Patrick Moore founded Greenpeace nearly 40 years ago because of his concern for the environment. Today, he channels that passion to explain nuclear energy’s role in meeting electricity needs while enhancing our air quality.

No single energy technology can meet our carbon reduction goals. However, nuclear energy produces more than 60% of America’s carbon-free electricity, preventing 2 billion tons of carbon each year. That’s the equivalent of capturing all emissions from nearly all of America’s automobiles.

Find out why some of the world’s leading environmentalists support nuclear energy.

I support a smart energy future that must include clean and reliable nuclear energy to generate electricity.

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DR. PATRICK MOORE
GREENPEACE COFOUNDER & NUCLEAR ENERGY ADVOCATE

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FOCUSED

Senator David Sater (R) and Representative Diane Franklin (R) of Missouri discuss farm-to-school programs during NCSL’s Healthy Communities meeting in Denver in July.

State lawmakers learn about critical oil field operations at the North Slope in Alaska during NCSL’s spring Executive Committee Meeting.

Nevada Senator and NCSL President Debbie Smith (D) discusses military installations at the Pentagon during the NCSL Leaders Meeting in July.

NCSL members and elections officials tour the Clark County Elections Department warehouse in Las Vegas in July, as part of NCSL’s Elections Technology Project.

From left, Representative Maureen Walsh (R) of Washington, Representative Milo Smith (R) of Indiana and Representative Laura Hall (D) of Alabama discuss strategies at a kick-off meeting of the Early Learning Fellows in Denver in May.

EXPERTISE

Stateline and the Huffington Post: “It’s not a government program. It’s not a safety-net program. The only role for the states is to allow the credit unions to do it.”

—Qiana Flores on credit unions’ practice of offering cash prizes as an incentive for people to save more money.

InsuranceNews.net: “This is one of those issues where the law has not kept up with these new technologies. ... I’m sure we’ll see additional legislation in this area.”

—Pam Greenberg about how states are grappling with regulating digital assets.

Bloomberg: “Phone service is almost as much a necessity as food.”

—Max Behike on how landline telephone service is losing people to smartphones and the Internet, costing states in lost tax revenues.

Associated Press: “It’s become a boiling point at this time just because it’s taken a few years to percolate to the top.”

—Daniel Thatcher about state legislative debates over Common Core education standards.

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What’s in the Water?

Reported outbreaks of illnesses caused by bacteria and other contaminants in America’s public drinking water systems have been declining. In the two years before Congress passed the Safe Drinking Water Act of 1972, the Waterborne Disease and Outbreak Surveillance System reported 47 disease outbreaks. That total was down to 33 in 17 states in 2009 and 2010, although the Centers for Disease Control and Prevention says the validity of the numbers is limited by states’ varied reporting systems.

States work vigilantly to maintain the drinking water standards set in the federal act. In 48 states, legislatures require professionals who build and service drinking water systems to be licensed. But deadly bacteria, parasites, viruses and chemicals can still infiltrate water supplies. In 2009 and 2010, the CDC reported 1,040 people were sickened and nine died as a result of outbreaks.

More than 40 million Americans (15 percent of the population) rely on private wells instead of public systems. These water systems don’t have to comply with the federal standards, nor do most states regulate private wells after they are built. In contrast to public water systems, outbreaks in private systems have increased over the past 40 years, according to the CDC.

Today, Americans enjoy some of the safest public drinking water in the world. But keeping it clean is a big and costly job, and it’s getting bigger as the population expands, plumbing systems age and potential contamination sources grow.

The Bugs Stopped Here

The red dots show the number of reported waterborne illness outbreaks (sickening two or more people in the same location) from public and private water sources in 2009 and 2010. The blue shades denote the portion of the population served by private water systems.

Bad Actors

Two bacteria—Legionella and Campylobacter—cause the most illnesses.

**Legionella**
- Most people exposed to it don’t get sick, but it can cause Legionnaire’s Disease, a severe form of pneumonia that sends an estimated 8,000 to 18,000 people—mostly elderly or weak—to hospitals each year. Legionnaire’s Disease often occurs in single cases rather than in outbreaks.
- It inhabits hot tubs, large plumbing systems, cooling towers and decorative fountains, and can sicken people when they breathe contaminated vapor.
- It is named after a 1976 outbreak at an American Legion convention in Philadelphia.

**Campylobacter**
- This bacteria causes diarrhea, cramping, abdominal pain and fever in more than 1 million Americans annually, killing around 75.
- It infects animals and birds, especially chickens, which often show no sign of the illness but pass it on when their feces contaminate surface waters.
- People get sick when they consume contaminated water or produce, undercooked poultry or meat, or unpasteurized dairy products.

Sources: CDC, Mayo Clinic

Possible Causes

Faulty infrastructure 68%
- Untreated ground water 15%
- Untreated water and faulty infrastructure 10%
- Legionella in plumbing 7%
- Bottle 0.3%

Source: CDC, Morbidity and Mortality Weekly Report, Sept. 6, 2013
Four Decades Strong: the 1990s
The Best and the Worst

BY KARL KURTZ

With apologies to Charles Dickens, the 1990s were the best of times and the worst of times for state legislatures. They were the best because amazing new technologies improved how we communicate and manage information. A booming economy lifted everyone’s boat. A brave optimism about “reinventing government” prevailed. Profound changes in welfare policy enjoyed bipartisan support. And sea changes in politics increased party competition across the nation.

Why the worst? Legislatures were “under siege.” A distrustful public imposed term limits on lawmakers in 21 states. Citizens were routinely bypassing the legislative process with voter initiatives. The Supreme Court limited states’ ability to tax sales outside their boundaries. Federalism developed a difficult-to-deal-with dual personality. And lawmakers in a half dozen states were caught in corruption scandals.

Technology Touches All

Technological changes swept through American life in the 1990s, profoundly affecting state legislatures along the way. Stories from State Legislatures magazine illustrate the evolution.

A 1991 article touted the Michigan Senate as the first in the nation to have computers on members’ desks that allowed them to vote using a touch screen, perform word processing, create spreadsheets and file documents—all on bulky black-and-white monitors. Yet, the article made no mention of e-mail or the World Wide Web.

Three years later, the magazine answered “What is the Internet?” by explaining the intricacies of gopher servers, Telnet, Usenet (remember those?) and electronic mail. In 1995 the magazine reported that 41 states offered bill information through the Internet. Then, in 1996, a cover story cutely titled, “coNEcTed: Welcome to the Web,” opened the floodgates, and stories on the Web (“a wonderland there inside your computer”) followed regularly, informing readers on everything from state taxes on Internet services to sex on the ‘Net.

Pressure Cooker Still Hissed

Despite these internal improvements in the legislative process, legislatures were under extreme pressure from the outside. Voter initiatives in the late 1970s and early 1980s had started a lasting trend of restricting the power and authority of legislatures through tax and spending limits. This byproduct of public distrust in all-things government expanded dramatically in 1990 when voters in California, Colorado and Oklahoma imposed the first term limits on state legislators.

Ironically, even though Congress was arguably the target of the initiatives, after the U.S. Supreme Court ruled that states could not impose term limits on members of Congress, state legislatures were the ones left handcuffed by a lack of experience and institutional knowledge.

By 2000, 21 other states had enacted term limits, although four were invalidated by state supreme courts and two were later repealed. That left the final count at 15. NCSL’s national study on the effects of term limits found governors gained power in relation to legislatures in term-limited states.

A few lawmakers didn’t help the cause either. In 1991, corruption scandals erupted in Arizona, California, South Carolina, Tennessee and West Virginia, leading NCSL Executive Director Bill Pound to editorialize, “The legislature as an institution has always been stronger than an individual’s wrong-doing, and it can emerge strengthened if leaders act forcefully and effectively when dealing with instances of corruption.”

All this cast shadows on our system of representative democracy, and was summed up by the magazine’s January ‘94 cover story: “Legislatures Under Siege.”

Public Policy Favorites

The signature public policy issue of the 1990s was welfare reform. Between 1992 and ‘95, 29 states enacted significant reforms that led a Republican Congress and Democratic president in 1996 to agree to devolve authority for welfare policy to the states. Although Temporary Assistance for Needy Families created several options for states, many were not well-understood. NCSL’s Jack Tweedie and Sheri Steisel traveled the country tirelessly to provide advice and assistance to legislatures on welfare reform.

A few other policy issues began to emerge during this decade as well. Legalized gambling was spreading rapidly as states sought new sources of revenue. A savings and loan crisis forced states and the federal government to revise their banking regulations. And while the nation celebrated the completion of 99 percent of the interstate highway system, Oklahoma became the first state to use an automated highway toll collection system.

The tragic bombing of the Oklahoma City federal building in April 1995 stirred new concerns about the security of government buildings and public life and the vulnerability of America to random acts of terrorism. With an uneasy public, governments at all levels began using security procedures that would not come to full fruition until after 9/11.

The buzzwords in legislatures at the time were “reinventing government” after the eponymous book by David Osborne and Ted Gaebler. States established reinventing government commissions to address the challenges of what the authors called the “post-industrial, knowledge-
based, global economy.” Texas’ comprehensive performance audit of all of state government became the model for the Clinton Administration’s National Performance Review led by Vice President Al Gore.

**Federalism Times Two**

Federalism in the 1990s was like Dr. Jekyll and Mr. Hyde, NCSL’s then-deputy executive director Carl Tubbesing reported in a magazine article near the end of the decade. Dr. Jekyll represented the positive devolution of federal authority to the states in the form of welfare reform, a new safe drinking water act, the children’s health program, changes to Medicaid and protections for the states through the Unfunded Mandate Relief Act. Mr. Hyde, on the other hand, limited state authority and flexibility, preempted state laws, greatly increased the number of federal crimes and snatched regulation of banking away from states. These two personalities of federal policy were at war with each other.

In response, Utah Governor Mike Leavitt proposed a Conference of the States for governors and legislators to discuss how to redress this growing imbalance of power. Opponents on both the right and the left organized to prevent what they feared would turn into a constitutional convention. So plans were scaled back, and in 1995, NCSL, the National Governors Association, the Council of State Governments and the American Legislative Exchange Council convened a “States Federalism Summit” instead and agreed to a set of “federalism statutory principles and proposals.”

A 1992 Supreme Court decision also had a profound impact on state and local governments’ federal policy agendas. In *Quill Corp. v. North Dakota*, the Supreme Court ruled that retailers should not be required to collect state sales taxes on out-of-state transactions if they don’t have a physical presence (a store or building) in that state. The decision seemed insignificant in that pre-Amazon.com era. But as online commerce grew, its ramifications for lost state revenue became clear.

For more than 20 years, NCSL has led a coalition of state and local government organizations, Main Street retailers and a few willing online sellers in urging Congress to enact legislation that would authorize the collection of interstate sales taxes.

A few years after the *Quill* case, another decision had the opposite effect on state budgets. In 1998, the four largest tobacco companies in the United States settled Medicaid lawsuits filed against them by 46 state attorneys general, resulting in a windfall for state revenue. Many states securitized the proceeds from the settlement by selling tobacco bonds.

**A Parity in Politics**

Although the outsized personality of the 42nd president, William Jefferson Clinton, dominated the politics of the 1990s, Republicans won control of Congress in 1994 and made enormous gains in state legislatures as well, engineered in part by Newt Gingrich’s “Contract With America.”

Republicans were especially successful in the South. They won control of the Florida and South Carolina senates and the North Carolina and South Carolina houses of representatives for the first time since the 1870s. And, in 1996, Florida became the first southern state to have Republicans in control of both chambers.

In the January 1995 issue of the magazine, Vanderbilt University political scientist Dewey Grantham described the political landscape like this: “My hope has always been that we would eventually have a genuine two-party competition in [the South]. But with this election, there are strong signs that we are just going to swap one solid South for another, that what was once all-Democratic is now … about to become all-Republican.”

He could not have been more correct. It took nearly 20 years, but the legislatures of the once solid Democratic South are now completely under Republican control.

As the 1990s ended and Americans marched into a decade no one knew what to call, the focus turned to the calendar and what horrific disasters might occur due to Y2K. Not any, as it turned out. If only that could have held true the entire decade.
“Burning Down the House: The End of Juvenile Prison” offers a raw, in-depth look into the world of America’s juvenile prison system. In this exposé, Nell Bernstein, a San Francisco journalist, takes the reader on an emotional, eye-opening journey through prison facilities riddled with abuse. Through the voices of the children behind the prison walls, she shares their heart-wrenching stories of pain and suffering, broken systems and unjust commitments.

Citing research and studies, Bernstein illustrates and concludes that incarcerating young people does not reduce future crimes and, instead, can further the trajectory of a young person’s life into delinquency and eventually adult prison. But she doesn’t stop there.

With the current shift in juvenile justice policy toward treating kids as kids and not as adults, Bernstein believes now is the time to make changes. She offers actions to remedy and reform the system, including the following:

- Listen to young people who have been in juvenile prison.
- Make positive relationships central to rehabilitation efforts.
- Intervene as early as possible with at-risk youth.
- Promote the use of community-based programs and services over juvenile prison.
- Increase the use of small, therapeutic institutions.

Bernstein’s recommendations on how to improve the justice system are grounded in her deep knowledge and life-long experiences as an advocate for youth, both in and out of the system. In addition, recent neuroscience and behavioral and social science research on adolescent development bolster her argument that juveniles are distinct from and should be treated differently than adults.

I heard the author read excerpts from the book at a conference, and her passion and commitment for changing the juvenile justice system was palpable. Not a person in the audience left the room without a book in hand. I began reading my copy that evening and could not put it down. I highly recommend “Burning Down the House” to anyone in the juvenile justice field and to those who love and support children who may be involved with the system.

Sarah Brown is a program director in NCSL’s criminal justice department.
WASHINGTON SENATE PRESIDENT PRO TEM TIM SHELDON (D) BEAT BACK A CHALLENGE from the right in the August primary to win the No. 2 spot behind a Democratic challenger in the three-way race. In Washington, the top two vote-getters move on to the general election. Sheldon, a 23-year veteran of the Legislature, crossed party lines in 2012 along with Democrat Rodney Tom, to help the GOP create the Majority Coalition Caucus. In the another contest, former NFL player and Tea Party candidate Clint Didier won the first-place slot in the race to replace retiring Representative Doc Hastings in the U.S. House.

MASSACHUSETTS SENATE PRESIDENT THERESE MURRAY (D) WAS HONORED BY HER COLLEAGUES as she brought the gavel down for the last time on Beacon Hill. Elected to the legislature in 1992, Murray made history in 2007 by becoming the first woman to lead either chamber in the Massachusetts General Court. During her legislative career, she was a major proponent of health care reform, helping pass Massachusetts’ landmark Health Care Reform Act of 2006. She also served as chair of the Senate Ways and Means Committee, crafting the state’s $34 billion budget. Term limits on leadership prevented her from seeking another term as leader, and she announced earlier this year she would not seek re-election. Senators gave her a standing ovation at the end of a marathon session in August. Senate Majority Leader Stanley Rosenberg (D) is expected to succeed Murray.

FOR A BRIEF FEW HOURS, SOUTH CAROLINA INTERIM LT. GOVERNOR YANCEY MCGILL (D) TOOK ON THE MANTEL OF EXECUTIVE POWER while Governor Nikki Haley had outpatient arm surgery. McGill, a 26-year veteran of the Republican-controlled Senate, is the first Democrat to hold the post of lt. governor in 20 years and the third to be sworn in to the office since 2010. The circumstances of his rise to leadership are unusual. McGill volunteered to be elected Senate president when former Lt. Governor Glenn McConnell (R) announced he was resigning and former Senate President John Courson (R) didn’t want to be lt. governor. When Courson stepped down, McGill was elected Senate President, then McConnell resigned and McGill stepped into the lt. governor’s post. In the brief time he assumed emergency authority, he didn’t use it. Haley was back in the governor’s mansion by 10:30 a.m. following her 30-minute surgery.

CALIFORNIA PLAYED ITS OWN VERSION OF MUSICAL CHAIRS IN JULY WHEN GOVERNOR JERRY BROWN WENT ON A TRADE MISSION TO MEXICO. Lt. Governor Gavin Newsom was first in line and took the reins briefly before leaving for the East Coast. Senate President Darrell Steinberg then filled in for a while before also leaving. That put Assembly Speaker Toni Atkins (D) in the power position. The most notable event of the day was undoubtedly a Skype interview on “Jimmy Kimmel Live.” Atkins admitted her time in the top spot was “uneventful,” adding, “And I hope that nothing in this interview breaks that streak.” Kimmel, in jest, suggested that they “do something fun. We should invade Oregon or something like that.” Atkins, not missing a beat, replied, “Somebody already made that suggestion.”

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VETERAN HAWAI‘I SENATOR DAVID IGE (D) WON AN OVERWHELMING VICTORY IN THE DEMOCRATIC PRIMARY FOR GOVERNOR in August, ousting incumbent Governor Neil Abercrombie and ending a political career that ranged from the Legislature to Congress and then to the governor’s office over a span of some 40 years. Ige spent $447,000 to Abercrombie’s $4.9 million on his bid for governor, and bested the incumbent by a margin of 66 percent to 31 percent. Ige, a respected 28-year veteran of the Hawaii Legislature, promised a less confrontational style than Abercrombie, who was also unpopular for supporting several tax proposals. Abercrombie is the first governor in Hawaii to lose a primary and only the second not to win reelection. In another primary contest, Representative Mark Takai (D) bested six other candidates vying for the Democratic slot in the 1st Congressional District race.

MERLE GRACE KEARNS (R), A RESPECTED OHIO LAWMAKER WHO SERVED IN THE LEGISLATURE FOR 15 YEARS BEFORE BECOMING DIRECTOR OF THE OHIO DEPARTMENT OF AGING, DIED in August. She was 76. In 1991, Kearns was elected to the Senate, where she served 10 years before running for the House. She was elected majority floor leader in 2005 and later was appointed to the Department on Aging. “Merle Kearns was an extraordinary public servant, committed not only to the people she represented … but also to those individuals who are often the most vulnerable in our society,” said Senate President Keith Faber.
The electronic devices most of us carry can identify where we are at any moment. Usually, it’s a feature we’ve requested—a navigation app that provides directions, an app such as Foursquare that lets friends know where we are, a taxi app that tells the driver where to pick us up. Parents can keep an eye on their children, caregivers can make sure Alzheimer’s patients are safe and businesses can monitor company vehicles.

But stalkers and abusers also are discovering tracking technology, especially as it becomes cheaper and more available. Some stand-alone devices are small enough to be hidden under a car or in the trunk or placed in a backpack or purse. They are marketed as tools to spy on cheating spouses and have pricetags of under $200.

Today, one in four stalking cases involves some sort of technology, and one in 13 involves electronic monitoring or GPS tracking, a U.S. Justice Department survey estimated.

State legislatures are taking action. In July, New York enacted “Jackie’s Law” in honor of Jacqueline Wisniewski, whose surgeon ex-boyfriend stalked and killed her in 2012 after putting a GPS device in her car. The law adds unauthorized GPS tracking as a crime under the state’s anti-stalking law. “It’s appalling that this action alone was not illegal,” said Senator Tim Kennedy (D), a sponsor of the legislation. “Survivors of domestic violence are in dire need of this protection, which will ensure law enforcement and prosecutors have the power to intervene in domestic violence cases before it’s too late.”

At least 10 states prohibit unauthorized tracking. Delaware, Illinois, Michigan, Tennessee and Texas prohibit the secret installation of a tracking device on a vehicle. California, Hawaii, Louisiana, Minnesota and Virginia prohibit placing devices on other movable objects as well, or they simply prohibit using a device to track a person surreptitiously. The laws typically provide exceptions for law enforcement. Some states also allow their use by private investigators, owners of business vehicles and parents, so they can put devices on their children’s vehicles.

Location-tracking applications for smartphones also are increasingly popular, especially with parents and families. Many of the apps are obvious—so that the person using the cell phone knows that his or her location is being shared. Also, on most cell phones, users can turn off location-tracking features, and many people have done so due to privacy concerns. A Pew Research Center survey found that 35 percent of adults who have downloaded apps have turned off location tracking at some point. But location tracking also can be installed on users’ smartphones without their knowledge. If the phone is owned by a spouse or significant other, he or she has the right to install the app. Domestic violence shelters often advise victims to check for mobile spyware or to turn off their phones entirely.

All states have laws that address secretly intercepting or recording telephone conversations, and, in many states, electronic communications as well. Eighteen states have laws that prohibit downloading spyware to computers. Laws in all 50 states include electronic communications in stalking or harassment laws. Fewer states, however, have addressed the technologies designed to track a person’s location.

—Pam Greenberg
Airplane Parts and Frozen Fish Livers

BY THE NUMBERS

What is each state’s leading export? If you said catfish in Louisiana, maple syrup in Vermont and surfboards in California, you need an economics refresher. The Census Bureau reports the following, sometimes surprising, export statistics for 2013.

12 States in which airplane parts were the No. 1 export: Arizona, Arkansas, California, Connecticut, Georgia, Hawaii, Kansas, Kentucky, North Carolina, Ohio, Oklahoma and Washington.

$12.6 billion
The value of New York’s top export—diamonds.

1 States in which lobster was the leading export. Maine shipped $243 million in crustaceans.

4 States that claimed gold as the No. 1 export: Florida, Massachusetts, Nevada and Utah.

$58.1 billion
Value of exported Texas oil and oil products, topping that of Illinois, Louisiana, Mississippi, New Hampshire, New Jersey, North Dakota and the U.S. Virgin Islands, where oil and oil products are also the leading exports.

No. 19 Potatoes’ rank on Idaho’s list of exports. Electronic integrated circuits were No. 1.

5, 6, 7, 8 and 9
Rank of frozen Pollock fillets, frozen Pacific salmon, frozen fish, frozen fish livers and roe, and frozen cod, respectively, on Alaska’s list of top exports. Zinc ore was No. 1, followed by lead ores, fish meat and oil.

Source: U.S. Census Bureau, Foreign Trade Report, Top Commodities Based on 2013 Dollar Volume

A ‘C’ in Financial Literacy

State lawmakers may call for beefed up financial literacy courses following U.S. students’ disappointing performance on an international test on the subject.

American 15-year-olds placed ninth out of 18 developed countries on the two-hour Programme for International Student Assessment exam (PISA), results of which were released in July. Shanghai-China teens placed first.

Every three years, the Organisation for Economic Co-operation and Development (OECD) tests thousands of teens worldwide on math, science, reading and problem-solving. In 2012, the OECD added a financial literacy component that addressed four key areas: money and transactions; planning and managing finances; risk and reward; and identifying, analyzing and applying financial knowledge and understanding.

The United States finished in the middle of the pack behind Shanghai-China, the Flemish community of Belgium, Estonia, Australia, New Zealand, Czech Republic, Poland and Latvia. Countries that scored below America were the Russian Federation, France, Slovenia, Spain, Croatia, Israel, the Slovak Republic, Italy and Columbia.

Lawmakers’ efforts to increase the nation’s collective financial IQ are not new. In legislative sessions so far this year, 28 states and Puerto Rico introduced financial literacy and education bills directed at adults and students. Among them:

- Mississippi enacted legislation authorizing the Department of Banking and Consumer Finance to establish public financial literacy programs.
- Utah now requires school districts and charter schools to administer an online, end-of-course exam to students who’ve taken the general financial literacy course.
- Virginia now requires the Employment Commission to provide information to all recipients of unemployment benefits and job seekers on courses in financial literacy.

In all the countries that took the test, financial education is predominately incorporated into other subjects rather than taught as a stand-alone subject. In the United States, four states require financial education to be taught as a stand-alone course, while 25 states require it to be integrated into other courses.

—Heather Morton

Test Your Financial IQ

The graph below shows the price of one Rich Rock share over a 12-month period. Based on the data, are the following statements true or false? 1). The best month to buy the shares was September 2). The share price increased by about 50 percent over the year. (ANSWERS: True, False)

Source: OECD, Programme for International Student Assessment. For more sample test questions, go to www.oecd.org/pisa/test

Average performance in financial literacy (mean score on PISA exam)

1. Shanghai-China 603
2. Flemish Community (Belgium) 541
3. Estonia 529
4. Australia 526
5. New Zealand 520
6. Czech Republic 513
7. Poland 510
8. Latvia 501
9. United States 492
10. Russian Federation 486
11. France 486
12. Slovenia 485
13. Spain 484
14. Croatia 480
15. Israel 476
16. Slovak Republic 470
17. Italy 466
18. Colombia 379
OECD average 500
Leaving the Nest When It’s Best

Virginia is the latest state to enact legislation to continue services for foster care youth after they turn 18, the age they traditionally have “aged out” of the program. The intent is to help foster children make a more successful transition into adulthood.

In 2008, Congress gave states the option to extend foster care beyond 18, and receive federal reimbursement, with the Fostering Connections to Success and Increasing Adoptions Act. Since then, 23 states and the District of Columbia have opted to extend foster care to children beyond the age of 18.

States choose to extend care for a variety of reasons. “Studies show that foster youth who stay with families until the age of 21 have a much better chance of completing college or job training programs,” says Virginia Senator Barbara Favola (D). “As a society we need to help foster kids become self-sufficient adults or we will have failed these kids and failed ourselves.”

Nationwide, approximately 23,000 teens in foster care turn 18 each year. Although they may not think so, most kids that age still need emotional support from adults, as well as financial help and guidance in the often complicated and expensive areas of health care, education, employment and housing. New insight from brain research also suggests the transition from adolescence into adulthood takes longer than once believed. Independence doesn’t automatically occur at a predetermined age. The transition period, called “emerging adulthood,” can take several years, researchers say.

A study by the Chapin Hall Center for Children in Chicago found that 19-year-olds in Illinois who chose to remain in foster care for three more years stayed in school longer, fared better financially and had fewer scrapes with the law than did their peers in Iowa and Wisconsin, who were required to leave care at age 18. By staying in foster care, the Illinois youths received more independent living services and more health and mental health services than did those in Iowa in Wisconsin.

Other states have chosen not to participate in the federal extended services option for various reasons, including the required state appropriation, the infrastructure changes that would be required and the potential that too few foster children would participate in the extended services.

Several states offer foster care services past age 18, independent of the federal option and with no federal reimbursement, but eligibility criteria and program components vary considerably, since states must fund these programs themselves.

—Meghan McCann

Nuclear Reactors Go Small

With U.S. electricity demand expected to increase by as much as 29 percent in the next 30 years, energy officials are hopeful small nuclear reactors being designed today may help meet tomorrow’s needs. At roughly one-third the size of a current nuclear power plant, one of these small modular reactors could generate approximately 300 megawatts of electricity, enough to power about 230,000 homes each year, according to the U.S. Department of Energy.

With the support of federal, state and private investment, several models are expected to be operating by the mid-2020s.

Traditional nuclear reactors generate about 20 percent of the nation’s electricity, but aging equipment, rising construction and maintenance costs, questions regarding safety, the lack of a national radioactive waste storage site and increasing pressure from low-cost natural gas pose challenges for the industry.

Nuclear advocates say small reactors could mitigate some of the challenges and reignite interest in the nuclear industry. Public support for low-emission technologies also may bode well for the nuclear energy industry.

Small modular reactors’ major components can be made in factories and assembled on site, helping lower their cost. They also can be built below ground, reducing potential threats of a terrorist attack or a natural disaster. Incorporating lessons learned from the Fukushima nuclear accident in Japan, the proposed new, smaller models are passively safe systems—meaning they are designed to safely shut down and self-cool without operator interaction, electricity or water.

—Lauren Rodman and Kristy Hartman
Re: Your Voter Registration

With 80 percent of Americans connected to the Internet, it’s little surprise that state elections officials are beginning to use email to communicate with voters. In at least 28 states, voters can choose to provide their email addresses when they register.

Elections officials use email mainly to contact voters if they have questions about a registration or if it is incomplete, although many officials say they don’t email voters for any reason. Colorado, on the other hand, alerts voters about upcoming elections via email, and a handful of states uses them to contact absentee, overseas and military voters. Florida emails sample ballots to those who request them, and California plans to do the same.

Email addresses provided on voter registrations are public record in at least eight states, although Alaska will keep them confidential at the voter’s request. Several other states treat the addresses as special types of public record subject to various restrictions. In Virginia, for instance, a court ruling holds that all voter registrations must remain public (with Social Security numbers redacted), and that email addresses must be excluded from voter lists sold to parties and candidates. Iowa does not include email addresses on these lists either, but they can be extracted from the state’s databases for a fee. In Nebraska, a person can view the email addresses but can’t copy or buy them unless he or she agrees to certain restrictions.

In the states that include a field for an email address on the voter registration application, most have added it without legislative approval. But at least seven required legislative action to do so because their election laws specify the information that must be collected on registration applications.

—Jack Queen

School Drills Address Armed Intruders

Since the Newtown, Conn., school shooting tragedy in December 2012, state lawmakers have been working on strategies to strengthen K-12 safety and preparedness. One of the most common responses has been to add “active shooter” or “school intruder” drills to the list of general emergency drills that 32 states already require schools to conduct for earthquakes, fires, tornadoes and other potential disasters.

Lawmakers in 10 states—Arkansas, California, Delaware, Florida, Illinois, Kentucky, Missouri, Oklahoma, South Carolina and Tennessee—have introduced such legislation since last year. The bills tend to address only general requirements for the drills, such as how many must be conducted each year and who needs to be involved, rather than specifically what should occur during the drill. Like the laws requiring schools to conduct general emergency drills, the proposed “active shooter” measures give districts and schools the flexibility to implement the type of drill they determine is best for them, from simple discussions and tabletop exercises to full-scale operations involving emergency and law enforcement personnel.

To address concerns that the “active shooter” drills might unduly frighten children, the National Association of School Psychologists has created guidelines for the drills. They include recommendations that school officials steer clear of potentially traumatic stimuli, such as blank bullets or fake blood; collaborate with an outside expert to conduct the drills; and focus on communicating the purpose of the drills with students and families well in advance.

—Lauren Heintz
1 GLOVES COME OFF IN CALIFORNIA
Chefs were steamed, bartenders all stirred up. They said a 2014 California law requiring them to wear disposable gloves when handling ready-to-eat items—fresh fruit and vegetables, bread, deli meats, fish and sushi—made their jobs difficult and more hospital-like than hospitality-like. Lawmakers listened and in June, repealed the law. The effort was headed by Assemblyman Richard Pan (D), who said the glove mandate was “well-intentioned” but hard to enforce and could lead to worse things, such as food workers thinking they no longer had to wash their hands.

2 TAPPING ENTREPRENEURS
Virginia lawmakers think fresh eyes would be good for government. Under a bill sponsored by Delegate Steve Lande (R), Virginia is recruiting up to 10 volunteer entrepreneurs to spot inefficiencies, encourage creativity, stimulate job growth, and build bridges between government and the private sector in state agencies. Similar legislation has passed in Texas, and bills have been introduced in at least 10 states. Cities also are exploring the concept. San Francisco recently named six start-up companies to work with city agencies for 16 weeks.

3 “FISH WARS” CHAPTER CLOSES
American Indians arrested during the Fish Wars of the 1960s and ’70s in Washington can apply to have those convictions cleared under a bill recently passed by the Legislature. Tribes fished for salmon off-reservation, as allowed under 100-year-old federal treaties, but state officials said they were violating state gaming regulations and began harassing them. The Indians staged “fish-ins” and protests. Many, including activist-actor Marlon Brando, were arrested. Representative David Sawyer (D) told the Associated Press the state needed to own up to its mistakes. “We should allow people to live their lives without these criminal charges on their records.” Sawyer said he acted after hearing about a tribal member who couldn’t travel to Canada because of a Fish Wars-related felony and another tribal grandparent who couldn’t adopt because of a similar conviction.

4 FREEZE!
Lawmakers have slapped the ‘cuffs on traffic ticket quotas in Illinois. Arbitrary quotas “undermine the public trust in the police departments’ priorities,” said Representative Jay Hoffman (D), bill cosponsor. Governor Pat Quinn said the measure will spare motorists “unnecessary anxiety.” The law followed reports of quotas in Carbondale, where officers were told to file 40 reports of “suspicious characters” each month last summer, and in Peoria, where officers were expected to issue 10 traffic and municipal ordinance violations monthly. Arkansas, California, Connecticut, Maryland, Minnesota, Montana, Nebraska, New Jersey, New York and Rhode Island have similar laws.

5 HIGH AND DRY
Alcoholic beverages may soon be available in powdered form—but not in Alaska, Delaware, Louisiana, South Carolina or Vermont, where legislators already have banned them. Minnesota, New York and Ohio are also considering bans. The makers of Palcohol, who are seeking federal approval to market it, say their freeze-dried vodka, rum, “powderitas” and other drinks will appeal to backpackers and others who want a lightweight, more portable form of liquor. In Minnesota, Representative Joe Atkins (D) released a statement calling powdered alcohol “nefarious, not to mention potentially dangerous.” Atkins says he worries it will fall into children’s hands.
YOGURT FOR 'YORKERS

Further evidence for those who argue New York City is the nation’s cultural capital: Lawmakers have designated yogurt the official state snack food. The bill, sponsored by Senator Michael Ranzenhofer (R), states that yogurt is “a good source of protein, calcium, vitamin B-2, B-12, potassium and magnesium … Yogurt is also an important economic driver across our state; New York is now the No. 1 processor of yogurt in the country.” Late-night talk show hosts poked fun at the measure, but lawmakers ignored the callous display of lactose intolerance and pointed out yogurt’s superiority over other states’ less healthful official snacks.

Other Official State Snacks:
Illinois—popcorn
South Carolina—boiled peanuts
Texas—chips and salsa
Utah—Jell-O

WHO MOVED THE CAPITOL?
Little is known about Alabama’s first Capitol, a two-story brick building carved out of the wilderness in the town of Cahawba in 1819. This summer, archaeologists used high-tech equipment to locate buried artifacts, hoping to determine the old Capitol’s exact location and other clues to its brief life. Yellow fever, heavy rains and economic troubles decimated the town, so the capital was moved to Tuscaloosa in 1825, then to Montgomery in 1846. The Cahawba statehouse itself collapsed in 1833, apparently done in by soft bricks. A few old liquor bottles have been found, but historian Linda Derry told the Associated Press she hesitates to point the finger at lawmakers, saying early Cahawba was home to a rough-and-tumble crowd in general.

CHEAPEST STATES
Kentucky was No. 1 in a CNBC ranking of the cheapest states in which to live. The business news provider said the decline in Kentucky’s coal industry contributed to the low cost of living in 2014. The ranking was based on the Council for Community and Economic Research C2ER Cost of Living Index, 2013. The least expensive states are, in order: Kentucky, Arkansas, Oklahoma, Louisiana, West Virginia, Mississippi, Indiana, Alabama, Tennessee and South Carolina.

Average cost of consumer staples in America:
• Home: $294,127
• Half-gallon of milk: $2.34
• T-bone steak: $10.19
• Monthly energy bill: $163.40
• Doctor visit: $101.16

THE DOCTOR IS IN
Psychiatrists can perform remote video evaluations of mentally disturbed patients in emergency rooms all across rural South Carolina, eliminating the need for face-to-face exams and greatly reducing the backlog of such cases. South Carolina’s five-year-old tele-psychiatry program, which received $4 million from the General Assembly, has been so successful that North Carolina launched a similar one in 2010, and a dozen other states plan to follow suit. In all states, patients deemed dangerous to themselves or others must be examined by a psychiatrist before being released from the hospital. In South Carolina, 20 hospitals now share seven psychiatrists on call nearly around the clock for the video exams. A University of South Carolina School of Medicine study showed the program has cut wait times dramatically, doubled participation in drug and alcohol rehabilitation, and reduced costs by about $1,400 per consult, for a total of nearly $28 million.

TONY’S LAW HAS CLAWS
Louisiana lawmakers grabbed a tiger by the tail when they passed a bill “exempting certain persons from the requirements of the big exotic cat rules.” Specifically, it allows the owner of the Tiger Truck Stop outside Baton Rouge to keep his 14-year-old Bengal tiger, Tony, as a roadside attraction. The 550-pound cat lives in a 40-foot by-80-foot enclosure next to the parking lot. State veterinarians have said he is healthy, but animal rights groups say Tony is being exploited and have taken legal steps over the years to remove him. Truck stop owner Michael Sandlin, who’s raised tigers since 1988, told the Times-Picayune that “the threat of him being drug away to some strange place—never petted, never sweet-talked to again … I would not stand by and see that happen to that tiger.” Bill sponsor Senator Rick Ward (R) says Sandlin is law-abiding and responsible. Animal rights activists vow to challenge the new law, ensuring more fur will fly before the case is settled.
The recession officially ended five years ago, but more than 10 million unemployed Americans haven’t gotten the memo. Millions more have settled for part-time jobs or have given up the search altogether.

Intuitively, this should mean there aren’t enough jobs out there. Yet businesses in sectors such as manufacturing and health care that offer “middle skill” jobs—requiring more than a high school degree but less than a bachelor’s—can’t find qualified workers.

Even as middle skills jobs sit vacant around the country, their share of the labor market continues to grow. According to the Georgetown Center on Education and the Workforce, they will account for nearly one-third of all jobs by 2020.

Experts call this the skills gap, and it’s become a huge missed opportunity for businesses and workers alike.

Recognizing this, many states have turned to industry partnerships as ways to train workers and get economies growing. The strategy: collaborate with businesses to better align workforce skills taught with labor market demands.

Help Wanted

Although some skeptics claim the skills gap doesn’t exist—blaming firms for being too lazy or overly scrupulous in their hiring practices—Fred Dedrick of the National Fund for Workforce Solutions disagrees.

“What doubting economists say is, ‘If you look at the data, employers could pay more and attract better people.’ This is great in economic theory, but it has nothing to do with reality.” Although the principle may hold in some cases, Dedrick says, “If you increase wages for jobs like welders, they don’t just pop out of the ground.” A slew of other factors, socioeconomic to geographic, strongly challenge the notion that the skills gap will fix itself.

The gap also shows up in surveys. Thirty-nine percent of manufacturers reported a severe lack of qualified applicants and 79 percent said they found it difficult to fill skilled positions in a study by Accenture, a management consulting firm. Similarly, the Wall Street Journal found 43 percent of small businesses struggling to expand because of job vacancies.

Dennis Parker has seen the shortage firsthand as an expert on workforce development with Toyota, itself facing a labor shortfall that threatens its ability to expand and even maintain U.S. production. “I travel around the country talking to manufacturers,” he says. “From the ground level I have not encountered anyone who’s not ‘very worried’ about their inability to procure skilled technicians.”

Toyota has been steadily building plants in the United States since its first one opened 27 years ago. Now, initial cohorts of workers are approaching retirement, and many older plants face a looming mass exodus of workers for whom there are virtually no replacements. Many educational and training institutions simply aren’t producing enough workers with the right skills for dynamic, 21st century industries.

“We, by and large, have an education and training system that is not tightly connected to the needs of industry,” says Stephen
Herzenberg, executive director of the Keystone Research Center. There isn’t enough emphasis on multi-skill programs that produce adaptable, problem-solving workers. And many institutions still teach yesterday’s skills on obsolete equipment. Some, for instance, teach manufacturing automation without robots or with models so outdated the instruction is useless, he adds.

**Passing the Torch**

For skilled sectors, this isn’t going to cut it. “In today’s globally competitive environment, we need multi-skilled, multi-craft workers—not just welders or electricians,” says Parker. But this type of worker is a rare commodity: “Even in the worst days of the recession, skilled technicians had their pick of jobs. They’d get snapped up full-time anywhere.”

To address the shortage, Toyota reached out to community colleges and developed a training program tailored to modern manufacturing. There are now seven of their Advanced Manufacturing Technician programs across the country, combining formal instruction with paid, on-the-job training at more than 40 employer partner sites.

Although the training is extremely rigorous, requiring 40 hours per week for five straight semesters, it boasts better retention than traditional associate’s programs. Moreover, 95 percent of graduates find full-time jobs starting at around $60,000 a year and rising to as much as $80,000.

The on-the-job component helps students pay their way through. “I’ve talked to about three-fourths of our graduates, and all of them said they graduated with zero debt,” says Parker. Toyota, of course, benefits as well: “Our people on the floor, the supervisors and managers, say it’s the best talent they’ve ever seen.”

Toyota took the initiative developing the Advanced Manufacturing Technician program, but according to Parker, support from legislators is just as crucial. “It really helps to have a champion—one with a vision who strongly advocates and keeps legislative awareness high.”

**Lawmakers’ Leverage**

Tennessee found just such a champion in Senate Majority Leader Mark Norris (R). In 2013, he helped spearhead passage of the Labor and Education Alignment Program, an initiative to revamp the state’s workforce. “States are particularly well-situated to meet these challenges and embrace these opportunities,” he says. “We are close to our constituents who need jobs and we are accessible to the businesses that have them.”

Norris remembers the program’s origin vividly. Several years ago, consumer goods supplier Unilever decided to expand a Tennessee plant and it needed 400 additional workers. Even though the company received thousands of résumés, virtually no applicants were qualified.

This prompted Governor Bill Haslam to call a meeting with executives of Unilever in which Norris and other lawmakers participated. There, a company manager made a grim confession: Had he known the inadequacy of the local labor force, he wouldn’t have recommended the expansion at all. At that, Norris recalls, an education official asked, “May I ask the gentleman what exactly he needs?”

This led to collaboration between Unilever and a community college on a custom curriculum. It yielded 400 workers so quickly, the company decided to consolidate its entire North American ice cream operation in Tennessee.

From that success sprang the Labor and Education Alignment Program, which is aligning state agencies, businesses and edu-
2014 Legislative Staff Professional Development

Sharpen your professional skills while connecting with legislative colleagues from around the country

American Society of Legislative Clerks and Secretaries (ASLCS)
October 5 – 10, Baton Rouge, La.

Leadership Staff Section (LSS)
September 14 – 17, New Orleans, La.

Legal Services Staff Section (LSSS)
October 6 – 8, Richmond, Va.

Legislative Information and Communications Staff (LINCS)
September 14 – 17, New Orleans, La.

Legislative Research Librarians (LRL)
October 1 – 3, Baton Rouge, La.

National Association of Legislative Information Technology (NALIT)
October 14 – 17, Santa Fe, N.M.

National Legislative Program Evaluation Society (NLPES)
October 5 – 8, Raleigh, N.C.

National Legislative Services and Security Association (NLSSA)
October 5 - 10, Raleigh, N.C.

Research and Committee Staff Section (RACSS)
October 6 – 8, Richmond, Va.

National Association of Legislative Fiscal Offices (NALFO)
October 20 – 22, Seattle, Wash.
“Several years ago, I had a community college president tell me, ‘You’ve got to get businesses involved. They have to get on board and help us, so we can help them.’ That’s exactly what’s happening with EARN.”

—MARYLAND SENATOR KATHY KLAUSMEIER (D)

For Maryland Senator Kathy Klausmeier (D), helping make her state’s workers competitive has always been a priority. The recession was like a punch in the gut for sectors already bereft of skilled labor, and this was not lost on her. “The job market was sort of misaligned. We had lots of people out of work, and at the same time businesses were telling us they couldn’t find workers.”

So last year when momentum started to build for an industry partnership program, coined Employment Advancement Right Now (EARN), she got on board immediately.

“Several years ago, I had a community college president tell me, ‘You’ve got to get businesses involved. They have to get on board and help us so we can help them,’” she recalls. “That’s exactly what’s happening with EARN.”

The business community strongly supported EARN, and the bill establishing it passed in 2013 with wide bipartisan support. The program is run by the state’s labor department, which awards grants to partnerships between businesses, educational institutions and nonprofits. In June, EARN announced its first grant recipients: 28 partnerships in areas ranging from biotechnology to health care to manufacturing. The awards—averaging around $180,000—are usually matched by businesses and help them set up training programs that will lead to jobs for completing participants.

Often, these programs are designed to help lower the cost of training new employees or reduce the risk of that investment. In manufacturing, for instance, the cost of bringing on a new employee is around $30,000 after lost productivity and training expenses, with no guarantee the hire will work out. Employers accept this as a business expense, but asked EARN to help them develop a program that reduces the risk.

The Maryland Manufacturing Extension Program is receiv-
“Career Pathways” is an initiative designed to encourage greater coordination of career-oriented training programs among the different levels of education and state agencies. Better alignment eases transitions and eliminates redundancies along the road to a college degree.

Oregon started the initiative in 2004, and it has since spread to all community colleges in the state. One important aspect is that it has created more than 300 flexible certificate programs that businesses value. More than 8,000 students have earned certificates since 2008.

In a recent study, 44.5 percent of the certificate holders had found jobs, many earning more than $15 an hour. And around half of those employed had stayed at the same job for more than a year, earning $17.68 an hour on average.

In Virginia, to revitalize what had become a rather large, inflexible and inefficient Workforce Council, lawmakers passed a bill this year establishing a Board of Workforce Development that will bring together representatives from several relevant agencies to improve coordination and focus on results.

Tennessee’s Labor and Education Alignment Program to revamp the state’s workforce also applied aspects from the “Career Pathways” model in its efforts to coordinate state agencies, businesses and educational institutions on workforce goals.

Counting on Collaboration

A common thread in most of these industry partnerships is an on-the-job component. This addresses a weakness many feel exists in traditional education.

“We don’t do enough apprenticeships, internships, on-the-job training,” says Dedrick of the National Fund for Workforce Solutions. “So people are graduating and getting degrees and...
A Business Perspective

Gallup teamed up with the Lumina Foundation to survey business leaders on their attitudes toward higher education. Only about 10 percent of the 623 business leaders interviewed felt colleges and universities were adequately preparing graduates for the needs of their industries. The most important factors they were looking for in applicants were: on-the-job practical experiences such as internships; good communication skills and the ability to write well; basic life skills and real-world common sense; good people skills and the ability to be team player; and a positive attitude and personality that shows respect, adaptability and accountability. A majority of the business leaders favored collaborating with educational institutions, although less than a third were currently doing so.

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What Business Leaders Think

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<thead>
<tr>
<th>Statement</th>
<th>Strongly Disagree</th>
<th>Strongly Agree</th>
</tr>
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<tbody>
<tr>
<td>Higher education institutions in this country are graduating students with the skills and competencies that MY business needs.</td>
<td>17% 17% 34% 22% 11%</td>
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</tr>
<tr>
<td>Most jobs at my business require a post-secondary degree or credential to be successful.</td>
<td>38% 16% 16% 14% 16%</td>
<td></td>
</tr>
<tr>
<td>This country has the highest quality higher education system in the world.</td>
<td>14% 18% 32% 18% 19%</td>
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<tr>
<td>Our business must hire foreign-born workers due to a shortage of American workers with the skills we need.</td>
<td>57% 16% 14% 7% 4%</td>
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What Business Leaders Consider Important in Applicants

<table>
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<th>Very Important</th>
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<td>The candidate’s demonstrated skills in the field</td>
<td>2% 2% 16% 79%</td>
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<td>The candidate’s major in college</td>
<td>8% 22% 42% 28%</td>
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</tr>
<tr>
<td>Having a degree or certificate beyond high school</td>
<td>1% 4% 24% 70%</td>
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Common Core: Put to the Test

State legislatures have become ground zero for the new Common Core education standards.

BY MICHELLE EXSTROM AND DAN THATCHER

Common Core State Standards. This term has become a flash point for lawmakers across the country as they debate whether establishing common English and math standards is in the best interests of their state.

Many legislatures held special hearings, in and out of official session times, to vet the standards. In 27 states, legislators introduced bills to halt or replace the Common Core State Standards, and they passed in five: Indiana, Missouri, North Carolina, Oklahoma and South Carolina.

Indiana officials, at the direction of the legislature, have already developed their own new standards in time for this school year. (Many acknowledge they look very similar to the Common Core standards.) Missouri lawmakers voted to take more time to study the common standards and their potential impact in the classroom, while their counterparts in North Carolina created a committee to recommend changes or modifications to the standards.

The legislation passed in Oklahoma directs the state to revert to the standards in place prior to adopting Common Core until new standards are ready for the 2016-17 school year. Teachers in South Carolina will continue using Common Core standards to guide their classroom instruction until new state-developed ones are ready to go next year, according to legislation passed there.

State standards define what students should know and be able to do by the time they graduate from high school and move on to college or a career. In 2009, when the idea of using a new set of common English and math standards was first introduced to the states, it was roundly supported by business executives, parents, teachers and state education leaders from both sides of the aisle who shared the common concern that U.S. students were slipping behind the rest of the world, reflected in international comparisons.

To push all students to become more competitive in academics and their future workplaces, they welcomed the idea of the Common Core State Standards being promoted by the nation’s governors and education commissioners.

Between 2010 and 2011, 45 states, five territories and the District of Columbia have approved the Common Core State Standards. The U.S. Department of Education has announced $400 million in Race to the Top funds as a competitive incentive for states to adopt the common standards. This year, states are expected to apply for the funds and additional states are expected to join the movement.

Michigan is one of 25 states that have adopted the Common Core State Standards, but lawmakers are meeting in an informal session to debate the standards. Michigan is one of 25 states that have adopted the Common Core State Standards, but lawmakers are meeting in an informal session to debate the standards.

Michelle Exstrom is a program director and Daniel Thatcher is a senior policy specialist in the NCSL Education Department.

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COMMON CORE STANDARDS TIMELINE

**November 2007**
Council of Chief State School Officers meets in Columbus, Ohio, to discuss college- and career-readiness standards.

**July 2008**
Achieve, Inc. releases “Out of Many, One: Toward Rigorous Common Core Standards from the Ground Up,” which looked at high school math and English standards already being used in the 33 states that had joined the American Diploma Project network formed in 2005.

**December 2008**
The National Governors Association, Council of Chief State School Officers & Achieve, Inc. release “Benchmarking for Success: Ensuring U.S. Students Receive a World-Class Education,” which provides states a roadmap for comparing their K-12 education systems against those of top-performing nations.

**February 2009**
U.S. Department of Education gets involved by announcing it will use Race to the Top funds as a competitive incentive for states to adopt the common standards.

**March 2009**
Kentucky passes the first state law requiring adoption of college- and career-readiness standards.

**April 2009**
National Governors Association and the Council of Chief State School Officers convene 41 states to begin developing common English and math standards that result in the creation of the Common Core State Standards Initiative.
tect of Columbia eventually adopted the common standards and began working with districts and teachers to implement them.

Old Debate, New Venue

So what happened? Why have the Common Core English Language Arts and math standards become political fodder? Controversy swirls around their development, where the funding came from, what’s really in the standards, and what role the U.S. Department of Education has played in persuading states to participate.

Those who are suspicious of the standards have found allies in some parents, teachers and school administrators who were already weary of reform after reform. As legislators began to receive more phone calls and emails, it became clear to them that many of their constituents held concerns that this approach might not be the best one for their state.

Why are state legislators just now debating the merits of using these benchmarks? Some lawmakers say the answer is simple: No one asked them if this was a good idea.

In most states, the standards were never vetted during the legislative process, so neither were the public’s concerns. This year, however, many leaders opened the debate, soliciting viewpoints from various sides about the promises and challenges of the new standards. Idaho Senator John Goedde (R), for instance, felt it was time to discuss and debate the issues in the public arena during legislative hearings.

That way, “both sides can have time to make their arguments, [state education] officials and the state board can explain their decisions, and the actual text of the standards can be read into the record so that everyone is aware of what’s in them,” he says.

“It’s an important step to clear the air.”

What’s the result of all this debate? Legislators in 27 states ultimately introduced 70 bills to limit, delay or revoke implementing the standards in 2014. Of these bills, five became law. In addition, legislatures in a dozen states have changed how future education standards are adopted by requiring greater legislative and public input into the adoption process.

Standards are nothing new for states; the process for adopting them was established years ago. And in most states, the board of education or the chief state school officer usually performs the official role of writing or adopting standards, not the legislature. So, when the adoption of Common Core Standards came up, legislatures most often played no official role.

“Legislators want their voices heard in this debate. In most states, legislators were bypassed in the adoption process,” says Alaska Representative Lynn Gattis (R). “We have a responsibility to make sure that our students are getting what they need, and we are accountable to parents and to the public.” That’s one reason lawmakers and education officials in her state decided they could set the standards and guidelines for their students themselves. Alaska was one of four states that said, “Thanks, but no thanks,” to the standards from the start.

“Legislators want their voices heard in this debate. In most states, legislators were bypassed in the adoption process.”

—ALASKA REPRESENTATIVE LYNN GATTIS (R)
Testing’s at the Core

For years, many education experts, college administrators, parents and teachers have clamored for better instruments to measure whether students are ready to succeed in today’s world. Next-generation assessments, as they are called, seek to do just that: measure students’ mastery of core academic content as well as their ability to communicate, reason, analyze and synthesize data, make complex inferences, and develop strategies to solve complex problems.

Widespread state adoption of Common Core State Standards presented an opportunity for states to collaborate in developing next-generation assessments. What’s more, if states administer assessments on the common standards similarly, they could provide valid and reliable data for regional and national comparisons.

In September 2010, the U.S. Department of Education fueled the development of next-generation assessments by awarding two consortia of states a total of $330 million in federal Race to the Top funds to develop the new assessments. Combined, the two winning consortia, Partnership for Assessment of Readiness for College and Smarter Balanced Assessment Consortium, initially boasted the participation of 44 states and the District of Columbia as either governing or advisory members. Full-member states agreed to administer their consortium’s statewide English and math tests in grades three through eight and one year in high school, beginning in spring 2015.

Since 2011, legislators have weighed whether to move forward with their original commitment to the consortia or to select from one of the burgeoning vendors offering Common Core assessments. Cost is always of paramount concern. If a state selects an alternative vendor, it may need to pay some additional up-front costs for developing specific items needed in the assessments.

Other questions relate to the quality of a vendor’s assessment system compared to the consortia’s systems, and whether these assessments, in general, will provide the best measurement to date of students’ college- and career-readiness.

“Assessments are important for measuring the success of the new standards,” says Washington Representative Sharon Tomiko Santos (D). But they should not be used to punish students and teachers. We must be cautious and thoughtful about implementing the new assessments and using them for accountability.”

The discussion heated up this year as the deadline for implementation of the new assessments drew near. The U.S. Department of Education imposed a firm deadline on states that received a waiver from certain requirements of the No Child Left Behind Act to assess students’ college- and career-readiness in the 2014-2015 school year. States opting to administer an evaluation different from the ones offered by the two consortia must have it ready to go by next spring or work out an alternative time line with the U.S. Department of Education.

Mixed Results so Far

Despite all the attention to the political wrangling in the legislatures, most states are quietly going about the business of implementing the new standards. In fact, nearly 300 bills were introduced this year specifically addressing the issues surrounding the implementation of the standards. That’s nearly four times more than the number to limit, delay or revoke the standards.

This work can be challenging. New tests must be developed to determine whether the new standards are truly preparing students better for college or a career. Teacher preparation programs must find new ways to train teachers so they understand and are equipped to meet the new expectations. Teachers already in the classroom must fully understand the new standards to be able to develop different instructional approaches to teaching the concepts contained in them.

And everyone—students, parents, teachers, education officials and business leaders—must be prepared to see test scores dramatically drop as new assessments measure students’ learning against the new and, in most cases, higher standards.

“Legislators want and need to know how the students in their states are performing. Our previous tests obviously weren’t giving us that information,” says Utah Senator Howard Stephenson (R). “We were led to believe that 90 percent of our students were proficient in English and Language Arts only to find out from NAEP that 36 percent were proficient. We need good, honest data so we can make good policy decisions.”

Kentucky’s the Front Runner

In 2010, Kentucky became the first state to adopt the Common Core State Standards, and its legislature jumped right in. Lawmakers already had passed legislation in 2009 directing the state to adopt college- and career-ready standards and to put in place the infrastructure necessary to support their use. So when the Common Core standards were released, they easily fit into the state’s established plan. The state and local departments of education had begun creating plans to ensure that all teachers would receive the training and support they needed to put the new standards in place. Kentucky adopted a new statewide, annual test and has weathered the storm of lower test scores by communicating early to parents this unavoidable consequence of raising the bar.

Teachers in Kentucky are seeing benefits already. The Common Core standards require them to move away from the traditional, teacher-centered classroom to a more learner-centered environment. For many teachers, this is an exciting change. Because so many teachers across the country will be teaching the same standards, a wealth of new curriculum and instructional tools have sprung up, including online learning communities. Teachers in Kentucky and elsewhere have been able to share experiences and help each other with instructional challenges as they encounter them.

“What’s exciting to me is that with Common Core, I can move away from teaching rote skills such as memorizing specific steps to solving specific problems to a more learner-centered approach that embeds mathematical practices such as modeling and constructing viable arguments into all my instruction,” says Alison Wright, a high school math teacher in Lexington, Ky.

“With Common Core, I have the opportunity to focus on the ‘why’ and the ‘how’ behind mathematics, providing stu-
students opportunities to make sense of and to create their own understanding of how things work through mathematical discourse.”

**Rough Road in Other Places**

In many states, however, the transition hasn’t been as smooth as it was in Kentucky. New York has encountered significant challenges and backlash from the educational community over how quickly the state converted to the new standards. Teachers have complained that they have not been adequately prepared, leading the state’s teachers’ union to withdraw its support of the new effort. Legislators, too, have voiced their concern about how the standards were adopted. Assemblywoman Catherine T. Nolan (D) told The New York Times in February, “There are days I think, ‘Oh my God, we have to slow this thing down, there are so many problems.’”

Timing and a lack of strategy appear to have contributed to the problem. Media coverage is filled with accounts of parents complaining that New York school officials weren’t communicating with them or their children about the higher expectations and new tests. Indeed, the state pushed forward with testing students on the new standards in the midst of this criticism and confusion, and test scores plummeted in the past school year.

Critics point to those test scores as proof that students and teachers weren’t adequately prepared. The teachers’ union, too, has worked to ensure that the lower test scores won’t directly affect teacher evaluations and, ultimately, hiring and firing decisions.

“I am sure it won’t come as a surprise to hear that in far too many states, implementation has been completely botched,” says Dennis Van Roekel, president of National Education Association, the largest teachers’ union. “In any state that is field-testing and validating new assessments, there must be a moratorium on using the results of the new assessments for accountability purposes until at least the 2015-2016 school year. In the meantime, states still have other ways to measure student learning during this transition period—other assessments, report cards and student portfolios.”

Kentucky and New York have had very different experiences with the standards, but most of the other 43 states are somewhere in between, working to reap the benefits while struggling to mitigate the challenges.

“Strong common standards in core subjects establish a uniform performance expectation—and that’s important to ensuring equity for all students,” says Washington Representative Sharon Tomiko Santos (D).

“The new standards should be used for improving instruction and the system overall. But we must think carefully about how we use new assessments based on the Common Core standards for accountability.”
Until recently, the phrase “voter ID” was as politically charged as “immigration,” “same-sex marriage” and “collective bargaining.”

“Voter ID” is shorthand for a requirement that voters show a poll worker some kind of document proving their identity so they can receive a ballot on Election Day. Exactly what documents are accepted depends on the state.

It’s also shorthand for a familiar argument. Proponents argue that showing an ID is a simple security measure to prevent voter fraud. Opponents counter that voter impersonation rarely occurs and that requiring an ID makes it hard for some citizens—often the poor and elderly—to vote.

Legislative activity reflected the debate: From 2011 to 2013, 15 states adopted or strengthened their voter ID laws. But lately, the voter ID controversy seems to have lost some of its oomph.

This year, there have been a third fewer active bills on voter ID than there were in 2011, 2012 or 2013, and many of the 2014 bills are 2013 holdovers that have languished.

Does that mean the conflict is over? Maybe. “There’s not the same kind of momentum there used to be,” says veteran elections observer Doug Chapin, director of the Program for Excellence in Election Administration at the University of Minnesota and author of the Election Academy blog.

Or maybe not. “But the issue is far from gone,” Chapin goes on to say. “The next year will show if it’s an actual cease-fire or merely a pause in the bombing.”

Eligible citizens should be able to vote, and ineligible voters should be prevented from doing so. Over this, there has been little or no debate. But the consensus breaks down over which principle is more important: access to the ballot box or prevention of voter fraud.

Wendy Underhill is a program manager in NCSL’s Legislative Management Program who tracks elections issues.
Among the 12 states that enacted or strengthened voter ID laws in 2011 and 2012, all but Rhode Island did so with solid Republican majorities, loud Democratic outrages and partisan friction hot enough to start a fire. Last year, Arkansas, North Carolina and Virginia joined Georgia, Indiana, Kansas, Mississippi, Tennessee and Texas, the other states with the strictest photo ID laws. Arkansas lawmakers overrode the governor’s veto. And legislators in North Dakota decided to require all voters to show some form of ID, although it doesn’t need to include a photo.

A Turning Point

The close 2000 presidential election and bitterly contested results, which ended up being decided by the U.S. Supreme Court, fueled the momentum to clean up election administration procedures. One of these was voter identification.

By 2008, 24 states had some kind of voter ID requirement in place, up from 14 in 2000. But what is even more significant about 2008 is that Georgia and Indiana began enforcing their strict ID laws that year, the first states to do so.

Any voters who couldn’t show the required photo ID voted on a provisional ballot instead of a regular ballot—and those ballots didn’t count unless the voter returned to an election official’s office later that week, with identification in hand. Until then, voters without ID could get a ballot by signing an affidavit or having someone vouch for them.

Some say this is when voter ID became a requirement—not a request—and that it marked a turning point. “From the voter’s point of view, what really matters is whether the ballot can be counted, and under what conditions,” says Justin Levitt, law professor at Loyola Law School. “There’s a big difference between states where an eligible citizen without perfect paperwork is out of luck. This is where state procedures really have an impact on the right to vote.”

Wisconsin Representative Kathy Bernier (R) sees voter ID laws differently. “If there was a gaping hole or breach that would compromise your bank account, you’d want the bank to close that hole,” says Bernier. “When you know there is a gaping hole in the electoral process, you’d want to be sure that election officials address that breach.”

Her goal, she says, is to reduce the possibility that people could vote in more than one place. “Let’s face it. Not everyone’s honest.”

By 2011, 27 state legislatures had passed bills to require voters to show an ID of some kind, and two—Georgia and Indiana—asked for a photo. It was then that the move toward stricter requirements went viral, and the partisan fault line widened.

Today, 31 states ask for an ID. Of these, 21 provide voters without ID an alternative way to vote on a regular ballot, and 11 states have strict requirements. Two other states passed strict ID laws, but North Carolina’s won’t go into effect until 2016 and Wisconsin’s is tied up in the courts.

“The next couple of months will show if it’s an actual cease-fire or merely a pause in the bombing.”

—DOUG CHAPIN, DIRECTOR OF THE PROGRAM FOR EXCELLENCE IN ELECTION ADMINISTRATION AT THE UNIVERSITY OF MINNESOTA

The Origins of Voter ID Laws

To see where voter ID might be headed, it helps to see where it’s been.

Back when Harry S Truman was president, Lyndon Johnson was a U.S. senator from Texas, and Ronald Reagan was filming “Bedtime for Bonzo,” and citizens who wanted to vote didn’t need identification of any kind, in any state. Their eligibility was determined when they registered.

In those days, driver’s licenses weren’t ubiquitous, many people “banked” with cash only, and credit cards didn’t exist. Few Americans needed or carried an ID.

That started to change in 1950, with South Carolina’s first formal requirement that all citizens, when voting, show proper ID.

Then in 1965, Congress passed the Voting Rights Act that, among other things, outlawed poll taxes and literacy tests for voters and spelled out how the 15th Amendment’s guarantee of the right to vote, regardless of race or color, would be enforced.

In 1970, Hawaii became the second state to enact a voter ID requirement and the first to require a photo. The next three states to enact voter ID requirements were Texas in 1971, Florida in 1977 and Alaska in 1980.

By 2000, 14 states had some kind of law asking voters to show an ID. In some cases they asked for a photo ID, but more often a document with name and address, such as a bank statement, was sufficient. In all cases, a fallback mechanism existed if voters didn’t have the requested document. For example, they could sign a statement attesting to their identity or ask other voters or poll workers to vouch for them, under penalty of law.

No Legal Consensus

This year, voter ID legislation has been sluggish in statehouses but hyperactive in the courts, where a range of decisions has left no clear legal consensus. Pennsylvania’s 2012 strict voter ID law wended its way through the courts to a final “no” this year. Governor Tom Corbett says he will not appeal it further.

Wisconsin’s 2011 law has been in courts since Day 1. Whether it will be in place for the fall election is unclear at press time. And in Arkansas, where strict voter ID was enacted last year over a governor’s veto, the state Supreme Court has permitted implementation, although it has not yet ruled on the constitutionality of the law.

In addition, the U.S. Department of Justice is challenging the laws in North Carolina and Texas under the Voting Rights Act. Last year, the U.S. Supreme Court struck down the por-
tion of the law that required some states—North Carolina and Texas included—to have new voting-related laws “pre-cleared” before they could be applied. That decision did not change the heart of the law; it is unconstitutional to discriminate against voters based on race.

Courts upheld both Georgia’s and Indiana’s 2005 laws, although in Indiana’s case, Crawford v. Marion County, the U.S. Supreme Court left open the potential for other cases to be brought forward if they would show harm to actual voters. State courts denied Missouri’s effort in 2006 to create strict voter ID.

In sum, the legal landscape for voter ID has been unsettled and remains so.

The lighter legislative focus on voter ID requirements in 2014 may be the beginning of a trend—perhaps all the states likely to adopt voter ID have already done so. But 2015 could see an uptick in these laws for any (or all) of three reasons.

First, legislators in Wisconsin, Pennsylvania and other states may respond to court decisions with measures that address the oft-cited argument that strict laws could deny some potential voters their right to vote. Wisconsin’s Representative Bernier is circulating legislation for next year that would permit “the option of an affidavit for an individual who has special circumstances that make it difficult to get a birth certificate.”

Second, voter ID could circle back next year as a political issue, especially as states begin looking ahead to the 2016 presidential election. (Historically, odd-numbered years see more election legislation.)

And last, technology may come to the rescue. Managing voter registration lists with “big data” technology already has helped election administrators.

What’s on the Horizon?

Nevada Senator Pat Spearman (D) hopes lawmakers now shift their efforts from adding requirements for voters to modernizing elections systems. Electronic poll books “would help when there were any questions whatsoever as to the veracity of a person’s identification, or whether or not they were really registered, or whether or not they already voted somewhere else,” says Spearman, who chairs the Senate’s Legislative Operations and Elections Committee.

Technology will continue to transform how we vote in other ways as well. Last year, Nevada considered legislation that would transfer photos from driver’s license records to electronic voter rolls. This year, legislation was introduced in Oklahoma that would have permitted the use of “finger imaging” for ID. While neither of these bills went far, they may signal big changes ahead. Will iris scans be far behind?

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Acceptable IDs

How do states determine which documents are acceptable IDs? Does it have to be a government-issued document with a photo?

All states accept a current driver’s license; some also allow an expired license. But only eight states accept passports. Two states give the thumbs up to fishing licenses, four states allow tribal identification cards and at least one state allows a bank statement.

Exemptions from strict laws vary, too. South Carolina exempts anyone who has a “reasonable impediment” to getting an ID. Arkansas, Indiana, Kansas, Mississippi, South Carolina, Tennessee and Texas have exemptions for anyone with a religious objection to being photographed. Indigence can exempt a person in Indiana or Tennessee. Texas has an exemption for anyone who is without an ID because of a natural disaster.

Go to State Legislatures online at www.ncsl.org/magazine for voter ID requirements for each state.

Senator
Pat Spearman
Nevada.
Hard at work on his reelection, a legislator gets hit with an accusation of an ethics violation. It’s just weeks before the election. Fair fight or dirty politics?

During the election cycle, state ethics commissions are often faced with this question. Commissions are protective of their role of oversight of ethics laws, so are especially vigilant about keeping politics out of the complaint process.

They take a variety of approaches, including 11 states that impose blackout or cut-off dates or other restrictions on the filing of ethics complaints during the election cycle. These states are Alaska, Florida, Georgia, Missouri, Oklahoma, South Carolina, Tennessee, Texas, Utah, West Virginia and Wisconsin.

The Power of Accusations

Because a filed complaint entails at least a preliminary investigation, proponents of such laws say accusations of an ethical violation, if unfounded and frivolous, can destroy a campaign, especially when it comes too late to defend against it.

Critics, however, question whether bans or restrictions are the right response. Do the bans assume all complaints filed during an election are politically driven? Shouldn’t justified complaints be part of the political debate during a campaign?

Alaska, in 1998, was one of the first states to pass legislation “to prevent the politicization of the ethics process,” says Joyce Anderson, former administrator of the Alaska Select Committee on Legislative Ethics. The law prohibits filing an ethics complaint against a legislator or legislative employee running for state office within 45 days of a primary election through general election.

In general, the bans vary mostly in their time frames. In Oklahoma, the Ethics Commission bans filing complaints from the first day the Election Board accepts declarations of candidacy until after the General Election. The commission itself, however, may initiate and
investigate complaints. Georgia begins its ban 30 days before the election, South Carolina’s ban begins 50 days before, and in West Virginia it’s 60 days. Utah bans filing complaints as well, but only against candidates who have an opponent.

File but Don’t Disclose

Texas does not have a specific blackout date, but the state Ethics Commission may consider “the timing of the complaint with respect to the date of any pending election in which the respondent is a candidate or is involved with a candidacy” in deciding if it is frivolous. If the complaint is found to be unwarranted and brought in bad faith or for the purpose of harassment, the commission may impose a civil penalty of up to $10,000.

The Tennessee Bureau of Ethics and Campaign Finance will accept a complaint at any time, but restricts disclosing a complaint filed against a candidate “during the period from 30 days immediately preceding the commencement of voting for that election through Election Day.”

Caution Ahead Even Without Laws

Even without laws, state ethics commissions are cautious about accepting ethics complaints during specific times in the election year.

Several years ago the Kentucky Legislative Ethics Commission faced an increasing number of ethics complaints from candidates and political parties right before the elections—“not an overwhelming amount, but enough to get the ethics commission’s attention,” says Anthony Wilhoit, executive director of the commission.

Even though Kentucky law requires the commission to keep complaints confidential until after a preliminary hearing, the accusers weren’t waiting and were disclosing the names of alleged violators. In response, the commission asked the General Assembly for statutory authority to dismiss a complaint—any complaint, not just those during the election season—if the filer makes it public.

The proposal failed to pass both chambers, however. “We got push-back from the media,” Wilhoit says. “The media wants the entire process, from filing to resolution, to be transparent.” The commission chose to focus on its own process of being able to dismiss complaints promptly if they are frivolous.

“The commission does not get drawn into campaigns and will not comment, but all complaints are investigated,” says John Schaaf, the commission’s legal counsel.

In the Final Days

The final days of a campaign are important times for candidates and the public. Citizens and the media argue they need to know about candidates’ ethical violations in order to make informed decisions.

Allegations of ethical misconduct, especially if frivolous, however, can be damning. Negative headlines and Internet chatter can overshadow the investigation itself. Often, ballots must be cast as unproven accusations linger, leaving the accused candidates little opportunity to defend against the complaints.

Ethics commissions want to protect the integrity of the complaint process against misuse. At the same time, they acknowledge their responsibility to give the public information to make informed election decisions.

Balancing these concerns is the challenge.
Although the term “big data” sounds vaguely sinister—like a relative of Big Brother or Big Government—it’s an unfair rap. At least in the case of state governments, it is being used to increase public safety, uncover fraud, save money, create efficiencies, and improve health and human services, among other things.

Big data is exactly what it implies: collections of data so vast that the time and effort required to manage and sort through them make traditional approaches of analysis infeasible. Yet, within these big data collections lie valuable patterns and useful information now being mined with the advent of predictive analytics software.

By cross-referencing information from a variety of sources, predictive analytics can uncover previously obscure connections between events and people and reveal anomalies and inconsistencies worth investigating. Overlaying data about health care, transportation or crime, for example, with geographical information can identify exactly where the greatest needs or problems exist, helping policymakers allocate resources most effectively.

For several years, businesses have been collecting enormous amounts of data about consumers and their lifestyles from mobile and web technologies, which they use to track customers’ habits and tailor marketing materials. “Your smartphone is not just a phone. It’s a tracking device. ... And if I can tap into that information, I can predict and persuade your behavior by targeting it with the right ads,” says Hewlett Packard’s Chris Surdak, author of “Data Crush: How the Information Tidal Wave is Driving New Business Opportunities.”

Now state governments—generators of large amounts data themselves—have begun tapping into the wealth of possibilities big data offers to transform operations, such as improving public safety and health care, unearthing fraud and much more.

Of all the data now captured, experts believe about a third of it could be useful, yet only 0.5 percent of it is currently being mined. Richard Leadbeater, global solutions manager at Esri, a firm that specializes in geographic information system technology, says that big data has such significant economic potential that it should be viewed as a natural resource.

A recent report by the National Association of State Chief Information Officers describes state governments as “enormous data generation engines.” State officials who treat this data as an asset, analyzing it to discover new patterns, correlations and insights, the report says, can “gain a competitive advantage.” Here are some ways states are doing just that in various areas.

**Tax Fraud**

Big data is helping uncover tax fraud which cost states billions of dollars annually. Connecticut, Georgia, Indiana, Louisiana, New York, South Carolina and Washington, among other states, have contracted with big data companies to use data analytics technology to detect tax schemes and reduce the number of fraudulent refunds states pay out each tax season. Using identity-based fil-
Data Analysis Uncovers Fraud in North Carolina

The success of North Carolina’s Criminal Justice Law Enforcement Automated Data Service led to the creation of the North Carolina Government Data Analytics Center, which allows state agencies to share data. One of its goals has been better data analysis to identify fraud, waste and compliance in areas such as unemployment insurance and workers’ compensation.

“One of the first projects we tackled was unemployment insurance, as that program had nearly $3 billion in debt,” says North Carolina Senator Ralph Hise (R), chair of the Senate Appropriations Committee and co-chair of the Senate Appropriations Committee on Health and Human Services. “IT systems at the Employment Security Commission, labor department and tax office couldn’t talk to one another, which made it difficult to identify fraudulent claims. As a result of data retrieved from the center and other changes to governing rules and regulations, we reduced that debt to under $1 billion in 16 months.”

The center’s success in identifying fraud and abuse related to unemployment insurance garnered enough support from lawmakers to expand it to more areas.

“We want to be able to answer questions using data to evaluate the effectiveness of state government programs in a variety of areas, and GDAC makes that possible,” says Hise.

North Carolina Representative Jason Saine (R), who chairs the House Appropriations Subcommittee on Information Technology and co-chairs the Joint Legislative Oversight Committee on Information Technology adds, “GDAC is transforming what we do and how we make decisions. Information technology touches everything we do in state government, and its importance is only going to grow.”

One pattern they are finding is that patients who use hospital emergency departments often usually need other services but do not know how or where to find them. According to the Kentucky Department of Medicaid, 79 percent of the patients who visited the emergency room 10 or more times in a 12-month period had behavioral health issues, and 45 percent had been diagnosed with a substance abuse problem. Using big data, doctors can now direct many of these patients to clinics or other less-expensive care centers, track their conditions and provide more appropriate care.

Human Services

Los Angeles County faced increasing threats of fraud in its child care program for low-income families. Much of the fraud was perpetrated by organized fraud rings that recruited parents as well as child care providers, making investigations complicated and difficult to prosecute.

To combat fraud and ensure that benefits would be available to families truly in need, the Los Angeles County Department of Public Social Services used a data mining technique that identifies and expedites the review of suspicious cases. The pilot project achieved an 85 percent accuracy rate in 2008-09 in identifying public assistance fraud rings and saved an estimated $6.8 million...
in avoided losses due to fraud.

Using this same technique, between May 2011 and July 2013, the Los Angeles child care program referred 28 cases to the district attorney for felony prosecution and initiated 405 fraud referrals. In addition, caseworkers made 753 referrals, resulting in denial, reduction or termination of benefits, and addressed overpayments as well as other fraud.

Based on current estimates, Michael Sylvester with the Los Angeles County Department of Public Social Services projects the data mining solution could save tens of millions of dollars over the life of the project, although any actual savings and efficiencies have not yet been determined, he cautions.

Elsewhere, Indiana recently launched an initiative to use big data analysis to lower its infant mortality and child fatality rates. The state’s new Management and Performance Hub will provide centralized data sharing and analysis across several agencies.

One of the first projects will be to analyze data from various databases, including criminal history, health and demographics, to gain a better understanding of the causes of infant and child deaths and to identify potential solutions. The long-term goal of the system is to share data among all the executive branch systems and use analytics to improve state decision making in a variety of areas.

Role of the Legislature

Legislators are playing a key role in the growth of big data centers within their borders. To encourage their development, in 2013, lawmakers in Arizona and Illinois passed bills to exempt data center equipment from sales taxes, and Texas lawmakers chose to eliminate most of the sales taxes for new data centers that are larger than 100,000 square feet and require at least a $200 million investment.

Legislatures in Colorado, Florida, Massachusetts, Nebraska, and New Jersey have considered legislation this year related to big data. A new Colorado law allows tax exemptions for the development of qualified data centers. New Jersey’s new law directs the state’s Big Data Alliance to encourage state government, academia and industry to study and suggest solutions for the significant and immediate challenges posed by the proliferation of big data sources and the resultant deluge of digital data.

“Big data isn’t just some buzzword. Industry, academia and government have touched only the tip of the iceberg with big data,” says Assemblyman Upendra J. Chivukula (D), deputy speaker and chair of the Assembly Telecommunications and Utilities Committee. “Big data poses both challenges and opportunities. By committing to developing a strategic approach and coupling that with new advanced cyber-infrastructure, we are positioning New Jersey as a place where innovation can thrive.”

Massachusetts Senator Gale Candaras (D), chair of the Joint Committee on Economic Development and Emerging Technologies, sponsored legislation that would create the Big Data Innovation and Workforce fund to help prepare the state’s future employees for careers in big data. The fund also would ensure that academia and industry have the necessary tools to use the data to identify and solve problems in transportation, public health and energy, as well as support economic development.

She emphasized the fund would help “to close the skills gap” confronting a future big data workforce and provide “challenge grants for the Commonwealth’s agencies, departments and municipalities to use with big data to solve public policy concerns.”

Florida lawmakers passed legislation this year that consolidates several state agency data centers and computing facilities into a single state data center. And Nebraska senators passed a state policy declaration to “make revisions in Nebraska’s tax structure in order to ... promote the creation and retention of new, quality jobs in Nebraska, specifically jobs related to ... large data centers.”

Analytics Ahead

Data analytics is revolutionizing how states access and analyze information, improving not only the bottom line, but also how state agencies predict and meet constituents’ future needs.
“These children are fodder in this. They are being assaulted.”
—Texas Representative David Simpson (R), describing unauthorized Central American children crossing U.S. borders during a town hall in Longview, as reported by the Longview News-Journal.

“The dinosaurs died, and we don’t know why, but the world adjusted. And to say that this is what’s going to cause detriment to people, I just don’t think it’s out there.”
—Kentucky Representative Kevin Sinnette (D) during lawmakers’ discussion of the effect of new EPA carbon emission regulations on the state, on Kentucky Public Radio.

“This is one small victory against the surveillance state. I am glad I could voice my opinion and help stop this bill.”
—Tweet by North Carolina Senator Thom Goolsby (R) after a bill was pulled that would have allowed police to use license plate scanners to spot stolen cars and criminals, reported by WECT TV, Wilmington.

“You bring in the light, and in the light we have to make these decisions.”
—Thomas Finneran (D), Massachusetts House Speaker 1996-2004, reminding Boston Globe reporters in 2000 of their government-watchdog role. Commonwealth magazine reprised the quote in August, noting how statehouse reporters’ ranks have shrunk.

“That’s ridiculous. The whole school-to-prison pipeline, it all starts right there in the younger years.”
—District of Columbia Councilman David Grosso (I), on a new report showing that 3- and 4-year-olds were suspended 181 times in the 2012-2013 school year, in the Washington Post.

“There’s been too much of a cover-up in this state. The Department of Children and Families should be required to report what they find.”
—Florida Senator Eleanor Sobel (D), sponsor of a sweeping new child welfare law, which she says still allows too many child abuse deaths to go unreported, in the Orlando Sentinel.

“We continue to maintain our strong objection to any attempt to disrupt the current election process.”
—Florida House Speaker Will Weatherford (R) after a court ordered the state to redraw its congressional districts, which legislative leaders say may delay November elections, as reported by Reuters.
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