

Hannah News Service Ohio

NCSL 2025 Special Coverage

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Legislators from across the country gathered in Boston for the 2025 National Conference of State Legislatures (NCSL). Hannah News was there, providing special coverage of the workshops, speakers and seminars that address issues of concern.

BofA Economist Talks Tariffs, Inflation

BOSTON -- A top global economist for one of the country's biggest banks told attendees of a session on tariffs Monday he does not expect interest rates to come down anytime soon nor an influx of manufacturing investment in the U.S., but supply chains could move to closer, friendlier nations to avoid risks related to China.

During a presentation at the National Conference of State Legislatures (NCSL) Legislative Summit, Claudio Irigoyen, global economist for Bank of America (BofA), was simultaneously bearish about economic challenges facing the U.S. but relatively optimistic given issues in the rest of the world.

"When you have a shock like the tariffs and everybody gets scared, what people do is not necessarily buy the dollar ... people reduce risks," he said.

"Once the dust settled, people said, maybe I don't like the U.S. story as much as a year ago, but do I like the European story better? Do I like the Japanese story? ... Risk-adjusted, the U.S. is the best story," he said.

"There's too much liquidity chasing the best stories out there," he said. "Relative to other stories, other countries – not that bad."

Irigoyen said uncertainty about if, when and how tariffs will have an effect will contribute to the case for the Federal Reserve to avoid cutting interest rates, because it will be hard to know when inflation has peaked. Businesses have been stocking up on supplies and inventory to give themselves a cushion to respond and to raise their prices gradually to avoid loss of market share.

"The more incentives companies have to front-run tariffs, the longer it's going to take for the effect of tariffs to show up on inflation, and therefore the more complicated the job of the Fed," he said.

One audience member asked Irigoyen what it will take for the U.S. to reach trade deals with other nations, saying he and others thought the U.S. was getting close to an agreement with India, and yet Trump had unleashed social media criticism on India even as Irigoyen was speaking, threatening a big tariff increase over India's purchase of Russian oil.

NCSL 2025 - BOSTON, MA

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“I personally think that the true deals, the deals that will stick, that will settle, that will be implementable, are going to take a lot of time to be perfected. You have had a lot of announcements, but not necessarily a lot of deals that are 100 percent completed. Because the devil’s in the details, and negotiations are still taking place even on deals that have been announced, I don’t think he wants to just raise tariffs everywhere for the sake of raising tariffs. I think he wants to extract concessions from countries, different concessions from different countries,” Irigoyen said.

“In the meantime, he will tweet a lot of things, we know. We have tariffs in the morning and no tariffs in the afternoon, it’s a fact,” he said. “I think the market has been doing a good job discounting the noise and focusing on what really sticks. So I would recommend to be patient,” he said.

The length of time it takes to sort out those details, however, contributes to the uncertainty that business leaders face in making decisions. Irigoyen said when he talks to hedge fund investors, they want to know what will happen next week, but when he talks to CEOs, they want to know what will happen in five years.

“You need to think not so much in terms of producing what is cheaper to produce, you have to produce what is safe to produce,” he said.

Tariff effects are not durable enough to encourage bringing back production to the U.S., but the trend toward avoiding the risks of the Chinese market are enough to encourage “near-shoring” and “friend-shoring” of supply chains to countries closer to or with better relations with the U.S, he argued.

“Tariffs are a very volatile tool to convince companies to send capital with five-, 10-year horizons,” he said.

Irigoyen said as countries’ economies mature, they transition away from goods manufacturing toward services, with one major exception – national security. “This one exception screws up everything because it’s difficult to quantify how far you’re going to go with this,” he said.

Irigoyen said he foresees a continued shift away from free trade.

“I wish we would move toward free trade, but I am very skeptical we are moving toward more free trade. The way I see the world is there is a cold war between the U.S. and China. It’s a race to see who will become self-sufficient in the production of microchips first ... everything that has to do with trade policy is under the assumption or with the idea of containing China.”

Contentious NCSL Origins Boosted State Legislatures’ Voices in Congress

BOSTON -- The 1960s and 1970s in American politics saw separate nationwide movements both further formalizing states’ legislatures as well as questioning the role of the federal government in addressing states’ issues and fearing federal overreach.

Both movements became driving forces for a collection of organizations representing different facets of state legislatures to join forces in the early 1970s to push for more influence in Congress for state legislatures.

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As the National Conference of State Legislatures (NCSL) celebrates 50 years in existence at the organization's Legislative Summit in Boston this week, political scientist Karl Kurtz of NCSL said the organization's formation in 1974 followed from the U.S. Supreme Court's "one person, one vote" principle established in *Reynolds v. Sims* in 1964.

Kurtz said "one person, one vote" popularized the idea of including people in legislatures who hadn't previously been part of the status quo. Additionally, Jesse Unruh, speaker of the California State Assembly in the mid-1960s, transformed that state's legislature from a part-time body to full-time in the image of Congress.

In 1971, a private nonprofit called the Citizens Conference of State Legislatures published a book called ***The Sometimes Governments*** that ranked state legislatures on measures like fairness and accountability. And while many state legislatures didn't want to formalize to the extent that California had in the previous decade, states also didn't want to rank lower than their own neighboring states.

This era, roughly between 1965-1980, represents what Kurtz calls the "legislative strengthening movement," during which virtually every state took major steps to increase its legislative staff and also increase the amount of time the legislature spent in session and the pay for legislators and their staffs.

A concurrent federal movement emerging at the time in Congress started to send what Kurtz described as "no strings attached" federal money to local and state governments.

With state legislatures' coming to the fore during this time, the interests of different facets of state legislatures were represented by three different organizations: the National Legislative Conference, which represented legislative staff; the National Conference of State Legislative Leaders, focused on the role of legislative leaders in contrast to that of governors; and the National Society of State Legislators, focused on training, information services and high ethical standards.

The three groups deliberated for nearly five years on issues around merging, including individual leadership, voting procedures, how the organization would be funded, and whether legislators, legislative leaders or legislative staff would have more control.

Kurtz credits former Ohio State Rep. Charles Kurfess -- who was president of the National Legislative Conference from 1973-1974 -- with being one of the most important state legislators nationally to unite the efforts that resulted in the first NCSL meeting in Albuquerque in 1974.

An audience member for Kurtz's presentation noted that even with the partisan political differences during the era when NCSL formed, he had doubts about whether a similar effort would be possible in today's political climate. Kurtz agreed such an effort would be more difficult, though he demurred on further details.

Another audience member said that if NCSL had not formed from its three source groups, state legislatures wouldn't have any voice in Congress. The audience member noted that NCSL brought both a voice for the states to Congress as well as a lobby in Washington on behalf of the states, rooted in the states' dislike for mandates and unfunded programs sent from Washington.

Natalie Wood, NCSL vice president of policy and research, said that whether NCSL could form now is a valid question, though she is grateful for the opportunities NCSL brings for bipartisanship, adding that 80 percent of legislation passed in states is bipartisan.

Panel on Legislative Use of AI Includes Need for Policies, Importance of Data Security

BOSTON -- A panel on legislative use of artificial intelligence (AI) at the National Conference of State Legislatures (NCSL) summit featured Chad Dahl, group infrastructure manager at the Washington Legislature; Chris Cantey; information systems manager of the Minnesota Legislative Coordinating Commission (MLCC); and NCSL Program Principal Will Clark. It was moderated by Jon Heining, general counsel of the Texas Legislative Council.

Heining said NCSL is very concerned about this topic and wants legislative staffers to have the tools they need. He recommended setting a policy on how AI is used within the legislature and discussing it as part of contracts with IT vendors, noting they may not want a vendor training its AI on their data.

Cantey said AI is "the cusp of a new technology revolution" and he has concerns about what it means for the workforce. He also described how MLCC coordinates activities of the Minnesota Senate, House and joint commissions, explaining technical aspects of legislative data and the research his group conducts on behalf of legislators.

That includes data for redistricting efforts, Cantey added. He also noted they can be targets for attempted cyberattacks. He also explained how he uses ChatGPT to help write code and for database administration, along with data analysis.

Dahl described how AI is used in the Washington Legislature, saying there is “a ton of potential” for generative AI, including automation of repetitive tasks, content production and improving the customer experience. He shared how a 2024 Gartner study found a quarter of governments have deployed or plan to deploy generative AI in the next 12 months, with another 25 percent in the next 24 months, but less than 25 percent of government organizations will have it in a public-facing role by 2027.

Risks legislators should consider include whether the generation process is a public record; data privacy and protection; high expectations of accuracy and unbiased information; institutional trust; cost management; and having humans in the loop to review what AI produces.

Dahl recommended checking with IT staff about what they’re looking at for AI and setting acceptable use policies, including drawing on other states’ policies.

Clark said NCSL conducted a survey on the use of generative AI in legislative work which doubled from 2024 to 2025. For the most part, he added that involves people using tools on their own and that reflects the need for state guidance to them. Uses include historical background, summarizing, research, editing and transcription. Some legislators are using AI to develop first drafts of bills, Clark said.

Some are using AI in existing programs that have had it added recently, he added. Clark also pointed to the issue of AI usage as an aspect of contracts. The NCSL survey found there hadn’t been a significant change in the number of legislative offices which had an AI policy.

He said NCSL has training videos on how to use AI.

In response to an audience question, Dahl said states should invest heavily in cybersecurity and use AI for it since bad actors have already begun using it offensively. Conversations can also start around using AI for certain tasks to improve productivity.

Asked about the potential for in-house AI models set up by states, Dahl said that is very expensive and takes a lot of time and effort. In addition, many state IT offices have limited staff.

In response to a question on what specific AI models are used for, Cantey said he is heavily focused on ChatGPT given what he works on. Clark noted that can depend on what existing programs an individual uses, such as Microsoft Copilot for people already using Microsoft software.

Civility Rather Than Judgment Is Choice, Panel Says

BOSTON -- Civility is the secret sauce to an effective Legislature because being curious of colleagues rather than judgmental can lead to consensus building, said New Hampshire House Clerk Paul Smith.

In a National Conference of State Legislatures (NCSL) session on civility, Smith said one of the things that drives him nuts is when members in his chamber start session with a white “what-to-do” sheet on their desk that instructs them on how to vote, because it discourages floor debate and amendments.

“We’re focusing more on the paper and less on what we can arrive at,” Smith said.

Minnesota State Sen. Zach Duckworth joked that he wishes his chamber had instructions like that handed to him every day.

“Seems like it would save a lot of time in caucus,” Duckworth said before going on to explain the Minnesota Civility Caucus, which he co-chairs.

Duckworth said the caucus allows legislators to connect on a personal level by developing relationships with trust and commonality.

Idaho Lt. Gov Scott Bedke, whose family business is cattle ranching, said his father once told him after he graduated college that if he was smart, he should be able to work with cows.

“Cows were never going to come to us. We’re going to go to cows, and we’re going to employ livestock handling practices that only the cows understood,” Bedke said. “I won’t draw analogies that ...,” Bedke stopped as the opposite-party moderator, Idaho State Sen. Melissa Wintrow, stopped him as the crowd laughed.

Wintrow told a story of her second term, when Bedke was the speaker of the Idaho House, and she went to him with a bill that would change how sexual assault examination kits are handled in the state. By the next day, despite being sponsored by a Democrat in a Republican majority, the bill had a committee hearing and later passed almost unanimously, she said.

“We’re not that far from Lexington, Concord, Bunker Hill, all of the places where these people took on the existing world superpower to fight for us. We’re their dream. So we have some level of responsibility to live up to that dream,” Bedke said.

The panel also discussed challenges with decorum and civility they face in their chambers.

Bernard Dean, chief clerk of the Washington House, said chamber rules dictate a certain standard to which members' social media accounts are held. However, on their own accounts that aren't explicitly associated with their office or campaigns, they'll post disparaging comments about their colleagues, sometimes while there are floor speeches and debate happening about the very issue they're posting about.

Smith said he's noticed the same occurrence and pointed out the irony of posting online about an issue while debate is happening before them.

To wrap up the session, Pennsylvania State Rep. Chris Rabb read the James Baldwin quote that goes, "We can disagree and still love each other, unless your disagreement is rooted in my oppression and denial of my humanity and right to exist."

To that, Duckworth said civility does not cancel out passion. It's not the inability to hold folks accountable, it's just doing it professionally with respect, he said.

"What civility is, though, is a choice. And I choose to believe that anybody in this room can choose to be civil with anyone regarding any issues, because at the end of the day, you are the one that controls the words you use and how you treat others," Duckworth said.

States in 'Fairly Strong Position' at FY25 End But Challenges Loom

BOSTON -- Thanks to strong revenue growth in the wake of the COVID-19 pandemic and robust rainy day funds, states are in a strong position coming out of FY25 but face looming challenges from the federal government and slower population growth, a panel at the National Conference of State Legislatures (NCSL) said this week.

Erica MacKellar, a program principal with NCSL, and Goeffrey Buswick, a managing director at S&P Global Market Intelligence, gave an overview of state budgeting going into FY26 and beyond on the first day of NCSL's annual meeting, with Buswick predicting slow growth in the coming years for the country.

MacKellar said NCSL is receiving responses from state legislative fiscal officers from its June and July survey, showing that states saw modest revenue growth over most of the recent biennium – better than what states were predicting going into FY24-25.

She said the past few years of revenue received by states has been a "roller coaster." There was a continuing trend of 2 to 4 percent increases in the years following the Great Recession, but states took a hit during the pandemic, though not as bad

as predicted. Coming out of the pandemic, there was revenue growth spurred on by federal stimulus, but states saw that as unsustainable and planned for revenue totals more in line with what they are seeing now.

NCSL is predicting about a 1 percent revenue increase each fiscal year for states going forward.

On the spending side, she said states spent about 4 percent higher in FY25 than in FY24, making up the gap in spending and revenues with surplus stimulus funds.

She said the good news going into the slower growth period is that states have been building their rainy day funds, and they have not seen states make big withdrawals from those funds. Still, she said there has been a decline in rainy day funds as a share of state spending at the end of the fiscal year and there have been smaller closing balances.

MacKellar also said states have been budgeting conservatively, with many taking into account federal uncertainty as they passed their budgets earlier this year. They have also begun pulling back spending as revenue growth slows, with many states asking state agencies to flat fund or decrease their spending.

Among the challenges for states going forward are federal spending cuts as part of the "Big Beautiful Bill" passed by Congress and signed by President Donald Trump last month. MacKellar said states are still analyzing the impact of those cuts, not only for the current fiscal year but going forward, with the biggest programs affected being Medicaid (see separate story, this issue) and the Supplemental Nutritional Assistance Program (SNAP).

Buswick outlined how ratings agencies determine credit ratings while heaping praise on states for their actions to maintain steady and solid ratings.

He said S&P is predicting the gross domestic product will slow down to about 1.7 percent and 1.6 percent in FY26 and FY27, respectively, though he said there are provisions of the "Big Beautiful Bill" that could lead to increases such as the ability to expense investments that could incentivize growth in businesses.

Buswick said they are not worried about the effect of tariffs on the global economy when looking at state budgets because of the various taxes that states rely on, and said state revenues have been holding steady despite slower growth.

On inflation, he said S&P is expecting it to get a little worse, but then will come back down. He said the red line for inflation is higher than it was in the decade before the pandemic, and said it likely will not come back down to levels seen in 2015.

Among challenges for states, Buswick highlighted the national population peaking as it ages and then leading to a likely decline. That is one of the limiting factors that will keep growth around 2 percent in the future, he said.

He also pointed to what is coming out of Washington, including tariffs, immigration policy, climate hazards, and SNAP and Medicaid cuts in the Big Beautiful Bill.

With the SNAP cuts, he said many of the changes are back-loaded, though there will be administrative costs up front. While the administrative costs could reach the tens of millions, it is not necessarily untenable for states, though an issue they will be watching.

He said there is also a “long runway” for states to deal with Medicaid cuts, though there also will be some increased administrative costs for states.

“I think there is some time here” where states can make decisions that will be able to control potential increases, Buswick said. He also said states are helped by their conservative budgeting in times of uncertainty, paying down debt, and strong reserves.

He said states are in one of the strongest, if not best positions they have ever been when entering a slower growth period.

Legislative Admins Explore Staff Development Approaches

BOSTON -- Keeping good people on hand so they can keep up with current events – and the executive branch – is an ongoing concern for state legislatures, staff leaders from across the U.S. said at a National Conference of State Legislatures (NCSL) summit session.

John Barron, chief of staff for the Ohio Senate, said staffing might not be top of mind for any given legislator.

“In order to do all those things that you want to do in the top five or the top 10, a highly functioning staff is very important,” he said.

Barron was joined by W. Stuart Loosemore, talent and engagement manager for the Massachusetts Senate; Travis Swallow, chief financial officer for the Arizona House; and Peverill Squire, a University of Missouri professor.

Squire provided an overview of how state legislative staff developed, from the first Virginia General Assembly clerk of the 17th century, who was paid in tobacco, through the 19th and 20th century development of legislative reference libraries and service agencies, and into the modern era, when California Assembly Speaker Jesse Unruh added personal staff

to lawmakers’ offices. “He wanted the Legislature to be the equal of the executive branch,” he said.

Legislative staffing peaked in the 1990s and has declined somewhat since then, Squire said.

Staffing patterns vary widely by state. Ohio senators get two aides apiece, while Loosemore said Massachusetts senators have four or five. Part-time legislatures sometimes have to contend with finding seasonal work for their employees when the lawmakers are not in session, Barron noted.

Swallow said when Arizona passed term limits, it saw policy and research staff positions grow substantially.

“We had over 14 doormen and parking lot attendants, and now we have 14 armed guards,” Swallow said.

The panelists also addressed the potential and pitfalls of artificial intelligence (AI) use in legislatures.

Barron, an attorney, said he’s concerned about how feeding information into AI learning could compromise attorney-client privilege or legislative privilege.

“From our staff standpoint, our employees are utilizing AI to enhance their job and be able to become more efficient. They’re not looking for it to be able to replace them,” Swallow said.

Barron also asked his fellow panelists how they approach staff recruiting and retention.

Loosemore said paying people more money “papers over a lot of cracks” but isn’t the end-all.

“We look into professional development opportunities. What are we offering to staff to be able to increase and enhance their skills, to become better. I’m in Senate HR, I don’t want to lose people, but if I ultimately am doing my job, we are going to skill up our staff ... they are going to get poached,” he said.

Barron said fellowship, page and intern programs are highly valuable. “Those are your bench ... we have a senator in Ohio here who was in our page program,” Barron said.

Barron said building those programs involves active outreach to universities. “There are a lot of talented people out there, but if they don’t know about the program, then you are scrambling when you need to fill legislative aides,” he said.

One audience member asked about the prospect of remote work for keeping staff, particularly when lawmakers are not in session.

Loosemore said Massachusetts has a hybrid policy, and needs vary by office and by district. “I mentioned the towns of Peru and Florida in Massachusetts. It’s probably a two and a half hour drive in one direction to get to the Statehouse for that staff to work,” he said. “But that’s going to be your constituency staff ... your legislative staff are based in the building. Being flexible does help in the recruitment and the retention,” he said.

Swallow mentioned the importance of accessibility, noting the 2018 election of an Arizona lawmaker who used a wheelchair led to improvements in accessibility for all employees in the capitol.

Ohio Sen. Bill DeMora (D-Columbus) commented he picks his aides, but their hiring technically has to go through Barron, and they could be fired by the Senate president. He asked how other states approach minority party staffing. Loosemore said Massachusetts is much the same, with autonomy for offices to make decisions but ultimate oversight by majority leadership. Barron noted that some states grant lawmakers a budget, in the style of the U.S. Congress.

Panel Discusses Future of Cannabis, Intoxicating Hemp, State Regulations

BOSTON -- A National Conference of State Legislatures (NCSL) summit panel that included legislators, regulators and industry representatives discussed the “Cannabinoid Conundrum,” including various forms of hemp and medical cannabis use.

Panelists included Michael Bronstein, co-founder and president of the American Trade Association for Cannabis and Hemp; Staci Gruber, director of Marijuana Investigations for Neuroscientific Discovery (MIND) at McLean Hospital in Massachusetts; Utah Sen. Evan Vickers, a Republican active in marijuana legislation there; and John Hudak, director of the Maine Office of Cannabis Regulation.

NCSL Senior Fellow Karmen Hanson moderated the Monday discussion and opened by noting cannabis remains federally illegal, while saying hemp’s legalization in the 2018 Farm Bill may have inadvertently led to the current situation. She also said state cannabis regulation varies widely.

Gruber explained the complexities of cannabis, saying there are over 120 phytocannabinoids and the most common are Delta 9-THC and cannabidiol, abbreviated as CBD. Hemp is a variety of cannabis with low levels of THC. Gruber said negative effects of cannabis almost always refer to the effects of THC.

She also said it is very important to understand the goal of use, as that influences product choice and outcomes. For instance, people seeking recreational use usually choose products high in THC while those seeking medical benefits may choose high-THC products but may also pick non-intoxicating compounds. Gruber further noted how cannabinoid exposure affects the brain differently based on age, with worse outcomes for people who use it as adolescents although there is not much long-term study as yet.

Gruber also explained the legal definition of hemp, a variety of cannabis with up to 0.3 percent THC by weight and how it was removed from the Controlled Substances Act by the 2018 Farm Bill. That created a loophole which enabled intoxicating hemp, she continued, but some states have now banned hemp products. However, she noted states banning hemp products with any THC also removes some “efficacious” products.

Bronstein said these products “are here” so “we need to legislate responsibly,” adding that intoxicating hemp products exist outside of regulation due to lack of comprehensive federal cannabis reforms. He said there are synthetic products, marijuana marketed as hemp and natural THC products which merit a level of distinction in regulatory discussions. In terms of product safety concerns, he said unpredictable levels of potency and dosage need to be addressed and supply chain issues are becoming more apparent.

Currently, states either haven’t taken action, have prohibited these products or -- in the case of a growing number of states -- have a “hybrid” model that allows some of them. He offered policy recommendations to establish clear regulatory authority, such as an existing cannabis regulator; to take a hard look at synthetic conversions; to set clear definitions and base regulatory approaches on that with funded enforcement standards of civil rather than criminal penalties; to control retail channels; and to be prepared for potential revisions in the future.

The issue has become political and contested, he continued, and there is “significant misinformation” out there. Bornstein added that some states including Ohio have seen issues with the undermining of regulatory authority. The status quo of unregulated intoxicants being sold to minors is untenable and states have the power to regulate, so they should do it in an informed way.

Asked how to make informed regulatory decisions that don’t hurt the industry, Bornstein said cannabis shouldn’t be treated “like it’s plutonium” and that regulation should focus on where the harms are rather than “archaic” rules. He also said states shouldn’t sacrifice public health and safety or rule of law issues.

Hudak detailed how Maine had effectively no regulation of hemp or hemp products one month ago, which meant products could be widely sold with no age requirements or testing for contaminants. That led to a peer market treated quite differently from the adult-use and medical cannabis programs and users who don't understand the effects these new products have on them.

He also said there is an assumption that hemp products don't get people high, which reflects the lack of awareness and is dangerous for people who will drive afterward. He does not support the prohibition of intoxicating hemp and instead called for more education so people know what they are consuming.

Proposed legislation would bring hemp products into his office and subject them to testing standards, which he said is of particular concern to him for the sake of public health and safety interests. "Vast swaths" of hemp products don't have the amounts their labels claim, he continued. Hudak also said the experiment of federal hemp legalization has been an important learning moment as far as "really bad" policy outcomes from the lack of attention to what is done, and that should be avoided in the future.

In response to an audience question, Hudak said these products should be regulated better than alcohol as he considers that to be a "policy failure" as well.

Vickers described what led him to work on cannabis legislation, taking the approach to "truly" treat it like medicine and the technical ways that worked. It incorporated pharmacies and license fees, he continued, with courier systems delivering to rural areas. Vickers also talked about how they registered adulterants for hemp and pushed Delta-8 into the medical cannabis program. They limit the shape of a gummy to a square to avoid marketing toward children, he continued.

Vickers further detailed how Utah addressed Kratom and how it uses a regularly-meeting working group to look at emerging issues. Asked about online sales that cross state lines, Vickers said there are discussions about that currently and he was open to ideas regarding how to address it.

States Unpack Medicaid Operational, Fiscal Challenges from Federal Spending Bill

BOSTON -- The lion's share of federal savings on Medicaid from HR1, aka the One Big Beautiful Bill, will come from a handful of policy changes with major implications for state budgets and operations, a National Conference of State Legislatures (NCSL) policy expert said Monday.

Kathryn Costanza, NCSL program principal for health, spoke on a panel about the challenges facing states and their Medicaid budgets at the NCSL Legislative Summit in Boston. Also on the panel were Oklahoma Sen. John Haste; Nevada Senate Deputy Majority Whip Fabian Donate; April Kees, staff director for the Virginia Senate Finance and Appropriations Committee; Jonathan Ball, legislative fiscal analyst for the Utah Legislature.

"Federal policy pressures are the elephant in the room," Costanza said.

Costanza said five policies in HR1 account for 86 percent of the hundreds of billions of dollars in federal savings -- "Federal savings are not necessarily state savings," -- forecasted for the coming decade, she remarked. They are the following:

- Work requirements.
- Changes to eligibility and enrollment rules.
- Limits on provider taxes.
- Limits on state-directed payments.
- Twice yearly versus annual eligibility redetermination for the expansion population.

"The bill gets at cost drivers for the federal government, and that's expansion enrollment," she said, noting the federal government's 90 percent matching share for that population. "It's also provider payments, specifically hospital payments, and it's state financing through provider taxes."

More than half the estimated savings come from changes targeted at the expansion population added under the Obama-era Affordable Care Act. "But all states are still going to feel the effects of reductions in state-directed payments in 2028," she said.

"These fiscal impacts are backloaded. More than three quarters of the fiscal savings are going to accrue between 2030 and 2034, so this means you may not see the impact on your state right away, but you might see it pretty further down the line," Costanza said.

On the other hand, applications for the rural hospital fund created in the bill could be due as soon as next month, with awards expected before year's end. "This is by far the most urgent timeline," she said.

Also a nearer-term concern will be states' eligibility redetermination accuracy rates from next year through 2028, because the federal government will reduce its share of program costs starting in 2029 based on the level of improper payments for ineligible individuals and overpayments for eligible individuals.

“What you all do in 2026 and how accurate and effective your eligibility determinations are in that time period is going to matter later in this time period, in the 10-year window.”

Ball said an overlooked provision of the bill that limits federal matching funds for Emergency Medicaid – which covers emergency services for people otherwise ineligible, often because of immigration status – “has all of us scared.”

“Does this open the door to more erosion of that enhanced match rate on the expansion population?” he asked. Ball and Haste both hail from states where voters approved Medicaid expansion directly via ballot measures.

Haste said in his state, expansion population costs are going up as a result of higher service utilization compared to other populations. However, he said that’s partly driven by the fact that some people weren’t getting care at all before enrolling. “Now they’re playing catchup,” he said.

Donate said Medicaid pullbacks bring other costs. “In health care we always say the commercial payers ... they’re the ones who are going to subsidize Medicaid, and so we’re going to see premiums increase,” he said.

“If someone doesn’t have health insurance coverage, their health insurance becomes the emergency room,” said Haste.

Donate said in Nevada’s divided government – GOP governor, Democratic legislative majorities – revenue increases aren’t an option, likely forcing a decision between cutting eligibility or cutting services. Because of the uncompensated care risks he and others previously mentioned, he said he’d prioritize maintaining eligibility and cutting services.

“It’s going to become luxury versus necessity,” he said. “I would say that provider enhancements are probably off the table now ... our doctors may not be getting the pay increases that they need.”

Kees said any good staffer will have revenue options available should their lawmakers want them. She mentioned taxes on services, including streaming, as possibilities.

Panelists also said the administrative costs of implementing work requirements, more frequently eligibility redeterminations and the like are stacked on top of the increased costs states face from changes to the Supplemental Nutrition Assistance Program (SNAP) under HR1. “How exactly is work defined. That’s also very important,” said Kees.

“We can’t freak out,” said Haste in closing comments. “You have to address this. You break this down into smaller pieces ... then start working on a plan to address this.

“That means working with NCSL and other partners, other states, to discuss what other people are doing, how to do this,” he said.

Panel Discusses Health Policy Trends, State Responses to Federal Changes

BOSTON -- A panel on “Navigating the Now: Key Trends in Health Policy” at the National Conference of State Legislatures (NCSL) summit saw leaders from Tennessee, Pennsylvania and Indiana discussing what their states are doing amid federal changes.

The panel included Indiana House Speaker Todd Huston, a Republican; Pennsylvania House Speaker Joanna McCClinton, a Democrat; and Tennessee Senate Finance, Ways and Means Chair Bo Watson, a Republican. It was moderated by NCSL Vice President of Policy and Research Kate Blackman.

Watson said his state is the only one with a 10-year block grant for Medicaid and isn’t an expansion state, so its experience with Medicaid changes will be different from that of other states.

McCClinton detailed the number of Pennsylvania residents who receive Medicaid, saying they are bracing themselves for the effects of the changes and how she urged federal legislators to oppose the changes.

Huston said he sees this as an opportunity, and that of the three entitlement programs this is the only one with a state share. He also said it is part of making the federal government more fiscally responsible and that it is good for the country even if it is challenging to states. Watson concurred with that view, while McCClinton said she did not as “people will die and that’s no laughing matter.”

Huston in turn said handling what happens will be up to state leaders and Watson detailed ways other groups could fill the gap. He also said he disagreed with the narrative McCClinton raised. McCClinton and Watson then debated the topic further, with McCClinton also saying rural health systems may collapse.

Blackman then asked about how states are addressing workforce and access to care. McCClinton described how Pennsylvania has been developing a pipeline for health care workers. Huston said this is a broad issue and that there are ways states can work together, including taking action to address accreditation. He also said more can be done to engage young people with internships and other opportunities.

Watson followed by talking about moving patients between locations and how health care is seeing increasing specialization. Huston said access to care will be different between rural and urban areas. Watson also noted ways technology can provide more opportunities over the next 10 years.

In response to Blackman's asking about health care costs, Watson acknowledged it is expensive from both the personnel and capital sides. He also said a study on what rural Tennessee hospitals needed the most had personnel and capital as the top two responses. The role of states in the capital portion will need to be looked at in the future, Watson added.

McClinton described specific actions the Pennsylvania Legislature has taken to address the topics that had been raised, including personal health care costs. Huston added Indiana has pressured its hospitals and insurers to be more efficient, saying there is a huge responsibility at the state level since people served through Medicaid are the most vulnerable. People with private insurance can also face life-changing expenses, he continued.

Blackman asked about prescription drug access and affordability. Watson said pharmaceuticals are a double-edged sword because they may be very expensive on the front end but keep people out of the hospital. He also compared it to capital costs and said drugs will be much more targeted to individual patients and their genetic makeup in the future, increasing costs as well. Tennessee has also done "a lot" regarding pharmacy benefit managers (PBMs), he added.

Huston said Indiana also took action on PBM transparency and said it is an "extraordinarily complicated" area. He concurred with Watson's points about higher costs in the future.

McClinton detailed investments Pennsylvania has made for school counselors and intervention services in response to Blackman's question on behavioral health, as well as more support for telehealth. Watson said there is a real shortage in this area in Tennessee, and Huston said Indiana also lacks professionals. He described improving the sense of community so people work through their bad days together.

An audience member asked if their states invest in federally qualified health centers. Watson and Huston said they do, with Huston adding how Indiana spends more and more on health care in general.

McClinton responded to another question, saying she supports helping eliminate students' debt related to medical education as part of their working in certain fields. Watson further detailed what programs Tennessee has to incentivize health care training. The three also discussed how multi-state compacts offer benefits to their states.

Asked by Blackman what they think the leading issue will be in one year, Watson said artificial intelligence (AI). McClinton answered Pennsylvania will have new data on maternal mortality by then. Huston said there will be a continued conversation on Medicaid.

Before the legislators' panel, NCSL staff gave a quick overview of recent federal changes. They included Senior Legislative Director Lauren Kallins and associate directors Kelly Hughes and Samantha Scotti, with Blackman moderating.

Blackman said there are perennial challenges such as Medicaid and workforce as well as federal changes and new technology. She then took an audience poll on their top health priority this year, with Medicaid sustainability, rural hospitals and mental health among top responses.

Kallins quickly explained the federal changes to Medicaid and marketplaces. She said these changes are numerous and nuanced, including work requirements that require massive enrollee outreach and building out IT infrastructure to verify work status. Provider taxes and state-directed payments are other issues she discussed, and states will need to mitigate their fiscal effects. Eligibility redeterminations will also increase, requiring more enrollee outreach and IT infrastructure. She also discussed new federal funds for rural health care and noted recent and future actions regarding Affordable Care Act (ACA) marketplaces.

Scotti went into further detail about the ACA marketplace changes, including how some states are looking at creating new subsidy programs or urging Congress to extend the premium tax credits. She also discussed state legislation regarding pre-authorization, including use of AI; new coverage mandates such as cancer screenings and treatment, doulas and behavioral health; and how commercial health care costs are still a concern for legislatures. That has included addressing surprise debts, medical debt collection and business mergers.

There have also been many bills on prescription drug access and affordability, Scotti continued. She also said coverage for GLP-1 drugs, used for Type 2 diabetes and obesity, are another topic that has emerged over the past two years. Some have sought to expand access for them while others limit it due to costs.

Hughes addressed recent trends around vaccination, particularly MMR, and the current measles outbreak. She said who can administer vaccines, how adverse events are reported, parental consent and advisory board changes have been some of the issues. This area is expected to receive continued attention in 2026.

Hughes said behavioral health has been a major priority in many states, and said overdose deaths have been in decline for 15 months. That has included fentanyl, though this has not been uniform across all states. She added that now is no time to "let off the gas." Access to naloxone was an element Hughes identified as part of that, along with continued governance of opioid settlement funds.

Other behavioral health issues include mental health among youth and workforce strategies.

Hughes also said child nutrition is a new area states are offering legislation on lately.

Scotti talked about ways to improve health care workforce, including recruitment and retention incentives, multi-state compacts and bringing in workers from overseas.

Ways to Improve Voting for Military Personnel Examined

BOSTON -- A National Conference of State Legislatures (NCSL) summit panel on “Voting in the Military: Stories from the Field” identified the challenges military personnel and other overseas voters face, along with what states and the federal government have done to improve that process.

Panelists included Scott Wiedmann, director of the U.S. Department of Defense Federal Voting Assistance Program (FVAP), West Virginia Delegate Doug Smith and Illinois Rep. Stephanie Kifowit. Thomas Hicks, a commissioner on the U.S. Election Assistance Commission, served as both a panelist and moderator.

Hicks highlighted the Uniformed And Overseas Citizens Absentee Voting Act (UOCAVA) for 2024, noting that 66 percent of returned ballots were sent by mail and 27 percent by email. He also said 96 percent of the total ballots were counted and 4 percent rejected. The number of UOCAVA registered voters has been 1.2 million in 2020, 737,000 in 2022 and 1.3 million in 2024.

Smith said he’s personally familiar with the difficulties in voting while serving overseas, including in 2004 while he was deployed in Iraq. He shared steps West Virginia has taken to comply with UOCAVA, such as launching an online voting pilot program for military personnel. In 2018 they set up a voting app for them as well. They have also extended electronic voting to disabled voters, Smith said.

He also played a video by the West Virginia Secretary of State’s Office that gave further details on what the state has done for military, overseas and disabled voters and how people use those options. Smith added they’ve received responses that some wouldn’t have voted without them.

Kifowit described her experience in the U.S. Marines Corps and her son’s as a member of the U.S. Navy in terms of voting, including how her son was aboard a ship. She also said she thought overseas service members should be better able to vote in elections.

Wiedmann explained how his office’s responsibility includes training unit voting assistance officers. He also said states and localities must transmit registered UOCAVA ballots by the 45th day prior to elections for federal office; offer an electronic option for transmitting blank ballots; provide a free access system for voters to verify receipt of ballot; and notify voters if and why a registration or ballot is rejected.

Wiedmann also detailed resources his office provides, including federal write-in absentee ballots that can be submitted well in advance of an election and items available through U.S. embassies and consulates. He described the process through which military mail is sent and delivered, particularly for deployed personnel, and how its status can be tracked by the voter. Overseas citizens can drop off their ballots at specific U.S. embassy and consulate locations, Wiedmann continued, or send it by the nation’s mail service if applicable. He also discussed third-party voting assistance organizations.

There is also an FVAP call center which received over 40,000 inquiries in 2020 and 2024. At times they receive calls from families of military personnel, Wiedmann commented. He highlighted the grants his office has provided to states to increase the percentage of relevant ballots that are successfully returned.

In response to an audience question, Wiedmann described why his office recently discontinued use of fax services. That was a time consuming process with limited success in 2024, he noted. There are other fax services to connect with localities, Wiedmann said.

Smith was asked about opponents of mobile online voting raising concerns about security, both for voter privacy and potential hacking. He answered that the company West Virginia’s secretary of state’s office works with on its app has checks and balances in that regard and there have been no hacking incidents.

In regard to a question on Michigan’s and New Hampshire’s considering electronic ballot return, Hicks said he sees that as a nonpartisan issue since these are U.S. citizens voting. Kifowit added many issues that used to be nonpartisan in the past are now being looked at “through wedge policies” and that shouldn’t be happening. She said military personnel overseas have a right to vote which should be respected.

Smith described how political control in West Virginia shifted from Democratic to Republican in 2009, but said bills to support the military receive “unanimous” support on the House floor there.

User Fees Prevent DOTs from Competing with Other Budgets for Funding

Motor fuel tax revenue is making up a smaller amount of state transportation funds than it used to, a drop of 41.1 percent to 35.9 percent, according to Doug Shinkle, associate director of transportation for the National Conference of State Legislatures (NCSL).

At a presentation on surface transportation funding, Shinkle said this decrease between 2016 and 2024 is caused by the proliferation of electric vehicles (EVs) since they don't use motor fuel and the fuel efficiency of vehicles getting better.

Shinkle pointed out that even without the existence of EVs, the part of state transportation funds made up by motor fuel taxes would still be decreasing due to fuel efficiency improving.

Shinkle turned to more data that showed that cumulatively, states will lose \$12.4 billion by 2030 due to EVs causing lower motor fuel tax revenue, with those amounts growing as time goes on.

"I think the takeaway from all of these are, none of these are particularly encouraging charts or slides, and that doesn't mean that there's nothing to be done, but just that we need to be aware of the situation we're in," Shinkle said.

He said to counteract the negative trends, some states are raising their gas taxes, EV and hybrid fees, road usage charges (RUCs) like mileage-based user fees (MBUFs), delivery fees and more.

Shinkle said the four states that have MBUFs have made their programs voluntary and Hawaii plans to make its mandatory by mid-2028 for EV drivers. He pointed out that RUCs work in Hawaii because there's no out-of-state driving and they have mandatory annual vehicle safety inspections that create a required "checkpoint" that is used to assess charges. Another 12 states have mandatory inspections.

Only two states have delivery fees that they use to pay for transportation, Colorado and Minnesota. In Colorado, any food or retail delivery pays a \$0.27 fee. In Minnesota, the fee is only on retail deliveries, and the purchase total has to meet \$100 before the fee is assessed.

Susan Howard, director of policy and government relations for the American Association of State Highway and Transportation Officials (AASHTO), said transportation has benefited from having a dedicated user fee like motor fuel taxes because it keeps transportation departments from having to advocate for legislatively directed funding.

"We have not had to go to Congress every year with a tin cup and compete for annual appropriations in the same way that many, many, many, almost all other domestic programs have to do," Howard said.

Shinkle echoed the benefit of user fees like RUCs or proxy user fees like motor fuel taxes.

"If you end up in a battle where you do not have enough dedicated transportation funds at the state level, and you're reliant on the general fund, and you have to compete against criminal justice or public health or education, you're likely to lose," Shinkle said.

Kentucky State Sen. Jimmy Higdon said while addressing the panel during questions that the state gas tax is \$0.26 per gallon as instated in 2011.

"I'm not the sharpest pencil in the box, but I know that black top and construction costs have gone up tremendously since then," Higdon said. "In Kentucky, there's three things you mention if you want to kill a bill. If you've mentioned tax, tolls or zoning, it's DOA."

Higdon said he's been trying in Kentucky and at NCSL to change the rhetoric by calling the funding mechanisms "user fees" instead of a tax.

Preservation Programs Can Advance Housing, Economic Goals

BOSTON -- A founding member of the Ohio General Assembly's Historic Preservation Caucus joined preservation experts from Massachusetts at a National Conference of State Legislatures (NCSL) summit panel to tout the economic and social benefits that can cascade from preservation tax credit programs.

Rep. Bob Peterson (R-Sabina) was joined by Jessica Rudden-Dube, executive director of Preservation Massachusetts, and Douglas Kelleher, who leads Epsilon Associates, a consulting firm involved in preservation projects in Massachusetts.

"Certainly, we're not Boston or Philadelphia, but I'll put our history up with anybody's," said Peterson. "I've put on plastic gloves and held in my hands the 2,000-year-old tip of a spear used by the Adena Indians. Pretty cool. I've seen the Civil War Battle Flags that they used in Ohio," he said.

The panelists discussed a variety of case studies and examples of preservation projects, often involving large commercial or industrial buildings in historic downtown districts that were disused or dilapidated. Peterson mentioned Chillicothe's Carlisle Building, now a combination of office space and apartments for medical residents.

“Literally, for almost a decade this building was surrounded by caution tape, scaffolding, in the heart of downtown. It was an eyesore and just a stick in the eye for the whole community, because you couldn’t get away from it,” he said.

“This really started the growth of Chillicothe’s downtown area. I think it’s as nice as any community of 100,000 in the country, this downtown,” said Peterson.

“It couldn’t have been done without historic tax credits. The economics just don’t work,” he said.

Peterson banded together with other Ohio House and Senate lawmakers last year to found the Historic Preservation Caucus. (See *The Hannah Report*, 5/10/24.)

“The people involved in this have a variety of different issues. Some are very much of the preservation mindset ... some people want to make sure they fund projects in their district, which we all do. But I will tell you, my main interest is to make sure history is shared and passed along,” he said.

Rudden-Dube said preservation projects provide links to the past while making buildings relevant to present and future needs. She highlighted the William Barton Rogers School in Hyde Park, MA, a project that encompasses senior housing, a library and community center and art gallery space.

“When these large spaces need to get redeveloped, the funding comes from various sources,” she said.

Kelleher said 40 states have preservation tax credit programs to complement the federal credit, oftentimes with criteria or enhancements that can encourage fulfillment of other priorities, like credit enhancements for projects that include affordable housing units.

Kelleher said projects often focus on preserving historic buildings in walkable downtown districts that then induce interest in other projects nearby, creating more activity and more business.

The programs are growing in population. Massachusetts started its tax credit program in 2003 with \$5 million available per year at first. It grew over the years, and just recently, state lawmakers boosted it to \$110 million, doubling the prior cap, he said.

One audience member mentioned his parents’ personal project to restore the home of a logging baron in Michigan, asking if there’s any interest in such smaller projects anymore, given Kelleher’s citation of average federal project costs exceeding \$7 million and median costs exceeding \$1 million.

“The projects do tend to be more appealing to larger-type projects, simply based on the requirements,” Kelleher said, while adding that state programs tend to have lower thresholds. Pending federal legislation to improve the tax credit program could help to encourage smaller projects, he said. Among other elements, the legislation would restore the ability to claim the entire credit in one year, rather than spreading it across five years as required in the 2017 Trump tax reform bill.

“Don’t overlook what could be available locally,” Peterson said, adding that local historical societies or travel and tourism bureaus might have “small pots of money” to contribute.

“On some of these projects, every little dollar can help,” he said.

Another audience member asked about displacement and gentrification concerns associated with these projects. Rudden-Dube said preservation projects are one way to address the housing affordability crisis, since any addition can improve the housing supply.

Kelleher said local permitting requirements are a way to address displacement concerns, and he echoed Rudden-Dube’s comments about the projects’ role in adding to the housing supply.

“These are often projects that are also utilizing a whole slew of other funding sources,” he said. “Many of our projects, I would say probably at least a third if not more, are affordable housing projects as well. And those projects often wouldn’t be moving forward without the advantage of historic tax credits,” he said.

Banning Foreign Campaign Contributions Bipartisan Issue, Panelists Say

BOSTON -- Prohibiting campaign contributions from foreign nationals shouldn’t be a partisan issue, according to Sen. Theresa Gavarone (R-OH) and Sen. Chris Lee (D-HI).

“Really, it shouldn’t be a red issue or a blue issue, Democrat or Republican. I mean, it’s really an American issue,” Gavarone said during a National Conference of State Legislatures (NCSL) Legislative Summit discussion on foreign influence in elections.

“When we have people from other countries who want to come and influence our elections, and maybe change our constitutions or elect certain people, it certainly makes you wonder what their motive might be,” Gavarone continued. “I think it’s something that we can all agree on, that we want to protect the system our Founding Fathers put in place almost 250 years ago.”

Lee said he agreed “100 percent” with Gavarone’s comments.

“We all ran for office hoping for the best for this country, and the communities we come from. I’ve never met another elected official who intentionally went through the hellscape that it is trying to raise money and get out there and go door-to-door, do all the town halls and get all the arrows -- with ill intent,” Lee said.

“All the other partisan stuff aside, we fundamentally agree, overwhelmingly, that the control of our country, the control of our states, the control of our local communities belongs in the hands of those of us who live here in those communities,” he continued. “That’s not to say that there aren’t considerations to be made for everybody else who is coming in and that whole process. We’ll let that debate happen in D.C. at the moment. But when it comes to fundamental influence in campaigns, the money being spent, the value that those folks in our communities have, the interests they have in that outcome ought to be upheld.”

Gavarone and Lee were responding to a question from Matthew Sanderson, an attorney with the Caplin & Drysdale law firm, who noted that 38 states have some type of ban on campaign contributions by foreign nationals in addition to federal laws on the matter.

Gavarone discussed special session law 135-HB1 (Seitz), which passed both chambers of the Legislature and was signed by the governor in 2024. (See *The Hannah Report*, 5/30/24, 5/31/24, 6/3/24.)

The law was blocked by U.S. District Judge Michael Watson, but the U.S. Sixth Circuit Court of Appeals stayed the lower court ruling, allowing the law to take effect while litigation continues. The law prohibits lawful permanent residents, also known as green card holders, from contributing to Ohio issue campaigns. (See *The Hannah Report*, 9/3/24, 10/9/24.) According to media reports, a three-judge panel of the U.S. Sixth Circuit Court of Appeals heard oral arguments on the case in late July 2025.

Asked for her thoughts on why green card holders should be banned from making campaign contributions, Gavarone pointed to a constitutional amendment that voters approved in 2022 that prohibited local governments from allowing non-citizens to vote in local elections.

“Taking that as a starting point, it only makes sense that if you can’t influence our elections by voting in them, then you shouldn’t be able to influence our elections by contributing to them,” Gavarone said.

Lee discussed his legislation, which is currently being considered in the Hawaii Legislature, that would ban corporations from making campaign contributions if at least 1 percent of the company is foreign-owned.

“One percent sounds like a tiny amount, but in practice what we’ve seen -- especially with large, multi-national companies -- your typical stakes in ownership are tiny. Having a 1 percent ownership is actually quite large. It can give you a board seat, it can mean influence in all sorts of ways,” Lee said. “There’s no prohibition on an individual from giving. If you’re an officer in a company, employee, or whomever it is, you’re able to contribute just as everyone else, exercising your full constitutional rights to speech or whatever it is. ... What it would disallow is the capacity of a corporation and the usually tens or hundreds of billions of dollars that it has from being directed as a tool into a super PAC to then be used in an attack campaign against a particular candidate or something like that.”

Lee also discussed a unique provision in Hawaii law that restricts the amount of money a candidate can receive from out-of-state groups and individuals who are from the U.S.

“As a candidate, you can’t accept more than 30 percent of your total aggregate campaign donations from people or entities that are out of state. If I get a zillion, billion dollar check from Utah, I’d have to raise that times a multiplier in Hawaii, which really limits that influence,” Lee said.

A member of the audience who identified as a legal staffer from Vermont said his state tried to implement a similar out-of-state campaign finance restriction, but it was overturned by the courts as unconstitutional. He asked if Hawaii’s statute has been challenged. Lee said he believed it has been litigated, but wasn’t sure.

Asked if she would support similar out-of-state contribution limits in Ohio, Gavarone said she believes that would likely be unconstitutional.

“The Supreme Court grants the highest First Amendment rights to its citizens here in the U.S., and that allows people to participate across state lines,” Gavarone said.

Gavarone and Lee were also asked about restrictions on lobbying by foreign agents, with Sanderson noting that Arkansas, Louisiana, Florida, Nebraska, Texas and Utah currently have laws on that topic. There is also the federal Foreign Agents Registration Act (FARA), which has been in place since 1938, Sanderson said.

Asked for her views on foreign lobbying, Gavarone said, “Lobbying is important.”

“It’s important that you’re understanding every aspect of the legislation that you’re considering. I think transparency is key. There’s federal registration that you have to disclose if you have that foreign relationship, but in Ohio our registration doesn’t differentiate between domestic and foreign lobbyists. Everything is very thorough, and our form is thorough across the board,”

Gavarone said. “As a legislator, as we move to more global interests, and you see the interconnectivity, I think it’s important that you’re hearing from people. Just because you are hearing from a foreign lobbyist, that doesn’t end your investigation into an issue or topic. It’s important to hear that perspective, but it’s also important to continue working on legislation and continue doing your homework and research.”

Court Cases Shift Contours of Race Considerations in Gerrymandering Lawsuits

BOSTON -- States looking forward to their next decennial redistricting cycle – or those in a mid-decade redraw by choice or by law – will have to navigate the changing legal landscape of how judges sift racial gerrymandering claims from non-justiciable partisan disputes.

As tensions flare around the U.S. on mid-decade congressional map shuffling ahead of the 2026 election, the National Conference of State Legislatures (NCSL) Legislative Summit featured a panel on relevant rulings. Joining the discussion were Julia Jackson, policy and research manager for the Colorado General Assembly; Kate McKnight, a BakerHostetler attorney; and Samuel Davis, attorney and instructor at Harvard University.

McKnight reviewed the various factors that come into play in court cases focused on claims of racial gerrymandering, including the need to show cohesive voting patterns of a given minority group.

“For those of us who are actually drawing lines ... how do the redistricters prepare themselves for these claims and the data you need?” Jackson asked.

McKnight said states would be well served by finding experts who can help them with these data and legal questions.

“You do want to engage someone to look at the voting behaviors in your state and determine the demographics in your state, to determine whether there would be a Voting Rights Act [VRA] issue,” McKnight said.

Expert advice will help states navigating the tensions in racial gerrymandering cases between Voting Rights Act provisions that compel examination of racial voting patterns and Equal Protection Clause jurisprudence that discourages classifying voters by race.

“I really think you need to have a data person, and you need to have lawyers who can help you navigate ... are you a jurisdiction that needs to draw districts under the Voting Rights Act?” McKnight said.

“This is a really contextual analysis. So the fact that the demographics of one place are a certain way doesn’t demonstrate liability. You actually have to assess the political behavior,” Davis said.

One “live issue” before the courts now, as Davis put it, is whether courts will consider “coalition claims” that build Voting Rights Act cases by combing multiple ethnic or racial populations. The U.S. Fifth Circuit Court of Appeals ruling in *Pettenway v. Galveston* rejected the concept of these coalition claims.

“You can see some of the concerns that there are many people, many judges who are very uncomfortable about categorizing voters based on race and collecting them in a district based on their race,” McKnight said. “To then go to these courts and say, OK, this is no longer about just one racial groups, we also expect you to categorize another racial or ethnic group And just assume they vote cohesively with that initial minority group.”

“Often what we’re seeing in some cases is there’s less rigor in the analysis for other minority groups that are being grouped together,” she said.

Another new frontier in gerrymandering litigation is the concept of private rights of action – whether anyone besides the U.S. Department of Justice can sue over alleged Voting Rights Act violations. Historically, the answer has been yes, but a couple of courts have recently held otherwise.

“That has been the unbroken consensus since the VRA was enacted,” Davis said.

“It is true that the U.S. Supreme Court has never explicitly said there is a private right of action ... but they’ve decided plenty of cases brought by private plaintiffs without ever so much as suggesting those causes should never have gotten off the ground,” he said.

Verifying Citizenship to Vote in Elections Hot Topic in Majority of States

BOSTON – According to the National Conference of State Legislatures (NCSL), there are currently 191 bills in 42 state legislatures to address the topic of making sure only U.S. citizens vote in elections.

A panel at NCSL’s annual meeting in Boston Tuesday examined how elections officials are going about verifying the citizenship of voters on their rolls, as well as how federal legislation and an executive order by President Donald Trump will affect states and local boards.

Katy Owens Huber, an associate director at NCSL who moderated the discussion, said many of the pending or passed citizenship bills address documenting proof of citizenship. Other bills require state voting databases to be compared with other databases to verify citizenship, while a few states, including Ohio, have passed amendments to their state constitution to require only citizens to vote in the state. Still others have passed legislation prohibiting noncitizens from voting in local elections.

Huber said some states have made changes to their driver's licenses and identification cards to denote whether a person is a citizen or noncitizen, and others have increased penalties for those noncitizens who may have inadvertently gotten on the voter rolls and cast a ballot in an election.

Members of the panel included Amy Cohen, the executive director of the National Association of State Election Directors; Michelle Tassinari, director and legal counsel of the elections division of the Office of the Secretary of the Commonwealth of Massachusetts; and New Hampshire Rep. Robert Lynn.

Lynn outlined a law he sponsored that would require proof of citizenship, as well as age, domiciliary and identity in order to vote. The 2025 election was the first to include the requirements, and he said he believes there were only a relatively few who were unable to provide documentation in order to vote.

He encouraged other states to enact similar legislation, saying it is not enough just to allow a person to swear they are a citizen to vote. He questioned why a sworn statement did not apply to other voting requirements if it was enough, such as age or residency.

Discussing legal challenges to the law in his and other states, Lynn said he believes it will be an issue that will have to be taken up by the U.S. Supreme Court in the future.

The panel also discussed potential changes from the federal government such as the SAVE Act and a Trump executive order. Tassinari said there could be technical issues for local elections officials if they have a list of people only eligible to vote in federal elections or those only eligible to vote in state elections. If there were different requirements, she said they would have to print different ballots, and that leads to cost concerns or the ability to order enough paper for ballots.

"Those are the things that worry me and keep me up at night," she said.

Cohen also noted that many states have aging databases that can't store images or have other limiting factors in meeting federal requirements.

Tassinari added that they try to cater to local elections officials to make sure any data and equipment provided to them is useful to those officials, and those efforts may have to be put on the back burner to comply with new federal requirements.

"It takes a long time to do that," she said. "It is not something you can whip out in a couple of weeks."

The panel also discussed voter maintenance and keeping voter rolls clean.

Tassinari said her state does not check for citizenship during voter maintenance as that has been vetted when registering. She said many officials have begun to use the federal Systematic Alien Verification for Entitlements (SAVE) system administered by the U.S. Citizenship and Immigration Services (USCIS).

Cohen, noting limitations in the SAVE system, said the U.S. Department of Homeland Security (DHS) has been working to solve those in recent months. Previously, it cost \$1.50 per record and there was no bulk upload functionality so records had to be searched one at a time, and it was not practical for use in larger states. Another challenge is that election officials did not have alien identification numbers that can be used to search the system.

In April, she said DHS eliminated the costs to access the records, and have added a bulk functionality. The system is also being integrated with the Social Security Administration, but currently it can only be searched using all nine digits of a Social Security number, which she said only six states collect. Most states only use the last four or five digits of a number for voter registration.

She said that while there are plans to be able to search on the last four digits of a Social Security number, there will still be a level of validation required on the local level, and nothing will be a "push-button solution" for elections officials.

Asked what advice they would have for states looking to pass citizenship requirements, Tassinari said lawmakers need to talk with local officials to find out how implementation may affect their offices. She said local officials have variable resources and staff, and lawmakers need to make sure the local offices have the people, time and funding to implement something meaningful, rather than throw a requirement at them that will be difficult to meet.

Cohen further said discussions should be had with officials from both big and small jurisdictions. What may work in a large county may not work in a smaller county. She noted that in some states like California, the local officials are not just elections officials, but they also perform other recordkeeping duties.

In response to an audience question as to why it is so difficult to verify citizenship at a national level like other countries can do, Cohen said that it is because there is not one database or list to work from, “so it makes it a little more tricky.” She added they are getting access to more data, but officials have to navigate through it.

Panel Examines Options for Governments, Builders to Address Housing Shortage

BOSTON -- As the supply of housing fails to meet demand and housing costs are rising nationally, Ohio is far from the only state to approach housing availability and affordability from a state level. But to what extent should the public sector and private sector work together to ease housing issues?

A panel Tuesday at NCSL Boston included two leaders whose organizations look at innovative ways in which the public and private sectors are working together on housing issues nationwide.

Kimberly Burnett, executive director at Ivory Innovations, said there is no single silver bullet to solve the country’s housing affordability crisis. Instead, her organization takes a comprehensive look at barriers to housing affordability to find and promote several innovations. Burnett is convinced that innovation at the state level is crucial to addressing the housing shortage.

Burnett sees momentum growing for increasing the housing supply in two areas: construction and policy and regulatory reform. On the policy side, Burnett said many states are making changes to allow for the construction of more houses, and the issue of reforming housing rules is often a bipartisan issue at the state level.

Burnett credits states like Oregon and California, which both have worked at the state level on easing restrictive local zoning. Further, her organization recognized the state of Florida on its recently passed Live Local Act, which combines funding for affordable housing programs as well as a variety of tax incentives, land use policies, publicly owned land tools and other strategic initiatives designed to expand opportunities to viably produce more affordable and workforce housing options in the state.

Burnett sees the public sector as responsible for creating conditions to which the private sector can respond. Additionally, nonprofit organizations and universities are part of collecting data on housing rules and putting changes into motion. Burnett said new resources and new regulatory frameworks put in place by the public sector then leave the

business of constructing housing to the private sector to respond. Burnett calls the mix of public and private sector roles in addressing housing an “all hands on deck” situation.

Additionally, Burnett said states want to learn from the successes or failures that other states have attempted in addressing housing. She says states can see from the work of other states which ideas have been tested and can be replicated.

Ruby Bolaria Shifrin of Turner Labs said her organization also focuses on the opportunities that state-level governments have at their disposal to address their housing issues. Shifrin said the applied research arm of Turner looks at what state legislators can do to reduce barriers that may be stopping certain areas from building more housing, including zoning rules and land use changes.

Shifrin said Turner helped fund LadderUp Housing, based in Toledo. House renters in LadderUp are coached toward purchasing the home in which they live. And while Shifrin acknowledges “rent-to-own” programs don’t have the best reputation, the LadderUp program exemplifies how such a program can work well in low-cost markets with properties that are normally less appealing to banks.

Shifrin said her organization aims to make markets work better to serve people who previously would never have been served. That includes looking at ways to reduce costs in places like California, where it often costs more than \$1 million to build any form of affordable housing. Additionally, Turner looks at how to use government capital to help scale construction efforts and spur innovation.

Panel moderator Jenny Schuetz of Arnold Ventures said state level policy can raise the floor for everyone, for example by removing bans on multifamily developments or accessory dwelling units (ADUs) at the local level. Such measures can allow for a greater diversity of housing options and also bring down construction costs. Additionally, the timeframe for new development is shorter when developers don’t have to spend time convincing each community in a state to allow new construction.

While housing is often considered a hyperlocal issue, as opposed to a regional issue like transportation, Shifrin argues that housing issues need to be thought of as a regional or state matter, helping to streamline supply issues and help developers. Shifrin said treating the issue as a regional one creates a better floor that developers can work on.

Shifrin urges states to allow more types of housing projects to be built, specifically through the removal of zoning requirements that specify areas for single- or multifamily housing.

In addition to policy solutions to the housing shortage, Burnett touted construction reform. Namely, Burnett discussed off-site housing construction options like modular or manufactured homes that use prefabricated structural components. The factories that produce such housing can speed up the construction process for homes, even including transportation time. Burnett cited her organization's most recent survey saying 20 percent of builders use off-site construction, with that percentage growing.

Burnett noted that such housing component factories for off-site construction normally require a big, upfront investment, and therefore don't always work well with housing boom cycles. However, such factories have started using robotics to build micro-homes. The use of robotics partially addresses an additional issue contributing to the housing shortage: a shortage in the construction labor supply.

Shifrin noted that the construction workforce labor rate has not returned to its pre-pandemic levels, and states do have a role in addressing that issue through supporting good-paying jobs and alternative paths to construction careers. She added that many states already have programs to do that by working with trade unions or partnering with community colleges on workforce or small business training. Burnett added that rural areas often have workforce shortages in construction trades and added that the types of modular factories she mentioned before tend to have a more reliable workforce.

In discussing what measures can be taken immediately to move people into stable housing, Shifrin suggested that anti-eviction measures are effective in keeping people housed. She also said that state and local governments can remove bans prohibiting certain housing types to essentially make new markets for developers, adding that land use changes spawn entrepreneurs and present a lot of opportunities in construction and workforce development.

Shifrin also argued for rent caps to stabilize housing options, though Burnett said she was less convinced rent caps are effective. Burnett said development processes should be made more predictable, perhaps using a "shot clock" to limit the amount of time a community can take to decide on new housing developments, during which other development plans could be made.

Burnett also suggested reducing the power some municipalities give to homeowners to essentially veto new development. Schuetz said stable housing could also be incentivized through tax abatements for construction projects or other similar policy levers.

Shifrin noted that developers are always looking for tax incentives or subsidies, and if they miss a local deadline, they often must wait another year to apply again. She suggested simplifying construction processes as another way to spark development, noting successful simplification efforts taken on at the state level by California and Minnesota. Additionally, Shifrin suggested putting fewer requirements on new projects that would force them to be close to certain amenities, for instance a day care or a laundry.

Voters Show Sentiments on Lawmakers in Ballot Question Outcomes

BOSTON – State voters are often amenable to governance reforms that will make their state legislatures more efficient but not to proposals to pay their state lawmakers more, a political scientist who researched hundreds of years of ballot questions said at a National Conference of State Legislatures (NCSL) summit panel discussion.

The session, "Ballot Measures as Barometers," featured Michelle Fontenot, clerk of the Louisiana House; Oregon Sen. Bruce Starr; Massachusetts House Speaker Pro Tem Kate Hogan; and Peverill Squire, a University of Missouri professor.

Squire last year released a book, *Reforming Legislatures: American Voters and State Ballot Measures, 1792-2020*.

Voters have faced about 1,500 ballot measures targeting changes to their state legislatures in the time period covered by the book.

The bulk of them, more than 1,100, were constitutional amendments referred by lawmakers to the public. A decent majority, 58 percent, were adopted.

"When the Legislature puts something on the Legislature, about the Legislature to the voters, more than half the time voters are amenable ... but it's not an overwhelming majority," he said.

California and Oregon have faced the most ballot measures, followed by New Hampshire, which unlike the former states has no citizen initiative process for ballot issues. It also requires a two-thirds majority for adoption of constitutional amendments, meaning proposals often need multiple attempts before they are successful, Squire said.

On the other end of the spectrum, Indiana has had only six, Vermont five and Delaware none – since its Legislature can amend the constitution directly, Squire said.

Squire reviewed the types of proposals most and least likely to pass.

Popular among voters are ideas that would more severely punish lawmakers for wrongdoing, cut their pay or dictate how they must do their jobs. “Voters are very supportive of imposing rules that tighten the legislative process,” he said.

Least popular are proposals to convert from bicameral to unicameral legislatures, to abolish or weaken ethics and lobbying rules, to increase term lengths, increase legislator pay or to establish or strengthen public financing of campaigns.

Lawmakers often are defeated in their attempt to give themselves the power to overturn administrative rules and regulations via ballot issue, Squire found.

“Separation of powers is something that voters have grown up with through their education process,” he said.

Lawmakers did see a majority of pay increase proposals approved in the post-Civil War era, but that’s because they came as part of a set of broader legislative reforms, he said.

Two issues on which voter sentiment has flipped over time are the preference for biennial versus annual sessions, and support for apportioning seats by population rather than by town or county.

“What’s interesting about this is it precedes the Supreme Court decisions of the 1960s ... before the courts got to one person, one vote,” he said.

Squire said the sum of the ballot issue results suggests voters “have a fairly sophisticated view of what they want from their legislatures” and will support proposals to improve legislative functioning even when they don’t particularly care for the lawmaking bodies.

“They’re skeptical about lawmakers’ motives. They do want to have ethics regulations. They do want to put limits on things like lobbying,” he said.

Starr said Oregon may be the most active state for ballot questions, often coming via citizen initiative.

He cited one recent Oregon change highly relevant to the current debate about Texas lawmakers’ bid to prevent a quorum amid Republican-led mid-decade redistricting efforts. Oregon lawmakers now may not run for re-election if they have 10 unexcused absences during a session, following passage of a ballot issue there, Starr said.

Legislators Discuss AI Oversight Measures, Support for Innovation in NCSL Panel

BOSTON -- A panel on “risks and rewards” of artificial intelligence (AI) at the National Conference of State Legislatures (NCSL) summit featured Massachusetts Sen. Barry Finegold; Arkansas Rep. Stephen Meeks, chair of the state’s joint committee on advanced communications and information technology; Virginia Delegate Michelle Lopes Maldonado, member of the Communications, Technology and Innovation Committee; and Utah Senate Majority Leader Kirk Cullimore. It was moderated by Sean McSpaden, principal legislative IT analyst for the Oregon Legislative Assembly.

McSpaden noted the number of bills on AI has “skyrocketed” in recent years, with over 1,000 relevant bills offered so far this year and 38 states enacting around 100 bills during current legislative sessions.

Cullimore described actions the Utah Legislature took in response to AI in 2023, including hearing from academia who knew how it worked and those in industry as well. Conversations focused on privacy and inherent bias in the large language models (LLMs), with Cullimore saying they wanted to avoid actions that discouraged innovation so Utah wasn’t cut off from future development. Their decision was to focus on when companies were actually deploying AI rather than regulating its development, he continued.

Utah leaders also decided to require companies make it clear when consumers were interacting with an AI chatbot, giving the state attorney general enforcement power if that is not followed. They looked at setting up a regulatory sandbox concept, but instead set up an AI policy office in Utah’s Department of Commerce for companies deploying AI to provide information and enter “mitigation agreements” that limit their liability based on the project. Cullimore said their actions have been “very successful.”

McSpaden talked about state government’s procuring AI solutions and the importance of providing public disclosure on how that is being done and which ways it will be used in response.

Finegold described an “AI hub” in Boston and detailed his focus on economic development. Applications for AI can grow with existing local industries, Finegold continued, so he is concentrating on AI related to biotech and medicine. The question people should think about is attracting AI for their major industries, he added. Finegold noted the “difficult subject” of job replacement and retraining also needs consideration.

Maldonado was asked about legislation she sponsored on consumer protection related to AI. She detailed how that and data privacy “weave into” each other and pointed out mixed public opinions regarding AI. There is an effort around the U.S. to build on existing data privacy legislation, Maldonado continued.

The “important intention” is to properly balance protecting people and data with supporting innovation, she continued, and that was the focus of her bill. AI should be tested for bias, Maldonado said as well. She also discussed state-supported “sandboxes” for product testing as a public-private opportunity. For the most part, Maldonado added, there is no relevant private right of action and there is “a tension” on that element. She also discussed how some in the industry support what she is doing and the need for legislation to evolve over time rather than remain static.

Meeks was asked about Arkansas legislation requiring public bodies to create a policy on their authorized use of AI. He responded that at first he saw AI as one nebulous entity but now understands it represents thousands of items and needs to be viewed from that scope. Meeks also said Arkansas leaders looked to what Utah had been doing and he hoped other states will follow in their footsteps. The goal of state officials isn’t to stifle innovation but to provide their citizens necessary protections, he continued.

Regarding his legislation specifically, Meeks said that followed from the creation of social media policies on what state employees could and couldn’t do. He detailed how state employees’ putting data in an AI system could give it to the operating company, resulting in potential risks there as well, while also saying he wants state workers to become more comfortable with using AI to support their job. He also told the audience he recommended a requirement for authorized state staff to make final decisions instead of AI.

McSpaden concurred with the importance of “a human in the loop” and the need for core policies and training for state employees.

In response to an audience question about who would be accountable if AI gave bad information, Meeks said that would be very situation-specific. Maldonado also noted lots of bills can have appeal processes in them and lawyers know how to handle multi-party litigation already, though she asked who would want it to get to that stage.

Meeks talked about how AI doesn’t require entirely new sections of code and can instead be blended into current relevant statutes. Cullimore added there are consumer privacy laws in various states, but it is rare to have data privacy laws that apply to government so Utah passed one as a long-term goal for when AI is used in government.

McSpaden talked about the importance of addressing bias in the data as well.

Responding to a question on medical denials in pre-authorization and the importance of using actual patient data, Finegold said that is a difficult subject. He noted the accuracy of AI-provided data will be more of an issue in the future.

Maldonado talked about Virginia’s Technology and Innovation Caucus as an educational group that has heard from academic officials and labor groups as part of the goal to hear all possible perspectives.

Meeks said Arkansas passed legislation this session requiring digital literacy training so people know to check the accuracy of information rather than just finding it.

Asked about youth usage of chatbots, Cullimore says Utah has done a lot on social media and the ability for AI to expand related issues is concerning. He also said Utah has a presumption of mental health damage for youth under 16 and set standards needed to overcome that presumption. The same can be applied to AI chatbots to set the same safeguards, Cullimore continued.

Finegold discussed how Massachusetts banned the use of AI bots to buy concert tickets, for instance, and said it’s hard to regulate this from 10,000 feet. He added 31 states have banned cell phone use in schools and he thinks more states will ban social media use for children under 14, saying that isn’t a partisan effort either.

Meeks also talked about the importance of legislators’ trusting their colleagues who are experts for technology legislation as well as bills on other topics, saying they have to build trust among each other.

Cullimore said he has concerns about the effects of AI on brain development when used in education in response to an audience question. He added that youth solely relying on AI there will be problematic. Maldonado also discussed how repeat actions affect the brain and said critical thinking skill development is needed in schools so it isn’t “whittled away.”

Meeks also said society figured out how to teach math after pocket calculators became available and will have to do the same in regard to AI.

Finegold said discussions on this with other legislators can include the environment and the future, so it is difficult but that has to happen. Maldonado added people with experience have to provide information to others who should listen, comparing it to the knowledge base for other professions. Meeks said education needs to occur outside of legislative sessions, not during them.

The Relationship Between AI, Power Grid Needs More Development

BOSTON -- As artificial intelligence continues on its path of reshaping nearly every sector of American life, a panel at the National Conference of State Legislatures explored the emerging question: How will the nation's energy grid be impacted by AI and cloud technologies?

The panel, featuring contributors from Microsoft, Schneider Electric and the Pacific Northwest National Laboratory, discussed how AI can be used to forecast and manage renewable energy, challenges of data center load management, and the necessity of robust cybersecurity and energy infrastructure.

David Manz of the Pacific Northwest National Laboratory said the grid needs to be secured with AI, from AI and for AI. He said the technology offers advanced capabilities for monitoring and managing grid systems that exceeds the abilities of human operators.

Manz said AI is not the solution, but it can make the solution more effective. Cyberattacks are not a new threat, and bad actors are actively using cyberspace to achieve their objectives such as stealing money or holding a nation at risk. He said it's real, and targeting not just corporate America but also targeting critical infrastructure.

"I don't think we need to say the sky is falling, but I think we should disabuse ourselves that that is not true," Manz said.

Scott Harden of Schneider Electric said last summer in Virginia, a storm system coming through caused the data centers with built-in AI to predict that there would be issues with the grid, so they flipped over to their backup power systems automatically. It took the equivalent of one-third of all homes in Virginia off the power grid instantaneously.

"It almost took the grid down because of the frequency, balance and position," Harden said. "This is going to become something that is going to be more and more common."

Jonathon Noble of Microsoft said technology is becoming more dependent upon and integrated with AI, which puts strain on energy infrastructure. He said there needs to be a conversation about how to work with utilities to create solutions.

When multiple energy sources with varying inputs like solar and wind energy are included in utility, it complicates the management of energy distribution, Manz said.

"We have a lot of renewable that's come online. We have increasing demands like we've never seen before for AI and cloud infrastructure," Manz said. "The problem is, the

traditional grid was very hierarchal. You had a transmission, you had a distribution, you've got a consumer whether that's a house or it's an aluminum smelter. But those days are gone."

Schneider said the grid has shifted to a grid that is no longer load following and is not supply following, but that supply is no longer central, it's heavily distributed.

State Legislators, Staffers Reflect on Safety of Public Officials

Following the murder of their colleague, Minnesota House Speaker Emerita Melissa Hortman and her husband, state legislators spoke at the National Conference of State Legislatures (NCSL) this week about how they handled their grief and fear.

Oregon House Speaker Julie Fahey said she knew Hortman personally, and reflected that it's important to talk with colleagues about threats they face and their isolating impact.

As the top-ranking member of her chamber, Fahey said the loss of a fellow state legislative leader meant talking with other legislators about her grief and what it meant for her and them.

Fahey said there is a cost of service, and acknowledging that openly is important.

That cost isn't just paid by the legislator or candidate, said West Virginia House Speaker Roger Hanshaw. Their spouses also need to be part of the conversation about what would change in their life if elected.

"The nature of what that person's life will become if successful is now at the forefront of those conversations, more so by the candidate's spouse than by the candidate per se," Hanshaw said. "Those of us who are in the room that have chosen to put our names on the ballots, we signed up for that but our spouses often don't."

Fahey recommended approaches that can be implemented through policy, by an individual, or by leadership to bolster safety, civility and security for state legislatures.

Fahey said Oregon has passed measures to allow address confidentiality by making it optional on voter files or campaign finance documents, with local clerks still having access to the information for verification purposes. She also said policy to criminalize doxing, which is a form of widely publicizing sensitive information or records for harassment, and swatting, which involves a false report to emergency services to invoke a large-scale police response to someone's home without their knowing.

Additionally, policy to authorize the use of office allotments or campaign funds to pay for in-district event security and home security systems could also be implemented.

An individual legislator could have their information removed from information and data aggregator websites that can make addresses and personal information more accessible, Fahey said.

For leadership, Fahey said there should be a culture and expectations for their chamber to avoid provocative language that could fan the flames of a heated political conflict that has potential to become violent.

Cyrus Anderson, the chief clerk and director of operations for the Wisconsin Senate, said he thinks politics is society's solution to resolving conflicts that would otherwise have been settled through violence, and when society fails at politics, that's when some feel that they need to revert to violence.

"There's probably somebody in your Capitol building who would like to wrap you in bubble wrap, put you in a locked room and never let you see the light of day and keep you safe. And if you don't have someone like that, you probably should get one," Anderson said. "It's important to have somebody out there who's always thinking, 'What is the most safe option that we can have in this situation?'"

When asked why they run for re-election when the costs are so substantial, Hanshaw jumped in to tell a story from earlier this year when a boy, whose family Hanshaw knew, came over to him at the gas station and began talking to him.

"He said, 'I wanted to come over and say thank you. My mommy told me that later this year, the water in our faucet in our home will be safe to drink ... I'm glad, that means my daddy won't have to haul water three days a week now, and he'll be able to be home more with us,'" Hanshaw said.

Due to a project the Legislature put into motion in the last couple of years, his community will have potable water delivered through their public works department, Hanshaw said. Remembering days like that is what keeps him coming back.

Fahey said after Hortman's death, she wondered if her call to public service was worth the threat to her safety, but she remembered the lack of fulfillment she felt in her former line of work and decided she wasn't going to ignore the call to serve.

Anderson said for him, he's thrilled to be part of the American experiment, and he loves the idea that someday, a history nerd like himself might be studying the Wisconsin State Senate and he wants to be part of it.

Natalie Castle, director of the Colorado Legislative Council Staff, said the room she was in that day was her "why."

"The legislative institution is this incredible organization intended to be close to its citizens, which comes with that risk," Castle said. "Their mission is to make their state the best place it can be for their neighbors, for the people in their communities and in the state. I love to see that. It doesn't matter what part of the political spectrum, they show up because they care."

Huffman Says Speakers, Presidents of Legislatures Should Unite on State Interests

BOSTON—The several dozen presiding state legislative officers of the United States ought to gather regularly to advocate for state government and against federal overreach, Ohio House Speaker Matt Huffman (R-Lima) said at a National Conference of State Legislatures (NCSL) panel discussion on federalism.

Huffman was joined in the discussion by three other majority legislative leaders – Pennsylvania House Speaker Joanna McCClinton, West Virginia House Speaker Roger Hanshaw and Hawaii Senate President Ronald Kouchi.

Huffman touted the value of organizations like NCSL to advocate for state government, but suggested the potential of a more focused group.

"The states need to decide how it is that we can act collectively in a way that is simply the states versus the federal government. We have multiple issues where the states agree, without regard to Democrat, Republican, liberal, conservative, whatever label you want to assign to that. The question is, how do we advance the states' arguments versus the feds, and getting all 7,000 legislators in a room and agreeing on something is not practical. Frankly, the NCSL is the best vehicle for doing that, but even so, the people who come to the NCSL meeting may not be representative of their states. We think mostly they are," Huffman said.

"My view of this, frankly, is legislative leaders, the 99 legislative leaders, need to come together on an annual basis and make a statement about what the states want," Huffman said. "Should states be in charge of their Medicaid? Probably three-fourths or 80 percent of those legislative leaders would say, 'Yes, we can better run our Medicaid program. We can better tailor it.' The population in Vermont is not the same as the population in New Mexico, likely," he said.

"A collective statement by all speakers and the heads of the Senate – we have a lot of different names – I think would be effective in getting the federal government to move," said

Huffman, who has held both roles, having moved directly from the Ohio Senate presidency to the House speakership after his election to the House last year after hitting Senate term limits.

Hawaii Senate President Donald Kouchi said the purpose of federalism is to divide power and prevent one entity from becoming too dominant – a concept being undermined in the Trump era.

“There’s one person who’s driving every single decision, and our voice clearly doesn’t matter to our members of Congress. There’s only one voice that the majority’s listening to,” Kouchi said.

“The reality of what is coming down, whether it’s in health care, schools, nutrition, SNAP and anything else – who’s going to be blamed when people are left out? When people are hungry and they lose out on the educational opportunities?” Kouchi said.

Be they federal or state leaders, elected officials will get turned out by voters for failing to serve their needs, he argued.

“I believe at the very bottom line of this, that is where the change will occur. It’s just who gets changed first,” Kouchi said.

McClinton said she felt ignored by members of Congress in trying to convince them of the harms of the One Big, Beautiful Bill. “Considering that they all voted for it ... I’m going to say states don’t have enough influence,” she said.

One audience member suggested that passage of the 17th amendment began the runaway nature of federal power.

“I understand what you’re saying. I’m for federalism ... but we also have to live in the real world,” Huffman responded, asking rhetorically what might have happened in history had President Abraham Lincoln not stretched the bounds of federal power, for example.

“Even in our personal lives, I know I’m not supposed to go over 75 here ... but I’ve got to get to the meeting on time,” he said. “The answer is, in the other 90 percent of the time that we’re operating in government, it shouldn’t be the federal government parachuting in on top of us.”

Hanshaw said too often state power is unnecessarily diminished in the name of efficiency and standardization.

“We know how to do that, we’ve done it. We’ve done that even when told we couldn’t do that,” he said, citing states’ adoption of the Uniform Commercial Code (UCC).

“The UCC governs business transactions all across the nation today. We know how to do these things and we’re good at it. The state trial courts of America enforce the UCC every day,” he said.

Hanshaw also suggested the changing background of federal lawmakers is contributing to the diminution of federalism. A generation or two ago, most of them had served in state legislative office.

“No longer is that the case, and the trend seems to be continuing on a downward cycle. We just simply have to run for federal office. I’m not declaring a candidacy for federal office, to be clear. But I hope some of you do,” he said.

Panel Examines Addressing Child Care Shortage, Affordability

BOSTON -- The National Conference of State Legislatures (NCSL) summit included a panel on access and affordability challenges in child care, featuring remarks by Child Care Aware of America CEO Susan Gale Perry and Dependable Source Corporation CEO Willie Jones. It was moderated by NCSL Associate Director Jenna Bannon, who started by saying legislatures are taking note of the child care crisis, it ripples out to affect everyone and public-private partnerships are needed beyond just legislative action.

Bannon also noted how there has been a recent surge in state legislation related to child care. Perry then discussed how the U.S., unlike some other nations, has a localized focus on child care and said the best solutions come from families and child care providers. She added policies should work for businesses and discussed her organization’s efforts to scale up solutions and help military families with child care.

Perry further described how child care matters to parents, given its effects on their ability to work; its educational benefits to children, which also helps them become ready for the future workforce and reduces reliance on social services; and its importance to businesses in terms of its effect on staffing. Business leaders recognize this and are involved in seeking solutions, Perry noted. She also detailed how access to child care provides economic benefits.

The U.S. military also recognizes how child care access affects force readiness, Perry added. She talked about the high costs of child care, particularly on young families with limited resources, and the current shortage of child care options. The gap in access is larger in rural areas, and it is particularly difficult for families with infants, low-income workers and those with unusual work hours.

Child care businesses operate on very thin margins given the costs to provide it, Perry continued. Ways to fix this include states' funding subsidy assistance and school readiness, as well as help with the supply side and incentivizing public-private partnerships. That includes "tri-share" models such as one in Kentucky, Perry noted. She also said solutions differ for large and small businesses.

Bannon followed by referencing how states finance child care, including through special funds such as a master tobacco settlement agreement, bonds, sin taxes, a range of other taxes such as sales and payroll, and through offering tax credits.

Jones said that as a woman, grandmother of five and an employer, this is a very important conversation to hold. This is a workforce, economic and community issue that demands attention, she continued. She also said the business community is a "key stakeholder" for child care policymaking and that solutions can increase wellbeing, develop the workforce and build a more prosperous future for everyone. It is not just a woman's or family issue or a partisan one, and there is no "one right way to solve the problem."

Jones also detailed efforts underway in Mississippi, including the 2013 creation of a state-funded pre-K program. Private sector leaders, including business groups, economic development organizations and labor unions, can get involved on the issue together, she added.

Bannon returned to say that while there is uncertainty around the role of the federal government, this poses a "huge opportunity" for innovation and bipartisanship and to engage and collaborate with business and community leaders, parents and child care providers. That can lead to a strong and sustainable child care system, she added.

She then asked Jones how she first engaged with legislators on the child care issue. Jones said business leaders work very well with the Legislature in Mississippi, as they need research and first-hand experience. Bannon followed up by how legislators first get in contact with businesses. Jones recommended speaking to community service groups and chambers of commerce. Those relationships need to be sustainable, she added.

Asked about common misconceptions, Perry told Bannon a lot of policymakers still think this is just an issue for parents. She also said there can be a misconception that child care prices just need to be reduced, and instead there is a need for sustained health and safety standards.

Responding to an audience question, Perry said that the bulk of child care money goes to support their staff. Government can help alleviate facility costs, she continued. She also referenced

how tri-share models can be complicated. Jones additionally noted the importance of creating a quality workforce for the future and the role child care centers play in that.

Asked about the effect of local zoning regulations on adding more child care centers and state solutions, Jones said she didn't think that was a major issue in Mississippi but the low profit margins do affect how people can start new centers. Perry said she has seen that issue with home-based child care options and it does need to be addressed, though she hadn't seen creative solutions for it. Increasing insurance costs associated with child care centers need to be addressed, Perry added. Jones followed by noting larger businesses have begun offering onsite child care options.

Another audience question noted child care providers often don't speak to legislators in a unified way. Bannon said state associations for the education of young children and family child care groups can speak with one voice. She added her home state of Colorado has early childhood groups at the county level.

NCSL Panel Details Broadband Expansion Efforts, What's to Come with BEAD Funding

BOSTON -- A National Conference of State Legislatures (NCSL) panel on "the path forward" for universal broadband access covered what states have been doing and changes made under the Trump administration. It had Washington Rep. Cindy Ryu, West Virginia Delegate Daniel Linville, Maine Connectivity Authority President Andrew Butcher and former U.S. Department of Agriculture Missouri State Director Janie Dunning on the panel, with Pew Charitable Trusts Manager Jake Varn moderating.

Varn explained the Pew Charitable Trusts' efforts and said he works on its broadband access initiative, largely focused on state programs. He noted there has been a dramatic increase in the importance of state broadband programs and staff over the past five years. That has brought tremendous strides in broadband access, he continued, but the panel focused on "caveats" for that progress.

Those included challenges with broadband offices implementing federal programs, fluctuations in federal policy, public knowledge about safely using the Internet and affordability.

During panelist introductions, Butcher explained the specific work of the Maine Connectivity Authority and how states receive federal funds in general. That involves the Broadband Equity Access and Deployment (BEAD) Program, which

underwent changes in June to require final proposals in September. Butcher said that amounted to “two years” of work in two months, and noted demands for connectivity will increase in the future.

Linville detailed work he led in West Virginia to improve regulation on pole attachments and state-owned right-of-ways to support Internet expansion, adding that the state received \$1.2 billion through BEAD on the strength of its submitted maps.

Dunning, who described herself as a “recovering federal employee of 49 years,” said how states benefit from BEAD depends on the level of work by their legislatures and broadband offices. Ryu described how Washington state is receiving \$1.2 billion through BEAD, which was more than expected. She also talked about the importance of right-to-repair legislation for connected devices and building digital literacy skills.

In response to Varn, Ryu added she grew up in a rural area and considered schools “the great equalizer” that enabled her and her brothers to become homeowners. She also described the presence of the digital economy there and the importance of having students be skilled in technology. Digital access is now needed for other activities that all age groups engage in, Ryu continued, and she advocates for them.

Butcher also described a trip he took across Maine as part of his role in order to amplify successes and the progress that has been made. He described it as a way to stop and listen, saying he’s concerned increased digital connection leads to less personal connection.

Dunning also described the importance of state and local input in programs, rather than one-size-fits-all models or the federal government’s telling them what to do.

Linville explained technical details about pole attachments and government-owned right-of-ways, and what he has done through legislation to support more Internet access in regard to them. He also talked about concerns on potential locations of artificial intelligence (AI) data centers, saying that with enough Internet access they can be located in more rural areas where people want them. West Virginia is trying to lead on ensuring that, Linville continued.

In response to Varn’s question about a close-out message to legislators, Dunning said the need for state broadband offices is just beginning, rather than ending. She also raised concerns about how changes in the program enable Internet Service Providers (ISPs) to remove a high-cost location as part of their bids. That leaves those who are removed “out in the cold,” she continued.

Butcher added to her point that state offices can challenge providers on what else they would do to help the community and compel them to support the locations they are committed to under the bid.

Ryu followed by talking about educating legislators and providers through a state conference on Internet service and the creation of a Broadband Caucus in Washington.

NCSL Leadership Discusses Federal Actions on AI Regulation, Cryptocurrency, Broadband Expansion

BOSTON -- National Conference of State Legislatures (NCSL) Senior Legislative Director Barrie Tabin and Senior Federal Affairs Counsel Susan Parnas Frederick discussed the ramifications for states of recent federal action on technology in an NCSL summit discussion this week. Connecticut Senate Deputy Majority Leader James Maroney moderated their panel and offered his own thoughts.

In opening the panel, Maroney said the federal passage of technology law was a rare event this year. Tabin followed by discussing the “Take It Down” act criminalizing the publication of non-consensual intimate images and requiring websites to create procedures to promptly remove it. She said that had bipartisan support and was backed by NCSL.

Maroney then said there had been potential for comprehensive legislation on artificial intelligence (AI), but that has shifted. He turned to the proposal to set a 10-year moratorium on state and local regulation of AI as part of the reconciliation package that was ultimately dropped, noting that could resurface in the future. Tabin discussed that further, crediting Frederick for advocating against it on NCSL’s behalf.

She noted that given the conversation around the AI moratorium, she would’ve expected more of a push for a broad federal package but she doesn’t see that happening. Tabin also said she expects the effort to limit state regulation will return and that the absence of federal law will be brought up again. She added it makes one wonder if the goal is just to preempt state laws on AI.

Frederick said there may be a congressional AI working group set up in the fall, when appropriations bills will also surface. She added that the absence of any federal regulation on AI helped state groups get the proposed moratorium language removed.

Maroney said he’s heard that the moratorium may be revived as part of the budget or National Defense Authorization Act (NDAA), or as a standalone preemption bill with voluntary

compliance to a set of standards. He asked the panelists what they would recommend to legislators in that event, noting a study found 149 laws in 40 states would've been preempted under the moratorium.

Tabin noted how the budget reconciliation required only 50 votes in the U.S. Senate and a standalone bill would have even more difficulty getting enough support. She questioned why that route would be taken unless it had carveouts which would undermine the intention of a moratorium. Tabin then discussed the Trump administration's AI action plan, particularly how it urges withholding federal funds from states with "overly burdensome" AI laws.

Maroney then asked about leveraging federal funds for their constituents. Frederick talked about limits on how federal funds can be used in line with administration priorities and the lack of a current definition for "unduly burdensome." Tabin added NCSL's education group has been looking closely at this as well and will release more information shortly.

Maroney then moved on to discussing federal legislation on privacy, including the Kids Online Safety Act (KOSA) and Children and Teens' Online Privacy Protection Act (COPPA) from last year. Senate legislation had combined the two, but Frederick said that was not as palatable in the House. A second version of COPPA has been offered this year with certain updates to better protect youth online, she continued. Frederick also discussed NCSL's opposition to the idea of creating a private right of action around this, saying they consider state attorneys general better suited for enforcement. A private right of action is not in the bill.

In response to Maroney, Frederick said there is appetite in the House and Senate for legislation on consumer data privacy and NCSL has submitted comments seeking for that to be based on the best state legislation. She also noted there is a patchwork of state laws which are currently challenging for business groups so a federal baseline is appropriate, though states should be able to be stricter if they want.

They received a U.S. House response on Aug. 1 seeking an in-person meeting, which Frederick hoped would be in the next one or two weeks given NCSL's summit. She added U.S. Sens. Marsha Blackburn (R-TN) and Amy Klobuchar (D-MN), chairs of the Senate Judiciary Committee's Privacy, Technology, and the Law Subcommittee, have a strong desire for comprehensive data privacy legislation though that has not been drafted yet to her knowledge. Frederick also quoted Klobuchar saying that data is both gasoline and the engine for AI models, and the demand for people's data is skyrocketing as a result.

That means privacy and AI are "now perhaps inextricably linked together," Frederick continued, and this could mean a comprehensive data privacy bill is the vehicle for AI provisions.

Maroney discussed the importance of communicating with federal legislators on bills they do and don't want to pass, including how bills can use state law as an inspiration and pointing out which would be preempted through the 10-year AI moratorium.

The panel also discussed federal legislation on cryptocurrency, with Tabin explaining the GENIUS Act that established a federal payment framework for stable coins and became law with bipartisan support. She said NCSL was opposed to a specific provision granting an uninsured bank broad authority to engage in money transmission and custody activities, given how that affects state regulatory authority.

Tabin noted the uncertainty around what will happen with the House-passed CLARITY Act in the Senate as well. It establishes a dual regulatory framework for digital assets by dividing oversight between the Securities and Exchange Commission (SEC) and Commodity Futures Trading Commission (CFTC), while broadly preempting state laws governing the offer and sale of digital commodities.

Maroney then brought up the Broadband Equity, Access, and Deployment Program (BEAD) program, with Tabin explaining how it was overhauled in June by the National Telecommunications and Information Administration (NTIA), voiding all previously approved final approvals and setting a new deadline of Sept. 4, though some states are seeking extensions. Other changes included removal of requirements on labor, climate and diversity, equity and inclusion (DEI), as well as preventing states from setting the price for a low-cost service option. Tabin said NCSL is working with the National Governors Association on this topic and they've made good progress in getting more information about the changes.

In response to an audience question about whether a new attempt at an AI moratorium could affect data privacy laws at the state level, Maroney said he was concerned about that and the original proposal would have definitely drawn them in. Tabin said NCSL's position was it could preempt "everything and anything" states are doing, given the lack of certainty. Frederick also discussed the wide range of state officials who had opposed the prior proposal, saying it was a cohesive effort she hoped could be applied to other issues. Maroney also noted the number of governors and attorneys general who opposed it.

Asked what a think tank's researchers should focus on in policy briefs, Maroney said more data is needed on the effects of AI on employment, and that upskilling and reskilling is critical for the future. He also noted women currently hold more jobs at risk of automation than men. The effects of chatbots on children and seniors also need to be examined, he continued. Maroney added that small businesses need help in adopting AI as well.

Tabin and Maroney encouraged individual legislators to get involved in NCSL's efforts on these topics.

Panel Discusses Advanced Air Mobility Opportunities; Challenges on Infrastructure, Workforce

BOSTON -- The National Conference of State Legislatures (NCSL) summit included a panel on advanced air mobility (AAM) challenges and opportunities, including how federal and state governments can support industry.

Panelists included Hawaii Senate Assistant Majority Whip Chris Lee, Oklahoma Senate Majority Assistant Floor Leader Paul Rosino, Massachusetts Department of Transportation Chief of AAM Integration and Strategy Robin Grace and Vertical Aviation International (VAI) Manager of Government Affairs and Regional Relations Katia Veraza. It was moderated by Utah Senate President Pro Tem Wayne Harper, who also serves as president of NCSL.

Harper described AAM as a growing issue that states are looking to prepare for and said that in Utah, two companies are using it for package deliveries, with one focused on medical deliveries. He also noted six states -- Ohio, Arizona, Arkansas, Florida, Oklahoma and Utah -- recently enacted legislation on AAM, including infrastructure regulation and integration of AAM technology. Harper gave further details on Utah's legislative actions on AAM and drones, including review of its existing laws and help for local governments and businesses when it comes to drafting rules. They are also funding electric aircraft charging stations in the state.

Rosino said Oklahoma is doing "a whole lot of good things" in aerospace and aviation, which is one of their main economic sectors. He has pushed them to do more since joining the Oklahoma Legislature, including creating a standalone agency to improve aviation and providing direct funds to it. Rosino said if states are not moving forward with aerospace and aviation, they will fall behind. He added Oklahoma also has five military bases that are using this technology, along with its tribal nations.

Grace detailed a Massachusetts task force helping ensure they do not fall behind either, including creation of a road map for the future. It has six focus areas -- establishing an AAM innovation complex, building workforce development pathways, enabling routine cargo delivery, advancing multimodal passenger service, designing clean energy hubs, and launching community engagement campaigns. Grace detailed the importance of community engagement in particular, saying the 2026 FIFA World Cup will be held near Boston and that provides a "great opportunity" to show the local and global population what's happening.

Lee talked about how AAM can help with travel between Hawaii's islands for people, goods and medical supplies. It can also help with intra-city travel and reduce ground traffic congestion, he added. They will be identifying power and permitting needs for vertiports in Hawaii to "untangle" the bureaucracy industry faces, with an end goal of having several potential sites available to them in a few years. Shifting to the electric aircraft rather than traditional helicopters will lower the resulting noise, Lee added.

Veraza described how her organization rebranded from Helicopter Association International two years ago to its current name, which includes AAM concepts such as eVTOL aircraft and drones. She also described a showcase event they put on, which this year included Joby Aviation as that is "closest" to certification.

Asked about future AAM usage in their location, Lee discussed emergency medical service, tourism flights and transporting packages that are time-sensitive.

Rosino commented on Oklahoma's rural nature and said AAM is useful for moving pharmaceuticals, particularly to rural residents who struggle to get around; and for e-commerce. He is also working closely with the state universities to build additional AAM infrastructure.

Grace talked about how package and medical delivery are "more imminent," saying local hospital systems are looking at that. Organ delivery for the East Coast and Midwest is another use being explored. The charging stations for those drones would be available to electric cars as well.

Harper followed by discussing issues Utah had hosting the 2002 Winter Olympics and said AAM could be helpful in enabling people to go to its ski resorts. He then turned the panel's topic to the Federal Aviation Administration (FAA).

Rosino said Oklahoma is "blessed" by having 5,000 FAA employees working at a facility in his district so he is in regular communication with them. The FAA has pushed Oklahoma to build out its programs and is willing to work with them, he continued.

Grace said Massachusetts engages with the FAA in multiple ways, including on airport funding and on its national strategy for AAM that is expected later this year. She also detailed multi-state efforts and how aviation has traditionally been funded by gas or fuel taxes that won't apply to electric-powered aircraft.

Lee said Hawaii has had a number of conversations with the FAA, including potential changes to flight routes over the state which he hoped would be adjusted to incorporate AAM activity.

Veraza talked about how VAI has a long history of working with the FAA on a variety of issues, including AAM, and has monthly meetings with FAA officials. It also provided input to FAA changes for vertiports and heliports and other regulatory items. She added VAI is “quite involved” in congressional activity around the FAA and air traffic control (ATC) modernization efforts, including adjusting ATC for future aircraft.

Veraza described her specific role focused on states, including legislation that would be beneficial and reaching out about bills that would have a negative effect. She further discussed defending current airport infrastructure and work to showcase AAM technology through demonstration flights.

Harper then asked about protection of state airport infrastructure. Rosino highlighted legislation in Oklahoma and how they set parameters to build vertiports in terms of necessary power and infrastructure.

Grace said the 35 public use airports in Massachusetts are very important and the state’s general aviation airports also provide infrastructure to AAM. She added her staff encourages communities to understand the benefits of AAM and avoid closing airports.

Lee said Hawaii is working to identify sites that aren’t airports but can still be useful to AAM, such as its harbors, and to help prepare them for the future.

Regarding infrastructure, Veraza discussed how 96 percent of U.S. heliports are privately owned and the publicly-owned ones are often at threat of closure. She also pointed to how zoning regulations differ for localities and the effect that has on vertiport integration, encouraging states to pursue uniformity.

Harper said Utah acknowledged that for its local governments and created a toolkit on local regulations, which has received a favorable response.

In response to an audience question on when this technology will actually be operational, Veraza said it is underway in other nations, including China. Activity around the FAA has slowed the process, but she said Joby is in the last phase of certification and looks increasingly viable. Given that, people are preparing for it and the “one shot” available for AAM implementation and making people feel safe. Veraza also pointed out how it will not proceed directly to passenger transport, instead starting with packages to rural areas and medical deliveries.

Rosino commented that states that aren’t prepared will fall behind and Grace discussed the low level of public awareness at the moment. Lee noted the existing helicopter industry in Hawaii, particularly for tourism, and said AAM can provide safer operations along with lower noise.

Another question focused on energy needs for AAM and vertiports. Grace discussed the increasing overall grid demand, saying it is a problem that needs more study. Lee brought up how technology is changing rapidly in terms of energy demand, pointing out a quickly-recharging ferry in Norway.

Rosino discussed what Oklahoma is doing on energy needs in general, saying electric prices are cheap but the infrastructure needs to grow. Veraza followed by discussing how electric aircraft will each have their own power requirements and the rise in electric vehicle infrastructure demands, while also noting firefighters need to train differently for fires involving the batteries in electric air and ground vehicles. She said the idea is that these aircraft could continually be human-controlled, either by an onboard pilot or one on the ground, rather than flying autonomously.

Responding to a *Hannah News* question on how AAM will require a workforce for pilots, manufacturing and in maintenance, Rosino talked about what Oklahoma has done to build out its aircraft maintenance, repair and overhaul (MRO) workforce for years and the importance of engaging with young people about those career fields early-on. Oklahoma’s actions include an aerospace engineer tax credit, he added.

Grace talked about the importance of upskilling, given how the technology will change. Lee expressed general excitement about the associated increase in jobs. Veraza told *Hannah News* this will bring a need for more workers and she’s concerned about the ability to fill the jobs, saying the rotorcraft industry already faces workforce challenges due to young people focusing on commercial airlines.

Asked about ATC changes and regulation, Grace described how now represents an opportunity for ATC modernization. Veraza said state departments of transportation and legislators should give the public more information about what is coming through AAM.

Former High Court Lawyer, Law Professor Breaks Down 2025 Rulings, Future Briefing in Louisiana

BOSTON -- The founder and former editor of SCOTUSBlog and onetime counsel before the U.S. Supreme Court summarized the most important cases decided during its 2024-25 session Tuesday, including the Court’s newly minted order in the *Callais v. Louisiana* redistricting case and Justice Ketanji Brown Jackson’s 9-0 opinion affirming the reverse discrimination complaint in *Ames v. Ohio Department of Youth Services*.

Days before blogger Amy Howe of “Howe on the Court” spoke to the National Conference of State Legislators (NCSL) Legislative Summit in Boston, the U.S. Supreme Court on Friday issued a 132-word order in *Louisiana* instructing all parties to fully brief the following question in the coming weeks:

“Whether the state’s intentional creation of a second majority-minority congressional district violates the 14th or 15th Amendments to the U. S. Constitution.”

The 14th Amendment preserves civil rights by guaranteeing equal protection under the law, while the 15th Amendment protects citizens’ right to vote without deference to “race, color or previous condition of servitude.”

Howe said the state of Louisiana had created two new “safe” Black districts -- one stretching over 200 miles from its northwest to southwest regions -- that complainants had called “racial gerrymandering.” She noted *Callais v. Louisiana* had been argued in March and eyed for a decision before summer break. Speculation has swirled since. With much at stake, the high court asked litigants to file “supplemental” briefs on the foregoing question incorporating the much longer page length of briefs “on the merits.”

“Did they run out of time?” Howe wondered of the delayed decision.

Pundits have stated that, should the Court overturn the concept of safe legislative districts as one based on race or ethnicity rather than politics, Congress could assume a very different partisan alignment.

As Supreme Court appellant, the state of Louisiana must brief the question by Wednesday, Aug. 27. Phillip Callais and other complainants must file their brief by Wednesday, Sept. 17, with reply briefs from both sides due Friday, Oct. 3. *Amicus* or “friend-of-court” briefs are also expected from various parties.

In *Ames*, Howe said an Ohio Department of Youth Services (DYS) administrator, Marlean Ames, claimed she had been passed over for promotion and ultimately replaced by two members of the LGBTQ+ community. (See *The Hannah Report*, 10/11/24.)

After the 6th Circuit Court of Appeals ruled for DYS, Justice Jackson wrote in June that reverse discrimination is not an antidote to historical or perceived discrimination. All justices joined her, and Justice Clarence Thomas -- the Court’s other Black member -- wrote in concurrence.

Oversight Not Just Responsibility of Oversight Committee, Legislators Say

BOSTON -- Nebraska Legislature Speaker John Arch said at the National Conference of State Legislatures (NCSL) that powerful oversight committees cause the rest of the legislative body to cut oversight out of their everyday responsibilities.

However, Arch said the issue of oversight needs to be emphasized to chairs of policy and appropriations committees as an aspect that needs to be part of their work.

In Nebraska, they have one inspector general (IG) for child welfare and one inspector general for corrections. Arch said under this structure, the child welfare IG should be going to the Health and Human Services Committee to communicate issues they’ve seen that need to be addressed.

“That isn’t the Oversight Committee’s job to do that. The Oversight Committee doesn’t have bills, they don’t have hearings, that isn’t what they’re doing,” Arch said.

He said when policy or appropriations committees view oversight as “not their job,” then they’re constantly processing new policies and new ideas without reviewing existing policies.

Arch said the goal of oversight in the Legislature is to legislate and appropriate according to their state constitution.

“We have constitutional authority in our state constitution that says, for anybody we fund, we can ask any question we want. We can get information that we need to legislate and to appropriate,” Arch said. “They need to provide us with that information so that we can make good decisions, and we can fund well, and we can develop systems that support.”

Vermont State Rep. Emilie Kornheiser said in the past, her Legislature had a Joint Government Accountability Committee that didn’t have the sustained power attached that it needed to succeed long term, which resulted in newer members being assigned to it.

“It was often an assignment for newer legislators who someone thought needed a little bit more to do because they had a lot of energy, rather than the folks who had persuasive and positional power with their colleagues and outside agencies to really get something done and make change,” Kornheiser said.

Vermont has an elected auditor that conducts financial and performance accountability audits, but Kornheiser said when she got to the Legislature and was appointed to the Joint Government Accountability Committee, no one was listening to the auditor.

“He writes great reports; very few of us read them. He sends angry emails; very few of us do anything about them. He testifies; we look in the other direction,” Kornheiser said.

By that point, the auditor’s outcomes report didn’t resonate with legislators that had no background in this type of oversight, so they didn’t know what questions to ask. Laminated cards placed on members’ desks told them what to ask, like “how much did we do? How well did we do it? Is anyone better off?” which Kornheiser said are the wrong questions to ask about population-level indicators.

Kornheiser said accountability and oversight metrics weren’t being folded into the legislative process.

Melissa Leoni, principal legislative analyst for the Oregon Legislature, said when restructuring their oversight process, a workgroup of three Democrats and three Republicans wanted to develop a culture where the legislative branch understood its responsibilities to perform bipartisan, productive and non-adversarial oversight without “gotchas.”

Leoni said the workgroup wanted to look at grants and monies that go out, embed oversight mechanisms in legislation, and connect audits to the budget process and policy committees to incorporate audits into policy discussions.

“From the beginning, they wanted to establish a practice of having regular committee oversight, where committees are focused on legislative oversight and not just passing bills,” Leoni said.

Self-Care: Mission Critical at NCSL

BOSTON -- In the political world, self-care and work-life balance are concepts that can become lost in chaos of the Capitol, especially during marathon sessions or long election nights. The National Conference of State Legislatures (NCSL) dedicated time during its summit to address burnout in legislators and their staff and how to prevent it with self-care.

Mark Quiner, director of the NCSL Center for Ethics in Government, told session attendees that self-care isn’t a self-indulgent habit; rather, it’s a healthy way to promote well-being and reduce stress.

Quiner read a list of misconceptions of what self-care entails: overspending, binge eating, instant gratification, expensive and lavish vacations, numbing bad feelings using alcohol or illicit substances, binge watching TV and more.

He said what self-care actually is, though, is the prioritization of physical and mental health, adopting healthy lifestyle habits that can be maintained long term, eating a balanced diet,

finding exercise activities to enjoy, getting adequate amounts of good quality sleep, following treatment plans for existing health conditions, taking time for yourself, and participating in healthy activities you actually enjoy.

It matters, Quiner said, because taking care of oneself promotes overall wellbeing, helps prevent disease, positively impacts physical, mental and emotional health, helps you to perform your best, promotes self-confidence and awareness of personal needs, bolsters resilience, and boosts energy.

A lack of self-care can lead to burnout, which entails physical and mental exhaustion and questioning purpose or loss of identity, Quiner said.

“Has anybody ever been so tired during a legislative session going, ‘I don’t think I can tell you who I am, I forgot my name?’ Haven’t we all?” Quiner said.

Quiner had participants fill out a worksheet that asked respondents to reflect on how they are doing professionally, physically, spiritually and emotionally.

Professional health and growth can be achieved by developing new skills, taking classes, reading, taking breaks and rewarding yourself, recording and celebrating successes, seeking out a mentor and growing your network.

“If you’re legislative staff in the room, do you have any control over your work environment? Legislators, when session hits and you’re gavel-to-gavel, it’s exhausting. And often, you’re just going so fast, you don’t even have the time to pull aside and think about where you are,” Quiner said.

For physical health, Quiner emphasized awareness of exercise, food, alcohol and sleeping habits. “I’m sorry, those of you who love to burn the candle on both hands, stop it,” Quiner said.

He recommended 7-8 hours of sleep every night, exercises that can be incorporated into your life long-term, eating a healthy diet and drinking alcohol in moderation, especially in the political sphere where drinks flow like a river.

To prevent burnout, having a sense of purpose and feeling like you and your contributions matter plays a big role, Quiner said. It doesn’t have to be religious spirituality, though it’s a popular option, but intentional reflection through journaling, prayer or meditation are good practices to achieve spiritual health, Quiner said.

Lastly, personal growth comes from taking sufficient breaks from work, whether that be setting aside time for a lunch break or taking time off, unplugging from technology, and setting specific, measurable, achievable, relevant and timely (SMART) goals that can be rewarded and celebrated.

“We at NCSL see what you do. We value you and we think you’re worth the self-care, so do it,” Quiner ended.

States Face Choices, Questions on Scholarship Credit; Huffman Bullish on Effects

BOSTON -- The One Big, Beautiful Bill included new tax policy promoting school choice, but a lot of implementation questions won’t be answered until federal regulators fill in the details, a National Conference of State Legislatures (NCSL) policy specialist said during a Legislative Summit discussion. House Speaker Matt Huffman (R-Lima) told *Hannah News* he sees it as highly significant.

Emily Katz Sayag, associate legislative director for NCSL, gave an overview of the new federal tax credit for donations to scholarship granting organizations (SGOs), set to take effect in 2027. It will provide a dollar-for-dollar credit up to \$1,700 for donations to nonprofits that fund scholarships.

Katz Sayag reviewed the criteria for SGOs and families, including a household income limit of 300 percent of the area median income (AMI). She cited Urban Institute estimates that show about 90 percent of U.S. households fall under that threshold.

“While this is not a fully universal eligibility, it is quite close to that,” she said.

Qualifying criteria for SGOs include providing scholarships to at least 10 students who do not all attend the same school and spending at least 90 percent of revenue on scholarships, she said.

States must opt into the program, and the federal credit interacts with any state-level credits – Ohio has one created in the FY22-23 budget, 134-HB110 (Oelslager) – including a reduction in the federal credit amount to correspond to state-level credits.

But some key questions remain about how those state credits will interact with the federal policy. Those include how much influence states have over administration of the credit, who is responsible for overseeing SGOs, and how much money families will receive in scholarships.

“Unfortunately, we don’t have the answers to all of these right now ... the information in the statute is somewhat limited on a number of these topics,” Katz Sayag said.

Other elements of the federal legislation expand how much money and for what purposes families can draw money from their 529 accounts for K-12 expenses, and make permanent laws on ABLE accounts that otherwise would have expired, she said.

Speaking to *Hannah News* following a different NCSL session, Huffman said he got “an incredible response” from private schools when Ohio created its SGO program, and the federal policy will amplify its effects.

“I can put money in this and it doesn’t cost me anything – a credit versus a deduction,” he said.

“There are a lot of people who don’t owe states tax. Think of the BID [business income deduction] folks. But they do owe federal taxes. And so I think this is going to be the biggest increase in school choice in the history of the country, where there are going to be billions of dollars going directly from this individual to that school where there wouldn’t be [otherwise], because they’re incentivized now to do it,” he said.

Huffman said he expects Ohio will elect to opt in to the federal credit.

“I think the Legislature would be for it. I think Gov. DeWine would be for it,” he said.

The session also included an overview from NCSL’s Lauren Gendill, a policy analyst, on new education policy resources NCSL offers to provide an overview of various states’ laws on school choice topics from charter schools to SGOs to open enrollment to vouchers to education savings accounts.

The resources are available [HERE](#).

CDC Leader Touts Overdose Death Reductions; NH Lawmaker Slams Trump Cuts

BOSTON -- The U.S. saw a sharp decline in overdose deaths in 2023 and the downward trajectory has continued into 2025, according to Allison Arwady, director of the National Center for Injury Prevention and Control at the U.S. Centers for Disease Control and Prevention (CDC).

When looking at the latest available provisional data – numbers from February 2024 to February 2025 – the U.S. has experienced a 25.9 percent decline in overdose deaths, Arwady told attendees of the National Conference of State Legislatures (NCSL) Legislative Summit’s panel on the “evolving overdose crisis.”

“Most of you who work in this field know we’re often aiming for a 5 percent or 10 percent drop in these leading causes of death. To see a 25 percent drop in a year is an incredible improvement,” Arwady said, noting CDC is now updating its provisional overdose fatality data every month, with a four to six month delay.

The provisional data show that 46 out of the 50 states saw overdose death declines from February 2024 to February 2025.

According to the data, Ohio saw a 33.6 percent decrease in overdose deaths over that time period. Other states seeing decreases were Indiana (23.6 percent), Illinois (28.5 percent), Kentucky (28.7 percent) and South Carolina (31.3 percent).

The four states with increases were Nevada (3.1 percent), Hawaii (2.4 percent), Arizona (1.5 percent) and Utah (0.6 percent).

Arwady said the CDC is also seeing a decrease in non-fatal overdoses, and a drop in recreational drug use among high school students.

“An overdose death is a tragedy. A non-fatal overdose is an opportunity,” she said. “It is an opportunity to get someone connected to treatment. It’s an opportunity to reach their family members. It’s an opportunity to reach their community members. It’s an opportunity for us to know how the threat is changing, and how we change our response at the local and state level.”

Arwady noted that fewer users are injecting drugs, and more are smoking substances with fentanyl added. She said fentanyl is also being pressed into different types of pills sold on the Internet, so it’s possible for individuals to believe they are buying drugs like Adderall or Xanax, but are really buying pills with often fatal doses of fentanyl included.

Also speaking during the session were West Virginia House Speaker Pro Tem Matthew Rohrbach and Massachusetts Sen. Julian Cyr.

Rohrbach said his state has experienced a reduction in overdose deaths following the implementation of a variety of policy changes, including a K-12 drug awareness program, rapid response teams, increased use of drug courts, more opportunities to expunge non-violent felonies, and increased use of fentanyl test strips and naloxone.

Rohrbach also encouraged everyone to think about drug addiction as a “medical problem,” and to avoid being judgmental of those who are struggling.

Cyr agreed, saying his state has focused on “meeting people where they are,” employing a variety of harm reduction strategies. He said policymakers are currently working on opioid overdose prevention centers, which would provide a safe place for individuals to use drugs while providing opportunities for treatment.

“Rhode Island is successfully doing this and has really good data around this. New York City is successfully doing this. I’ve been to overdose prevention sites in Portugal as well, and have seen how this works,” Cyr said. “This includes not only injection drugs, but smoking, which we see as an increasing way that people are using in this polysubstance epidemic. So we’re trying to think about this broadly, not only just having a center or centers, which may run us into trouble with our U.S. attorney currently, but how do you provide liability protections for providers? How can local governments and local boards of health innovate here and provide harm reduction strategies?”

New Hampshire Sen. Debra Altschiller said she is “thrilled” that President Donald Trump has apparently told the CDC that reducing overdose deaths is a priority, but is angry about a recent executive order that clawed back millions of dollars her state was using for harm reduction efforts.

“That’s hit our state incredibly hard. We can’t do prevention education, harm reduction and address substance use disorders without money. Volunteers only go so far. Doctors need money. Public health professionals need to be paid. We need checks, not just words from the administration,” Altschiller said.

“I hope that you’ll use your position to encourage the White House to restore that funding and to retract that executive order that threw all the burden of substance use disorder on -- blamed it on homelessness,” she continued. “I think that there’s a disconnect between the work you’re doing and what you’re telling us the administration is telling you, and what we’re seeing on the ground in our states. I just wanted to make sure that we level-set. We can be innovative and creative and out of the box, but you can’t do it until you pay people to do it.”

Altschiller’s comments prompted applause from those attending the discussion.

Arwady said she agreed that financial resources are necessary to address the issue.

“The declaration of the public health emergency means that this is an emergency, this is a topic that needs focus, that needs resources, and a lot of what we’ve been doing with the new administration is making sure they have a good understanding of why we are making progress as a country, that now is not the time to take our foot off the gas with an ongoing public health emergency,” Arwady said.

NCSL Panel Examines the Dilemma of Property Taxes

BOSTON – Unlike any other tax issue that lawmakers tackle, Vermont Rep. Emilie Kornheiser said the work around property taxes is emotional.

“I love my home,” Kornheiser said during a panel at the National Conference of State Legislatures (NCSL) annual meeting in Boston. “I love it like a person sometimes. I don’t feel that way about my bank account or my paycheck or really anything else in my life that’s tied to dollars. I know that’s not just true for me, it’s true for my constituents, so the work is very emotional. The property valuation is very emotional, the property tax bill is very emotional, and sort of the risks that our constituents feel around property taxes can be very emotional, so it makes this work much harder and it makes having conversations about the precision and the stability of the tax code feel even more tone deaf than some other tax policy conversations can feel, which are often tone deaf.”

Bethany Paquin, senior research analyst, Lincoln Institute of Land Policy, a nonprofit that seeks to improve the quality of life through the effective use, taxation and stewardship of land, set the current landscape around home values and property taxes across the country. She said states across the country experienced record home price growth between 2020 and 2022, and prices have continued to rise since then but at a more moderate pace.

Before accounting for inflation, she said housing prices grew 45 percent nationally just between 2020 and 2022. And even after adjusting for high inflation, prices grew about 25 percent on average nationally. Many states, especially in the Mountain West and South Atlantic regions of the country experienced even higher increases, she said.

“Higher appreciation in home values boosted homeowners’ wealth, but it also fueled concerns about rising property tax bills,” Paquin said, adding that property taxes have also risen since 2020 but not at the same pace as housing prices.

In 2019, she said the average property taxes paid on a median-valued owner-occupied home in the U.S. were \$2,578. By 2023, the median property taxes paid were \$3,057. The increase was on pace with inflation.

She said local governments need to adjust property taxes down when property values climb, but she cited a report by one of her colleagues that found the extent to which governments adjust rates in response to changes in the tax base varies a lot by state.

“The rapid rise in home values have fueled demands for relief, and the dilemma is how policymakers can respond to taxpayers’ concerns while preserving the strengths of the property tax, which is the largest source of locally raised revenue for local governments,” Paquin said, citing a statistic that showed in 2022 property taxes accounted for 29 percent of all local revenue and 70 percent of all local tax revenue.

The property tax is the only tax that is imposed in all 50 states, she said, and in many states, it’s the only broad-based tax that local governments can levy. Because the real property tax base, which includes land and improvements, is immobile, it is very well suited for the needs of local governments. While taxpayers can drive to another town or state to avoid a local sales tax, and take their income with them when they move, a homeowner can’t avoid paying property taxes and if they move, the tax base stays in the community.

She said local control is also important. When taxpayers have a say in how their local schools and public services are funded, they are more engaged and more motivated to approve spending that is seen as worthwhile while rejecting wasteful spending, which she said adds to the efficiency of the tax. Another strength is the visibility and transparency of the property tax. In a healthy property tax system, she said taxpayers know how much they pay in property taxes and they see a connection between the value of their home, what they pay in property taxes, and the public services they receive.

Paquin also pointed to the stability of the property tax, with revenues “remarkably stable” over the business cycle compared to other broad-based taxes, such as sales and income taxes that often see declines in recessions.

Looking at what states have done to address property taxes, she said states expanded relief programs in 2021, 2022, and 2023. As state revenue growth slowed in 2024 and federal pandemic aid dried up, states have continued to enact property tax relief.

“A handful of states have even seen efforts to eliminate property taxes, but so far, none of those have been successful, and the prospect of shifting to another state or local revenue source to replace property taxes has proven very difficult,” she said.

A number of states have enacted new property assessment limits, while others have enacted new levy limits. Colorado, Maine and Iowa repealed property tax limits, but went on to enact other limits. Other states attempted to enact new limits but did not succeed, and other states amended their tax limits to make them more stringent.

In 2024 and 2025, states responded to demands for property tax relief by both enacting new direct relief programs and expanding programs they already had, Paquin said. Eight states expanded or enacted new homestead exemptions and credits, and six states enacted relief through circuit breaker programs.

She said homestead exemptions and credits, which reduce taxable value for homes by a given percentage are the most common direct form of tax relief for homeowners, existing in 33 states. Circuit breakers are available in 31 states, and she said are cost effective because they target relief to homeowners or renters whose property tax bills or rent equivalent to property taxes are high relative to their household incomes. Most circuit breaker programs tie relief to income using either a sliding scale approach in which households in different income brackets qualify for different percentages of relief, or a threshold approach when property tax bills exceed some percentage of income are offset by some type of credit.

Thirty-one states also allow property owners to defer tax bills so they are not forced out of their homes if they cannot pay their bills. The property tax bill is postponed until the property is sold, and she said the programs are typically available to seniors who have built equity in their homes but have restricted income. She said these programs are unique because they don't reduce revenue for local governments as taxes are paid with interest at the end of the deferral period. However, she said these programs are often underutilized because homeowners want to avoid leaving a burden for their heirs.

States have also turned to truth in taxation requirements, Paquin said, as a means of avoiding "silent" tax increases that occur when valuations rise but local governments do not adjust rates down. The policies require local governments to disclose any increase in property tax revenue, whether that is due to the rate increasing or due to the tax base growing.

Forty-three states impose some kind of limit on property tax rates, levies or assessments, but the limits vary and not all of them are binding. She focused on assessment limits, which she said "profoundly undermine" the strength of the property tax. Assessment limits restrict growth in the values of individual properties. She said 16 states have broad assessment limits.

Paquin said property taxes have a number of strengths that lawmakers should consider when thinking about options for relief. In most states, assessments only get back to the market value level when the property is sold.

"The predictability that assessment limits can provide, especially when paired with a rate limit, might be appealing to taxpayers and policymakers when property values climb, but their unintended consequences undermine the strengths of the property tax, and sometimes even exacerbate the very issues they aim to solve," she said. "Assessment limits cause sharp disparities in the taxation of equivalent properties.

They've greatly reduced the tax burden for long-term homeowners, but new purchasers bear the burden, and that can lead to political upheaval."

Looking at the various solutions, she said homestead exemptions are an example of a policy that addresses concerns without undercutting the benefit of the property tax. Flat dollar exemptions can make distributions of the property tax more progressive.

Kornheiser outlined her state's complete overhaul of its property tax system, saying they could not do any small tweaks because of how the formulas and system were intertwined. That gave them the opportunity to step back and ask what kind of property tax system they wanted.

While there has been some political blowback, she said she believes they have created a system that is much more fair. She also noted they created the system to be tweakable to address issues that may arise in the future.

Where Vermont was able to overhaul its system, Kansas Rep. Adam Smith spoke on efforts in his Legislature that ultimately failed as they could not get agreement between the two chambers.

"We all want to reduce [property taxes], but we all have different ideas on how we will accomplish that," he said.

Labor, Demographic Trends Drive Retirees' Return to Work

BOSTON -- A tight labor market, waning concerns about the COVID pandemic and high inflation are driving more people to leave retirement and return to the workforce – a workforce that will continue to get older in the aggregate as the nation ages.

A National Conference of State Legislatures (NCSL) summit panel explored the effects and possibilities of that trend, featuring NCSL's Angela Rowe, a policy specialist focused on pensions, retirement and public sector employment; Carly Roszkowski, vice president of financial resilience programming at AARP; and Montana Rep. Llew Jones.

Rowe said the changing nature of work makes it easier for retirees to return for part-time, flexible and remote roles. NCSL legislative tracking found close to 100 bills on the subject of reemployment after retirement, with just under 40 enacted, she said.

Jones said the idea of retiring on his own terms crystalized for him in his late 20s, when he and his wife bought a ranch from an older man in dire straits.

"I remember he was leaning on this mailbox, he looked real forlorn, and he said, 'It's a terrible thing to be my age and not know where your next pot of beans is coming from,'" Jones said. "I remember thinking at the time, I want to have the right to retire, I want to have the ability to retire, but I don't want to have to retire ... it seemed like a horrible thought not to know what you're doing tomorrow."

Jones said Montana was losing the talent of veteran public service workers, particularly teachers, who had something to contribute but would face retirement penalties for returning to work. A deputy superintendent went back to work in Wyoming to avoid the penalty, he noted.

"If you went back to work as a teacher, you lost your teacher retirement, so they didn't teach, they found other jobs," he said.

Starting in 2009, Montana passed a series of pilot programs to allow schools to hire retirees if they could show advertising for a position didn't turn up candidates. They had to overcome fears of the retirement system that it would break the system.

"The schools like it ... the folks going back to work like it, and the actuarials worked," he said.

"They're going back into those areas of shortage, often science ... they're often serving as a mentor teacher, they're helping other folks come along and it seems to be working just fine," he said.

"The nation's heading where Montana is. The nation's aging, we're just a little older faster," Jones said.

The Montana lawmaker said the approach has applications in different roles but employers will need to be flexible. A retiree who drove snowplows might be willing to take shifts when needed but not want to sign up for the full-time position.

"You're going to have to change your expectations some. Some maybe want to do some gig work or a certain number of hours, but it certainly makes sense that we use this wisdom that they have to give and creates purpose for the folks who're giving it," he said.

Jones said Montana considered legislation from Oregon and Maryland when crafting its own approach. "You've got to be smart enough to know you don't have to create the wheel," he said.

Roszkowski said that flexibility is valuable to the 63 million family caregivers in the U.S., including the "sandwich

generation" taking care of their own children and their aging parents.

"We're seeing organizations look at caregiving policies or benefits for employees," she said.

Roszkowski said states are also addressing age discrimination as they face this workforce trend. Oregon is the latest state to bar employers from seeking an applicant's age, date of birth or graduation dates at an initial interview, and also removed an age cap on people seeking apprenticeships. Colorado, Connecticut, Delaware, California, Minnesota and Pennsylvania have enacted similar policies, she said.

"We're actually seeing more movement at the state level because of what we're hearing, what we're seeing in our research about the age discrimination numbers in that really critical hiring and recruitment process," she said. Jones said removing apprenticeship age limits could be helpful to getting people retired from various professions to take up teaching, allowing them to get their pedagogy training that way versus in a traditional higher education setting.

Roszkowski said the type of rule-based, repetitive tasks that artificial intelligence can take over will boost the importance of critical thinking skills that older workers have.

Just Cause, Worthy Rival, Existential Flexibility Necessary for Strong Leadership

BOSTON -- Simon Sinek's *The Infinite Game* was inspiration for a discussion on successful legislative leadership, where it was argued that a good leader has a just cause, a worthy rival and existential flexibility.

Curt Stedron, director of the National Conference of State Legislatures' (NCSL) Legislative Training Institute, put Sinek's writing through the lens of political leadership to compel legislators to step out of a finite mindset that is fixated on beating opponents in the next election or in the next debate, and take on an infinite mindset that sees success more long-term.

Sinek defines a finite game as one with known players, set rules and an end point, and an infinite game as one with known and unknown players, rules that change throughout, and an objective to perpetuate the game rather than win.

A state Legislature is a lot like an infinite game, Stedron said, because players are constantly changing via elections, and it's a legislator's job to change the rules by adding, amending or repealing laws. And, there's no endpoint in politics, since there's always another session day, committee meeting or election.

However, in an infinite game, the players that think they're in a finite game end up eliminated.

"Raise your hand if you still have a Whig Caucus," Stedron said to make his point. In politics, there is no being even with an opponent, there is only behind or ahead.

Sinek argues three leadership qualities are necessary.

First, a just cause, which Stedron said should be a cause so noble that you would sacrifice to be a part of it.

Stedron said a just cause is bigger than any singular piece of legislation or election, and it constantly gets closer and closer to the finish line but never crosses it, because there is no end point or way to win.

A just cause is necessary, Stedron said, because it is the inspiration for continuing to make sacrifices.

Second, a player needs a worthy rival. He asked everyone in the room to think of the most annoying freshman legislator in their chamber, and then think about what they could learn from them. As groans rang through the room, one participant answered that what they could learn from their example legislator is how to stop caring about what people think of you, no matter how stupid you look.

Stedron argued that worthy rivals make us stronger, and these opponents aren't as much our competitors as they are teachers.

And last, a leader needs to have the capacity to be existentially flexible. Stedron said this is more than just course correction or trying out a Plan B. Instead, it is the willingness to profoundly change direction to stay on track for moving toward the just cause.

If a cause is just enough, and a rival is worthy enough, then a leader's caucus should be willing to follow their lead through existential flexibility, Stedron said.

Foreign Ag Land Ownership Is Up, China's Is Down

BOSTON -- While foreign investment in U.S. agricultural land has increased in the last 15-20 years, China's share of that has decreased since 2021 from 383,000 acres to 277,000 acres in 2023, said Danny Munch of the American Farm Bureau Federation.

At the National Conference of State Legislatures, Munch reviewed the share of ag land that is owned by foreign nations and. China owns about 0.2 percent of the foreign-owned ag land in America.

Sixty-two percent of foreign ag land is owned by Canada, the Netherlands, the United Kingdom and Germany, Munch said, with almost half of all ag land being forest.

Munch said the reason European countries are largely eyeing property ownership, leasing or use in the U.S. is because they have nowhere else to expand for renewable energy, like solar or wind, and they need to buy cheap land to keep pace with demand.

He did point to areas like the Upper Peninsula of Michigan where 1.19 million acres are owned by foreign countries.

Harrison Pittman, director of the National Agricultural Law Center, said the number of state legislatures proposing policies to regulate or restrict foreign ownership of ag land has increased in the last two years, but the problem with it is developing political consensus on the front end of the bills' development and then keeping it as the bill moves through committees and the chambers.

Pittman also said there's been an increase in policies proposed that target or restrict foreign adversaries from owning land.

Munch said it's important to remember that some of the foreign ag land accounted for in his data is migrant farmers who aren't citizens but have farms here.

Indiana state Sen. Eric Koch, moderating the session, asked the pair what they think about the strategic nature of foreign land purchases, especially from nations deemed adversarial, when those purchases are near military bases or other critical infrastructure. He asked what considerations legislators need to include when they're drafting legislation to regulate, block or restrict these purchases.

Pittman said states are increasingly placing geographic restrictions around military installations.

Munch said any country that buys ag land in the U.S. is self-interested, but some of those interests are to gain cheap land to benefit their energy grid, and others might have adversarial intentions.