AS ELECTION NEARS, STATES PREPARE FOR BIG CHANGES IN HOW PEOPLE VOTE

In parts of Midwest, primaries had record-high numbers of individuals vote by mail

by Tim Anderson (tanderson@csg.org)

I n the weeks leading up to Nov. 3, Illinois will be preparing for a general election expected to be like none other in the state’s history. That date will be a state holiday, in part to help secure alternative polling sites as some locations become unavailable due to pandemic-related health concerns.

On Election Day, individuals as young as age 16 will be poll workers, and election officials will have the authority to administer curbside voting.

And perhaps most noteworthy of all, the state is likely to have a huge jump in the number of people who vote by mail. Every person who has voted over the past two years will receive a mailing to make them aware of this option, and then will receive an absentee-ballot application. All of those changes are the result of SB 1863, legislation passed earlier this year to help authorities in Illinois conduct an election in the midst of a public health crisis, the COVID-19 pandemic.

“The law is for one year only, and that gave people more comfort in knowing that it was a one-time change,” says Illinois Sen. Julie Morrison, who helped lead legislative efforts on SB 1863.

‘INEVITABLE INCREASE’

Across the Midwest, big changes already have occurred in 2020, the result of primaries being held when people were being told to socially distance, avoid crowds and stay home whenever possible.

In Iowa, for example, the June 2 primary had record turnout — though a much smaller number of voters actually went to the polls. “Close to 80 percent of the ballots cast came from absentee mailings; that is very, very high for us,” says Iowa Secretary of State Paul Pate, whose office sent absentee-ballot request forms to every active registered voter in the state law to hold vote-by-mail elections.

“I think the big picture from the primaries is that vote-by-mail is inevitably going to increase,” says Amber McReynolds, CEO of the National Vote at Home Institute.

State policies, though, can make a big difference. McReynolds is a former local elections official in Colorado, one of a handful of states where every registered voter is mailed a ballot (not just an application). In 2016, close to 50 percent of the ballots cast came from absentee mailings.

Inside this issue

CSG Midwest Issue Briefs 2-3
• Agriculture & Natural Resources: New Minnesota law aims to help stave off farm bankruptcies through mediation
• Criminal Justice & Public Safety: Across Midwest, new laws demand more data to drive policy reforms
• Health & Human Services: Moratoria on utility shutoffs were widespread in the spring, but next steps are unclear
• Economic Development: States face long road to recovery, and challenges include helping displaced workers

Around the Region 4
• States ramp up investments in contact tracing to ‘box in’ COVID-19, including North Dakota’s early use of an app

Capital Closeup 5
• Use of legislative auditing, power of committees help ensure oversight of states’ executive branches

Question of the Month 5
• What steps have states taken to encourage the use of employee stock ownership plans by businesses?

Capitol Clips 6
• From bans on chokeholds to new ways of prosecuting police wrongdoing, states re-examine laws on law enforcement
• In Saskatchewan, wage supplement helped essential workers during pandemic
• Michigan enters next phase of plan for citizens to redraw state’s political maps
• Indiana provides financial bridge for individuals transitioning from public health insurance to private coverage

Capitol Insights 8-9
• Profile: Minnesota Senate Assistant Majority Leader Karin Housley
• FirstPerson article: Wisconsin Senate President Roger Roth on how his state executed a virtual session this spring

C SG Midwest News 10
• Great Lakes-St. Lawrence Legislative Caucus secures grant to continue work on protecting region’s water resources

BILLD Page 11
• Graduates of CSG’s Bowhay Institute for Legislative Leadership Development share their perspectives on the importance of civil discourse
Minnesota responds to rise in farm bankruptcies with change in law requiring creditors to offer mediation

by Carolyn Orr (carolyn@strawridgefarm.us)

When a county in Indiana Rep. Randy Frye’s district proposed a tax increase to build a new jail in order to relieve overcrowding, his constituents balked. After noticing the opposition to the tax increase, he wanted to get to the root of the issue.

“Legislators and the court system will be able to see if there is significant disparity in how someone is handled for a similar offense.”

“This pursuit of facts, through data collection, to inform decision-making on criminal justice policy has led to a series of actions in the Midwest’s states. Last year, for example, Iowa legislators established a Justice Advisory Board (HF 634) whose duties include providing for a ‘clearinghouse of justice system information’ and assisting policymakers in using the data. In North Dakota, law enforcement agencies must now share information on cases involving ‘missing and murdered indigenous people’ (the result of HB 1313), and the state Supreme Court and Department of Human Services are sharing data to better serve youth involved in the juvenile justice and child welfare systems. Five years ago, Nebraska lawmakers created a new legislative committee on Justice Reinvestment Oversight, it collects and analyzes data from counties and relevant state agencies to monitor the performance of the state’s justice system. (This committee was established by LB 605, a bill that came out of work led in part by The Council of State Governments’ Justice Center.)

Illinois, meanwhile, will begin to track how many people are in the state’s county jails, how long they are in jail, and how quickly dockets are cleared. Illinois Supreme Court Chief Justice Anne Burke proposed this kind of tracking system earlier this year, and the General Assembly approved the $1.6 million request in its budget. Other examples from the Midwest include:

- An initiative in South Dakota that, for several years, has allowed county sheriffs and other law enforcement agencies to share information and track records in a comprehensive way.
- Wisconsin’s Criminal Justice Coordinating Council, whose work includes mapping existing criminal justice data systems and identifying opportunities for improvement.
- The Ohio Supreme Court’s disbursement of grants (via the state’s Courts Technology Initiative) to improve data sharing and collection.


New state laws, court initiatives identify better data sharing as path to better policymaking in justice system

by Mitch Arvidson (mavridson@csorg.org)

When a county in Indiana Rep. Randy Frye’s district proposed a tax increase to build a new jail in order to relieve overcrowding, his constituents balked. After noticing the opposition to the tax increase, he wanted to get to the root of the issue.

“Legislators and the court system will be able to see if there is significant disparity in how someone is handled for a similar offense.”

“This pursuit of facts, through data collection, to inform decision-making on criminal justice policy has led to a series of actions in the Midwest’s states. Last year, for example, Iowa legislators established a Justice Advisory Board (HF 634) whose duties include providing for a ‘clearinghouse of justice system information’ and assisting policymakers in using the data. In North Dakota, law enforcement agencies must now share information on cases involving ‘missing and murdered indigenous people’ (the result of HB 1313), and the state Supreme Court and Department of Human Services are sharing data to better serve youth involved in the juvenile justice and child welfare systems. Five years ago, Nebraska lawmakers created a new legislative committee on Justice Reinvestment Oversight, it collects and analyzes data from counties and relevant state agencies to monitor the performance of the state’s justice system. (This committee was established by LB 605, a bill that came out of work led in part by The Council of State Governments’ Justice Center.)

Illinois, meanwhile, will begin to track how many people are in the state’s county jails, how long they are in jail, and how quickly dockets are cleared. Illinois Supreme Court Chief Justice Anne Burke proposed this kind of tracking system earlier this year, and the General Assembly approved the $1.6 million request in its budget. Other examples from the Midwest include:

- An initiative in South Dakota that, for several years, has allowed county sheriffs and other law enforcement agencies to share information and track records in a comprehensive way.
- Wisconsin’s Criminal Justice Coordinating Council, whose work includes mapping existing criminal justice data systems and identifying opportunities for improvement.
- The Ohio Supreme Court’s disbursement of grants (via the state’s Courts Technology Initiative) to improve data sharing and collection.

A s the COVID-19 pandemic took hold and states and provinces began shutting down in March, many either required or called for halts on utility shutoffs due to non-payment of bills for the duration of the public health emergency. But as economies reopen, questions arise: When should these state-imposed moratoria be lifted? What happened then? “For people who are frail or in poor health, it’s a matter of life or death,” John Auerbach, president and CEO of the nonpartisan Trust for America’s Health, says about having access to water, heat and air conditioning. “We’re really talking about what people need to survive.”

With residents being told to stay home by their governors, and the U.S. Centers for Disease Control and Prevention urging hand-washing to deal with a highly contagious virus, all states took action earlier this year to prevent utility-service disruptions. Moratoria were declared in 27 states, almost entirely within gubernatorial declarations of emergency, according to the National Association of Regulatory Utility Commissioners. Indiana Gov. Eric Holcomb’s executive order, for example, set a moratorium for the duration of the COVID-19 emergency. Twenty-three states made such moratoria “voluntary”—asking utility companies to refrain from shutoffs during the pandemic, in much the same way that many already offer seasonal shut-off moratoria to avoid cutting off service in winter cold or summer heat. But Wisconsin Rep. Beth Meyers, ranking member on the Assembly’s Energy and Utilities Committee, says she fears a new crisis as utility customers realize that their bill payments were deferred, not forgiven. Her legislative colleagues, as well as officials from large utilities such as Xcel and small rural co-operatives, are beginning to ask how people will pay their utility bills once the moratoria are lifted. Her hope is that the Wisconsin Public Service Commission and the utilities find a way to help customers struggling with payments.

That happened in Illinois, where a proposal negotiated by Attorney General Kwame Raoul, Chicago Mayor Lori Lightfoot, utilities and customer advocacy groups was announced in mid-June. Whether there is a legislative role to be played, Meyers says, “I think that’s a good question and it’s something well be looking into.” Michigan has been using part of its federal CARES Act allocation to pay utility bills for low-income residents. There, direct support payments are made to households that have past-due accounts of 60 days and that meet other eligibility requirements. The three largest utility providers, in turn, waive 25 percent of the outstanding bill for households receiving the direct payment. This allows for available Low Income Home Energy Assistance Program resources to assist more families.

In Saskatchewan, the interest on late bill payments was waived for up to six months. The province of Alberta allowed utility customers to defer electricity and natural gas payments until mid-June, while Manitoba Hydro suspended disconnections “until further notice” and late payments for six months. According to Canadian Urban Sustainability Practitioners, all electric and gas utilities in Ontario suspended disconnections after talks with MPP Greg Rickford, who is the province’s minister of energy, northern development and mines. Twenty-five years ago, a heat wave killed 739 people in Chicago who either didn’t have air conditioning or couldn’t afford to run it. That deadly summer in the Midwest’s largest city is an example of why utilities are crucial to maintain basic health, Auerbach says. And without water, people quickly develop basic survival issues from dehydration to poor sanitation, he adds.


Utility shutoff moratoria serve a public health need in pandemic, but what will happen when they expire?

by Laura Tomaka (ltomaka@csg.org)

in May, trends in U.S. unemployment appeared to take a positive turn, one unexpected by many economists.

And as the Midwest’s legislators learned on a webinar that same month, changes in this closely watched economic indicator have huge impacts on states’ bottom lines.

“When the national unemployment rate goes up by one percentage point, there are budget shortfalls across all states of about $45 billion,” Michael Horrigan, president of the W.E. Upjohn Institute for Employment Research, said during the webinar hosted by the Midwestern Legislative Conference Economic Development Committee. “The other estimate we’ve come up with is that if a state unemployment rate goes up by one percentage point, states lose about 7 percent in tax revenue.”

Though the May numbers were promising — the result of factors such as the end of stay-at-home orders, business reopenings and an influx of federal dollars that, in part, encouraged businesses to retain workers — unemployment rates remain historically high.

“There’s going to be a slower rebound as firms reorient and change their business model,” Horrigan said, “but also as consumers themselves gain confidence in terms of doing things that require any sort of on-site presence.”

Over the longer term, he predicted that trends in economic growth will take the form of an asymmetric V, “a very sharp downturn going into the V, and then very shallow slow growth out of it.”

State-specific data collected by Upjohn shows just how low the bottom of that “V” was in the early weeks of the pandemic: Between March 15 and May 14, total unemployment insurance claims exceeded 38 million, accounting for 24 percent of the labor force. Michigan was among the three U.S. states where more than one-quarter of its labor force filed initial unemployment claims.

Occupations requiring the lowest level of education experienced higher levels of unemployment during this period. For example, in Minnesota, jobs requiring less than a college degree represent about 60 percent of the labor market, but these workers accounted for about 70 percent of unemployment claims. In some cases, workers’ jobs are gone for good.

“They’ll need to find other occupations and be retrained,” Horrigan said, noting that economic models are “looking at a long-term unemployment”

“This is going to be a high amount of pressure on state workforce development agencies in terms of trying to help those folks get back into meaningful employment.”

In addition to emphasizing the importance of retraining, Horrigan touted the promise of state initiatives that promote “work sharing,” an unemployment benefit that gives employers an alternative to laying off workers when business is slow and/or cost cuts are needed. According to the U.S. Department of Labor, Iowa, Kansas, Michigan, Minnesota, Nebraska, Ohio and Wisconsin are among the states that already have work-sharing programs established in law. Along with Horrigan, leaders of JobsOhio (the state’s private, nonprofit economic development corporation) joined legislators on the webinar to discuss how Ohio is managing a three-stage economic response to the pandemic; relief, restart and recover. Part of the recovery stage, they said, will be identifying sectors expected to thrive and need more workers.

“We’re assessing the effectiveness of any of the new programs that we put in place, and we’re constantly trying to remain nimble,” said Matt Waldo, director of research and analysis for JobsOhio.

For all states, Horrigan said, continued coordinated assistance will be vital. He suggested tying federal aid to state and local governments based on monthly jobless rates, for example, while also addressing shortfalls in state unemployment insurance systems.

by Jon Davis (jdavis@csg.org)
THE REGION

COVId-19 contact tracing has states in midwest launching new apps, hiring new workers and addressing privacy concerns

TO keep people safe, stay ahead of COVID-19 infection rates, and allow for the continued loosening of “stay at home” restrictions, many states are trying to heed the advice of public health experts — ramp up contact tracing programs.

“There’s a real urgency in this … because we’re reopening society,” says Dr. Marcus Plescia, chief medical officer for the Association of State and Territorial Health Officials. “We’ve already seen new surges in COVID-19 cases.

The idea is to isolate, or “box in,” the coronavirus so it can’t spread.

With contact tracing, local or state health departments track the movements of people who have tested positive for COVID-19 in order to find everyone who could have been exposed. Those exposed individuals are then contacted, tested and, if they test positive, put into isolation and treatment for 14 days before a return.

At least 100,000 contact tracers will be needed nationwide to provide effective tracing efforts, according to a study released in May by the Association of State and Territorial Health Officials.

“Because restarting society involves some risk of further COVID-19 infection and transmission, the ability of local and state health agencies to quickly identify, isolate, track and alert potential exposures and the capacity of the health care system to handle new cases or surge is vital to any reopening plan,” the paper said.

MIDWEST STATES’ STEPS SO FAR

Illinois’ budget (SB 264) appropriates $800 million for contact tracing and testing ($600 million of which comes from the state’s portion of federal funds via the CARES Act), while Michigan’s SB 151 includes $10 million in state funds for contact tracing in addition to the $400 million share of federal funding for such efforts.

In Minnesota, in early June, legislators were working on HF 4579, which would establish a state contact tracing program and appropriate $300 million for it:

• $228 million to hire, train and employ tracers,
• $30 million to research for technology and local health departments,
• $5 million for public education,
• $4 million to Native American nations for their contact tracing efforts, and
• $3 million for short-term employees to help launch the program.

Wisconsin Gov. Tony Evers in May announced a $1 billion COVID-19 testing and contact tracing effort, to be paid for by federal CARES Act funds.

North Dakota’s Legislative Council in May approved a request from the Department of Health to boost its authority to spend federal funds by $5 million, in order to accept and spend federal grant funds for COVID-19 contact tracing costs. Those costs include case investigation, laboratory technicians, laboratory supplies and equipment. The state’s Emergency Commission, which consists of four legislators, the governor and the secretary of state, also approved the request. (This commission may review and consider requests to accept federal funds during times when the legislature isn’t in session.)

NORTH DAKOTA’S EARLY USE OF TRACKING APP

As of early June, North Dakota was the only Midwestern state to have launched an app for contact tracing. (South Dakota also uses it.)

People who download CARE19, released by the Fargo-based developer Proud Crowd, are given a random ID number; the app then anonymously stores location data throughout the day, tracking only locations where the person visits for at least 10 minutes. No personal information beyond the ID number and location data is kept.

“It’s a very powerful tool” that gives a tracer much more accurate information than hoping someone recalls their every step, says Vern Dosch, a 45-year veteran of the telecommunication and rural electric industries who was tapped by Gov. Doug Burgum to be North Dakota’s contact-tracing administrator.

“When you get the call that you’re positive and a contact tracer will be calling … it’s really hard to remember everywhere you’ve been in the last 14 days,” Dosch adds.

North Dakota will also offer a contact tracing app being developed jointly by Apple Inc. and Google’s parent company, Alphabet Inc., he adds. Once that happens, the new app will be called CARE19 Exposure Warning, with an existing app to be renamed as CARE19 Diary.

The province of Alberta, too, launched an app, ABTraceTogether. Information is stored for 21 days and is not shared without permission. Saskatchewan offers an app and self-assessment tool to help people determine whether they should get tested for COVID-19.

NEW LAW IN KANSAS ON PRIVACY

An early version of North Dakota’s CARE19 was found to be sending the anonymous code and an “advertising identifier” to third parties, including Foursquare and Google. Although Foursquare said the app uses the free version of its software, which meant that information was discarded, Dosch says newer versions of the app addressed those privacy issues.

Concerns about that kind of information gathering recently led Kansas legislators to propose the “Contact Tracing Privacy Act” (part of HB 2016), at the request of Attorney General Derek Schmidt.

He proposed it in response to concerns raised after news reports suggested the Kansas Department of Health and Environment may have been using cell phone location data to track COVID-19. In addition, some residents of Linn County, Kan., filed a lawsuit over local contact tracing practices.

Under Kansas’ new law, participation in contact tracing must be voluntary and information cannot be collected through cell phone tracking (which seemingly excludes use of a CARE19-style app). Any information collected that way cannot be used by state agencies.

The act also requires that contact tracing information be kept confidential, and safely and securely destroyed when no longer needed. Collectible information will be determined by the Kansas secretary of health and environment “through the open and transparent process of adopting rules and regulations.”

“This new legislation does not address every question,” Schmidt said in a statement. “But at least this puts in place basic protections for civil liberties and privacy to replace the unregulated Wild West that otherwise was unfolding in COVID-19 contact tracing.”

The law runs through April 2021, giving legislators time to review how contact tracing should be regulated.

“I think we should give Kansas a greater confidence that they are free to participate in contact tracing to help contain the spread of the virus, or not, as their best judgment may dictate,” Schmidt added.

Privacy concerns also are reflected in two pending Minnesota bills. SF 4500 would establish a contact tracing “Bill of Rights” making participation voluntary and information collected subject to the state’s existing privacy laws. HF 6665 would essentially ban mandatory, electronic contact tracing.

U.S. CENTERS FOR DISEASE CONTROL AND PREVENTION’S PRINCIPLES FOR STATE, LOCAL CONTACT TRACING PROGRAMS

Case investigation is part of supporting patients with suspected or confirmed infections; public health staff works with the patients to recall everyone who may have been in contact with them.

To protect privacy, contacts are only told they may have been in touch with someone who has the infection; they are given information and support and told how to isolate themselves.

Contact tracers must be properly trained and supervised to understand patient confidentiality and medical terminology.

Contact tracers must have excellent interpersonal and interviewing skills, as well as cultural sensitivity and competency; they must also know basic skills of crisis counseling.

Case investigators and contact tracers must understand that time is of the essence; infected people and those in contact with them must be identified, warned and connected to services as quickly as possible.

Based on current knowledge, close contact is anyone who was within 6 feet of an infected person for at least 15 minutes, starting from 48 hours before illness onset until the patient is isolated.
A part of her study of the nation’s state legislative institutions, on topics such as term limits and oversight of the executive branch, Marjorie Sarbaugh-Thompson found herself viewing old, archived committee hearings in Michigan from a few decades ago.

The subject was turkey habitats. The place was a cramped committee room in Lansing. Led by two lawmakers — one Democrat, one Republican — the committee was grilling members of the executive branch on implementation of a law to protect the state’s population of wild turkeys.

“They were sharing notes and drilling down with an incredible amount of knowledge, about the law and about turkeys,” she says.

“It was a gold standard in legislative oversight.”

That work in Michigan was being done largely outside the public eye, on a subject not likely to win or lose anyone an election. Yet this bipartisan group of lawmakers found it to be an integral part of their responsibility.

“I would hope that legislators see oversight as a big part of their job, at least one-third of it,” says Sarbaugh-Thompson, a professor of political science at Wayne State University. “If we’re spending the money [on a program, agency or regulation], we ought to want to make sure it’s going where it’s supposed to go and that it’s working.”

EXTRAORDINARY TIMES

Unlike that overlooked work done in Michigan years ago, the balance between executive authority and legislative oversight has received lots of attention in recent months due to state policies related to the COVID-19 pandemic.

In early June, for example, Kansas lawmakers met in special session to hammer out a deal between the Republican-led Legislature and Democratic Gov. Laura Kelly over issues such as emergency disaster declarations and the spending of pandemic-related funds from the federal government. Under the negotiated agreement (HB 16), the governor’s emergency disaster declaration can run through Sept. 15, after which approval is needed by a State Finance Council made up mostly of legislative leaders. In addition, this council must sign off on the Kansas executive branch’s use of federal coronavirus-relief funds.

Minnesota also has recently created new forms of legislative oversight, and in Wisconsin, a legislature-initiated lawsuit resulted in the executive branch’s stay-at-home order being struck down by the state Supreme Court in May.

ORDINARY TIMES

In ordinary times, too, the legislative branch has a critical role to play in reining in the powers of the governor, monitoring the performance of state agencies, and ensuring taxpayer dollars are being used wisely, Sarbaugh-Thompson says.

“It’s not a simple task, especially in states where legislators are term limited or part-time. But the legislative branch has several institutional tools at its disposal, such as: the ability of special committees to review, and sometimes overturn, administrative rules; the role of legislative committees in monitoring state programs, agencies, finances and contracts; and the power of advice and consent. Some state legislatures are employing these powers more forcefully than others, says Sarbaugh-Thompson, who helped lead Wayne State University’s 50-state analysis (released in 2019) of legislative oversight. Illinois, Minnesota and Ohio ranked as among the strongest oversight states. In Illinois, a bicameral committee that reviews agency rules has equal representation among the two parties and is given powers that “are extraordinarily strong — trending toward a legislative commission,” the Wayne State study found. Ohio’s high marks on oversight were due to the strength of legislative fiscal analysis of bills and regulations, as well as “the vigor with which sunset review of boards, commissions and rules is pursued.”

Of all the institutional tools she studied, Sarbaugh-Thompson singles out the auditing role as especially important.

Minnesota’s Office of the Legislative Auditor has two separate divisions: one scrutinizing agency spending, the second conducting evaluations of state programs. The office is overseen by a bicameral legislative commission with membership evenly divided among the two parties.

“When you don’t have that balance, the level of oversight depends very much on whether the governor is from the same party [as the legislature] or not,” Sarbaugh-Thompson notes.

“That shouldn’t be the case when it comes to oversight.”

Outside the Midwest, in the state of Washington, a voter-initiated law from 2005 created a new auditor’s office (independent of the legislature and governor’s office) and dedicated a portion of the state sales tax to fund its work. As part of that law, the legislature must hold hearings on every audit study and report on implementation of recommendations made by the auditor’s office.

Capitol Closeup is an ongoing series of articles focusing on institutional issues in state governments and legislatures. Previous articles are available at csgmidwest.org.

Question of the Month

How have states tried to promote or facilitate the development of employee stock ownership plans, or ESOPs?

An ESOP is a type of tax-qualified retirement plan, one that states such as Iowa have identified as a tool for helping retain businesses when owners decide to sell or some or all of their interests in a company.

Here is how an ESOP generally works: A privately held company contributes its stock, or money to buy its stock, to a retirement plan for employees. Each worker participating in the plan has his or her own account, and an ESOP trust is created to hold these shares of company stock.

ESOPs can be a mechanism for allowing partial or full ownership of a privately held company to be transferred to employees (when the owner retires, or for example). In contrast, the sale of a business to employees (via the ESOP) owning at least 30 percent of the sale; the transaction must result in the company’s being transferred to employees (via the ESOP) owning at least 30 percent of the company.

Iowa also reimburses 50 percent of the costs for businesses that conduct studies on the feasibility of setting up an ESOP.

Another policy strategy for states is to create separate offices or commissions that encourage employee ownership. In Colorado, for instance, the governor signed an executive order in 2019 creating such a commission and giving it three tasks: 1) provide technical assistance to businesses; 2) expand awareness about the benefits of employee ownership; and 3) identify barriers and recommend how to remove them. Colorado also offers revolving loans (HB 1214 of 2017) to help businesses become employee-owned.

Legislation introduced three years ago in Wisconsin (SB 466) proposed opening a center for employee ownership in the state’s university system. The bill, which did not pass, included several other provisions — tax incentives, loans and loan guarantees to finance ownership transfers, and state purchasing preferences.

Bills introduced over the past year in the Midwest include:

- Michigan’s HB 5201, which would provide businesses with assistance in forming ESOPs; and HB 5202, which would provide a tax benefit (similar to Iowa’s) for the sale, transfer or conversion of a company to an employee-owned business.

- Nebraska’s LB 988, which would provide a path for state-licensure business entities that provide professional services (attorneys, real estate agents, accountants, physicians, etc.) to enter into employee stock ownership plans. Specifically, the legislation would allow these businesses to have owners who are not credentialed to provide these professional services. Last year, Nebraska legislators passed LB 49, a law that allows ESOPs to own public accounting firms.

Question of the Month response by Tim Anderson (tanderson@csg.org), publications manager for CSG Midwest, which provides individualized research assistance to legislators, legislative staff and other government officials. This section highlights a research question received by CSG Midwest. Inquiries can be sent to csgm@cscc.org.
### ADVOCATES SEEKING STATE-LEVEL CHANGES IN POLICE TRAINING, STANDARDS AND PROSECUTIONS

Amid widespread protests and calls for change in response to the May 25 killing of George Floyd by police in Minneapolis, the push for state-level legislative reforms has intensified. Here is a look at some of the bills and policy proposals in three Midwestern states: Minnesota, Michigan and Iowa.

### MINNESOTA

Months before Floyd’s death, an 18-member task force (including two members of the Legislature) released 28 recommendations aimed at re-educating law enforcement. Among the ideas: 1) Adopt use-of-force standards that make “sacrifice of life” a core organizational value and that include requirements for de-escalation; 2) Improve training and develop new models of response to de-escalate incidents involving individuals in a mental health crisis; and 3) Create a specialized, independent unit within state government to investigate all officer-involved shootings and uses of force that result in death or severe bodily injury.

### MICHIGAN

One of the first steps taken by Michigan legislators was to advance a bill requiring all incoming officers to complete training on implicit bias, de-escalation techniques and the use of procedural justice in interactions with the public. SB 945 describes procedural justice as prioritizing “legitimacy over deterrence in obtaining citizen compliance” and emphasizing “a fair process and respectful two-way communication.” As part of their training, too, incoming officers would receive information on the type of mental health resources and services available to them. Lastly, SB 945 mandates that all officers complete 12 hours of continuing education every year.

### IOWA

Under a new law in Iowa (HF 2647, signed in June), the state attorney general now has the power to prosecute cases involving the death of a civilian by a police officer, “regardless of whether the county attorney requests the assistance.” In addition, the use of chokeholds by law enforcement is not allowed, except in cases when an officer “reasonably believes” that an individual will use deadly force and cannot be apprehended in any other way. (This is the same standard under Iowa law for use of deadly force by police.)

Other state-level ideas for reform include the mandatory use of police body cameras, public reporting and data collection of deadly-force incidents and citizen complaints against police, and adoption of a confidential whistleblower process for police.

### SASKATCHEWAN PARTNERS WITH GOVERNMENT OF CANADA TO BOOST WAGES OF COVID-19 ESSENTIAL WORKERS

Workers in Saskatchewan caring for some of the province’s most vulnerable citizens were eligible for a 16-week boost in pay this spring as the result of a program largely financed by the Government of Canada and administered by the Saskatchewan Ministry of Finance. The Temporary Wage Supplement Program was established in response to the COVID-19 pandemic.

During the program’s first phase, a wage supplement of $440 per month was made available to home health care workers as well as individuals employed at long-term-care facilities, child care centers, emergency and transition shelters, and community-based group homes. To be eligible, workers had to have monthly earnings of less than $2,500. In early June, the province expanded the program by waving the income threshold for workers at certain long-term-care facilities (those under public health orders to restrict visitations due to COVID-19). According to the Regina-Leader Post, the cost of the program is $56 million, with about $3 million coming from the province.

Under individual agreements with the provinces and territories, the Government of Canada is providing up to $3 billion in support to temporarily increase the wages of low-income essential workers. Saskatchewan’s program is running for 16 weeks, March 15 to July 4.

### MICHIGAN AND IOWA GEARING UP FOR BIG CHANGES IN HOW NEW POLITICAL MAPS WILL BE DRAWN

In May, Michigan ended its first phase of a new redistricting process that is the first of its kind in the Midwest (see map). More than 6,000 Michigan voters completed applications to draw the state’s political maps next year. This transition away from legislatively drawn districts is the result of a voter-approved constitutional amendment in 2018.

Last year, the Michigan secretary of state’s office launched an online application portal and sent applications to 250,000 randomly selected voters. With the application deadline now passed, 200 applicants will be chosen as semifinalists. These selections are random, within a constitutional constraint that the pool of semifinalists “mirror the geographic and demographic make-up of the state.” Each of Michigan’s top four legislative leaders (two Democrats, two Republicans) can remove up to five of the semifinalists from the list. The 13 members of the commission will then be randomly chosen, in accordance with the necessary partisan balance: four citizens affiliated with the Republican Party, four with the Democratic Party, and five unaffiliated with either major party.

A second Michigan, state, Ohio, is also entering a new era of redistricting. That is because of new rules that encourage the drawing of maps that receive bipartisan support in the General Assembly and/or among the seven members of a Redistricting Commission: the governor, secretary of state, state auditor and legislative representatives from both parties. Under a constitutional amendment adopted by voters in 2015, this commission will draw the lines for state legislative districts.

A voter-adopted amendment in 2018 also changed how Ohio’s U.S. House district lines will be drawn, with the process starting with the General Assembly. Any initial plan must receive a three-fifths “yes” vote in both the House and Senate, including support from at least half of the members of each of the state’s two largest political parties. The plan also would require gubernatorial approval. If the General Assembly does not approve a plan, congressional redistricting is turned over to the commission. Any commission-drawn map will require “yes” votes from at least two Republicans and two Democratic members. If the commission cannot reach an agreement, the General Assembly regains control of the process. At this stage, a new map can be approved with a simple majority vote, but it would have to comply with several “anti-gerrymandering requirements” and expire after only two general elections.

### INDIANA PROVIDING NEW ASSISTANCE TO INDIVIDUALS TRANSITIONING FROM MEDICAID TO PRIVATE INSURANCE

Indiana has received federal approval of a first-of-its-kind program that helps individuals transition from Medicaid to employer-based health coverage or a plan in the individual marketplace. The new “workforce bridge” builds on the Healthy Indiana Plan (HIP), which is used by the state to expand Medicaid to cover low-income adults.

Each HIP participant has $2,500 placed in an account each year to use for health care expenses. But what happens when someone no longer qualifies for HIP due to a new job or other factors that cause his or her income to rise above eligibility thresholds?

Previously, participants lost the ability to use any funds in their state-funded account. However, with implementation of the HIP Workforce Bridge, members leaving the Healthy Indiana Plan can continue to use up to $1,000 from their account for up to 12 months in order to pay premiums, deductibles, co-payments and co-insurance during their transition to other types of coverage. “This is one of our first efforts to mitigate the eligibility cliff effect in Indiana, which is a priority across all of our programs now more than ever,” says Jennifer Sullivan, secretary of the Indiana Family and Social Services Administration.

Addressing the “cliff effect” is particularly important considering the rise in costs for individuals enrolled in the nation’s employer-based health plans. Between 2008 and 2018, the combined cost of employees’ contributions to premiums and deductibles outpaced growth in U.S. median income in every state, according to a November 2019 study conducted by The Commonwealth Fund. Nationwide, the combined cost was 11.5 percent of U.S. median household income in 2018, that compares to 7.8 percent in 2008. Every state in the Midwest followed this trend, with the costs of work-based health care consuming a larger percentage of incomes.
95 percent of the ballots cast in Colorado were done so by early, absentee or mail voting. Sen. Morrison originally envisioned this kind of election process for Illinois. “In a perfect world, I would have had a ballot mailed to all voters, with a return envelope and all the postage paid, in order to make it as absolutely seamless as possible,” she says. But a mix of concerns about elections administration, fraud and costs led lawmakers to decide to send applications, rather than actual ballots, to all voters. (No state in the Midwest automatically sends ballots to all voters.) Illinois’ SB 1863 outlines some of the rules that local election authorities will use to process so many more mail ballots.

Morrison says a three-member, bipartisan team of local election judges will open ballots as they come in. If two of the three judges determine there is a problem with the ballot signature (it doesn’t match the signature on file, for example), the voter must be notified within two days. The voter must then submit a statement affirming that he or she did indeed cast the ballot.

In Illinois, postage on a mail-in ballot will not be prepaid, though any ballot with insufficient or no postage must be accepted. Local election authorities also may create drop boxes that allow ballots to be returned postage-free.

STATES HAVE OPTIONS TO HELP VOTE-BY-MAIL RUN SMOOTHLY

McReynolds recommends states take a series of actions to prepare for greater numbers of mail-in votes, so that the process is user-friendly, can be handled efficiently by local election officials and workers, and it is trusted by the public at large. At or near the top of that list of actions, she says, should be implementation of ballot tracking: allow voters to follow the progress of their ballot much like they now do for an item they purchase online.

“That technical innovation is one of the most important things that states can do right now with an expansion of vote-by-mail,” she says. “That one tool increases the accountability of the print vendor and the post office, and it gives voters transparency of where the ballot is.”

The CARES Act, passed by the U.S. Congress earlier this year, includes federal funding (with a match of 20 percent by the states) for states to implement pandemic-related plans for the November election. That can include purchasing new equipment to more quickly process and verify mail-in ballots (for example, ballot sorters and software that can automatically verify signatures) or hiring temporary workers to handle the additional ballots.

In Minnesota, under a law passed earlier this year (HF 3429), the Legislature gave local election authorities a larger window to process absentee ballots — 14 days before the election (instead of seven), and then up to three days following it.

Other important policy considerations, McReynolds says, include making the design of mail-in ballots easy for voters to understand, strengthening penalties for tampering with ballots or drop-off boxes, and investing in additional voter-education campaigns.

In Iowa, Pate says, part of his focus over the next few months will be ensuring the state has enough poll workers so that enough polling sites can be up and running in November. Yes, many lowans chose to vote by mail in June, he says, but that 80 percent figure might not be repeated in the fall.

“Iowans like choices, whether it’s absentee, whether it’s voting in person, whether it’s curbside voting!” he says. “You need to make sure all of those choices were there for them [in the primary]. We want to make sure they have those choices again.”

As of June, it was not yet known whether the Iowa secretary of state’s office would again send absentee applications to all voters in advance of the 2020 general election (like it had done for the primary). Before it does, though, legislative approval of such a move will now be required. That is because of the passage in June of HF 2486, which requires the state’s legislative leaders to agree to any election-related emergency actions taken by the secretary of state.

EXAMPLES OF HOW STATES CAN USE FUNDS FROM U.S. CARES ACT TO PREPARE FOR, CONDUCT NOVEMBER 2020 ELECTION

- Prepare for large influx of votes by mail by increasing staffing, investing in new supplies (envelopes), equipment (ballot tracking for voters and tabulating equipment) and paying for postage
- Purchase personal protective equipment for poll workers and voters, as well as cleaning supplies for polling places
- Educate citizens on their voting options and on any changes in election procedures
- Establish new vote centers or relocate polling locations
- Increase pay for and hire more poll workers

DEVELOPMENTS ON RECENT ELECTIONS, VOTING LAWS IN MIDWEST

ILLINOIS: ELECTION DAY WILL BE A STATE HOLIDAY

With this year’s passage of SB 1863, every person in Illinois who has voted in the past two years will be sent a vote-by-mail application. The new law also makes the date of this year’s general election a state holiday, allows 16-year-olds to be election judges, and expands in-person, early-voting hours.

INDIANA: NO-EXCUSE ABSENTEE VOTING IN PRIMARY

In advance of the June primary, Indiana election officials allowed all voters to request an absentee ballot without an excuse (an exception to state law), including through an online portal. The state also waived a requirement that poll workers only work in the county where they live.

IOWA: RECORD TURNOUT DRIVEN BY MAIL-IN BALLOTS

This year, Iowa shattered previous records of voter turnout for a June primary, and a vast majority of the voters cast ballots through the mail. For the primary, the Iowa secretary of state’s office sent absentee-ballot request forms to every active registered voter in the state.

KANSAS: LAW CURBS GOVERNOR’S ELECTION POWERS

As part of a bill passed during a June special session (HB 2016), the Kansas Legislature forbade the governor from using her emergency powers to change how elections are conducted and when they are held. Earlier this year, the Kansas Democratic Party held its first entirely vote-by-mail election.

MICHIGAN: BIG CHANGES IN VOTING BEGIN THIS YEAR

All registered voters in Michigan will receive an application to vote by mail in the coming elections. This year also marks a new era in Michigan election law because of a voter-approved ballot initiative from 2018 — automatic voter registration, same-day voter registration, no-excuse absentee voting.

MINNESOTA: MORE TIME TO PROCESS ABSENTEE BALLOTS

Minnesota’s HF 3429, signed into law in May, includes many provisions to prepare for the November election. Officials can begin processing absentee ballots up to 14 days before Election Day, and employees of health care facilities are authorized to administer absentee voting to residents or patients.

NEBRASKA: THREE-FOURTHS OF VOTES CAST BY MAIL

The state of Nebraska held a record-breaking primary in May, with close to 500,000 ballots cast. More than three-fourths of the votes were done by mail. Prior to the election, all voters received an early-ballot application, as well as a letter reminding them of their right to request an early ballot.

NORTH DAKOTA: VOTE BY MAIL IN EVERY COUNTY

North Dakota law already allowed all counties to conduct elections by mail, as long as ballot applications are sent to each voter. For the June election, every county chose this option. The governor also waived a requirement that each county have at least one polling location; drop boxes were used instead.

OHIO: NEW EQUIPMENT TO HANDLE MORE MAIL BALLOTS

Ohio Secretary of State Frank LaRocca has proposed a series of new policies in advance of the fall election; prepare for an influx of absentee ballots by investing in new equipment and changing deadlines, allow voters to request mail ballots online, and pay the postage for people who vote by mail.

SASKATCHEWAN: INDEPENDENT OFFICE RUNS ELECTIONS

Saskatchewan approved regulatory changes that give its chief electoral officer clear authority to take actions necessary to ensure the province’s fall election can be conducted safely, in light of the COVID-19 pandemic. An independent, nonprofit office of the Legislative Assembly manages elections.

SOUTH DAKOTA: BIG JUMP IN ABSENTEE VOTING

In advance of the June primary, all of South Dakota’s registered voters were mailed applications to vote absentee, and early turnout data showed a five-fold increase in this method of voting compared to 2016, the (Sioux Falls) Argus Leader reported. State law already allowed for no-excuse absentee voting.

WISCONSIN: VOTERS WILL GET MAILING ON HOW TO VOTE

As part of a mailing sent by the Wisconsin Election Commission, the state’s registered voters will receive an absentee ballot and return envelope. In the primary held earlier this year, almost 75 percent of all ballots cast were by absentee voters (most via mail).
Karin Housley is always up for taking on a new challenge and trying something new. Two decades ago, that mindset led to the writing of a successful book, an investment guide for women with an unforgettable title — “Chicks Laying Nest Eggs: How 10 Skirts Beat the Pants Off Wall Street... And How You Can Too!” The title came from the name of the investment club that she had formed with friends and relatives.

“During that process, I was looking at my whole life and I thought, What else don’t I know about that a lot of suburban women might not know about?”

“What are things that we just don’t put our toe in the water?” Her answer: politics.

Housley was at a good point in her life to take a dive into that new challenge. After splitting time between Minnesota and the many cities where her husband, Phil, played in his long National Hockey League career, Housley had come home full-time and started her own real-estate business. (Phil is now a coach and in the Hockey Hall of Fame.)

“I thought, OK, it’s my time,” she says. “It’s my time to stand up for our small-business owners, to really get into the mix of things.”

Housley was first elected to the Senate in 2012, and has since emerged as a leader in the Republican caucus (assistant majority leader) and as an important policy advocate for Minnesota’s population of seniors.

In an interview with CSG Midwest, Sen. Housley discussed her legislative passions and priorities, the state’s early response to the COVID-19 pandemic, and the adjustments that she made as a legislator to serve her constituents during the crisis. Here are excerpts.

When the COVID-19 pandemic hit, how did you adjust your legislative work to stay in touch with constituents? What did you learn from the experience?

Early on, I was the first one in our caucus to use Zoom. Nobody knew what it was, but I had used it a lot with my family because they’re all around the U.S. So within the first days of the pandemic, I formed a little group with different leaders in my district, including our police and fire chiefs, our hospital’s CEO, our Chamber of Commerce director, county commissioners, county attorneys, superintendent of schools. I also have two parts of my district, the northern part and the southern part. So I called Zoom meetings, two a week, with mayors of some of the bigger cities, to talk about our preparedness. What was going on? What were they hearing? How were our hospitals doing? It was a way to continue to keep in touch with the leaders in the community.

You then made the decision to open up some of those Zoom meetings to all of your constituents. Why?

The more knowledge people had, the calmer they would be. If they could tune in and see that the police chief is OK, the hospitals have beds and ventilators, that helped everyone. I even had our prison wardens on there. We have two prisons in my district, so I wanted people to know how things were going in the prisons, because people want to get the real facts straight from the horse’s mouth, not just some hearsay on Facebook or Twitter.

You represent a suburban swing district in the Twin Cities area, and you serve in a partisan-split Legislature. How do you go about your legislative work in this kind of environment?

You know that every single vote you take, you’re going to have to go back to your district and be able to justify how you voted, because 50 percent of the people aren’t going to like it. There are a few of us in the Senate that have those kinds of (swing) districts, and we can move good, bipartisan bills. … Overall, I think we have done a really good job in our Minnesota Legislature of keeping things toward the middle. I always feel Minnesota is a middle-left, middle-right state. We’re not one of these states that is so far to the right or so far to the left. And we’ve accomplished some really great things.

Many of those legislative accomplishments for you have involved helping Minnesota’s senior population, including laws to prevent elder abuse and improve oversight at assisted-living facilities. Why is this policy area important to you?

My mom had Alzheimer’s, and being an advocate for my mom, I saw what it was like going through all of the transitions — from our home we grew up in, to assisted living, and, finally, to the nursing home. And I saw that there were so many seniors who had nobody to advocate for them at the state Capitol. You see all of these seniors in assisted-living facilities, and I really wanted to put some protections into law for them.

What were some of those protections that you prioritized as a legislator?

We’ve got so many great caregivers that take care of our seniors in these facilities, but every once in a while, there’s a bad egg. Our assisted-living facilities weren’t licensed, so putting that framework in place was one of my biggest accomplishments — just really protecting our seniors in every which way I can. I got a bill passed last year that allowed for residents and their family members to put a camera in their loved one’s room so it can be an extra set of eyes on your parent while they’re in there. And it can also help catch bad people doing bad things.

When it comes to the Family Care and Aging Committee, I did find my passion, and it is protecting our seniors, being a voice for them, and advocating for their needs because they have so many. They just have a soft spot in my heart. [Editor’s Note: Housley helped form this new committee in the Senate and is its chair.]

What will be some of your legislative priorities going forward?

There are so many things, but No. 1 will always be our seniors. … There are many more issues they need protection around that I want to work on. I also want to make sure our senior living facilities are still around because they’re going to take such a hit due to COVID-19. So we need to make sure we have the facilities for our seniors to live in, and then if they do live in them, we have to make sure we protect them. Also, super important to me are our small businesses. Nothing drives small businesses crazier than big government coming down and telling them what to do. I want to help our small businesses fight for their freedoms. That’s the reason they went into their own business anyway; they wanted to be their own boss. To help them to do that, to help make it financially worthwhile for them because they’ve risked everything, is really important.
FIRST PERSON: HOW WISCONSIN PREPARED FOR, AND HELD, ITS FIRST-EVER VIRTUAL LEGISLATIVE SESSION

by Wisconsin Senate President Roger Roth

In early March, the Wisconsin State Senate was set to wind down its regular, two-year legislative session. As Senate president (the body’s presiding officer), I was gearing up to take up a lengthy calendar of bills for session day, planned for late March. That didn’t happen.

The session day was postponed amid a statewide shutdown of businesses and schools — the same type of emergency action taken across the nation as a result of the COVID-19 pandemic. Changes had to be made to the way we all live and work. The result was that on April 15, the Wisconsin State Senate did something new — hold a virtual session.

Compared to most states, Wisconsin was a step ahead. Thanks to a statute already in place that allowed us to legally be able to conduct a virtual session. In 2008, the Wisconsin Legislature formed the Special Committee on Emergency Management and Continuity of Government, which was charged with making recommendations on legislative operations during emergencies.

One of those recommendations resulted in legislation permitting the Legislature to meet virtually in the event of a disaster. However, until this year, such a session had never been done.

Wisconsin’s law governing virtual meetings (Act 363 of 2009) requires that each senator’s identity be verified and that all members may simultaneously hear or read the comments of each member recognized to speak. In addition, any document used in the meeting, such as a legislative amendment, must be immediately transmitted to participating members.

With these rules as guidance, I began constant communication with the Legislative Technologies Services Bureau (LTSB), the Senate chief clerk, and the Senate sergeant-at-arms on the possibility — and later the actuality — of planning a virtual session.

NUTS AND BOLTS OF PREPARING FOR A VIRTUAL SESSION

In the weeks leading up to the virtual session, our LTSB built a website to meet the needs of conducting the usual business of a session day in a new way. In conjunction with the video conference service Skype for Business, the website allowed members to request to speak and cast their votes electronically.

This information was transmitted to the computer screens of the presiding officer and chief clerk. When it was determined that legislation would be necessary to address the pandemic, Senate Majority Leader Scott Fitzgerald decided to conduct a virtual session out of caution for our members, their families and their staff who may be vulnerable to COVID-19.

Once the session schedule was set, the Committee on Senate Organization adopted procedural changes specific to convening in virtual session, including allowing votes to be cast electronically, requiring most amendments to be introduced before the beginning of a session, and limiting the physical presence of members.

As presiding officer, I conducted the session from a state Capitol hearing room equipped with the latest technologies and multiple screens.

To adhere to the U.S. Centers for Disease Control and Prevention’s social distancing guidelines, the room was set up to ensure the safety of those physically present. Everything was thoroughly cleaned and the floors were taped to guarantee everyone was six or more feet away from the person next to them.

Physical attendance was limited to essential personnel, including the Senate chief clerk, sergeant-at-arms, technical support staff and our chief legislative counsel, along with Senate leadership, to facilitate the debate and floor action.

All members were present in a virtual manner from locations across the state. They were encouraged to find a quiet room with a consistent Wi-Fi connection. Many chose to remain at home, others preferred being in their Capitol offices.

Each member has a state-issued laptop, which greatly aided in the consistency and reliability of the virtual system.

Prior to the session day, I held a training exercise with senators, so everyone was comfortable and familiar with the setup and the applications being used. During the session, each member could request immediate technical assistance either by phone or by clicking a technical support button on his or her screen.

E-DAY

On virtual session day, each member was asked to log in and join the meeting ahead of the actual start time. Our information technology staff then confirmed that each member could see and hear the conference.

Wisconsin’s virtual session law also requires that the public, to the extent technology will allow, be able to observe the proceedings. The WisconsinEye Network, our state’s public affairs broadcaster, routinely provides live, unedited coverage of state proceedings via remote cameras, and its coverage of our April virtual session was no different.

Members of the press were able to view the session through WisconsinEye’s streaming service. In addition, one journalist and one photographer were physically present to provide a pool feed to the press corps.

The virtual extraordinary session ran smoothly — although the speed of session had to run at a slower pace to allow for lag time — with minimal hiccup.

When a member spoke, the Skype program would spotlight the speaker.

When a vote was required, members voted electronically, and then the Senate chief clerk verbally announced the votes. The virtual session was successful because initial steps had been taken immediately and contingencies planned for.

The Senate unanimously (32-0) passed a bill giving Wisconsin access to nearly $2 billion in federal relief in response to the COVID-19 outbreak.

Through this virtual session, and with both houses unanimously passing the bill, we showed the public that no matter what comes our way, our government is going to endure.

It is important to instill confidence that the functions of a legislature will continue uninterrupted during times of unprecedented and rapidly changing events. While the public saw many events in their lives canceled, their state government proved capable of meeting in times of uncertainty and distress.

Wisconsin Senate leadership and Senate staffers meet in a hearing room in the Capitol while members join online from their homes or offices in the Legislature’s historic, first virtual session, held on April 15. (photo courtesy of Sen. Roger Roth’s office)

WISCONSIN REQUIREMENTS FOR VIRTUAL SESSIONS (ACT 363 OF 2009)

✓ Participating members’ identities must be verified and actions authenticated
✓ Participating members must be able to simultaneously hear or read comments of members recognized to speak
✓ Documents accepted by the presiding officer or chair must be immediately transmitted to participating members
✓ The public must be able to monitor proceedings within technological limits
✓ Each house must issue a notice of emergency to meet virtually

SUBMISSIONS WELCOME

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwest Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or tanderson@csg.org

Wisconsin Senate leadership and Senate staffers meet in a hearing room in the Capitol while members join online from their homes or offices in the Legislature’s historic, first virtual session, held on April 15. (photo courtesy of Sen. Roger Roth’s office)

Roger Roth has been president of the Wisconsin Senate since 2017. He was first elected to the Legislature in 2006 (Assembly) and to the Senate in 2014.

STATELINE MIDWEST | JUNE 2020 9
CSG PROVIDING RESOURCES FOR STATE LEADERS ON RESPONSE TO, IMPACT OF SPREAD OF CORONAVIRUS

States have been central to the nation’s policy response to the spread of the coronavirus, and The Council of State Governments has a one-stop resource for leaders to get information on the actions being taken. The site, web.csg.org/COVID19, includes state-by-state information on topics such as the mandatory closure of schools, details on the governors’ emergency orders, an updated listing on the number of COVID-19 cases, and changes in state legislative sessions.

CSG also is aware of the potential impacts on its future regional and national meetings. Members will be made aware if and when meeting plans must be changed.

CSG JUSTICE CENTER HELPS DEVELOP COVID-19 RE-ENTRY ‘CHECKLIST’

Preparing people about to leave prisons or jails for re-entry into society was already challenging before the COVID-19 pandemic. Now jail and prison officials must balance public safety with the need to reduce populations in potential or actual COVID-19 hotspots.

The Council of State Governments’ Justice Center worked with the National Sheriffs’ Association to help re-entry planners by developing a checklist as “a starting place for reviewing the myriad factors staff should consider as they prepare people for reentry.” Released in May, the 21-point checklist includes considerations for COVID-19, legal discharge, basic needs and health treatment needs. The checklist has already been used in the Midwest by Douglas County, Kansas, and Franklin County, Ohio. The checklist is available at cjsjusticecenter.org.

The mission of the CSG Justice Center is to develop research-driven strategies to increase public safety and strengthen communities. It provides recommendations for legislation, helps with implementation of re-entry best practices, and promotes alternatives to incarceration for people with mental illnesses.

CSG SEeks NOmINEES For INaugural ’20 UNDER 40’ LEADERSHIP AWARDs

The Council of State Governments is seeking “up and coming” state officials under 40 years of age who are providing exceptional engagement and leadership in their states or territories for special recognition in the new “20 Under 40” Awards program. Each nominee must be an elected or appointed official from a U.S. state or territory and be 40 or younger on Dec. 31. Nominations must include two letters of recommendation, a current resume, and answers to three questions. More information is available at web.csg.org/20-40.

GRANT WILL HELP LEGISLATORS PURSUE GOALS OF PROTECTING GREAT LAKES, WATER QUALITY

Caucus also launches new website, planning virtual Annual Meeting for fall

The Great Lakes-St. Lawrence Legislative Caucus received good news this spring when The Joyce Foundation awarded CSG Midwest a two-year grant to support the caucus’s work.

The Great Lakes-St. Lawrence River. CSG Midwest provides staff support to this nonpartisan group. The grant, which runs through May 2022, will make it possible for the GLCC to:
- hold events, including annual meetings and quarterly web meetings;
- continue to take coordinated regional action on policies related to lead in drinking water, nutrient pollution and other issues; and
- host the second Patricia Birckholz Institute for Great Lakes-St. Lawrence Policy in late 2021.

The leaders, members and staff of the GLCC are deeply appreciative of the Joyce Foundation for recognizing the importance of state and provincial legislators on policies related to water quality. The foundation is a longtime supporter of the caucus.

ANNUAL MEETING GOES VIRTUAL

The GLCC also recently announced the cancellation of its 2020 annual meeting, originally scheduled for Sept. 18-19 in Detroit, due to the ongoing COVID-19 pandemic.

This year’s meeting will be transitioned to a series of shorter virtual meetings, with the same goals as the in-person event — bringing legislators together to learn from each other and hear from policy experts and scientists on Great Lakes protection and restoration efforts, as well as to explore the impact of these actions on the region’s economy and ecology. These virtual sessions will be held in September and October, with information to be posted on the GLCC and CSG Midwest websites. They will be open to GLCC members, other legislators, legislative and executive agency staff, and anyone else with an interest in the caucus or the Great Lakes.

In addition to the policy sessions, the agenda for each virtual meeting will feature a business session to consider policy resolutions and to elect a new GLCC leadership team.

Indiana Sen. Ed Charbonneau serves as chair of the GLCC, Illinois Rep. Robyn Gabel is the vice chair. An executive committee (10 elected members and two ex officio members) assists the officers in overseeing the GLCC’s activities. The province of Québec will host the 2021 meeting in Québec City in September. The caucus will hold its annual meeting in Michigan in 2022.

CAUCUS HAS NEW ONLINE RESOURCE

In June, the GLCC launched its new website (greatlakeslegislators.org), a resource dedicated to providing news and information about the caucus and its members. The site will be updated regularly to keep legislators informed about GLCC activities and legislative developments related to the caucus’s priority issues.

MIDWESTERN LEGISLATIVE CONFERENCE CONTINUES TO OFFER REGION- AND POLICY-FOCUSED WEBINARS FOR MEMBERS

The Council of State Governments’ Midwestern Legislative Conference is hosting a second webinar series to help state and provincial legislators during an time of extraordinary policy challenges on both sides of the border.

“Looking Beyond the Pandemic: Midwestern Legislatures Address New Challenges” runs through July. Webinars are being held weekly at 10 a.m. CDT on Thursdays. Information on upcoming webinars, and recordings of past sessions, are available at csgmidwest.org.

These expert- and legislator-led events are covering these topics:
- preparing for the fall elections and beyond;
- the challenges of holding virtual legislative sessions and committee meetings;
- legislative oversight of emergency executive actions;
- the pandemic’s impact on state/provincial budgets;
- preparing for future public emergencies; and
- assessing economic reopening strategies.

Recordings of the MLC’s first series of free weekly webinars, “Confronting a Crisis: The Midwest Responds to the Coronavirus Pandemic,” also can be found at csgmidwest.org. Those events were organized by the MLC’s six binational, interstate policy committees.

The Council of State Governments was founded in 1933 as a nonpartisan organization to assist and advance state government. The headquarters office, in Lexington, Ky., is responsible for a variety of national programs and services, including research, reference publications, innovations transfer, suggested state legislation and interstate consulting services. The Midwestern Office supports several groups of state officials, including the Midwestern Legislative Conference; an association of all legislators representing 11 states (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin) and the Canadian province of Saskatchewan. The provinces of Alberta, Manitoba and Ontario are MLC-affiliate members.
“This is a hard conversation, but one that should be had. I’ve watched good legislation become a firestorm of misinformation and name calling because the drafter of the bill irritates people.

“Right or wrong, government and lawmakers have become the example for civility in society as a whole. We need to remember that all the legislators and staff, all the constituents who come through our capitolis, are individual people with life experiences different from ours.

“And while we will often not agree with them on particular issues, the fact that as human beings, they deserve respect should not escape us. Furthermore, the fact that we may not personally like an individual should never reduce us to bad governance in an effort to settle a score.”

“Treating each other with respect and starting with the notion that each elected official’s motivations are pure until proven otherwise will enable quality discussions and debates.”

“Legislators are leaders and role models, whether we recognize it or not. How we treat one another contributes to the larger culture within the legislature and back home.

“One way members can advance policy is by sharing ‘why’ you’re working on this problem, being open to other suggestions that may be solutions (instead of being married to a specific idea), and personally visiting with other members.

“Just before I joined the Legislature, the ‘smoking room’ in the North Dakota Capitol was closed. During those years, everyone went into the lounge during breaks — whether they smoked or not — and used that time to get to know each other and their families. There wasn’t a Republican or Democrat lounge; there wasn’t a House or a Senate lounge. It was one room where everyone was welcome — and politics was usually left in the chamber.

“That environment to build rapport with colleagues just doesn’t really exist anymore.”
STATELINE MIDWEST
THE COUNCIL OF STATE GOVERNMENTS | MIDWESTERN OFFICE

CSG EVENTS

CSG Midwestern Legislative Conference Webinar Series — Looking Beyond the Pandemic: Midwestern Legislatures Address New Challenges
See page 10 for details

MIPRC Annual Meeting
November 9-11, 2020 | Detroit, Michigan
Contact: Laura Kliewer ~ lkliewer@miprc.org
630.925.1922 | miprc.org

Great Lakes-St. Lawrence Legislative Caucus Annual Meeting (Virtual Sessions)
Fall 2020 | Exact dates/times to be determined
Contact: Lisa Janairo ~ ljanairo@csg.org
630.925.1922 | greatlakeslegislators.org

CSG National Conference
December 2-5, 2020 | Santa Fe, New Mexico
Contact: Kelley Arnold ~ karnold@csg.org
800.800.1910 | csg.org

Midwestern Legislative Conference Annual Meeting
July 21-24, 2021 | Rapid City, South Dakota
Contact: Cindy Andrews ~ candrews@csg.org
630.925.1922 | csgmidwest.org

Bowhay Institute for Legislative Leadership Development
Summer 2021 | Minneapolis, Minnesota
Contact: Laura Tomaka ~ ltomaka@csg.org
630.925.1922 | csgmidwest.org

StateLine Midwest is published 11 times a year by the Midwestern Office of The Council of State Governments. Annual subscription rate: $60
To order, call 630.925.1922.

CSG Midwestern Office Staff
Michael H. McCabe, Director
Tim Anderson, Publications Manager
Mitch Arvidson, Policy Analyst
Cindy Cole Andrews, Assistant Director
Jenny Chidlow, Office Manager
Jon Davis, Policy Analyst and Assistant Editor
Ilene K. Grossman, Assistant Director
Lisa R. Janairo, Program Director
Laura Kliewer, Senior Policy Analyst
Laura A. Tomaka, Senior Program Manager
Kathy Treland, Administrative Coordinator and Meeting Planner

June 2020
The Council of State Governments, Midwestern Office
701 E. 22nd Street, Suite 110 | Lombard, IL 60148-5095
Phone: 630.925.1922 | Fax: 630.925.1930
Email: csgm@csg.org | csgmidwest.org
CHANGE SERVICE REQUESTED