “usually very good at checking with a variety of constituencies and stakeholders.”

Rock says, however, that the brain struggles to take in opposing viewpoints. “When you speak with someone whose goals you perceive as competing with yours, you process anything they say or do in quite a shallow way, compared to someone you think has similar goals,” he warns. “In the brain, there’s minimal processing of the other’s ideas.” Bias is also a barrier. “We see that the same policies, stated in the same words, are reacted to differently when attributed to a liberal versus a conservative,” says Greenwald.

If you really want to consider other perspectives, Rock says, shared experiences can help. Medina agrees: The more policymakers “get to know each other, the better they
are able to work as a loyal opposition.”

State legislators across the country are investing in these relationships. For example, as part of its work to create a culture of discourse and collaboration in state legislatures, the Next Generation project of the National Institute for Civil Discourse facilitates workshops in which legislators get to know colleagues across the aisle by sharing personal stories. “How you listen to each other starts to be affected by an understanding of where others have come from,” says project founder and former Ohio Representative Ted Celeste. “One of the things that happens is that you’re less likely to judge and you’re more likely to listen, so that being able to have a meaningful conversation is enhanced.”

**Healthy Body, Healthy Mind**

Of course, science is also giving us deeper insights into things we already know: We think better when we’re healthy, and worse when we’re stressed. But these effects may be even more dramatic than we realize.

Exercise, for example, doesn’t just help us feel refreshed. It actually changes how the brain works. “We tend to make decisions best when we are physically fit,” says Medina.

Physical activity increases blood flow to the brain, which receives more of the glucose and oxygen it needs to do its work. Exercise also stimulates powerful proteins that help repair and grow brain cells. People who exercise can do better on mental tasks, including reasoning, problem-solving and quick thinking. Happily, cognitive skills can improve dramatically after just a few months of aerobic exercise, Medina says, “even if you’ve sat on your butt most of your life.”

Sleep is also critical. “Sleep loss cripples brain function,” Medina says. But “the extrapolations and implications of the research are complicated.”

Further, the very cognitive biases scientists are unveiling can affect how their research is understood. People are more likely to look for information that confirms what they already believe, for example, and to ignore what doesn’t fit. It also seems that, at least under some circumstances, brain science may be a little too seductive: In a 2008 study, people found poor explanations of psychological research more satisfying when they included neuroscientific jargon, even though those details were irrelevant.

Finally, Paller warns, “Ethics may not always come along for the ride when we learn about all the ways in which we might use our brains better and improve our talents.” Fortunately, lawmakers have a lot of practice in thinking about ethics and how people can better serve one another.

As researchers continue to explore the mysteries of the mind, legislators can draw valuable lessons from their findings. Innovation, team-building, conflict, empathy, memory and more are under the microscope. “Research is continuing to generate valuable discoveries,” Klein says. And scientists may just be the newest, most surprising allies in the quest for great governance.
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Visit the ISRI Booth (#409) at the Legislative Summit for more information.

ISRI.org
From Braille to Yale

When Cyrus Habib was elected to the Washington House in 2012, he became the first and only Iranian-American to hold an elected state office. But that's just a part of his story.

After two years in the Washington House, Cyrus Habib ran for the state Senate and won. This session, he served as Democratic Senate whip. But what led him to the Washington Capitol is not your average tale, nor was his path a well-traveled one.

Habib was born in Baltimore to immigrant parents who left Iran in the late '70s. He grew up in Bellevue, Washington, in the district he now serves. Habib received a bachelor's degree from Columbia, a master's from Oxford and a law degree from Yale. He is a Rhodes scholar, a Truman scholar and a Soros fellow. As a lawyer and professor he has focused on the application of technology to public policy.

Seattle magazine named him one of the “most influential” people in the greater Seattle area. The Washington Post named him one of its “40 Under 40” political rising stars in 2014. He holds a black belt in karate and plays jazz piano.

And, he has survived three bouts of cancer and lost his eyesight to the disease at age 8.

Here's the rest of his story in his own words.

State Legislatures: How has your experience fighting cancer and losing your eyesight shaped your perspective as a legislator?

Habib: In many ways, as I mature, I am more honest with myself about how these incidents in my childhood affected who I am. The fact that I lost my eyesight as a child and was able, as I like to say,

to go from braille to Yale, allows me to understand how interdependent we are. The easiest thing in the world would be to say I did this all on my own. The only problem is I know that’s not true.

It was because of the work that Democrats and Republicans had done together here in Washington state and in the U.S. that I was able to take advantage of great public schools, and gain access to braille and talking books, and learn how to use a cane, get on and off a bus, plan travel routes and get around the New York subway system when I went to college.

All these services—that the private sector was never really going to provide—didn’t guarantee me an outcome, but guaranteed me opportunity. In many parts of the world, and even in some parts of this country, having cancer twice as a kid and then once later on and becoming blind at age 8 would relegate you to an institution or a life subsisting on charity.

Instead, I got an opportunity that allowed me not only to not need those social services, but actually to become a tax-paying contributor and help others get those opportunities, and then run for the Legislature and be a voice. I bring the perspective that we need to make sure every person has access to services and is supported, but also ensure that we don’t pander or lower expectations. Students with disabilities should be given every accommodation they need, but should also be expected to do the same work and have the same outcomes. It’s striking that right balance.

You studied literature and law. How did you get into state politics?

As a child, I always wanted to be an attorney. I’m that cliché kid who read “To Kill a Mockingbird” and loved Atticus. My mom started law school the same week I started kindergarten. So she’d be studying while I was studying. She’s now a judge.

At college I became really passionate about literary theory, especially post-colonial literature. Then I got the chance to study at Oxford, and for a while I thought I wanted to be a literature professor. We were studying and talking a lot about issues in the abstract—orientalism and the concept of “the other”
and how that informs geopolitics when 9/11 occurred. Our nation’s response, with the invasion of Iraq, brought home to me the fact that, as important as I think it is to root our thinking in some kind of thoughtful, considered theory, ultimately, the decisions that make a huge difference in human lives are made in the arena of politics. That impelled me to go to law school, as I had originally planned.

A huge part of public service, especially elected office, is being able to connect the dots and clarify and communicate how education policy connects to human services, to health care, to infrastructure, investment and research, knowledge, trade. Literature gave me a more global perspective that has been helpful in my ability to communicate this position.

What are your top legislative priorities?

Obviously, first and foremost is: How do I do this job as well as I can and earn the faith of the people who put me here?

I’m very passionate about the need for cancer research. We’re at an incredible moment right now because of immunotherapy research and other breakthroughs. I do believe that in my lifetime most, if not all, cancers will be treatable and even curable. I’ve introduced a bill here in Washington to provide over $20 million a year to cancer research.

I’m also trying to figure out how I can help move the needle on disability employment in Washington state. And also to help other Iranian-Americans nationally look to running for office and being respected in their own right as Americans.

How did your immigrant parents shape your attitudes on citizenship?

New Americans have such a strong love of this country because we have something to compare it to. We love the institutions that make this country great. We’re certainly able to point out where there’s room for improvement, yet with a real fundamental patriotism.

You teach courses on the convergence of technology and public policy. What does this mean, and how do you apply it to governing?

It’s about this growing intellectual-property-driven economy where we’re no longer selling the intellectual property, we are retaining it and licensing it. This is how books have been published, records have been released. You’ve seen this in the arts around copyright. And you’ve seen it increasingly with respect to patents. This forces us to think in new ways about our laws. You see state legislatures really thinking about how to tax the licensing of intellectual property. Do you tax it as a service? Do you tax it as sales goods? So that’s one level.

Another level is entrepreneurship and the sharing economy. I’ve introduced some bills that relate to this. I authored our state’s equity crowd funding law. Another bill I’m working on is about Uber and Lyft, the ride share economy.

These topics really relate to the shifting economy. Crowd funding is crowd source capital, right? It is the democratization of capital. It’s you or I as people who may not be venture capitalists or big financial institutions being able to invest and help an entrepreneur get off the ground. So rather than the kind of professionalization that we’ve seen for decades, you see the rise of amateurs working in independent, part-time arrangements to earn a living.

These all pose a number of policy questions. If we begin to shift toward this highly independent contractor model, what becomes of all of the years of public policy we’ve created around employment?

What’s this about an idea you got watching John Oliver, dubbed YouTube testimony?

This is another convergence of technology and public policy. Since I was elected a few years ago, I noticed just how challenging it is for ordinary people to make their way to the Capitol to testify. And it occurred to me, why can’t we figure out a way for people to get their voices heard without physically showing up?

Then I saw the net neutrality clip from the segment that John Oliver did. He explained this otherwise obscure topic in a way that got people excited, particularly young people. He gave the FCC Web address where people could submit comments, and there were over a million in the first few days—so many that it crashed their server.

If something as esoteric as net neutrality can get that much excitement,
enthusiasm and activism, then we’re doing bills all the time that have the potential for even more input—marijuana reform, tuition changes, all things that affect a lot of people who may not have paid lobbyists and who may not be able to come down and testify. So I thought if the FCC can do this, then we really ought to be able to do it as well at the state level.

So I introduced this bill called “Legislative YouTube.” It’s a way that people can submit video testimony to the Legislature and have it available to the relevant legislators on that committee—creating that system through a mobile app and a website.

As the rest of the economy is shifting and modernizing, we too need to be thinking about how government is using the tools of technology to make itself more accessible and more convenient.

What about retirement security? What about industrial insurance coverage to protect you from injury? What about the minimum wage and paid sick leave that don’t really apply to an independent contractor? It’s not like an Uber driver has a minimum wage.

I think it’s interesting that as we, particularly in the Democratic Party, are having a very overdue discussion around wage and benefit issues, the economy is also shifting away from direct employment. Are we looking far enough ahead to figure out what sorts of worker protections and economic stability and security those people will have, and what the model might look like?

Similarly with equity crowd funding, how do you make sure that people have the opportunity to invest in ways that are both fruitful and safe at the same time? You want to protect them from fraud, but part of investing is taking huge risks and hopefully seeing huge upsides. And so where do you strike that balance?

What does being named one of the “40 under 40” by the Washington Post mean to you?

I was totally surprised and flattered to be included in that list. But the vast majority of the people whom I represent are judging me based on a different set of criteria—on my votes, bills I introduce, my availability to them and the constituent service we provide.

When you think about 40 under 40, it’s only valuable if we’re thinking about who can represent some of the positions and the views of younger people, issues that may be significantly underrepresented in government. … I invite bringing that under-40 perspective to government. That’s my hope for how I can retroactively earn that accolade. One of the things I really like is the ability—which I think is a real value of NCsl—to work with other young legislators around the country on some of these ideas.

What has been your greatest triumph so far?

I feel I have triumphed over my lack of willingness to talk about being blind and having had cancer and what has happened to me. I think the same set of high expectations that were so crucial for me as a kid also led to a desire to assimilate and not have my blindness define me. It became really difficult for me to talk about it, and to be emotionally honest with even close friends about that. But I’ve become a lot more comfortable reflecting on my own story and what role these challenges have played in that story, and ultimately developing a sense of humor about it.

A few weeks ago when I passed my first bill of the year in the Senate, a tradition here says that you give everyone in the Senate a gift. So I gave everyone a pair of sunglasses, which is what I wear. We have a photo of all of us wearing sunglasses on the Senate floor with the governor. I quipped that they needed them because “our future is so bright.”

What would surprise people most about you?

I’m a published photographer. When I was in college I got the opportunity to do a photography piece for Princeton Architectural Press to be included in a book about New York City. It was a really awesome opportunity to use my other senses, to try to give a sense of what I thought was photogenic, what I thought would make a good photo as I walked around a city that is very, very poly-sensory—lots of smells, lots of sounds, lots of sights. I would imagine that probably surprises people.
legislators who have been around a while remember when statehouse pressrooms were beehives of activity, staffed full time and year-round by seasoned journalists who covered their beat “like a blanket,” as editors like to say.

How things have changed.

Over the past dozen years, the decline of newspapers and the rise of digital platforms have led to what the American Journalism Review recently called “a staggering loss of reporting firepower at America’s state capitols.”

Today’s statehouse press corps not only is significantly smaller than it was a decade ago, but also has morphed into a patchwork of traditional and nontraditional reporters—the latter ranging from self-employed bloggers to college students to ideological activists. The result has been a major shift in the breadth, depth and tone of state government coverage.

Drone Media

Tennessee Senate Majority Leader Mark Norris (R), a 15-year legislative veteran, laments that many statehouse reporters these days lack experience and institutional knowledge. He refers to their increasing reliance on video and audio feeds from the capitol, rather than reporting gathered in person, as “drone media.”

“Reporters sit in their newsrooms or at home or wherever, watching these feeds. But something is lost with the lack of eye contact, not being able to pick up on body language or conversa-

“Today I see much less commitment from the media to developing issues in a way that people understand. I realize that takes a lot of work, but it’s vital to having an educated and engaged public.”

—TENNESSEE SENATE MAJORITY LEADER MARK NORRIS

Massachusetts Senate President Stan Rosenberg (D), a 28-year legislative veteran, says he used to get calls from capitol bureau reporters nearly every day and even on weekends during sessions. “These were conversations digging deeply into policy issues, and they gave me the chance to really get across what I was doing and what I was thinking,” he recalls.

Nowadays, such calls are few and far between—a couple of times a month, Rosenberg says—and the media coverage he gets is more likely to focus on “some
“There’s been a big change in what reporters seem to think people want to read and hear about.”

—MASSACHUSETTS SENATE PRESIDENT STAN ROSENBERG

charity event I attended or things like my interest in cooking. There’s been a big change in what reporters seem to think people want to read and hear about.”

Alan Calandro, director of the Connecticut General Assembly’s Office of Fiscal Analysis, says he has seen a decline in the quality of statehouse coverage over his 25 years as a legislative staffer, and that it’s most evident when it comes to complex topics like budgeting.

“It’s not so much that reporters get things wrong—although there’s some of that—but their reporting doesn’t capture the nuances of issues,” Calandro says. “And that leads to a lot of misinformation out there.”

Reporters often don’t realize that they can avail themselves of legislative support functions such as research, fiscal analysis and bill drafting, he says. And when they do come knocking, “they are somewhat sheepish about asking questions. That’s why I go out of my way to help them out, so they can do a better job.”

Democracy ‘Imperiled’

Phill Brooks, director of the state government reporting program at the University of Missouri School of Journalism, says, “The media no longer care about the details of the policy issues being debated. That’s been the biggest change—the focus on outcomes more than process. By the time a bill is gathering momentum, it’s often too late for people to get in touch with their legislators, to voice their opinions and to be heard.” Brook says. “So the power of the public to intervene in a timely way has been reduced, and that imperils our democracy.”

Now more than ever, Brooks says, it is crucial that reporters have “the ability and commitment to present the issues in a way that the public will care” about. But for traditional statehouse reporters—constrained by shrinking news holes and new demands on their time—that’s getting harder and harder to do.

Quicker, Not Always Better

Over her 26 years as capitol bureau chief for the St. Louis Post-Dispatch, Virginia Young says she has seen a

Who Remains?

Portion of statehouse reporters by category

Note: The “less than full time” category includes students and reporters working during session only and other staff such as interns and videographers. “Others” represent professional publications, multi-platform media companies, freelancers, magazines and alternative weeklies. Figures are rounded.

Source: Pew Research Center, March 2014
diminishing appetite on the part of editors for “covering issues incrementally, reporting on the back and forth of a bill moving through the legislature, the amendments, all of the buildup. They just want the final story.”

At the same time, print journalists are under increasing pressure to use a variety of new tools for reaching readers.

“It used to be that you spent the day walking around talking to people, covering meetings, gathering information, and then in late afternoon, sat down to write,” Young says. “Today, you’re writing all day long, blogging and tweeting—it’s so fragmented. And a lot of the time, the final product just isn’t as good.”

Young has mixed feelings about social media, though she admits to liking Twitter, on which she follows hundreds of people, including legislators, lobbyists and other reporters. “You can see what’s going on all over the building. You really can see more,” she says.

But for the most part, in Young’s view, “all of this new technology has led to quicker coverage, not better coverage.”

Brooks, who covered state government as a radio, television and print reporter for more than 40 years, says newspapers have gone overboard trying to compete in the social media arena. “I’m concerned about how much time reporters are putting into blogs and tweets, considering that the audience for them is typically just a few hundred people, and they tend to be the political junkies. We need to remember that journalism is based on a mass audience.”

Like Young, Brooks thinks reporters need more time to put together their stories. “Instead of constantly tapping on your keyboard, you need to have the time to wander down hallways, to run into people, to have conversations that help you peel back the layers and deepen your understanding.”
End of an Era

The traditional scope and quality of state government coverage began changing in the early 1990s.

“In the old days, newspapers were fighting for circulation, and they felt that statehouse coverage was very important to competing,” says Gene Rose, former reporter, communications director for the Missouri legislature and former director of public affairs at NCSL. “They would send their best reporters to the capitol. And during sessions, they might even assign a full-time photographer and have a cartoonist on hand.”

Rose recalls, too, that radio stations had a greater presence at the statehouse, primarily during legislative sessions. “Back then, even Top 40 stations had a news department, and their hourly updates would include the latest on whatever was going on at the capitol,” he says.

As for TV stations, their coverage of state government “has always been on the thin side,” Rose says. “They would show up on the first day of the session and the last day, and that would be about it.” And these days, with the greater availability of video feeds, TV stations “have even less incentive to show up at the capitol.”

The ranks of statehouse reporters have been thinning for 25 years. The most precipitous drop occurred between 2003 and 2009 and reflected large reductions in staffing tied to the recession and major changes in the news industry. In the past decade, the number of newspaper reporters assigned full time to cover state government—from legislative sessions to the governor’s office to individual agencies—declined by nearly 35 percent, from about 520 to 355, according to the Pew Research Center. A report released in July last year by the Pew Research Center, which has tracked statehouse coverage for several years, painted the current picture:

• Only one in three of the nation’s daily newspapers staff a capitol bureau, and there is increasing reliance on part-time reporters, lower paid rookies and even college students.
• Eighty-six percent of local TV news stations do not assign even one reporter—full time or part time—to the statehouse beat.
• Wire-service reporting, once a mainstay

The New Model

Among the most interesting findings of Pew Research Center’s recent study of media coverage of state government is that nearly 20 percent of full-time capitol bureau reporters now work for nontraditional media outlets.

Some are nonprofit, some are commercial, some are ideologically driven—and nearly all of them are online-only.

At one end of the spectrum are specialty outlets offering high-priced “insider” information to lobbyists, business executives and others interested in deep, granular coverage of legislatures and state agencies. They include, for example, Howey Politics Indiana and the Alaska Budget Report, which charge $600 and $2,400, respectively, for a year’s subscription.

At the other end are both nonprofit and for-profit digital outlets providing news and analysis aimed at more general audiences. A notable example is the five-year-old Texas Tribune, which is supported by a combination of grants and corporate sponsorships, and has a staff of 53 reporters covering Texas state government. Another example is Capital New York, owned by Politico and supported by online advertising, which has five full-time legislative reporters—two more than The New York Times.

Also in the mix are roughly three dozen outlets that cover state government with an unabashedly ideological spin. About half of them are owned by the Alexandria, Va.-based Franklin Center for Government and Public Integrity, whose websites focus on stories with more conservative than liberal themes, another recent Pew study found.

Over the past decade, newspapers and other traditional media have begun developing new models of statehouse coverage in an effort to produce more with less. The Miami Herald and the Tampa Bay Times, for example, share a statehouse bureau in which reporters who formerly competed with one another now coordinate coverage. In Illinois, the State Journal-Register, based in Springfield, covers the statehouse for all 21 daily newspapers in the state that are owned by its parent company, GateHouse Media. In Colorado, 16 noncommercial public and community radio stations share the expense of having a full-time reporter in Denver providing daily news reports during legislative sessions.

Some of the new-model outlets have gained reputations for high-quality journalism. The Texas Tribune, for instance, has won awards from the Society of Professional Journalists, Investigative Reporters and Editors, and the Radio-Television Digital News Association.

In Wyoming, a new digital-only outlet called WyoFile provides what Representative Rosie Berger (R) hails as “some of the best and most in-depth reporting on state policy that I’ve seen.” In recent months, it has produced special reports on issues ranging from workplace safety to air pollution in the state’s once-pristine Green River Valley to challenges facing the Eastern Shoshone and Northern Arapaho tribes.
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of state government coverage, has been diminished by the decline of United Press International and budget cutbacks at The Associated Press. (See sidebar on reversing the trend at the AP.)

- Radio reporters assigned to state capitols account for just 8 percent of the overall statehouse press corps.

### Students’ Opportunity

Of course, there are still plenty of savvy, hard-working reporters covering state government, Rose says. But their numbers are steadily declining as big-city newspapers continue to trim their capital bureaus and smaller newspapers close them altogether.

The Pew study found that college students, while not completely filling the gaps left by reductions in the professional reporting corps, are part of the reason the situation isn’t worse. Students make up about 14 percent of the statehouse reporting corps, the study found.

“In this shifting statehouse news landscape, students may be compensating for some of the legacy reporting cutbacks,” Mark Jurkowitz, former associate director of Pew’s Journalism Project, said of the report.

Pew found that at least 13 journalism schools had statehouse bureaus and reporters. One of them, the Cronkite School at Arizona State University, produces work distributed to 30 media clients in the state. At the University of Maryland’s Philip Merrill College of Journalism, some students work several days a week reporting stories distributed by the school’s own Capital News Service.

The bottom line, Rose says, is that diminishing statehouse coverage is a disservice not only to the public, “but also to policymakers because getting public momentum behind their ideas is so much more difficult. They have to become their own newsrooms.”

### News From the Source

And that is precisely what many legislatures are doing—using websites, newsfeeds, social media and other forms of outreach.

In Massachusetts, for example, Rosenberg says the Senate staff plans to build a dynamic website that will feature news stories, video clips, infographics, op-eds and links to studies and reports that “offer background and substance and let you drill down into an issue as much as you want.”

Rosenberg himself publishes a monthly news digest that has about 4,000 subscribers, and he has several thousand Twitter followers and Facebook friends.

To reach beyond “the already-interested and engaged public,” he says, legislative leaders recently kicked off a series of “Commonwealth Conversations,” public meetings held throughout the state over eight days in February and March. Testimony from the conversations will be posted on the Massachusetts Senate website.

To communicate with diverse audiences, Tennessee’s Norris says his legislative colleagues are using an expanded website, the Storify social network service, and video and audio clips produced in a small studio at the statehouse.

Norris says he’s not averse to trying out different strategies and mechanisms for improving statehouse coverage. “We’re seeing an evolution, but we don’t know where the evolution is taking us,” he says. “I like to be optimistic and think that with all the resources we have—both the traditional ones and some of these new things—we’re going to find a better way of communicating. But I’m just not sure that that will happen.”
Low turnout at the polls has officials asking whether voters have the information they need to cast smart ballots.

**BY WENDY UNDERHILL**

**Ignorance or Overload?**

With just 35.9 percent of the eligible population bothering to vote last fall, hand-wringing and finger-pointing have ramped up.

Some argue the political parties didn’t bring their “A” games to get-out-the-vote drives last year. Or that the top-of-the-ticket candidates were somehow subpar. Others wonder whether voters were intimidated by identification requirements or administrative procedures.

Maybe voters were turned off by the amount of negative advertising or overloaded with too much contradictory information. Or, was it the weather that kept voters at home? Still others point to the youngest voters—who had the lowest turnout of any age group—and wonder why “kids these days” just don’t care.

Does it really matter if voters turn out?

“I’m never very comfortable with the idea of pushing for a lot higher number of people voting simply for that reason,” says North Carolina Representative Chuck McGrady (R). “I want more people to vote, there’s no doubt about that, but I particularly want people to vote who have made an informed decision, based on their values and their understanding of the facts.”

As election observers look ahead to the next presidential election, the spotlight is turning toward voter information. Would a better informed citizenry lead to higher turnout rates? It’s an open question. But then, just about everything related to turnout is.

**The Voting Experience**

If policymakers are concerned about getting people to pay attention and vote, they could start with the voting experience itself. Long lines or confusing ballots may discourage voters. In fact, lengthy waits at polling places during the 2012 election prompted President Obama to create the bipartisan Presidential Commission on Election Administration. The commission produced a list of steps state and local jurisdictions could take to improve the voting experience. The commission recommended states modernize voter registration, adopt online voter registration, improve polling place management and “address soon-to-be antiquated voting machines.”

Lawmakers have also tried to make voting easier. Thirty-six states offer pre-Election Day voting options, such as absentee ballots or early-voting centers. These options might make voting more convenient, but there’s not much evidence they motivate people to vote who wouldn’t have otherwise.

In recent years, states have also tried to improve the voter registration process. The efforts were aimed at saving money and preventing fraud, but making registration easier also helps people clear the first hurdle to voting. Twenty-seven states and the District of Columbia have authorized online voter registration; Florida, New Mexico and Oklahoma did so this spring. And Oregon lawmakers just passed legislation to automatically register all eligible residents who have a valid driver’s license or state identification card.

States are also improving their motor-voter processes by ensuring a smoother handoff of voter registration applications from motor vehicle to voter registration agencies.

Other states allow qualified voters to register on Election Day, which has been shown to cause a small bump in turnout.

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Wendy Underhill is the head of NCSL’s Legislative Management Program.

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“*I particularly want people to vote who have made an informed decision, based on their values and their understanding of the facts.*”

— REPRESENTATIVE CHUCK MCGRADY, NORTH CAROLINA
Too Little or Too Much?

Making the acts of registering and voting less onerous is a good start, but those efforts don’t address what may be keeping voters from the polls. Is it apathy? Cynicism? Ignorance? Perhaps voters receive so many flyers by mail that relevant voting information gets lost in the pile.

Or perhaps too many of them simply don’t know where to vote, when to vote, how to vote—or even why they should vote. “We’ve given people so many choices, we may have confused them,” says Colorado Representative Su Ryden (D). “We have had early voting for years, and at other times we’ve used vote centers, all to give more options, but it gets confusing and people may say, ‘I just won’t vote.’ We need to do better at education and get down to the basics and not assume that everyone knows how to vote.”

Whether it’s stuffed mailboxes, redundant TV ads, recorded phone messages or flyers tied to doorknobs, voters can feel they’re awash in information from candidates, political parties and advocacy groups. Worse, nonpartisan, unbiased information can be hard to come by. And some voters don’t know trustworthy information from misinformation or even disinformation.

Local officials do what’s required by state law and often go well beyond that to get the word out on election dates and times. But is it enough? And is it in the format voters want and written in language they can understand?

“It’s been harder to get information in the recent past because of the demise of the media, broadly,” McGrady says. “You just don’t have as many newspapers and unbiased reporters out there covering local or state or federal issues. Unfortunately, we’re now dependent on the quick tweet or the ability to blog on whatever subject.”

Ryden, McGrady and other legislators believe improving the quality of information will help voters do their homework, and vote their values, too. This year, nearly 60 bills in 23 states have been introduced to address voter information.

The Knight Foundation is looking for answers as well. The “Knight News Challenge for 2015” addresses this question: “How might we better inform voters and increase civic participation before, during and after elections?” The challenge called for ideas from any and all groups or individuals and received more than 1,000 proposals. In July, the foundation distributed $3 million to those with the best ideas.

Below are three general ways to improve voter information, all of which are real-world tested.

1. GIVE PEOPLE THE BASICS: WHEN AND WHERE TO VOTE.

Basic information may be at the fingertips of people in politics, but it’s not necessarily in the hands of the everyday voter. States may require that newspapers print information about where and when elections are held, but that’s not where most voters are going for information these days.

A recent poll from the Pew Charitable Trusts of registered voters showed that 58 percent of people who want information on elections would turn to the Internet first, whereas 15 percent would call their local election office and 9 percent would turn to the Internet first to design easy-to-use ballots and write instructions voters can understand.

Pew, along with Google, created the Voter Information Project. From official sources, VIP gathers information such as polling places, directions, hours and what’s on the ballot, and makes it available to anyone who simply types a street address into any search engine.

VIP is growing. Ten million “lookups” were conducted in 2010. The number rose to 25 million in 2012, and to 31 million in 2014—even though that election saw historically low participation.

Consider these options on getting the word out as well:

• State and local election websites can provide essential, timely information and can be updated easily.

• Mailers with when-and-where information, sample ballots, candidate statements and more can be sent directly to registered voters.

• Voter information can be emailed, if state law permits it, which also saves money.

• States can host events such as a Voter Awareness Week. (California did so this year.)

• Public service announcements, such as those developed by the Federal Voting Assistance Program, can encourage and motivate citizens to vote.

• Social media can get the word out to followers quickly.

2. DON’T ASSUME PEOPLE KNOW HOW TO VOTE.

“People don’t necessarily know how to fill out the ballot,” says Christy McCormick, chairwoman of the U.S. Election Assistance Commission. “If they need to learn how to vote, and don’t know where to go to do that, it may make them shy away from voting altogether.”

Election equipment vendors tell McCormick that voters don’t intuitively know how to fill in the circles, select just the number of candidates permitted or use the levers, buttons and screens.

One solution is to focus on designing ballots, instructions and all election-related materials in ways that are super user friendly. The Field Guides to Voter Intent are good examples. This set of booklets shows how to design easy-to-use ballots and write instructions voters can understand.

Another option is to offer voting tutorials, either at the polling place before voters check in or at community meetings, naturalization events, high schools or elsewhere.

For many, voting can be intimidating. Urania Petit, a former Connecticut elections official, knows that. She hails from
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the Caribbean island of St. Lucia, where she says, “I grew up in a very political environment where I knew the ramifications if you don’t vote.” Even so, after moving to Connecticut and becoming a citizen, she “freaked out” the first time she went to vote. Not only did she not know how to use the machines, she also didn’t know what she was voting on. “I did not know I had to do my homework.”

In St. Lucia, people vote by selecting the symbol of the party they support. “I knew from my citizenship class that the donkey was for the Democrats, and the elephant was for the Republicans, but those weren’t on the ballot.”

She was undeterred. “Me being feisty, I demanded that they help me, right or wrong.” (Election staff generally are prohibited from going into booths with voters.) In her registrar of voters position, which she recently left, Petit worked to educate voters on the “how” as well as the “why,” with a particular focus on new citizens and other first-time voters.

Then there’s civics. Legislators in Mississippi, Massachusetts and Texas introduced bills this year to require civics be included in high school education standards.

“I don’t think young people see themselves making a difference,” says California Senator Bob Huff (R). “When I was first elected, there were 11 people running for two positions. ... [two candidates] were within 11 votes and by the time a recount was done, it was dead even. It was decided by drawing a name.

“IF one more person had voted, the outcome wouldn’t have been left to chance. It would have been that voter’s decision. It impressed on me that everyone has an important vote,” he says.

3. FOCUS ON GETTING PEOPLE TO WANT TO VOTE.

This suggestion may be the hardest to address. If people don’t vote because they don’t want to, that’s difficult to change. Whether it’s because they lack interest, time or energy or think their vote simply doesn’t matter, they’re hard to convince otherwise.

Voting—or not voting—“starts young,” says McCormick with the U.S. Election Assistance Commission. “You have to have your interest piqued in the whole political process. That piece has been lacking; we don’t do a lot of civic education in high school like we used to, and that is affecting people’s interest in the political process generally and voting specifically.”

Is any place succeeding at motivating young people to want to vote?

Yes. In Fremont County, Wyoming, kids are learning how to vote every time County Clerk Julie Freese takes her voting equipment to elementary schools so third-graders can vote for their favorite books. And in Orange County, California, high schoolers (and soon-to-be eligible voters) are getting comfortable using real voting equipment in their class elections, thanks to Neal Kelley, the county’s registrar of voters.

In towns where Kids Voting USA is active, during every presidential election year, students hold their own mock elections, using the real candidates and real equipment. The program also has democracy-related curricula teachers can use in their classrooms.

These are just a few examples, but they’re simple enough that McCormick asks, “Why aren’t we doing this all over the place?”

We’ll have to wait until the 2016 presidential race to see what direction voter turnout goes nationally, but with no incumbent running, turnout should be high—that is, if voters can figure out where, when and how to vote.
Every time you turn on the news, it seems, there’s another unbelievable tale of someone doing something really stupid on social media.

And all too often, that person is one of our own: an elected official who showed poor judgment and typed something he or she really shouldn’t have.

Considering the growing list of public figures who have made uncharacteristic lapses in good judgment, it appears just about anyone can make a mistake.

So, how can you avoid committing an embarrassing social media faux pas, especially one that could be career-ending?

And, if you do make a blunder—as most of us will—how can you recover?

Here are some tips you may have heard before, but bear repeating. You really can’t be too cautious in this world of instant communications.

1. Use the “front page rule.”
   No tweet or Facebook update is ever truly private, and this is particularly true for elected officials. A good rule of thumb is this: Never put anything on the Internet that you would be embarrassed to see on the front page of your local newspaper. Never.

2. Pause and think.
   Before you click that send button, take five seconds and ask: Is there any way this tweet could get you into trouble? Could it be misinterpreted? Used out of context by political rivals? If you can answer yes to any of these, stop what you are doing.

3. Double check, twice.
   Remember when Dan Pfeiffer, a former aide to President Obama, infamously tried to tweet the word “bigger,” but mistakenly hit the letter right next to “b,” the “n” instead? Even though his tweet slip was accidental and he immediately deleted it and apologized, the damage was done. Pfeiffer is one of many to commit this mistake, and there’s a simple way to avoid it: Check what you’ve typed before you hit send; better yet, let someone else proof it.

Michael Schlossberg is a Pennsylvania representative and the author of “Tweets and Consequences: 60 Social Media Disasters in Politics and How You Can Avert a Career-Ending Mistake,” available on Amazon.
4 Get training, for you and your staff.

Many a politician has fallen victim to social media ignorance. British Member of Parliament Simon Danczuk, for example, accidentally favorited a pornographic tweet. Sure, mistakes happen, but good training can lessen the odds of making such errors. To that end, be sure that you and your staff are fully versed in the use of all social media platforms, including their nuances and idiosyncrasies.

5 Don’t go there.

Create a list for you and your staff on specific topics to avoid that might not be obvious to your staff. An elected official who has been cited for littering, for example, should avoid being Instagramed with trash or a trash can visible in the picture. It will serve only as a reminder to others of the original gaffe.

6 Divide and conquer.

Programs like Hootsuite and TweetDeck can be godsend in helping you manage multiple accounts, across several platforms. But it’s still too easy to confuse your personal and professional accounts. Phil Hardy, a former communications aide for U.S. Representative Raul Labrador, for example, tweeted “Me likey Broke Girls” in response to a quasi-racy ad featuring the stars of the CBS sitcom “2 Broke Girls.”

He likely meant to send the tweet from his personal account, but instead sent it from the congressman’s official account. The tweet was up for a mere 14 seconds before Hardy deleted it, but it was too late: Hardy was fired shortly afterward. To reduce the odds of making such a mistake, limit your use of multiple accounts on programs like Hootsuite and, if you do use them, do so with extreme caution.

Sometimes all the prevention in the world can’t stop you from making a mistake, big or small. So, what do you do when the inevitable mistake occurs? Here are some thoughts.

7 Apologize twice.

The first apology doesn’t need to be perfect. But it does need to be fast. When something offensive is said, don’t wait for someone to give you instructions. An immediate apology is vitally necessary; you can perfect the language later, in a second apology.

Delete and acknowledge. If you mess up, it’s appropriate to delete your post, comment, tweet or photo. As an immediate follow up, however, note that you deleted the previous comment, acknowledge that it was wrong and explain why it was a mistake. That way no one can accuse you of attempting to cover up your mistake.

Call in your team. Find out what happened and figure out what you will do about it.

Then, within the boundaries of what can be said given certain HR constraints:

• Discuss the incident.
• Make a full apology.
• Take personal responsibility.

Even if you didn’t post the offending remark, as the elected official, it was made in your name. You have to own it. Doing otherwise looks like you are ducking responsibility.

8 Batten down the hatches.

No matter how genuine your apology, you will be criticized. Understand that people will attack you for your mistake; be prepared to deal with it and accept their criticism.

9 Prepare your troops.

Make sure your staff know the game plan, and know they shouldn’t delete any visitor’s post or comment that doesn’t violate social media policies.

Indiana Governor Mike Pence’s staff, for example, wrongly deleted Facebook comments that did not violate social media policy, but merely expressed criticism. The governor apologized for the error, but the deletions continued even after the apology. Make sure your staff know your rules and expectations.

10 Live and learn.

There is only way one to make a social media scandal “worth it.” Learn from it. Identify the mistakes made and changes you can make to your policies or staffing to ensure they don’t happen again.

Social media mistakes may not be totally avoidable, but most aren’t fatal. By and large, if you use sound judgment, you can tweet and post to your heart’s content. If the photo meant for friends goes public, so be it, your caution assured it was appropriate for all audiences anyway.

But if your judgment is questionable to begin with ... well, maybe you should look into putting a safety lock on that “send” button.
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Speaker Toni Atkins, a Democrat, was first elected to the California Assembly in 2010 and was unanimously elected speaker in 2014. She has been described as a coalition-builder and a leading voice for affordable housing, a powerful advocate for women and a champion of veterans and homeless people. Atkins was born and raised in Virginia. She earned a bachelor’s degree in political science from Emory & Henry College, and completed the senior executive program at Harvard. She will be term-limited out of the legislature in 2016.

As speaker of the most populous state and seventh largest economy in the world, how do you serve your constituents while leading the whole state?
It’s a balancing act. I’m proud to be the first Assembly speaker to come from San Diego. But I also have 79 colleagues who feel just as passionately about their districts. Fortunately, there’s a lot of overlap—working to strengthen California’s economy helps create jobs in San Diego, a place Forbes magazine called one of the best places to start a business. Helping California veterans receive the benefits and services they need is good for San Diego, one of the biggest military towns around. There are a lot of examples like that.

What is your most important legislative priority and why?
Affordable housing has always been my passion. Maybe that stems from growing up in substandard housing in southwestern Virginia, without running water. We had an outhouse and had to take baths in a metal tub with water carried from a spring and heated on a wood stove. Or maybe it’s my time as an intern working at Legal Aid and visiting too many rundown and infested shacks inhabited by hard-working poor people who deserved better. Or maybe it’s seeing the deep and chronic poverty that exists in urban neighborhoods, even in a beautiful city like San Diego.

How do you tackle such a challenging issue?
Thanks to California’s economic recovery, we’ve been able to make some badly needed investments in housing. And several of my colleagues and I have a package of affordable housing legislation. My part of the package creates a permanent and sustainable funding source for affordable housing using an approach that has proved effective in other states. We also put forward a ballot measure that voters approved to re-purpose some unused veterans’ housing funds to better meet the needs of today’s veterans, including homeless veterans and veterans at risk of homelessness.

How would you describe your leadership style?
I like to bring people together, and I’m always pleased when we can find bipartisan solutions on critical issues. I try to be member-driven and rely on my committee chairs—especially on the Budget Committee and subcommittees.

What is your proudest accomplishment?
I have to say I’m pretty proud of the budget we just passed. We are sending more money to schools, helping working families by expanding child care and preschool, establishing a state earned income tax credit and improving higher education funding and financial aid. We are also paying down debt while adding to state reserves. I’m also very proud of my legislation that took effect this year that ensures transgender people’s legal documents match who they really are. It’s one more step in the long fight for equality.

What would surprise people most about you?
I won a sushi-rolling competition. Sadly, I had to relinquish my samurai sword trophy this year. But I’m pleased it went to my colleague, Kristin Olsen, the Assembly Republican leader.

What book is on your nightstand?
“Rainbow Pie: A Redneck Memoir,” by Joe Bageant. It’s described as a coming-of-age memoir wrapped around a discussion of America’s most taboo subject—social class.

What keeps you up at night?
Physically, it would be our dogs. Politically, it’s thinking about what else we can do to find homes for people who need them and to bring more kids out of poverty in the greatest state in the nation.

What final words would you like to leave with readers?
The best advice I ever got came from an early mentor: Imagine the world you want to live in, then work to create it.
On behalf of the 1.6 million members of the American Federation of Teachers, we salute the National Conference of State Legislatures for its commitment over more than 40 years to informed and innovative policymaking, its work to ensure that state legislatures have a strong voice in the federal system, and its advocacy for adequate funding of public infrastructure.

Across America, the AFT is working to support a new era of investment in communities. With officials and civic partners, we’re seeking innovative and affordable ways to make sure our public infrastructure can meet the demands and challenges of the 21st century. And our members, through their pension funds, are direct investors in this effort.

To reclaim the promise of safe, economically vibrant communities, we must adequately fund construction and maintenance of safe roads and bridges. Our priorities must include modern, welcoming public school buildings staffed by teachers who have adequate time and resources to help all children succeed. Infrastructure projects large and small—including water, power, communications, technology and health systems—are the foundation of strong and successful communities.