

# PERSPECTIVES 2016-2017

---



The Council of State Governments  
Eastern Regional Conference





## From the Director

The 2016 presidential campaign was divisive on many issues, but one area of some agreement between President-Elect Donald J. Trump and Senator Hillary Rodham Clinton was in their disapproval of the Trans-Pacific Partnership (TPP) trade agreement.

The TPP is a 12-country pact negotiated by the United States, Canada, and 10 other Pacific Rim nations to eliminate or reduce tariffs and other barriers to trade. Both presidential candidates opposed the deal, citing concerns about its impact on American jobs and workers. In addition, Mr. Trump reserved particularly harsh criticism for the North American Free Trade Agreement (NAFTA), a bipartisan trade deal signed by Canada, the United States, and Mexico that came into force in 1994.

While no one would dispute that we are living in a global economy, there has been a backlash to international trade because there are winners and losers. Economist Dan Altman stressed this point during his opening keynote address at the ERC 2016 Annual Meeting in Québec. To understand the debate over TPP, we can look back to the debate over NAFTA. Its proponents argued that it would create a new market for U.S. exporters and increase competitiveness, while its detractors claimed that U.S. jobs would flow south into Mexico.

So what have we learned from NAFTA after more than two decades?

Overall, trade did increase. A report from the Council on Foreign Relations found that trade among the three NAFTA countries has grown significantly since the agreement went into effect, from about \$290 billion in 1993 to more than \$1.1 trillion in 2016.

Researchers emphasize, however, that determining how much growth would have happened without NAFTA is difficult, given technological advances, economic conditions, and other factors. According to a 2014 Congressional Research Service (CRS) report, “NAFTA at 20,” the overall net effect of the trade deal on the U.S. economy has been positive but small. The CRS report estimated NAFTA led to a net positive impact on U.S. gross domestic product of “no more than a few billion dollars or a few hundredths of a percent.”

But there is also general agreement that many U.S. jobs were lost as firms either struggled to compete or moved operations across the southern border to take advantage of lower labor and production costs.

Nevertheless, economists are generally supportive of free trade. In March 2015, the chairs of the President’s Council of Economic Advisers under the last six presidents, from Gerald Ford to Barack Obama, wrote a letter to congressional leaders that began with this clear statement: “International trade is fundamentally good for the U.S. economy.” The letter was written to support

renewal of the trade promotion authority that allows the president to expedite (or “fast track”) certain types of trade agreements.

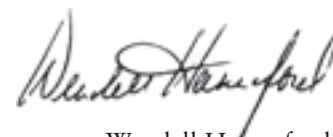
The recent presidential election was a stark reminder that the benefits from international trade deals have not been distributed evenly throughout the U.S. economy. “The problem was that the U.S. did not do enough to help those workers,” said Christopher Sands, director of the Center for Canadian Studies at Johns Hopkins University, speaking during the ERC Annual Meeting. Free trade agreements (FTAs) like NAFTA help many U.S. firms, particularly those that export their products or services. By lowering trade barriers, FTAs help these companies penetrate foreign markets. The U.S. economy benefits because companies that export tend to pay higher wages than firms that do not export.

The harmful effects of trade are concentrated in certain industry sectors, but the benefits of trade are more diffuse. Economic globalization has increased the overall purchasing power of American households by connecting consumers to global markets, bringing greater choice in goods at lower cost. It is hard to imagine consumers giving up these benefits. As Dan Altman noted, trade “helps the winners more than it hurts the losers.”

The challenges that have resulted from the growth of the global economy, and the need to focus on those who have been displaced by globalization, seem remarkably similar to another pressing issue addressed in Québec: global warming.

During a panel discussion on climate change, Dr. Mark Alan Hughes, faculty director of the Kleinman Center for Energy Policy at the University of Pennsylvania, suggested that subnational governments could maximize the effectiveness of carbon-reduction policies by forging strategies to best assist their local economies. Hughes argued that tailoring these policies to address local needs will give them a better chance of being successfully implemented, and will therefore lead to advantages for the planet as a whole. Hughes could well have been speaking on the opening panel on international trade.

Individual state policy makers cannot turn back the clock on economic globalization, but they can put in place strategies to assist their states and communities to better cope with these global forces through programs such as education, skills training, and retraining in expanding industries. As with the environmental challenges we face, policy makers who promote forward-looking policies tailored to the unique needs of our states and communities can insure that the benefits of globalization are shared by all.



Wendell Hannaford  
Director

## Creating Policy Solutions

Since 1933, state officials have turned to The Council of State Governments (CSG) as an impartial source of research and information to help them meet the challenge of governing.

CSG, headquartered in Lexington, Kentucky, has four regional offices in the East, Midwest, South and West.

CSG's Eastern Regional Conference (CSG/ERC) has been located in New York City since 1937. Our team of experienced policy staff support legislative, judicial and executive-branch officials from our 18 member jurisdictions in areas relating to agriculture, criminal justice, US/Canada relations, education, energy and environment, fiscal affairs, health, international trade and transportation.

CSG/ERC facilitates the exchange of ideas among its regional policy committees, promotes networking among members, and conducts fact-based research and analysis to help shape effective public policy.

We also conduct leadership training programs and advocate on the federal level for programs and policies beneficial to our region.

CSG/ERC is here for you. Call, email or visit us online at [www.csg-erc.org](http://www.csg-erc.org).

**The Council of State Governments**  
Eastern Regional Conference  
22 Cortlandt Street, 22nd Floor  
New York, NY 10007  
(212) 482-2320

*Writer and Editor for Perspectives 2016-2017:*  
Rona J. Cohen

### *Contributors:*

Ellen Andrews, Health Care  
Veronique Cavaillier, ELA  
Donald Hannon, Transportation  
Steve Hewitt, Transportation  
Debbie-Ann Paige, Quad Caucus  
Elizabeth Whitehouse, Education

*Cover photograph:*  
Nancy Coatta



## Table of Contents

Health Policy Innovations: CSG/ERC Forum Explores Successes and Challenges in Medicaid Reform .....	4
Planning for the Driverless Cars of the (Not-So-Distant) Future .....	6
In Québec's Breadbasket, Helping Foreign Workers, and Local Farmers .....	8
Eastern Leadership Academy .....	10
Penn Scholarship Helps ELA Graduate Take Leadership Training to the Next Level .....	11
Beyond the Paris Agreement: ERC Members Assess Global Changes, Local Opportunities .....	12
Education Reform Gives Greater Flexibility to States .....	16
Embracing the Public on a Nuclear Waste Storage Solution.....	18
Promoting Environmental Justice, Supporting Local Communities.....	20
The CSG/ERC Annual Meeting .....	24

## ERC Staff List

### Director

Wendell Hannaford  
[whannaford@csg.org](mailto:whannaford@csg.org)

### Agriculture and Rural Affairs

Bob Haefner  
[bobhaefnerjp@comcast.net](mailto:bobhaefnerjp@comcast.net)  
Tara Sad  
[tara.eric@gmail.com](mailto:tara.eric@gmail.com)

**Canada/U.S. Relations Policy**  
Earl Eisenhart  
[eeisenhart@mindspring.com](mailto:eeisenhart@mindspring.com)

**Education Policy**  
Elizabeth Whitehouse  
[ewhitehouse@csg.org](mailto:ewhitehouse@csg.org)

### Energy and

**Environmental Policy; Print and Multimedia Projects**  
Rona J. Cohen  
[rcohen@csg.org](mailto:rcohen@csg.org)

**Health Policy**  
Ellen Andrews  
[Andrews@cthealthpolicy.org](mailto:Andrews@cthealthpolicy.org)

**Meeting Logistics, Program Manager**  
AR Braver  
[abraver@csg.org](mailto:abraver@csg.org)

**Military & Veterans' Affairs and ERC Quad Caucus**  
Debbie-Ann Paige  
[dpaige@csg.org](mailto:dpaige@csg.org)

**Northeast High-Level Radioactive Waste Transportation Project**  
Uldis Vanags  
[uvanags@csg.org](mailto:uvanags@csg.org)

**Research Assistant**  
Jack Aitken  
[jaitken@csg.org](mailto:jaitken@csg.org)

**Trade Policy and Professional Development Training**  
Veronique M. Cavaillier  
[vcavaillier@csg.org](mailto:vcavaillier@csg.org)

**Transportation Policy**  
Steven Hewitt  
[Shewitt109@aol.com](mailto:Shewitt109@aol.com)

Don Hannon  
[DonHannon@iCloud.com](mailto:DonHannon@iCloud.com)

# Health Policy Innovations: CSG/ERC Forum Explores Successes and Challenges in Medicaid Reform

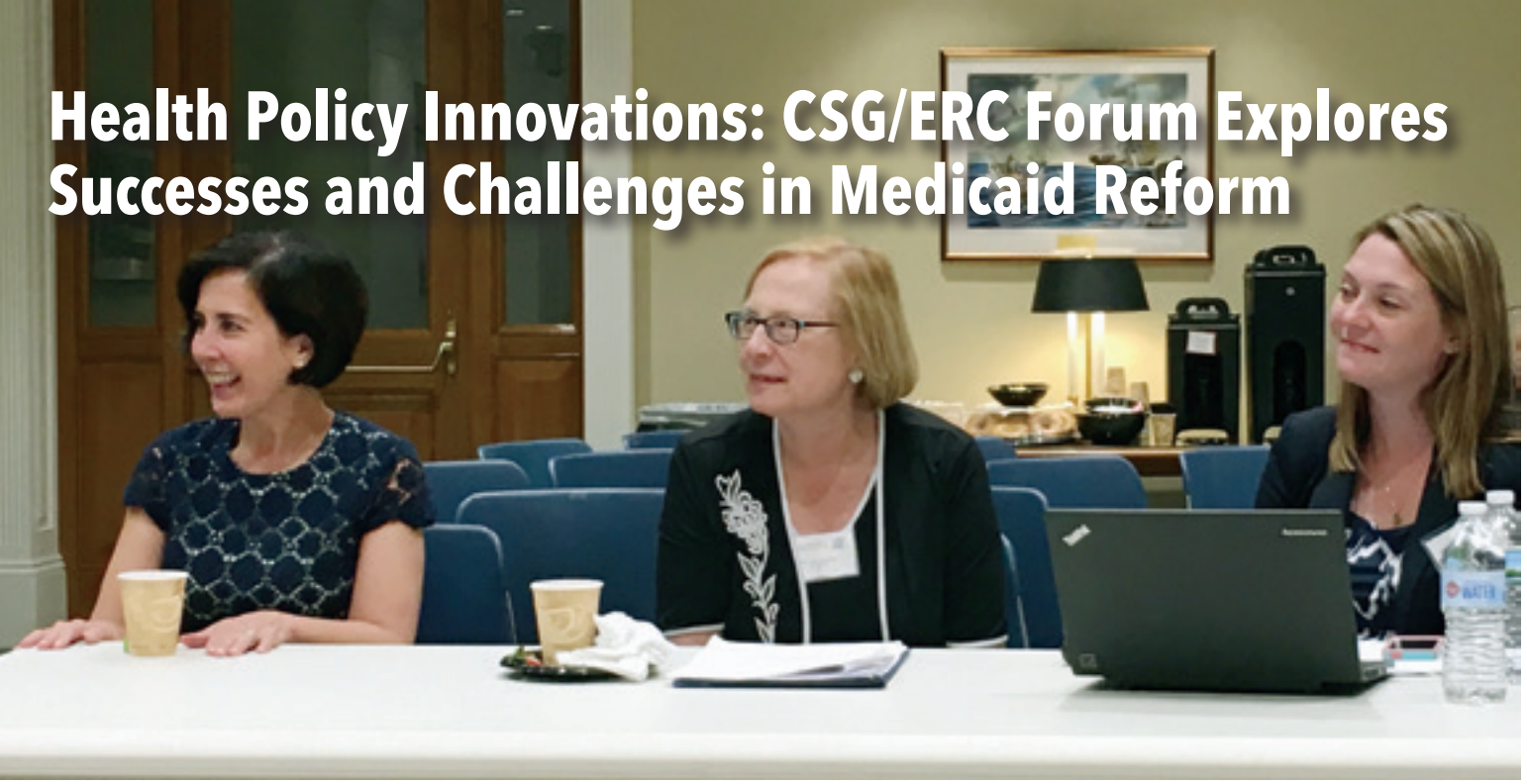


Photo by Rona Cohen

Participants in CSG/ERC's Health Policy Forum in Boston in June 2016. From left to right: Elena Nicolella, Executive Director, NESCSO; Connecticut State Senator Terry Gerratana, 2017 CSG/ERC Co-Chair; Kalin Scott, Director, Medicaid Redesign Team Project Management Office, New York State Department of Health.

The U.S. Medicaid program is undergoing a historic transformation, propelled in part by innovative programs in several northeastern states that are improving the quality of health care and helping to control costs.

For decades, Medicaid has been characterized by uneven care and escalating spending that has absorbed a rising share of state budgets—a situation that policymakers agree is unsustainable over the long term. In recent years, states have responded to the challenge with reforms to the way they administer and pay for Medicaid services, and many of these efforts have yielded initial successes.

“It’s a very exciting time. There is some bold leadership going on,” said Marge Houy of Bailit Health, a consulting firm, who participated in a June 2016 forum hosted by CSG/ERC’s Health Policy Committee at the Massachusetts State House in Boston.

The forum brought together state Medicaid officials, legislators, staff, federal officials, and other stakeholders from the Northeast for a frank discussion about the progress of reform efforts as states address different challenges, cultures, and capacities that are unique to their communities.

Medicaid is the nation’s main public health insurance program for low-income people, and the single largest source of coverage in the United States, providing insurance to more than one in five Americans. Medicaid is jointly financed by the federal government and the states, and states design and administer their own Medicaid programs within federal requirements. The

program consumes nearly 20 percent of state budgets, and rising enrollments and costs in recent years have been straining state health systems and crowding out other important priorities.

## Advancing New Models of Care

Federal actions have contributed to the overhaul taking shape in state programs. The Medicaid program expanded significantly under the 2010 Affordable Care Act (ACA), as part of a broader plan to cover millions of uninsured Americans, but a Supreme Court ruling in June 2012 made the expansion optional for states. The ACA introduced other reforms to improve the program in all states, regardless of whether they opted to expand Medicaid. All but one CSG/ERC state has chosen to expand Medicaid under the ACA.

The ACA also established an array of new authorities and funding opportunities for delivery system and payment reform initiatives in Medicaid, as well as in Medicare and the Children’s Health Insurance Program (CHIP). These changes were intended to advance better and more cost-effective models of care. In addition, the law provided new options and incentives to help states rebalance their Medicaid long-term services and support programs in favor of community-based services rather than institutional care. Collectively, these provisions have accelerated Medicaid innovation already under way in many states.

CSG/ERC’s forum highlighted the variety of approaches states are taking to address their unique



challenges. All of the northeastern states are committed to moving away from volume-based payment models toward ones that build value, though their programs differ. Unlike traditional fee-for-service programs, which reward quantities of provider visits, value-based purchasing links financial incentives to providers' performance, rewarding care that is both of high quality and cost-efficient.

This embrace of value-based purchasing comes amid strong pressure from federal agencies, internal strategic priorities, budget constraints, governors and legislators, according to a recent survey of state Medicaid reforms across the country that was presented by a team of researchers during the forum. The survey found that state Medicaid programs are moving more slowly and tentatively into financial risk payment models than the private sector because of the unique nature of Medicaid's providers and members. Among the challenges are limited state budgets, and the reality that some state Medicaid agencies and providers alike lack the flexibility for change. In addition, there is also the difficulty of measuring quality care, and unintended impacts on the health care landscape from these changes in procedure.

But there are new opportunities to help with these transformations, including federal technical assistance and private payers' interest in collaboration in sharing the costs of engaging all sectors of the health care landscape, in integrating behavioral health, and in addressing social determinants of health such as stable housing, public safety, and access to healthy food.

### Enhancing Value

Northeastern states are also committed, and have devoted significant resources, to quality improvement and delivery reform to build programs that are centered on patients. But states face different challenges, cultures, and capacity.

Connecticut's Medicaid program has found success by focusing on care coordination and practice transformation through person-centered medical homes and intensive care management for high-need members. Health outcomes and positive patient experiences have improved, and the program is enabling independence and choice for people needing long-term services and supports. Fewer members rely on emergency departments for care. The program covers around 750,000 people, representing about 21 percent of the state population. While enrollment has grown steadily, per-member costs are stable and state Medicaid spending is down. Connecticut is also exploring new payment methodologies.



Photo by Rona Cohen

Daniel Tsai, Assistant Secretary for MassHealth.

In Massachusetts, the MassHealth Medicaid Section 1115 Demonstration waiver is up for renewal next year. Through the waiver, Massachusetts is moving to an accountable care model based on provider networks. The model offers doctors and hospitals financial incentives to provide quality care to Medicare beneficiaries while keeping costs down. The program is focusing on behavioral health and long-term services and supports (LTSS) integration with physical health care and linkages to social services. The state will use \$1.5 billion in federal funding over five years to support reforms, which were developed through an intensive design and stakeholder-engagement process.

New York is moving into payment reform by creating a Medicaid Redesign Team to coordinate all the moving parts of a very ambitious plan. Because of reforms, per-member Medicaid spending levels in New York have returned to 2003 levels. "Our Medicaid per-member spending is the lowest it's been in over ten years," said Kalin Scott, director of New York's Medicaid Redesign Team Project Management Office, during the forum. The federal government has agreed to reinvest \$8 billion of New York's savings into further Medicaid reforms. Over five years, 25 health systems will receive funds to evaluate and address community health needs, with a goal of reducing avoidable hospital use by 25 percent.

*Continued on page 22*

# Planning for the Driverless Cars of the (Not-So-Distant) Future



**W**hen the Apple iPhone debuted in the global marketplace less than 10 years ago, it forever changed the way people connect to one another, and quickly became an indispensable accessory of modern life. The iPhone and other smartphones are considered to be disruptive technologies—in addition to shaking up an industry, they created a new need that did not exist before. The same type of radical transformation could be in store for the vehicles in which we travel. In just a few years, you could be driving a car that drives itself.

The technological revolution taking place in the automotive industry has been slowly building for some time. Newer vehicles have been equipped with innovations that support a driver, or simply allow the vehicle to handle many driving functions itself. Features such as self-parking capabilities, lane-departure warnings, and emergency automated braking are becoming increasingly common. This breakthrough in functionality goes by many names: autonomous vehicles, self-driving cars, driverless vehicles, robocars, and the latest nomenclature used in a recent report from the U.S. federal government—highly automated vehicles (HAVs).

HAVs hold the promise of freeing up our driving time for other pursuits—such as using smartphones, reading, watching TV, and sleeping—or transporting people who don't or can't drive. Ultimately, the technology is about safety. The National Highway Traffic Safety Administration estimates that safety innovations introduced between 1960 and 2014, such as seat belts, air bags, and electronic stability control systems, have saved more than 600,000 lives. But vehicle accidents are

still a leading cause of mortality. Some 35,000 people died on U.S. roads in 2015, and nearly 95 percent of those crashes were tied to human error. Continued automotive advances have the potential to spare thousands of additional lives each year.

## Weighing the Challenges

The technology has raised a number of issues for elected officials and government administrators. Autonomous vehicle research, development, and testing provide opportunities for job growth. The dilemma for policymakers is how to support those economic prospects while ensuring the safety of computer-driven vehicles on our roadways. To gain broad public acceptance, the vehicles will need to be infallible.

During the 2016 Annual Meeting in Québec City, CSG/ERC's Transportation Committee met with industry leaders who are analyzing the advancing technology, and discussed their potential impacts in the Northeast and eastern Canada.

Several states in the CSG/ERC region have approved legislation or enacted executive orders regarding HAVs.

Maryland lawmakers recently held a hearing to look at the laws and safety infrastructure that need to be in place once HAVs hit the road. In Pennsylvania, an autonomous vehicle task force was expected to draft policy recommendations and present them to the state legislature by late 2016. In Massachusetts, the City of Boston entered into a partnership with the World Economic Forum and the Boston Consulting Group to start testing autonomous vehicles and develop policies to support their use. In Canada, Ontario's Ministry of

Transportation and Ministry of Economic Development and Growth plan to establish a “Centre of Excellence” for autonomous vehicles by 2018.

“Self-driving vehicles are going to bring about advances to mobility, impacting our lifestyles and economies in profound ways; but they raise a host of legal, regulatory, and safety issues that states will need to address,” said Vermont State Representative Diane Lanpher, who attended the Québec meeting. “Having the opportunity to meet with and question individuals who are on the cutting edge of this technological change was invaluable.”

### Federal Guidance

The U.S. federal government seeks a consistent national framework of laws to govern the technology and ensure its safety. Last September, the U.S. Department of Transportation issued its long-awaited guidance document, the *Federal Automated Vehicles Policy*. The document states that the federal government would reserve for itself the ability to set standards for equipment, investigate safety defects, and enforce recalls.

“If a self-driving car isn’t safe, we [the federal government] have the authority to pull it off the road,” said President Barack Obama in a recent op-ed piece in the *Pittsburgh Post-Gazette*.

The document also outlines a new federal role for HAVs: as cars become increasingly automated, states are expected to cede regulatory control over motor vehicle operations to the federal government.

This shift is expected to have a profound effect on state policies, said industry sources who participated in the discussion in Québec. The document contains a “Model State Policy,” which provides a framework for addressing states’ ability to regulate testing, deployment, and operation of HAVs. The policy would allow states to retain their traditional responsibilities for vehicle licensing, inspections, registration, traffic laws, motor vehicle insurance, and liability. In essence, the federal government would assume responsibility for licensing the computer driver in a vehicle, while states retain the right to license human drivers.

Through the proposed policy, the federal government hopes to avoid a patchwork of policies and state laws that may hinder innovation. It also wants to ensure the new technology is safe. The document requires automakers to provide a 15-point safety assessment before a vehicle or a system can be offered for sale or placed into service. The assessment covers a broad



Photo by Sebastian Marquez Velez

From left, Vermont State Representative Diane Lanpher and New Hampshire State Representative Patricia Higgins during the CSG/ERC Transportation Committee meeting in Québec City.

range of issues and circumstances, including how HAVs should react if their technology fails, what measures are in place to preserve passenger privacy, how the vehicle guards against hacking risks, and how the occupants will be protected in crashes.

“It is obvious that the technology is not even here yet, but this recognition of how profound the impacts could be and the importance of keeping ahead of the curve with regulations just underlines how impactful [autonomous vehicles] will be,” said Paul Godsmark, co-founder and chief technology officer of the Canadian Automated Vehicles Centre of Excellence, who met with CSG/ERC Transportation Committee members in Québec. The centre’s mission is to help private and public-sector stakeholders prepare for the arrival of automated vehicles.

Most of the U.S. policy is effective immediately, but it stops short of official regulations and therefore does not have the force of law behind it. It is also intended to be updated annually. Certain components, such as rule-making, will require congressional approval.

Michael Camissa, senior director of safety and  
*Continued on page 22*





Photo by Roma Cohen

## In Québec's Breadbasket, Helping Foreign Workers, and Local Farmers

CSG/ERC members meeting with Guy Pouliot, owner of the Onésimo Pouliot Farm in Île d'Orléans.

A few miles outside of Québec City is the verdant Île d'Orléans, the island breadbasket known for its abundant production of strawberries and other crops that thrive in its rich soils. The island sits in the middle of the Saint Lawrence River, and is considered the cradle of New France: some 80 percent of Québécois of French origin can trace their ancestry to its early settlements. Here as elsewhere in the province, French is the primary language spoken; but during the growing months, the island also teems with Spanish speakers. As in other agricultural regions throughout Canada, its producers participate in a successful guest worker program that has been held up as a model for other countries, such as the United States.

During the 2016 CSG/ERC Annual Meeting in Québec City, around two dozen state and provincial officials traveled to the island to learn how the arrangement provides a steady flow of labor that benefits farmers and farm workers.

Canada created the Seasonal Agricultural Workers Program nearly 50 years ago to fill a labor shortage in the country's vast agricultural sector. Canada is the fifth-largest agricultural exporter in the world, and one out of eight jobs is in the agriculture and the agri-food industry.

Under the program, laborers come from the Caribbean and Mexico for a period of up to eight months. They receive the same wages and benefits as Canadian and permanent-resident employees who perform similar work, including enrollment in Canada's health system.

During CSG/ERC's visit to the island, members met with Guy Pouliot, an eleventh-generation farmer who operates the 135-acre Onésime Pouliot Farm. Pouliot said the arrangement provides him with a stable seasonal labor force for the strawberries, blueberries, rasp-

**"The Canadian systems of dairy production control and immigrant farm labor are so different from ours in the U.S. Being able to see their operations and ask questions of the farmers who are working within the systems was a fascinating and valuable experience."**

– Tara Sad, New Hampshire State Representative



berries, and sweet potatoes that he grows. The workers come to his farm from Mexico, and live in 15 multistory homes that can house up to 10 people each.

“When they go home, they bring back about three years’ worth of pay there,” he said.

The program is not without hardships. Workers leave their loved ones behind when they head north for up to eight months at a stretch. But many have few job prospects where they live, and rely on the program to support their families back home. Around 96 percent of the 150 Mexicans who work at his farm each season return year after year, said Pouliot. There is a three-year waiting list to get into the program.

The Mexican government closely screens program applicants. Each year, it sends around 17,000 workers to Canada.

Pouliot and other Île d’Orléans produce farmers harvest about 30 percent of Québec’s strawberries. The province as a whole grows about half of Canada’s strawberry crop.

### Comparing Dairy Production in Canada and the United States

Québec is also Canada’s largest dairy producer. During the trip to the island, the officials visited the R. Blouin dairy farm, where they discussed some of the differences between the country’s supply management system and U.S. production practices.

Under the Canadian approach, every dairy farmer has a production quota that is calculated at the beginning of the year and is intended to keep supply in sync with demand. The system guarantees farmers a predictable, stable price and avoids surplus production.

“The Canadian systems of dairy production control and immigrant farm labor are so different from ours in the U.S.,” said New Hampshire State Representative Tara Sad. “Being able to see their operations and ask questions of the farmers who are working within the systems was a fascinating and valuable experience.”

As with most perishable agricultural products, the price of milk is based on supply and demand. In Canada, the government tries to avoid price volatility by controlling production levels to match consumption, so prices more closely cover the actual cost of production over time. This system can at times lead to higher prices for consumers in Canada than in the United States, but it provides advantages to farmers, who can make a living with fewer cows than their U.S. counterparts, said New Hampshire State Representative Bob Haefner,

who chairs the House Environment and Agriculture Committee.

In contrast, the U.S. government does not control the level of milk production. Through the Federal Milk Marketing Orders (FMMOs), enabled in 1937, the government sets regional milk prices based on the wholesale price of dairy products. The FMMOs’ goals are similar to those in Canada: to ensure consumers adequate, reasonably priced milk and to promote producer price stability. However, the absence of production controls leads to more variable output than in Canada. Given that demand for milk is fairly consistent, U.S. prices are more volatile, and often fall below the cost of production—which has been the case in the U.S. market for much of 2016. Excess production has led the U.S. Department of Agriculture to buy surplus cheese to help stabilize prices.

“I think we need to take a look at the Federal Milk Marketing Orders, with an eye to make it less cyclical and more profitable for the farmer,” said Haefner. “The ability to see firsthand the different practices in Québec, and learn from them, was a tremendous educational opportunity.”



Photo by Rona Cohen

From left, New Hampshire State Representative Bob Haefner; New Hampshire State Representative Suzanne Smith; Pennsylvania State Senator Judith Schwank; Vermont State Representative Carolyn Partridge.

## Eastern Leadership Academy



Photo by Scott Spitzer

Eastern Leadership Academy Class of 2016.

The Robert J. Thompson Eastern Leadership Academy (ELA) offers officials and staff from all three branches of state and provincial government a unique opportunity to hone their leadership and communication skills and network with colleagues from the eastern region.

Located in the heart of Philadelphia, and working in cooperation with the University of Pennsylvania's Fels Institute of Government, the unique, five-day program includes workshops and hands-on training with experts from academia, as well as the public and private sectors. ELA offers strategies tailored to the challenges facing public officials every day, in areas including conflict resolution, fostering civil discourse, and mastering social media and branding, in a focused setting that promotes experiential learning.

ELA is designed to help you:

- **Develop leadership skills:** Through a series of hands-on group workshops ranging from consensus-building to media relations, ELA provides training to sharpen and develop the skills you need to become an effective leader.
- **Improve your understanding of key regional issues:** ELA is the only leadership academy designed exclusively for eastern regional officials from all three branches. Scholars from the Fels Institute of Government and outside experts provide a context for you to effectively evaluate information, commu-

nicate your message successfully with constituents and colleagues, and develop strategies for relating to the media and the public.

- **Network with the best and brightest:** ELA convenes some of the most promising state officials from across the region to share knowledge and to learn from one another's experiences.

**"ELA is a must for legislators who want to better manage their priorities, build consensus, serve with integrity and improve their communications efforts, all while learning with a great group of people."**

– Maine State Representative Patrick Corey, member, ELA class of 2016





## Penn Scholarship Helps ELA Graduate Take Leadership Training to the Next Level

When Carling Ryan entered CSG/ERC's Eastern Leadership Academy (ELA) in August 2015, she did not realize that the five-day program would one day lead to graduate school. Ryan was mainly focused on fitting in with the 29 other state officials and staff who would be her classmates during the intensive program, some of whom were twice her age.

"I was a bit anxious about making a good impression," said Ryan, who was 25 at the time, and currently serves as special assistant to Delaware Senate President Pro Tempore Patty Blevins. "I think my age had something to do with that. I can be very social, but I am much more apt to do that when I know someone. And I didn't know anyone going in."

Ryan embraced the interactive program, which is specifically designed to move participants out of their comfort zones. There were group exercises in negotiation and bargaining; collaborative challenges whose solutions hinged on cooperation and teamwork; and a personality assessment, which offered insights about how each person tends to approach a variety of work and life situations. Ryan recalls forming fast friendships with her classmates, who came from 12 U.S. states, Puerto Rico, and three Canadian provinces.

Although she was a generation younger than some of her peers, Ryan exhibited clear leadership skills. On the third day of training, she ran for class president. This assignment presented a whole new learning opportunity: as Ryan stood in front of the class and delivered her campaign speech, it became clear that her public speaking skills could use some polish.

"I kind of froze up a bit, and that's when I realized I needed some help in this area," she said.

Fortunately, help was on the way. Later that day, the group was scheduled to meet with media coach Seth Pendleton, who specializes in teaching political, business, and nonprofit leaders to shine during high-profile moments in the spotlight.

Pendleton showed the group how to stay calm and on message during public speaking gigs, and remain composed under tough questioning from the press. He even videotaped mock interviews to analyze body language. One of Pendleton's key recommendations is for officials, and others, to assume the pose of a "happy warrior" during public appearances, exuding an aura that is strong, yet positive.

"That was pretty special," said Ryan, who noted that nonlegislative staff do not frequently have the chance to speak before large groups, and can benefit from some instruction. "It was a lot about self-reflection, and on how to engage with people, and it was just very eye-opening," she said. The training paid off: Ryan won her bid for class president.



Carling Ryan

*Continued on page 17*

### Fels Institute of Government Master's Degree Program Offers New Scholarship to ELA Alumni

Starting in the fall of 2016, the University of Pennsylvania's Fels Institute of Government began offering an \$8,000 annual scholarship to ELA alumni who are interested in pursuing an executive master's degree in public administration. The two-year program consists of a "hybrid" course of study, which combines classes on the Philadelphia campus one weekend a month with online tools to support lectures, discussion, and group work. The program attracts individuals working in all levels of government, at nonprofits, and in the private sector. Students commute from around the region or from states as distant as California and Florida.

The scholarship opportunity is a natural outgrowth of the Fels Institute's long-standing relationship with ELA, said Josh Power, director of admissions and graduate studies at Fels. Both programs have a shared mission of identifying gifted individuals who are committed to public service, and providing them with the skills and knowledge they'll need to succeed, he said.

"We see ELA as a real pipeline for identifying talented students who are current and future public leaders," said Power.

The scholarship is being offered through May 31, 2021, and will be available to recipients as long as they remain in good academic standing. The deadline to apply for the 2017-18 academic year is June 1, 2017. For more information about the executive master's degree program, visit the Fels website:

[www.fels.upenn.edu/executivempa](http://www.fels.upenn.edu/executivempa).



Photo by Sebastian Marquez Velez

## Beyond the Paris Agreement: ERC Members Assess Global Changes, Local Opportunities

CSG/ERC co-chairs with session panelists, from left to right: Québec MNA Guy Ouellette, 2016 CSG/ERC Co-Chair; Documentary Filmmaker Jean Lemire; Dr. Louis Fortier, Laval University; Dr. Mark Alan Hughes, University of Pennsylvania; Massachusetts State Senator Marc Pacheco, President Pro Tempore; Québec MNA David Heurtel, Minister of Sustainable Development, the Environment, and the Fight against Climate Change; The Honorable Bruce Heyman, U.S. Ambassador to Canada; Québec MNA Guy Leclair, 2016 CSG/ERC Co-Chair.

In the summer of 2014, Jean Lemire, a Canadian documentary filmmaker and biologist, set sail in a 51-foot retrofitted fishing trawler and headed for the treacherous Northwest Passage, which connects the Atlantic and Pacific oceans. Lemire was startled by what he encountered—or rather, by what he did not find: sea ice.

Lemire had traversed the passage once before, in July 2002, painstakingly navigating through ice-choked waters with his 16-member crew. But in the intervening years, record heat had melted those obstacles, and on that second journey they sailed across an open sea.

“We were shocked—we had no ice,” said Lemire, during an August 9 panel discussion on climate change at the CSG/ERC Annual Meeting in Québec City. The Arctic region has warmed faster than any other place on the planet, and on two large screens, Lemire showed footage from both voyages that illustrated its dramatic thaw. During the 2002 trip, the sailboat appears to be immobilized by massive chunks of ice. Twelve summers later, it speeds across an unfrozen sea. Through his films, Lemire hopes to alert the public to the melting Arctic and its imperiled communities, and the broader effects that are already being felt around the globe.

The plenary was the second gathering organized by the CSG/ERC Energy & Environment Program over the course of a few months, at the request of members who are tackling issues related to climate change. The meetings brought together academics, policymakers, consultants, and others, allowing them to discuss opportunities for collaborative approaches and offer strategies for state, provincial, and local officials to maximize the economic and social benefits of carbon policies in their jurisdictions.

### ‘A Spectacularly Fast Progression’

Scientists have attributed Earth’s rising temperatures to heat-trapping gases emitted by human activity. The concentration of carbon dioxide in the atmosphere is now higher than at any time in the last 3 million years, and is increasing at a record pace, according to the National Aeronautics and Space Administration (NASA). This year, the area covered by sea ice is expected to reach a new low. If the current rate of warming continues, sometime between 2020 and 2030 the Arctic Ocean will be completely ice-free in summer, also for the first time in at least 3 million years, said Dr. Louis Fortier,



an oceanographer at Laval University who spends a portion of each summer on an icebreaker in the Arctic.

“This is a spectacularly fast progression,” Fortier said during the panel. “The Arctic is warming much faster than expected. So climate change will [occur] faster, and [be] much more intense than expected.”

The melting of Arctic sea ice has already had major consequences for those who live at the top of the world. The ice acts as a buffer for wave action, and as it disappears, coastal erosion is accelerating. The region is home to some 55,000 Inuits in 53 seafront communities, and their drinking water supplies, traditional food sources, transportation and other infrastructure, and even social bonding, “all are being eroded by the situation,” Fortier said. He heads ArcticNet, a group of more than 150 researchers from 32 Canadian universities and international institutions that are studying the Arctic ecosystem, and exploring strategies to help inhabitants adapt to their new circumstances.

### Shifting Weather Patterns

The changes in the Arctic also have important implications for global weather patterns. As the region warms, the difference in temperatures between the Arctic and areas to the south is narrowing. The shift is modifying the jet stream—the strong, westerly air current several miles above Earth that dictates much of the Northern Hemisphere’s climate—causing its winds to slow down and its flow to become irregular. These “meanderings” of the jet stream create unusual reversals: Arctic conditions are spilling into temperate zones, and warm air is moving north, said Fortier.

Superstorm Sandy “was a typical consequence of this meandering of the jet stream,” said Fortier. The storm’s tidal surge and fierce winds led to more than \$60 billion in economic damages across 24 states.

An ice-free Northwest Passage is also opening up large swaths of ocean to shipping routes and potentially, to oil and gas drilling, which could worsen the problem, he added. The question for policymakers, said Fortier, is whether the actions being taken by governments worldwide are sufficient to fend off a planetary disaster.

Last May, the United States and nearly 180 countries signed the historic Paris Agreement, the international climate accord that marks the first time the global community has consented to a target for lowering planet-warming emissions. The agreement seeks to limit the rise in Earth’s temperature to 2°C (3.6°F) above preindustrial levels and to “pursue efforts” to hold the increase to an even lower 1.5°C. In reality, though,

**“I can honestly say that this conversation that we’re having today about climate, about our shared efforts to move to a low-carbon future, about protection of our Arctic, is one that deserves to be at the very top of our agenda.”**

– The Honorable Bruce A. Heyman,  
U.S. Ambassador to Canada

most scientists concur that the accord’s reduction goals are not sizeable enough to prevent temperatures from exceeding even the 2°C threshold, which creates greater urgency for the international community to accelerate its efforts to keep warming in check.

This year is already on pace to set new heat records. According to NASA, the six-month period from January to June 2016 was Earth’s hottest half-year on record, with average global temperatures 1.3°C (2.4°F) warmer than in the late nineteenth century.

What is required, said Fortier, is a rapid transition away from carbon-emitting fossil fuels. By 2030, 80 percent of the world’s energy must come from renewable sources—solar, wind, and hydroelectric power—and rise to 100 percent by 2050. He conceded the task is “colossal.” The United States, the second-largest carbon emitter after China, produces only 3.7 percent of its total energy mix from those renewable sources, despite dramatic growth in wind and solar in recent years, and plummeting costs for the technologies, he said. (According to preliminary figures from the U.S. Energy Information Administration [EIA], renewables comprised 13 percent of total U.S. electricity generation last year. EIA’s definition of renewables includes sources that are excluded from Fortier’s figures, such as biofuels and biomass.)

Solar, wind, and hydroelectricity comprise an even lower 3.3 percent of China’s energy resources, and in India, just 2 percent, he said.

Though some major economies are much further along—Norway generates 55 percent of its power from solar, wind, and hydro, and Canada 12 percent—globally, those sources comprise a mere 3.5 percent of the world’s overall energy mix. Fortier insisted that we have the tools needed to make the shift to a low-carbon future. “The transition is economically and technologically possible,” he said. “The main obstacles are social and political.”

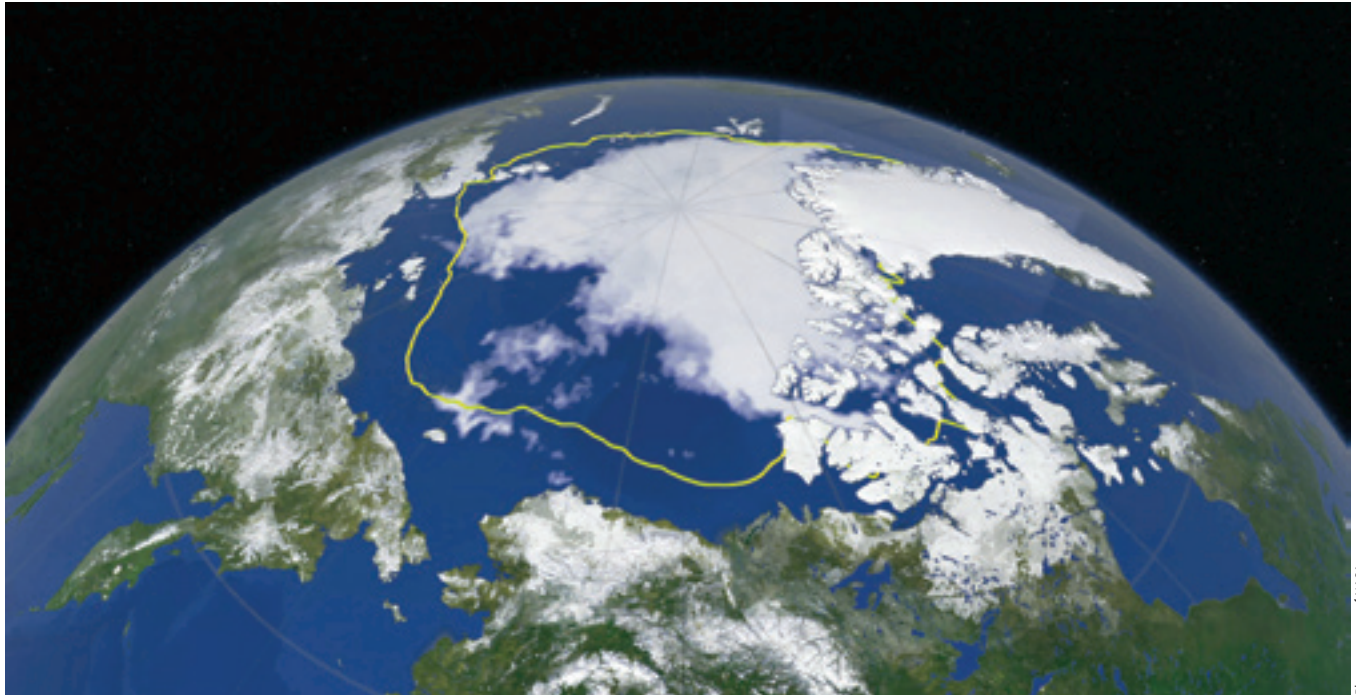


Photo courtesy of NASA

Arctic sea ice shrinks to its minimum coverage area each September. In 2016, the minimum was 911,000 square miles below the 1981-2010 average, shown here as a gold line. If the current rate of warming continues, by 2030, the Arctic is expected to be completely ice-free in summer.

### The Importance of Local Decision-Making

In essence, the issue is a classic collective action problem, said Dr. Mark Alan Hughes, faculty director of the Kleinman Center for Energy Policy at the University of Pennsylvania, during the panel. On a global scale, he noted, more than half of the pledges contained in the Paris agreement require actions among state and local governments to limit carbon emissions. The challenge facing policymakers is that although the costs of climate actions are borne by a particular jurisdiction, a large portion of the benefits tend to flow to those residing outside of the location where the carbon reductions were made. Hughes recommended that officials in those “subnational” bodies forge local strategies that will assist their economies the most, because they will often produce the biggest net advantages for local populations, and for the planet as a whole.

For example, policies driven by indigenous goals, such as limiting harmful pollution to reduce respiratory-related illnesses and enhance human health, will likely lead to deeper emissions cuts than policies focused solely on climate benefits. Efforts to enhance building codes to encourage greater energy efficiency, or programs encouraging electricity-system resiliency, such as microgrids, are designed to yield immediate, tangible benefits, and tend to encourage greater enthusiasm and compliance, said Hughes, who hosted a CSG/ERC semi-

nar at the University of Pennsylvania, in Philadelphia, in May 2016.

He added that policies that emphasize adaptation—adjusting to changes that are already occurring—over mitigation, which focuses on reducing emissions, might lead to greater local and global benefits in the long term. With adaptation, “one hundred percent of the benefits fall inside your jurisdiction,” said Hughes. “If we focus on what’s going on locally, we might end up having more global benefits than talking about the global challenge.”

In recent years, 16 states—including 9 in the Northeast—and 35 cities have pledged to lower their greenhouse gas emissions by 80 percent from a 2005 (or lower) baseline by 2050. That pledge is in line with the “Under 2 MOU,” an international agreement among state, provincial, and municipal governments that have vowed to meet strict climate targets. Hughes cautioned that despite these shared goals, it is probably unrealistic to require that every state and urban center meet the same emissions-reduction target, given that local conditions will dictate the most effective strategies for making emissions cuts.

### Leading by Example

Nevertheless, states that have pledged to meet the “80-by-50” goal, and have had consistently strong political



leadership and local willingness to maximize the benefits of climate actions, are leading the way, said Hughes. They include California—which has an economy-wide cap-and-trade program that is linked to carbon markets in Québec and British Columbia—and Massachusetts, where a series of legislative efforts in recent years has boosted employment in solar, wind, and other renewable-energy fields.

Some 99,000 people work in the clean-energy sector in the state, said Senator Marc Pacheco, Massachusetts senate president pro tempore, who serves as co-chair of the CSG/ERC Energy & Environment Committee. The clean-energy sector is now an \$11 billion industry, up \$900 million from a year ago, and accounts for 2.5 percent of the state's economy, he said.

“Please don't stop going forward because you think it's a choice between the climate and the local economy,” Pacheco urged the policymakers who attended the session. Senator Pacheco is the founding chair of the Massachusetts Senate Committee on Global Warming and Climate Change.

In Québec, the carbon market has raised more than \$1.2 billion that is entirely invested in the provincial economy to transition it away from fossil fuels, said David Heurtel, minister of Sustainable Development, the Environment, and the Fight against Climate Change. “We've been able to dispel the notion that cap-and-trade can hurt the economy,” he said. “Quite the contrary: cap-and-trade is helping to jump-start the economy.”

Nearly all of the province's electricity is generated by renewable sources, mostly from its massive hydropower operations, which are the fourth-largest producers of hydroelectricity in the world. As part of Québec's decarbonization efforts, the province is looking to put 100,000 electric vehicles on the road by 2020.

At the federal level, the United States, Canada, and Mexico recently set a target of deriving half of their power from renewable sources by 2030, through the North American Climate, Energy, and Environmental Partnership Action Plan. The agreement was signed by U.S. President Barack Obama, Canadian Prime Minister Justin Trudeau, and Mexican President Enrique Peña Nieto on June 29, 2016, and aims to support cross-border transmission projects and greater energy-system integration, among other objectives.

“I can honestly say that this conversation that we're having today about climate, about our shared efforts to move to a low-carbon future, about protection of our Arctic, is one that deserves to be at the very top of



The Honorable Bruce Heyman, U.S. Ambassador to Canada.

our agenda,” said Bruce Heyman, U.S. ambassador to Canada, during the session.

In some Alaskan communities, the changes are happening so fast that officials are considering measures that would have been unthinkable just a few years ago. “We have a serious erosion problem up here,” North Slope Borough Mayor Mike Aamodt told MSNBC on June 28. Aamodt has been impacted personally by the rising seas: he built a cabin 1,000 feet from the ocean, and in less than 10 years, the shoreline had advanced to within 20 feet of it. Nearly 5,000 people live in Barrow, which sits 300 miles from the Arctic Circle. “If there were enough money available, my thought would be to move the town,” he said.

Jean Lemire, the filmmaker, has devoted much of his career to documenting such rapid changes in the ecosystem, and the communities and indigenous species at risk. During Lemire's first voyage through the Northwest Passage back in 2002, his sailboat was stuck in the ice for a week. He and his crew spent the time filming the vessel sandwiched between ice floes and capturing images of the polar bears, walruses, whales, and other animals that rely on the ice for their survival. It was an experience that Lemire believes will never be repeated, because much of that summer sea ice is now gone.

“You will never see the Arctic like I saw it,” he said.

*You can access presentations from the August 9 climate plenary, and from the May 6 seminar at the University of Pennsylvania's Kleinman Center for Energy Policy, on the CSG/ERC website at [www.csg-erc.org](http://www.csg-erc.org)*



Photo by Sebastian Marquez Velez

## Education Reform Gives Greater Flexibility to States

Panelists, from left: Massachusetts State Senator Eileen Donohue; Delaware State Representative Earl Jaques.

**E**ducation policy is undergoing a major overhaul, and states are increasingly in the driver's seat.

State education officials are being given greater control over everything from evaluating teacher performance to setting education standards, thanks to a comprehensive reform bill signed by President Obama in December 2015. The legislation, known as the Every Student Succeeds Act (ESSA), reduced the federal government's role in setting education policy and granted more authority to the states, a move that education officials are hopeful will lead to strides in fixing yawning achievement gaps and other issues that have plagued the nation's public schools.

ESSA replaces the No Child Left Behind Act (NCLB), which gave the federal government a major role in overseeing student testing, evaluating teacher performance, and monitoring low-performance schools. The new law does away with the old law's one-size-fits-all approach, providing states with enhanced independence to carry out many of those functions.

Officials in the Northeast are hopeful that the new legislation will help them tackle some of the larger challenges they are addressing in the public schools, including school safety, issues surrounding charter schools, and teacher evaluations.

During the 2016 CSG/ERC Annual Meeting in Québec City, staff provided an overview of ESSA implementation in the Northeast, and discussed how the law

changes accountability system requirements and funding mechanisms.

One of the key directives of the previous law was for schools to improve the performance of all students, through test scores and other measures. Many states found this requirement to be unworkable and ineffective. The new law empowers state and local decision makers to develop their own systems for school improvement based on evidence, rather than imposing the cookie-cutter federal solutions set forth under NCLB. Officials agreed that providing more options to states and school districts is a positive change from the prescriptive federal requirements of the past several years.

"The Education Committee held a lively discussion about the Every Student Succeeds Act and the increased flexibility that it provides to states," said Massachusetts State Senator Eileen Donoghue, who participated in the Québec meeting. "We heard a wide variety of perspectives on new models for school accountability and innovative opportunities for assessment," added Donoghue, who serves as vice chair of the Massachusetts Joint Committee on Higher Education.

States will still have to report their progress and maintain accountability under the new law, which requires that any action taken to support school improvement be driven by student outcomes.

ESSA also replaces more than 50 of the grant programs under NCLB with a block grant, known as





From left: New Jersey State Assemblyman Troy Singleton; New York State Assemblyman Michael Blake; Massachusetts State Senator Eileen Donohue.

the Local Academic Flexible Grant, to provide states and school districts with the funding flexibility to support initiatives based on their local needs.

Going forward, states will not be expected to transition to the new requirements all at once. They have until the 2017–18 school year to implement their new accountability plans. The U.S. Department of Education has indicated that the transition period will be gradual, rather than signaling an abrupt end to NCLB.

Although the final regulations are still taking shape, many states have formed working groups, task forces, and committees to plan for the implementation of ESSA. Here are the broad strokes of the federal timeline for carrying out the act’s provisions:

- August 1, 2016: comments for notice of proposed rulemaking due for the U.S. Department of Education’s review.
- October 2016: final regulations are published and will go into effect.
- Spring 2017: final state plans submitted to the U.S. Department of Education.
- July 1, 2017: changes to formula programs go into effect.
- 2017–18 school year: remaining ESSA provisions go into effect.

Delaware State Representative Earl Jaques said the discussions he had with the Education Committee in Québec on the new law provided him with helpful policies that he hopes to be able to implement in his state.

“In Delaware, I authored a bill we discussed in Québec regarding teacher evaluations, which eliminated test scores and used goal setting by both the teacher and administrator as the bases for the evaluation,” said Jaques, who chairs the Delaware House Education Committee. “The ERC Education Committee is an invaluable resource to state education leaders,” he added.

Looking ahead, ESSA’s flexibility in the funding decisions for states will provide opportunities for innovation in the classroom and at the state and district levels. CSG/ERC Education Committee members have directed staff to provide continued research on ESSA implementation, charter schools, school safety, and early childhood.

*Continued from page 11*

The experience led Ryan to aim higher. In early 2016, she applied for a newly created scholarship being offered by the Fels Institute for an ELA graduate to attend a two-year master’s program in public administration for working professionals. Ryan was awarded the scholarship and enrolled in classes last fall. The master’s program meets two days each month on the Philadelphia campus, supplemented with online coursework.

“ELA already was a great program,” she said. “But I think the scholarship opportunity takes it to the next level. This is something very special.”

Ryan believes the chance to further her studies came at a serendipitous time in her career. “In our public management class, one of the first things you have to do is to determine your ‘why,’ as in, why are you here?”

Ryan’s five years as a staff member in the Delaware senate has given her some clarity of purpose.

“I want to have the educational wherewithal to be at the table to have my ideas supported,” she said. “I want to get to a point in my career where I develop the policies to help people, rather than just be the administrative staff to support them.”

Ryan has not ruled out the possibility of one day running for public office herself. ELA’s training workshops and her current studies are enabling her to expand her professional horizons, she said.

“I’m a big supporter of CSG, because I think it’s one of the few governmental organizations that treat legislative and executive staff on the same level as they do elected or appointed officials,” she said. “If you really want to grow leaders, you need to look at staff who are supporting them—because they could be the leaders of the future.”



## Embracing the Public on a Nuclear Waste Storage Solution

Dry cask storage at the site of the former Maine Yankee plant in Wiscasset, Maine.

**D**uring the first half of 2016, U.S. federal energy officials sat down with residents of communities across the country to have a frank discussion about the fate of the nation’s growing stockpile of nuclear waste.

They gathered in hotel conference rooms from Boston to Sacramento, in meetings that often stretched for several hours, and considered a new effort to find a long-term resting place for spent nuclear fuel—one that will hinge on public support to move forward.

The initiative represents a stark departure from the top-down siting model that resulted in the federal government’s designation in 2002 of Yucca Mountain, in Nevada, as a long-term repository. That decision led to a backlash among local residents and others, and eventually to rejection of the site seven years later.

The new approach, known as “consent-based siting,” requires staff from the U.S. Department of Energy (DOE) to reach out to communities and local governments, and ask them to explore whether they might be willing to host a facility. Similar programs are advancing in Canada and Europe. The hope is that through sustained public education and engagement, the initiative will succeed where previous efforts have failed: in garnering local acceptance and support for an underground site to safely store highly radioactive waste for millennia.

“The effort at Yucca Mountain made clear that building a repository in a community or state that did not agree to host one was not workable,” said DOE Secretary Ernest Moniz in a video address shown at each meeting. “We hope to hear from you about what

a fair and open consent-based siting process should look like.”

### Building Trust

During the gatherings—eight in all—staff heard a flurry of concerns related to safety and fairness. They assured skeptics that it was possible to isolate the waste in a way that would not impact humans or the environment for generations to come. Perhaps more than anything else, community leaders wanted guarantees that the process would be transparent.

“There is a level of distrust when it comes to tribes and the federal government,” said George Gholson, chairman of the Timbisha Shoshone Tribe in Death Valley, California, during a panel discussion with DOE staff, nuclear engineers, academics, local officials, and residents at a meeting in Tempe, Arizona.

“I think the general public needs to know what they are consenting to,” he said. “What types of materials? What types of dangers? What types of containers? How it’s being transported? We need to be educated on what we are consenting to, or we’re consenting in ignorance.”

Uldis Vanags, project director of CSG/ERC’s affiliate organization, the Northeast High-Level Radioactive Waste Transport Project, is accustomed to hearing about safety concerns from the public. For two decades, the task force has collaborated with federal, state, and local officials in 10 northeastern states to develop a plan to smoothly and safely transport spent fuel along the region’s roads and railways. If, and when, officials designate an interim storage site or a long-term reposi-



tory, the task force will play a critical coordinating role. Getting buy-in from communities along waste shipment routes is critical, he said.

“The trust issue is key: that’s what’s driving this whole consent-based process,” said Vanags, who attended a DOE meeting in Boston. “DOE realized that they did not have the trust of the public or of the state officials and towns, and that they needed to build a relationship and just be completely open.”

### Unintended Consequences

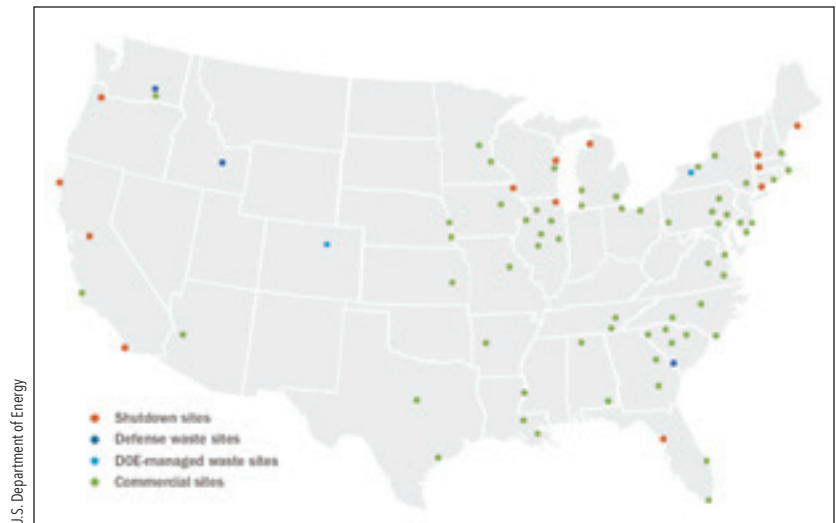
The challenge of finding a willing host for the nation’s nuclear waste has been around since the first U.S. reactor went online more than six decades ago. Currently, some 75,000 metric tonnes of spent fuel are stored in pools or dry casks in 33 states. The waste is located at operating commercial reactors and at plants that have been shut down, decommissioned, and no longer even have a reactor—all that’s left is the spent fuel. There is also high-level waste left over from the nuclear weapons program in need of a permanent storage site.

The burden of temporarily storing waste in multiple sites is costing taxpayers billions, and some plant owners want to be rid of the responsibility altogether. And the problem is only growing: the 99 operational commercial nuclear plants, which produce nearly 20 percent of the nation’s electricity, generate about 2,000 metric tonnes of spent fuel each year.

The federal government never intended to leave the waste scattered across the country indefinitely; in fact, spent-fuel storage pools at commercial nuclear power plants were designed to hold waste only for a few years. The 1954 Atomic Energy Act required that spent fuel from commercial reactors be shipped to a reprocessing plant and recycled into new fuel. But for a variety of reasons, commercial reprocessing never succeeded in this country.

In 1982, the Nuclear Waste Policy Act ordered the DOE to investigate a long-term geologic repository, and the federal Nuclear Waste Trust Fund has since collected \$39 billion from nuclear utility customers to fund it; but since the rejection of the Yucca Mountain site in 2009, the future of the spent fuel has been uncertain.

Utilities are suing the DOE for the cost of stockpiling the waste at their reactors since 1998, the year that the agency defaulted on a contract to begin removing it from plants nationwide. The federal government has already paid out more than \$4.5 billion in settlements and court judgments, an expense that is expected to cost \$500 million a year going forward.



Approximate locations of the current sites where spent nuclear fuel and high-level radioactive waste are being stored in the United States.

“So if we do nothing to act, the amount of waste is just going to continue to grow, and the communities that host these facilities, or DOE sites, will just become hosts to waste over the long term,” said John Kotek, acting assistant secretary for nuclear energy at the DOE, during the Tempe meeting.

In addition to the expense it generates, the waste prevents the sites of former plants—such as Maine Yankee, where the decommissioning process ended in 2005—from being put to better uses in the community. Just monitoring and safeguarding the leftover spent fuel stored there in dry casks costs taxpayers \$8 million a year, and keeps the town of Wiscasset from being able to consider redevelopment, said Marge Kilkelly, senior policy adviser to U.S. Senator Angus King of Maine, during a meeting in Boston. Kilkelly is former deputy director of CSG/ERC.

The consent-based siting initiative is modeled after similar efforts in Canada, Sweden, France, and Finland, where officials worked with communities and local governments to help them explore whether they wanted to host a facility. Finland is the farthest along—officials have identified a site with the support of the local community. Regulators have approved the application, and construction of the repository is supposed to start later this year, said Kotek.

Consent-based siting was a key proposal that emerged from the Blue Ribbon Commission on America’s Nuclear Future, a group of independent experts formed by President Obama in 2010 to devise a new strategy for permanent storage. The commission

*Continued on page 23*



Photo by Sebastian Marquez Velez

## Promoting Environmental Justice, Supporting Local Communities

Panelists, from left to right: Pennsylvania State Senator Vincent Hughes; New York State Senator Kevin Parker; New Jersey State Assemblyman Gordon Johnson.

Lead contamination in Flint, Michigan, thrust the issue of environmental justice into the national spotlight, but in the Northeast, policymakers have long tackled health risks associated with polluted water, air, and land.

Communities of color have higher exposure rates to air pollution and lead poisoning than white, non-Hispanic neighborhoods, and they host a disproportionate share of landfills, hazardous waste sites, and industrial facilities, as studies have shown.

During the 2016 Annual Meeting in Québec City, CSG/ERC's Quad Caucus convened policymakers and other stakeholders to detail strategies they are pursuing to address environmental health hazards in their communities.

Although the federal government outlawed the use of lead paint more than 30 years ago, it continues to pose dangers in the Northeast. The problem is particularly acute in urban areas with large numbers of homes and apartment buildings built before the Second World War. Lead leaching from aging water pipes is also a threat. During the last year, elevated lead levels were found in the water in half of the schools in Newark, New Jersey. The phenomenon heavily affects low-income communities, with ethnic minorities typically bearing a large share of the health risks.

In Philadelphia, most of the housing stock is at least 80 years old, and the city's school system is being sued because of lead contamination in its buildings, said Pennsylvania State Senator Vincent Hughes, who participated in the discussion in Québec. Many rental properties contain lead paint, which was banned in 1978. The Pennsylvania legislature is creating a task force to address issues surrounding environmental justice, said Hughes.

A typical hurdle is funding: fewer federal resources are available for lead testing in buildings and people than in the past, and many states lack the money to clean up pollution found in local communities, said Hughes.

The problem persists in New York City, where 145 children tested positive for lead poisoning between 2004 and 2010, according to a recent study. Policymakers who fail to address the public impacts are being "penny wise and pound foolish," said New York State Senator Kevin Parker during the Québec session. He warned that if states fail to take proactive steps to fund lead removal from aging pipes and old buildings, taxpayers will end up paying on the "back end," when public funds are earmarked to cover the costs of increased health care and other assistance. Lead poisoning



## LEAD POISONING BY THE NUMBERS

### The Impact

**535,000**

U.S. children ages 1 to 5 years have blood lead levels high enough to damage their health.



**24 million**

homes in the U.S. contain deteriorated lead-based paint and elevated levels of lead-contaminated house dust.



4 million of these are home to young children.

It can cost

**\$5,600**

in medical and special education costs for each seriously lead-poisoned child.



The good news:

Lead poisoning is **100%** preventable.

Centers for Disease Control and Prevention, U.S. Department of Health and Human Services

can cause developmental disabilities, creating a need for more special education teachers in schools with large numbers of affected children, among other services.

During a visit to an urban farm in his district, which covers several neighborhoods in Brooklyn, Parker said he saw plants being grown in boxes instead of directly in the ground, to avoid the high lead concentrations detected in the grass and soil.

Parker said one strategy for dealing with the issue may be to include lead mitigation in home energy efficiency retrofits and in general infrastructure improvement programs, rather than making it a standalone issue. He suggested that state and local governments should consider the work as an investment that will pay dividends by reducing the need for early childhood intervention and special education, and lowering overall public health costs. Parker has introduced a bill in the New York State senate that would create an environmental justice task force, among other provisions.

In the Northeast, the dangers of environmental contamination are not exclusive to urban areas. Recent testing of public drinking-water systems in Vermont

found that a chemical known as PFOA had contaminated wells that supply drinking water to hundreds of homes in the state, said State Senator Brian Campion. The chemical was used in the manufacture of Teflon and other nonstick surfaces. PFOA has also been detected in municipal water systems in New Hampshire, New York, and other states across the country.

Unlike lead, which is so hazardous that no level of exposure is deemed safe, the U.S. Environmental Protection Agency has only recently listed PFOA as a chemical of concern because of cancer and other health risks. Industry phased out its use of the chemical in 2015.

After the Québec meeting, CSG/ERC's Quad Caucus drafted a resolution encouraging policymakers to support measures in their states to safeguard communities from lead pollution and other environmental hazards. The caucus is also considering the creation of an interstate compact to assist states in the Northeast with the development of a range of policies to address environmental contamination.

"Given the significant threats that lead, PFOA, and other hazards pose to our communities across the Northeast, finding cost-effective solutions that benefit public health is a top priority," said New Jersey State Assemblyman Gordon Johnson, who moderated the discussion in Québec. "CSG/ERC's Quad Caucus meeting offered a host of useful, innovative policy ideas that I will take back with me to my state," he added.



Session participants, from left: Puerto Rico Representative Rafael Hernández Montañez; Puerto Rico Representative César Hernández Alfonso; Vermont State Senator Brian Campion.

*Continued from page 5*

Rhode Island is implementing 36 different initiatives to build value, including provider networks, bundled payments, and program integrity. New services include housing stabilization, sobriety treatment, and community health teams. “After one year of implementing these interventions, our spending was below what it was projected to be,” said Anya Rader Wallack, Medicaid director in the Rhode Island Executive Office of Health and Human Services. So far, Rhode Island Medicaid has saved more than \$100 million with reforms, which is significant given that Medicaid spending represents one-third of the state budget.

Vermont has achieved substantial success in reforming its Medicaid program over the last 20 years by investing in health data infrastructure and tools to help provider practices make transformational changes. A recent evaluation of Vermont’s Blueprint for Health, a program to support practices in coordinating patient care, found significant savings, particularly in hospital costs, with improvement in 9 of 11 preventive care measures. Vermont is now pursuing an all-payer model to include Medicaid, Medicare, and commercial insurance in reforming how care is delivered and paid for in the state.

Policymakers also heard from NESCSO, a nonprofit organization funded by the New England states to

support health and human service agencies. NESCSO provides staff training, information exchange, and collaborative solutions such as joint purchasing of services to support reform. NESCSO is partnering with CSG/ERC’s Health Policy Committee to link state Medicaid plans with homelessness programs, and to bring panels of federal health officials to states.

“This movement is here to stay,” said Megan Burns of Bailit Health. “For aspiring physicians, the way you practice care is going to be different from the way your predecessors practiced care, and I think that’s a good thing.”

At the end of the forum, the most common request that participants made to CSG/ERC was for its staff to continue creating opportunities for health care officials, staff, and other stakeholders to meet and learn from one another.

**Related documents from CSG/ERC:**

*Medicaid Reform Takes Many Forms*

*Status of Medicaid Reforms*

*Medicaid Payment Reforms: State Options to Avoid and Address Underservice*

**Slides, backgrounders, and other documents from the meeting are available on CSG/ERC’s website at [www.csg-erc.org/policy-health](http://www.csg-erc.org/policy-health).**

*Continued from page 7*

connected vehicles for the Association of Global Automakers, called the guidance document “a remarkable statement about the transformative economic and social value of vehicle automation and connectivity.” Camissa, who participated in the Québec meeting, said that state policymakers “can do their part to support innovation in this lifesaving technology by eliminating barriers to testing and deployment of automated and connected vehicles.”

### **Engaging the Public**

The introduction and eventual widespread integration of these vehicles into society will have a major impact on individuals and businesses. Aside from addressing safety concerns, policymakers will need to consider the potential for job losses. Vehicles that can operate without humans at the controls could eventually displace the 3 million Americans that drive trucks for a living, and eliminate the jobs of people who drive taxis and other vehicles for a living.

Finally, the question remains about whether the

public will ultimately be willing to hand over their steering wheels to a computer algorithm. Errors and bugs in the technology could spark fear and outrage.

In fact, evidence shows that drivers will need a fair amount of convincing. Some 57 percent of Americans surveyed in a recent Morning Consult poll said they were more worried than excited about HAVs, and 76 percent were concerned about having autonomous vehicles operating on the same roads as vehicles driven by people.

This suggests the need for ongoing public discourse on the opportunities and challenges posed by the revolution that is under way. Industry sources believe it highly likely that within the next decade we’ll have fully autonomous, self-driving cars on our public highways.

In fact, this time frame may be too conservative: the Ford Motor Company has announced that it intends to mass produce a fully autonomous, self-driving car without a steering wheel within five years.

The CSG/ERC Transportation Committee is closely monitoring the implementation of the federal guidance, and will continue to foster dialogue between members and experts in autonomous technology.



*Continued from page 19*

released a report in 2012 that contains a series of recommendations that form the basis of the Obama administration's strategy. They include development of a pilot project to begin removing spent fuel from decommissioned nuclear plants by 2021, and a dependable transportation system to move the materials—by rail, barge, and truck.

Vanags' task force has long worked with community leaders in the Northeast who would be responsible for overseeing waste shipments in their jurisdictions. Once a storage site has been designated, it will trigger a planning effort that is expected to take up to five years to prepare.

When spent fuel is sent across a state, every town along the route must have first responders and other public safety experts on hand in case of emergency. Having enough qualified staff costs money. The Nuclear Waste Policy Act provides states with funding to train emergency personnel, but it doesn't cover so-called operational costs, which vary by state and can be critical to maintaining safety. Bills have been introduced in Congress to revise the law and include money to cover operational costs, but their fate is uncertain.

In 2015, the Northeast task force participated in a multistate training exercise—the first of its kind—intended to help states get a handle on their funding needs to secure enough equipment, inspectors, and training for the flood of individuals who would provide first-responder emergency services along shipment routes. The effort was organized by the DOE and drew participants from eight states, including Pennsylvania and Connecticut in the Northeast.

After the exercise, officials completed an application for cooperative funds from the DOE. Each grant request was evaluated by a review panel composed of agency staff, who offered feedback. The grants would cover the costs of emergency response training to support the safe transport of the waste during a program's first two years. The application was complex and time-consuming, and the DOE is now working with state and local officials to simplify the process, said Vanags.

### **The Need for Interim Storage**

DOE staff received some 10,000 public comments on the consent-based siting initiative, and the agency expects to release a final report in December 2016. But the future of the initiative is unclear, given the impending administration change. And although some members of Congress favor starting a new search for

a site to house the nation's waste for the next 10,000 years, others would like to revive Yucca Mountain as a national repository. Some \$15 billion has already been invested in Yucca Mountain, and the Nuclear Regulatory Commission is in the final stages of completing the licensing review for the site, even though the program was defunded in 2009.

Even if Yucca Mountain were back on the table, it would be decades before shipments could begin, said Vanags. And if the project remains dead, he estimates that it would take 40 years to identify a new repository and begin sending waste there. "So there is going to have to be an interim storage site," he said.

The good news is that the federal government already has significant experience transporting spent nuclear fuel in this country. Kotek of the DOE said that Idaho has received hundreds of shipments over the years from both the Navy and other DOE activities, and from university research reactors in the United States and even abroad.

Recently, local officials in Texas and New Mexico expressed interest in hosting interim storage sites run by private companies that would store spent fuel from reactors that have been shut down, and one state is in the process of requesting licensing from the Nuclear Regulatory Commission. If the project moves forward, the state may be able to accept waste as soon as 2021.

That may seem like a long way off, but it takes years of preparation to work through the myriad funding, safety, and logistical hurdles involved in moving vast quantities of high-level waste through a state, said Vanags. Earlier this year, Vanags and Vermont state officials visited the site of the former Vermont Yankee Station, which shut down in 2014. The group examined the condition of the existing rail infrastructure, which will be used to remove the spent nuclear fuel from the plant once an interim storage site has been established.

The communities in Texas and New Mexico reportedly have the support of the public, and the process they followed could serve as an example for consent-based siting elsewhere, said Vanags.

DOE officials are hopeful that by educating people about the risks and benefits, they can follow in the footsteps of other countries that are moving ahead with consent-based siting.

"There's a scientific consensus around the globe that this stuff can be safely managed and disposed [of] for the long term," Kotek told participants in the Boston meeting. "Let's get on with it."



## The CSG/ERC Annual Meeting

Participants in the opening plenary session of the 2016 Annual Meeting in Québec City. Panelists, front row, from left: Pierre-Marc Johnson, former premiere of Québec; Noel Lateef, President & CEO, Foreign Policy Association; Dr. Christopher Sands, Johns Hopkins University.

The CSG/ERC Annual Meeting is the largest regional gathering of state and Canadian provincial government leaders in the Northeast, attracting several hundred participants. Our members work in all three branches of government and together with senior representatives from the corporate community and academia, they meet to discuss emerging policy issues in an engaging, nonpartisan environment.

Our policy workshops are tailored to address issues that our members care about. They also offer ample opportunity to interact with speakers and colleagues, providing participants with rewarding networking opportunities.

For more information, visit us at [www.csg-erc.org](http://www.csg-erc.org).

All photos by Sebastian Marquez Velez



**Left Photo:** Québec MNA Guy Ouellette and Québec MNA Guy Leclair, 2016 CSG/ERC Co-Chairs. **Center Photo:** Québec Premier Philippe Couillard. **Right Photo:** Québec National Assembly President Jacques Chagnon.



# HEAR FROM NATIONAL EXPERTS



**Clockwise from top left:** Charlie Cook, Political Analyst and Publisher of the Cook Political Report; Hon. Bruce Heyman, U.S. Ambassador to Canada; Dr. Habib Dagher, University of Maine; Mayor Lester E. Taylor, East Orange, New Jersey; Allan Mallach, Senior Fellow, Center for Community Progress; Daniel Altman, Economist and Author; Mélanie Bourassa Forcier, Sherbrooke University.

# EXCHANGE IDEAS



**Clockwise from top left:** Vermont State Representative Carolyn Partridge; Delaware Senate Minority Leader Gary Simpson; Rhode Island State Representative Kenneth Marshall; Nova Scotia MLA Leo Glavine, Minister of Health and Wellness; Nova Scotia MLA Chris d'Entremont; Maryland State Delegate Talmadge Branch; Maryland House Speaker Pro Tem Adrienne Jones; Pennsylvania State Representative Chris Ross; Pennsylvania State Senator Judith Schwank; Bill Evans, Pennsylvania State Senate; Puerto Rico Representative Rafael Hernández Montañez.

## NETWORK WITH PEERS



**Left photo:** Massachusetts Senate President Pro Tempore Marc Pacheco; Massachusetts State Senator Eileen Donohue; Massachusetts Senate President Stan Rosenberg. **Center photo:** Québec MNA Guy Leclair, 2016 CSG/ERC Co-Chair; New Brunswick MLA Chris Collins, Speaker, Legislative Assembly; Québec Premier Philippe Couillard; Ontario MPP Dave Levac, Speaker, Legislative Assembly; Prince Edward Island MLA Francis (Buck) Watts, Speaker, Legislative Assembly; Québec MNA Guy Ouellette, 2016 CSG/ERC Co-Chair; Nova Scotia MLA Kevin Murphy, Speaker, Legislative Assembly. **Right photo:** Puerto Rico Senator Jorge Suárez Cáceres; Puerto Rico Senate President Eduardo Bhatia.



**Left photo:** Maryland House Speaker Michael Busch; Québec MNA François Ouimet, First Vice-President. **Center photo:** Delaware House Speaker Pro Tempore Helene Keeley; New Hampshire State Senator Lou D'Allesandro. **Right photo:** New Hampshire State Representative Tara Sad; New Hampshire State Representative Bob Haefner.



**Left photo:** Delaware House Minority Whip Deborah Hudson, recipient of the 2016 CSG/ERC Paul White Award; Paul White, Principal, The Karol Group. **Right photo:** Connecticut State Representative Bob Godfrey, Deputy Speaker; Connecticut State Representative Kevin Ryan, Deputy Speaker and 2017 CSG/ERC Co-Chair; Kevin Lembo, Connecticut State Comptroller.



## 57th Annual Meeting & Regional Policy Forum

THE COUNCIL OF STATE GOVERNMENTS | EASTERN REGIONAL CONFERENCE



---

---

CONNECTICUT

---

---

# SAVE THE DATE!

August 13–16, 2017 | Uncasville, Connecticut



Photo by Scott Spitzer



The Council of State Governments  
Eastern Regional Conference  
22 Cortlandt Street, 22<sup>nd</sup> Floor  
New York, NY 10007  
(212) 482-2320  
[www.csg-erc.org](http://www.csg-erc.org)