COVID-19 PANDEMIC MAKES VIRTUAL LEGISLATING A REALITY IN SOME STATES

Wisconsin was one of the few states with a law on remote sessions already in place

by Tim Anderson (tanderson@csg.org)

In March, Senate President Roger Roth got the call to prepare for an unprecedented — but not unthinkable — event in the legislative history of Wisconsin. “Whatever you have to do,” he was told by Senate Majority Leader Scott Fitzgerald, “we need to be able to have a contingency plan in the midst of this coronavirus [outbreak].”

Roth’s job as presiding officer: Get the state Senate ready for a first-ever virtual meeting of the entire chamber, so that it could pass essential bills related to the COVID-19 pandemic while keeping its 33 members and legislative staff safe.

“I immediately called our legislative service agencies: our technology folks, our lawyers, our parliamentarians,” Roth says. “And from that point on, they haven’t stopped working.”

After much preparatory work, practice and dress rehearsals, actual virtual sessions of the Wisconsin Senate began being held in April.

“First, you want to protect the health and safety of our members, and one-third of [the senators] are 68 or older,” Roth says, noting that older people are at a higher risk of developing serious, potentially fatal, complications if exposed to COVID-19. “Just as important, in the midst of these extraordinary circumstances, people are looking for stability and want to be reassured. I think it’s important to show that even in these challenging times, our government just like our people, will endure.”

CHALLENGE OF LEGISLATING, AND SOCIAL DISTANCING

A little more than a decade ago, Wisconsin legislators were thinking about and planning for just this kind of scenario. In 2008, a joint legislative committee was formed to study new policies that could help ensure continuity of government.

One of its recommendations, which became law a year later, was to allow the Wisconsin Assembly and Senate to hold virtual sessions when in-person meetings in Madison were impractical or dangerous “due to an emergency resulting from a disaster or the imminent threat of a disaster.”

Such a disaster came to Wisconsin, and Wisconsin, in 2020. “Early on in the COVID-19 pandemic, the actions of the nation’s governors received considerable attention, as they used their emergency powers to close schools, impose stay-in-shelter orders, limit travel and more. But in a system that relies on three functioning branches of government, the difficulty of legislating during periods such as the COVID-19 pandemic merit special consideration as well,” says Gary Moncrief, a distinguished professor of political science at Boise State University and one of the nation’s leading authorities on state and local governments.

“State legislatures are so different in terms of the challenge this creates for them when you compare it to other institutions at the state level, as well as any other institution, save for Congress, at the federal level,” he says. Most legislatures in the Midwest have more than 100 members, for example, and give-and-take interactions among these elected officials are central to what they do.

The idea of these legislators conducting the people’s business virtually — away from one another and the public — is not optimal, but it needs to be looked at as a necessity to keep government functioning in a crisis.

Question of the Month

What measures have the Midwest’s states considered to improve access to diagnostic mammograms?

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Early COVID-19 policy responses in Canada include help for homeless, other vulnerable populations

Illinois, Minnesota look to ensure their citizens have access to affordable insulin

Wisconsin law will fund use of peer coaching to help people recover from addiction

Under new law in South Dakota, collective bargaining ends for most faculty at Board of Regents schools

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Agriculture & Natural Resources

Michigan alters timeline for new rules on housing for egg-laying hens — cage-free by start of 2025

by Carolyn Orr (carolyn@strawridgefarm.us)

Starting in 2025, all egg-laying hens in Michigan will be cage-free, the result of legislation signed into law late last year after negotiations among lawmakers, industry leaders and animal-rights groups.

“I think it synchronizes Michigan’s hen-housing law with state and national retail and restaurant commitments of only buying eggs from 100 percent cage-free farms by 2025,” says Sen. Daley, the sponsor of SB 174.

Under the law, retailers can only sell eggs from hens in a “cage-free housing system,” to qualify as cage-free, the housing must “provide enrichments that allow the hens to exhibit natural behaviors” — for example, scratch areas, perches, nest boxes and dust bathing areas.

Michigan is the first Midwestern state with a cage-free law, and now the largest egg-producing state that dictates hen housing.

Outside the region, California, Massachusetts, Washington, Oregon and Rhode Island already have such laws. In October 2019, the North American Meat Institute filed a lawsuit challenging the constitutionality of California’s voter-approved animal-confinement rules.

Without passage of SB 174, Michigan’s egg producers would have had to meet cage-free requirements this year, as the result of legislation passed 11 years ago in order to prevent a statewide ballot initiative on the subject.

“Cage-free” does not mean hens have outdoor access. Rather, they are free to run around barns outfitted with platforms, tiers and nesting spaces.

Two years ago, measures (HB 6205 and SB 660) to move back the cage-free requirement from 2020 to 2025 failed in the Legislature, but were vetoed by then-Gov. Rick Snyder, who, in part, objected to language in the bill touting the health benefits of an egg from a cage-free chicken versus a caged chicken.

“Establishing housing and production standards for non-Michigan firms selling eggs in Michigan under the pretext that traditional housing for laying hens leads to increased exposure to disease pathogens is incorrect,” Snyder wrote in his veto message.

Extensive research has shown that there are positive and negative impacts and trade-offs associated with different housing systems.

Meanwhile, consumer demand for eggs produced from enhanced-cage or cage-free hens has not materialized to support the higher cost for farmers. (For most producers, moving to cage-free operations requires the construction of new facilities.)

The compliance date in SB 174 was chosen because it aligns with the date that many restaurants and grocery chains have committed to for buying cage-free eggs. For example, McDonald’s, one of the world’s largest buyers of eggs, has committed to 100 percent cage-free sources by 2025. Target, ConAgra Foods, Nestlé, General Mills, Campbell Soup Co. and Kellogg’s have made similar pledges.

Nationwide, about 18 percent of all laying hens were in cage-free production in 2019; however, according to U.S. Department of Agriculture data on egg sales, only 16 percent of eggs marketed are sold as cage-free. If all of the companies make good on their current commitments, 71 percent of all hens will need to be cage-free in five years. Approximately 56 percent of Michigan’s hens are in cage-free systems now.

Michigan’s cage-free requirement was part of a larger bill that also addressed other issues in animal agriculture, including biosecurity, disease prevention, responses to disease outbreaks and livestock indemnity.

Two years ago, legislators in another Midwestern state took a different approach to hen-housing regulations. Iowa’s HF 2408, signed into law in 2018, requires growers to sell conventional eggs if they offer cage-free or other specialty eggs and participate in the Supplemental Nutrition Program for Women, Infants and Children.

As schools transition to new world of e-learning, states play critical role in oversight and assistance

In mid-March, the nation’s education community — school administrators, teachers, students and parents — began a crash course in e-learning. For state legislators, too, there have been important lessons to learn about their schools’ rollout of this alternative to face-to-face instruction, as well as many policy issues to consider about the potential fallout.

One likely consequence, for example, is a lag in student achievement, says Georgia Heyward, a research analyst at the Center on Reinventing Public Education, which has created a database detailing and comparing the e-learning plans of school districts across the country.

“I think a learning slide should be expected,” she says. “Early on, we have been seeing very few school districts that offer live instruction, where you have a (professionally trained) teacher guiding the students rather than a bar-coded parent.

“And you have very few districts doing progress monitoring of students.”

That learning slide may be unevenly distributed. Early on, anecdotal evidence pointed to disparities in the richness of the e-learning plans being developed and implemented by school districts. According to Heyward, the most comprehensive plans — ones that include meaningful teacher feedback and interactions with students and parents, to complement the delivery of curriculum and instruction — were much more likely to be in place in resource-rich districts.

“What is this going to mean in rural areas where students are somewhat behind, or in areas where the schools serve large shares of minorities where families don’t have a political voice?” she asks.

“In the absence of any type of state direction, you’re going to have really, really inequitable responses.”

HOW TWO MIDWEST STATES ADDRESSED E-LEARNING IN LAWS PASSED IN 2017, 2019

Before March, and the COVID-19 pandemic that led states to close school buildings, e-learning was an educational tool unfamiliar to many teachers, students and parents. And it was largely seen by states as a way to allow schools to provide an instructional day when snow or other inclement weather made travel unsafe.

COVID-19 has presented a new reality: Weeks and months of instruction having to be delivered not face-to-face, but through distant learning.

This is likely to lead legislators to re-examine their state laws and regulations on e-learning (many states did not have any laws at all), including how to help districts create effective plans and ensure all students’ and teachers’ needs are being met.

Illinois and Minnesota already had statutes in place prior to 2020, including language that established certain e-learning standards. Under Illinois’ law, which was passed last year (SB 28), regional superintendents were tasked with setting e-learning standards. Under Illinois’ law, which was passed last year (SB 28), regional superintendents were tasked with setting e-learning standards.

Heyward says the importance of states’ role in e-learning became clear early on as schools began to close due to the coronavirus outbreak, and she points to Kansas as one of the nation’s early leaders.

“It had a very strong and clear directive and set very clear expectations for districts to have a distance-learning plan,” she says, noting Kansas’ quick decision to close buildings for the rest of the school year and get districts prepared for the instructional alternative.

Kansas immediately convened a group of school administrators and teachers, known as the Continuous Learning Task Force, to help districts implement e-learning plans. By mid-March, the task force’s recommendations already had been released.

In the province of Ontario, the Ministry of Education established a centralized online resource known as Learn at Home, where a mix of quality math and literacy resources are made available for use by schools, teachers and students. (These resources were created by Ontario-certified educators.)

Heyward singles out Ontario’s Learn at Home as the kind of resource that a province or state can provide to improve e-learning instruction. Another potential model for states, she says, is the work being done in Colorado to identify each school district’s challenges related to e-learning.

“The information needs to be collected so states can differentiate their responses,” Heyward says, noting that some districts require more guidance and resources than others.

As of early April, the 82 U.S. school districts reviewed in the Center on Reinventing Public Education’s database, only 13 percent were providing some kind of progress monitoring in which teachers were expected to review student work and provide feedback. Those findings, Heyward says, underscore how much progress must be made in the area of e-learning.

However, she also points to the resourcefulness shown by many local schools and districts — quickly delivering training for educators, for example, or distributing electronic devices to students in need.

One continuing obstacle for some districts is the gap in broadband access. As of 2017, close to 10 percent of K-12 students living in rural areas did not have access to any kind of broadband (fixed or mobile). Twenty percent of students living in poverty lacked access.

“This has really brought up the need for expanded broadband in the states,” Heyward says.

Districts providing curriculum and instruction, but not monitoring

**Districts providing curriculum, instruction and progress monitoring**

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<td>13%</td>
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**Districts providing formal curriculum but not instruction**

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<th>Districts providing just access to general resources</th>
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<td>13%</td>
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**Progress monitoring means teachers are expected to review student work and provide feedback.**

Source: Center on Reinventing Public Education

Under Minnesota’s 2017 law (HF 2), districts must deliver acceptable digital instruction for students with special needs, make accommodations for families without internet access, and guarantee that teachers can be reached by telephone or online during the school day.

**EARLY, DECISIVE ACTION BY STATES HELPED DISTRICTS IMPLEMENT E-LEARNING PLANS**

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**K-12 STUDENTS’ ACCESS TO INTERNET AT HOME, BY LOCATE AND INCOME LEVELS (2017)**

<table>
<thead>
<tr>
<th>Broadband Connectivity</th>
<th>K-12 Students’ Access to Internet at Home</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile broadband</td>
<td>57%</td>
</tr>
<tr>
<td>No access or only dial-up access</td>
<td>24%</td>
</tr>
<tr>
<td>Fixed broadband</td>
<td>19%</td>
</tr>
</tbody>
</table>

** Extent of U.S. School Districts’ Distance Learning Plans, As of April 3, Based on Review of 82 Districts**

<table>
<thead>
<tr>
<th>Distance learning plan</th>
<th>% of districts</th>
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<tbody>
<tr>
<td>Distance learning plan</td>
<td>13%</td>
</tr>
<tr>
<td>Districts providing curriculum, instruction and progress monitoring**</td>
<td>13%</td>
</tr>
<tr>
<td>Districts providing curriculum and instruction, no progress monitoring**</td>
<td>11%</td>
</tr>
<tr>
<td>Districts providing formal curriculum but not instruction</td>
<td>43%</td>
</tr>
<tr>
<td>Districts providing just access to general resources</td>
<td>32%</td>
</tr>
</tbody>
</table>

* Early results from the Center on Reinventing Public Education’s review showed more than four districts strengthening their plans as they adjusted to distance learning. For example, between the weeks of March 26 and April 3, the percentage of districts providing curriculum, instruction and progress monitoring had increased from 5 percent to 13 percent.

** Progress monitoring means teachers are expected to review student work and provide feedback.**

Source: Center on Reinventing Public Education

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The scale and scope of the COVID-19 pandemic has turned a spotlight on the role of states in responding to a new public health emergency in a manner quite unlike a tornado, flood or even recent viral concerns such as H1N1 or Ebola.

By April, all states and provinces in the CSG Midwest region had declared either states of emergency or public health emergencies. In many, governors or premiers had enacted “stay-at-home” or “shelter-in-place” orders for the first time in living memory.

For state legislatures, the early response centered on working with their governors and emergency, public health, and other agencies to provide and coordinate resources. And the states, the governors and legislators soon found, had to learn the ropes quite quickly. The states found that they lacked emergency plans for a “big unknown.” The states were learning what kind of actions they would need to take in response to this pandemic, and how they would fund it. To address that, they passed scores of pandemic response bills and initiative measures.

In Minnesota, legislators acted quickly with $530 million in appropriations

Benson sponsored one of the two major bills that shaped Minnesota’s initial legislative response to the pandemic: SF 4334 and HF 4331. Signed into law in March, the measures reflect not only the unprecedented impact of the COVID-19 outbreak, but also the critical role of states in managing a public health crisis.

Under SF 4334 (of which Benson was a lead sponsor), the Legislature appropriated $200 million for emergency investments in the state’s public health infrastructure — for example, money for providers to build temporary hospitals, hire additional staff, and provide and coordinate resources to manage the response, but to understand what the professionals already have in place, what they need, and what they say they’ll need next.”

During the initial emergency response, the Minnesota Senate Deputy Majority Leader Michelle Benson says “Our job is to listen to them and have some clear conversations about how we’re going to help.”

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Other part-time state legislatures in the Midwest also faced the pressures of addressing the impact of the coronavirus outbreak, with limited time to do so (either because of session limits or the inability to meet because of the risks of COVID-19 infection).

In South Dakota, on their last day of regular session (a day traditionally used to act on gubernatorial vetoes), legislators approved nine COVID-19-related emergency bills. Among the measures:

- Creating a $10.5 million revolving loan fund for small businesses.
- Expanding eligibility for unemployment insurance for people who lost jobs because of the pandemic (SB 187).
- Allowing the governor to waive the state’s minimum instructional hours for schools (SB 188).

Nebraska senators acted quickly as well with unanimous approval in March of LB 1198, which appropriates $83.6 million for COVID-19-related costs. That money will help various entities in Nebraska purchase personal protective gear for workers, bolster capacity at testing labs, and establish a statewide communication system to share information on response efforts.

NATIONAL STUDY RANKS STATES ON PREPAREDNESS FOR HEALTH EMERGENCIES

States are much better prepared to respond to emergencies of all kinds as the result of advances made after the Sept. 11, 2001, terrorist attacks, says John Auerbach, president and CEO of the Trust for America’s Health, which in February released a report on the states’ readiness for public emergencies.

For example, he says, states are now required under federal law to develop and update “all hazards” emergency response plans. In addition, Auerbach says, there have been both real opportunities to respond to emergencies over the last several years — H1N1, Zika, measles, etc. — and [to conduct] preparedness drills.”

The Trust for America’s Health study, though, did point to variances in the readiness of states to respond to crises such as diseases, natural disasters and bioterrorism (see map). It used 10 indicators to evaluate states, including:

- The ability to expand health care capacity via adoption of an interstate compact on nurse licensure.
- The level of participation by hospitals in health care coalitions that coordinate responses to a crisis and manage a surge in medical needs.
- Planning by public health labs to boost testing capacity in an emergency.
- The quality of health care providers on measures of patient safety.
- The size of states’ public health budgets; and seasonal flu vaccination rates.

States should fully fund emergency preparation in their health budgets on an ongoing basis, Auerbach says, adding that the states which did so before the COVID-19 outbreak are the ones responding best to it. “You can’t prepare for an emergency after the emergency arrives,” he says.

Article written by Jon Davis, CSG Midwest policy analyst and assistant editor. He can be reached at jddavis@csbg.org.

BREAKING AHEAD BEFORE LOOKING BACK: PLANS FOR AN ‘AFTER ACTION’ REVIEW

Beyond the initial response to the crisis, Sen. Benson says she and other Minnesota legislators already are planning an “after-action” review of the state’s — and the Legislature’s — response to the COVID-19 pandemic to be better prepared for the next time.

One realization so far is the need for some sort of legislative emergency response “advisory commission” to give the governor emergency spending authority in narrowly defined situations, she says, noting the next emergency might not happen while legislators are in session. Another overarching concern of Benson’s is the state’s — and nation’s — ability to respond to the need for more medical supplies. “We have to change our supply chain (for medical and pharmaceutical manufacturing),” Benson says. “Already what we’ve learned is we’re far too dependent on China for our manufacturing.”

“I think that will be a significant part of the conversation when we get through this,” she adds.

SOUTH DAKOTA, NEBRASKA AMONG OTHER STATES TO TAKE QUICK LEGISLATIVE ACTION

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Aim to improve access to diagnostic mammograms and other screenings

**MLC CHAIRMAN’S INITIATIVE ON LITERACY: LACK OF KNOWLEDGE IN PERSONAL FINANCE INCREASINGLY SEEN AS PUBLIC POLICY CHALLENGE FOR STATES, PROVINCES

Developed by a team of education professionals, the courses were initially offered over two semesters by 20 teachers in 12 school districts and two First Nations education authorities; feedback from teachers and students was then incorporated in subsequent drafts of the curricula. The courses were then reviewed with input from Saskatchewan’s financial institutions and business leaders. According to Nedelcov-Anderson, groups such as the Saskatchewan School Board’s Association and the Saskatchewan Chamber of Commerce requested that the province develop the new courses, citing the need for greater financial literacy among young people. Secondary students are making financial decisions every day,” she says, “and we want to ensure that Saskatchewan’s students have foundational skills and knowledge that will help them.” Some of those same goals led Nebraska legislators in 2012 to create a state Financial Literacy Cash Fund (LB 269). Funded by an increase in the annual building renewal fee for payday lenders, the law directs the University of Nebraska to provide assistance to entities that offer financial literacy programs to K-12 students. The Nebraska Council on Economic Education oversees use of the fund. Jennifer Davidson, the council’s president, says that while intake to the fund is small (about $55,000 at its peak, now about $42,000 annually), it has been an important tool in supporting five university-led centers across the state that help high school teachers incorporate or improve instruction on financial literacy. Last year, too, with the passage of LB 399, Nebraska began a review of the state’s social studies standards and curriculum, including instruction on financial literacy. “The new standards will take effect in Nebraska next school year, Davidson says, and will allow [for] ‘more focus on deeper topics, like investor education, the difference between saving and investing, career outlook and ensuring students have an opportunity to research what it means to invest in an education’” Nebraska’s Financial Literacy Cash Fund will allow teachers to take part in workshops and other programming that help them implement these new state standards, Davidson adds. This year’s Midwestern Legislative Conference Chairman’s Initiative of Michigan Sen. Ken Horn is focusing on state policies related to literacy. Stateline Midwest will feature a series of articles on this subject throughout the calendar year.

**QUESTION OF THE MONTH**

**What have state legislatures in the Midwest done to improve access to diagnostic mammograms and other screenings?**

Screening mammograms are used to check for breast cancer in women who have not yet shown any signs or symptoms of the disease. Diagnostic mammograms, on the other hand, are used when additional images are needed after the screening mammogram discovers possible indicators of breast cancer.

These indicators include lumps and dense breast tissue, the latter is an important indicator because women with extremely dense breasts are four to six times more likely to develop cancer than women with fatty breasts, according to Densebreast-info, an online educational resource. Additionally, it is often hard to detect cancer via routine screening mammograms in higher-density breasts, thus necessitating further tests. Beyond more in-depth X-ray diagnostic mammograms, other detection tests include ultrasounds (sonograms) and magnetic resonance imaging (MRIs).

Since 2010, under the Affordable Care Act, insurance providers must cover screening mammograms once a year for women ages 40 to 74 with average risk for breast cancer, and once every two years for all other women. However, insurance providers are not required to cover diagnostic tests under federal law.

As of January 2020, 39 states — including Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, Ohio, South Dakota and Wisconsin in the Midwest — had passed laws mandating that patients be notified about high breast density by either their screening facility or their physician. Often, these notifications must also include information on additional screening options. A smaller number of U.S. states (nine) require insurers to cover the costs of supplemental diagnostic screenings, including Illinois and Indiana, according to Densebreast-info. Illinois’ SB 162, signed into law last year, is considered one of the most far-reaching statutes of its kind in the country. Under the new law, when diagnostic mammograms, ultrasounds, and MRIs are deemed medically necessary by a medical professional, they must be covered by both private insurers and Medicaid. SB 162 also prohibits cost sharing, such as deductibles, coinsurance, copayments, etc., for medically necessary diagnostic mammograms.

Indiana’s law, passed in 2013, asserts that health insurance (including the state’s employee health plan) which provides coverage for basic health care services must provide coverage for appropriate medical screenings, exams or tests for female enrollees at 40 years old who have been found to have high breast density. Nebraska is among the states where legislation has been introduced this year to expand insurance requirements and improve patient access. LB 948 would require insurers to cover one baseline screening mammogram for women between 35 and 40 years of age, an annual screening mammogram for women 40 or older, and an annual screening digital breast tomosynthesis and diagnostic MRI for women 40 or older with increased risk of breast cancer. Other related bills in the Midwest this year include Iowa’s SB 3162 and Minnesota’s HF 3088.

**Question of the Month response by Mitch Arvidson, a CSG Midwest policy analyst. He can be reached at mavisconsin@csg.org. CSG Midwest provides individualized research assistance to legislators, legislative staff and other state government officials. This section highlights a research question received and answered by CSG Midwest. Research inquiries can be sent to csgm@csg.org.**
IN CANADA, EARLY RESPONSE TO COVID-19 PANDEMIC HAS INCLUDED FOCUS ON HELPING HOMELESS

As part of their early responses to the coronavirus outbreak, Canada’s provinces ramped up support for their populations of homeless and other vulnerable citizens. Below is a look at some of the new initiatives and investments in the four provinces of The Council of State Government Midwestern Legislative Conference.

ALBERTA

One of the province’s early responses was to provide $25 million for local governments and agencies so that they can better support people without housing — for example, the repurposing of the Edmonton EXPO Centre as an isolation and child care center and the use of hotel rooms. According to the Government of Alberta, as of early April, it had spent almost $10 billion on a wide range of responses (economic, public health, emergency management, etc.) to the coronavirus outbreak.

MANITOBA

The Manitoba government added 140 shelter beds to support the province’s homeless population and to allow for adequate social distancing at emergency shelters. The province’s $1.2 million investment includes the repurposing of vacant public housing and addition of beds at existing shelters. This help for the homeless was part of a $100 million response plan for the coronavirus outbreak; that money also is being used to procure medical supplies and defer province-imposed fees and taxes.

ONTARIO

Ontario’s $40 million COVID-19 Residential Relief Fund is going to organizations that provide residential services for children in the province’s child welfare system and people with developmental disabilities, as well as emergency shelters for women and families facing domestic violence. This money will be used to boost staffing or raise pay for workers, purchase personal protective equipment, provide respite for caregivers, and adopt new policies on social distancing that minimize client exposure to the coronavirus.

SASKATCHEWAN

The province modified a host of its policies on social services. One focus has been to boost support for individuals without housing. Along with providing more dollars to the local providers of emergency shelters, the province has adopted a modified version of its strategy in cold-weather months: If the number of people in need of housing eclipses the capacity of existing emergency shelters, the province then pays for emergency hotel stays. In addition, no individual in the province’s child welfare system will age out of care — thus ensuring that he or she will not lose housing.

MEASURES IN ILLINOIS, MINNESOTA SEEK TO CONTAIN COSTS FOR PATIENTS NEEDING INSULIN

As of late March, Minnesota appeared close to becoming the second Midwestern state with a new law that aims to curb the costs of insulin for patients who need it to control their blood sugar levels. Under the Senate version of HF 3100, drug manufacturers would fund patient assistance programs in order to cap what qualified Minnesotans must pay for insulin. The various legislative proposals in Minnesota this year have been dubbed the “Alex Smith Insulin Affordability Act” named for a resident who died after rationing insulin once he aged off his parents’ health insurance coverage.

In December 2019, Illinois became the first Midwestern state to cap the monthly health insurance co-payment for insulin. Under SB 677, signed into law in January, the cap is no more than $100 for a 30-day supply. The law also requires the Illinois departments of Insurance, Human Services, and Healthcare and Family Services to investigate insulin prices and report their findings by November.

Recent legislative proposals in the Midwest to cap copayments include Iowa’s HF 2138, Kansas’ HB 2557 and SB 376, Michigan’s HB 4701 and 4702, Nebraska’s LB 949 and LB 970, and Wisconsin’s AB 411.

In Indiana this year, lawmakers approved a bill (SB 255) that allows people to get insulin without a prescription. (Indiana had been the only state with such a prescription requirement in place.) According to the American Diabetes Association, more than 30 million Americans live with diabetes, and approximately 7.4 million of them must take insulin every day.

WISCONSIN EXPANDING USE OF PEER COACHES TO HELP INDIVIDUALS RECOVER FROM ADDICTION

Wisconsin Gov. Tony Evers in early March signed a quartet of bills aimed at further combating the state’s opioid abuse problems. Among the new laws is AB 650; it requires state Medicaid reimbursement of a treatment model known as “peer recovery coaching,” which connects individuals to a mentor with a personal history of addiction and recovery. A trained mental health professional must guide and oversee the work of the peer recovery coach. Also under the new law, the state Department of Health Services will establish a program to facilitate overdose treatment. This program will include evaluating outcomes data on patients who receive various continuation-of-care services offered by treatment providers, including the use of peer recovery coaches.

Other recently enacted bills in Wisconsin include AB 645, allowing county jails to get naloxone (which circumvents overdose reactions if administered in time) and training in its use; AB 646, preventing state employees from being disciplined for using or possessing a controlled substance that is prescribed or recommended as part of a medication-assisted treatment for addiction recovery; and AB 647, extending the sunset date for the state’s prescription drug monitoring program to 2025.

In early 2020, the U.S. Centers for Disease Control and Prevention released data showing that the number of U.S. drug overdose deaths per 100,000 people in 2018 decreased by 4.6 percent between 2017 and 2018 (see map for trends in the Midwest). However, there continues to be a national rise in deaths involving synthetic opioids such as fentanyl, fentanyl analogs and tramadol — a 10 percent increase between 2017 and 2018.

NEW SOUTH DAKOTA LAW BANS COLLECTIVE BARGAINING AT PUBLIC UNIVERSITIES

Under a recently signed law in South Dakota (SB 147), collective bargaining has ended for most employees of the state’s Board of Regents and the postsecondary schools that it oversees. Exceptions to this state law on collective bargaining were made for the employees at two Regents’ schools that provide academic services to K-12 children who are deaf, blind or visually impaired. (According to the Board of Regents, it oversees 5,221 full-time equivalent employees. Of those, about 75 work at the two exempt schools.)

Supporters of the change told the Rapid City Journal that it would save the state $285,000 in costs related to collective bargaining negotiations while giving universities the chance to be more flexible and adaptive; opponents of SB 147 say the new law takes away an important democratic right to organize, leaves employees without representation and protections, and will make it harder to recruit faculty.

With passage of SB 147, South Dakota became the latest Midwestern state to restrict collective bargaining for public employees. In 2011, Michigan lawmakers gave emergency financial managers the right to terminate union contracts (HB 4214); that same year, Wisconsin limited collective bargaining to only wages and required unions to recently annually (Act 10). In 2017, Iowa Gov. Terry Branstad signed HF 291. According to The Des Moines Register, that law limits most public-sector union contract negotiations to base wages only; it prohibits unions from negotiating with employers over issues such as health insurance, evaluation procedures, staff reduction and leaves of absence for political purposes. The law also bars union dues from being deducted from public employees’ paychecks and requires unions to be recertified prior to every contract negotiation. Challenged by the American Federation of State, County and Municipal Employees, the Iowa law was upheld last year in a 4-3 vote of the state Supreme Court.
certain times of crisis, says Norm Ornstein, a resident scholar at the American Enterprise Institute. “The way to deal with it is you make any remote meeting or voting temporary, occurring only when it’s absolutely necessary, and for a specified period of time that is renewable [by legislative leaders or the legislative body],” Ornstein says.

The language in Wisconsin’s 11-year-old statute on remote meetings includes those kinds of limitations. It provides a definition of “disasters” requires a change in legislative rules by members of the Assembly and/or Senate, and sets out specific requirements for virtual sessions:

• Authenticate the identity of each legislator and his or her actions, including voting.

• Ensure that each legislator has access to documents and can hear or read comments made by other members.

• Allow the public, “within technological limits,” to “monitor the proceedings.” (In Wisconsin, Roth says, this is being accomplished via WisconsinEye, the state’s public affairs TV network.)

At the start of this year, Wisconsin was the only state in the region with a statute specific to remote meetings of its state legislature — both allowing them to occur and establishing clear rules for how lawmakers must proceed, according to a CSG-Midwest survey of legislative service agencies. In recent weeks and months, though, virtual sessions have been used or considered in other states.

On South Dakota’s final day of the 2020 session (“veto day”), legislatures met remotely after a suspension of legislative rules, the Sioux Falls Argus Leader reports. In Minnesota, remote committee meetings have been held, and the House temporarily changed its rules to “allow for the use of distance voting, remote electronic voting or voting by other means … to protect the health and safety of the public, staff and members.”

In Wisconsin, Senate President Roth’s bill was to have about 10 people (legislative leaders and staff such as the chief clerk) still meet in the Capitol, with the Senate chamber sanitized and taped off to ensure social distancing, and to have all other members participate remotely, via state-issued laptops. “We could pull it off going totally virtual, but just knowing how things work, we thought it was important to have those leaders be able to look at and talk to each other in person,” Roth says. “It facilitates a much smoother process.”

LEADERS GRAPPLE WITH LEGALITY OF REMOTE SESSIONS

In other states, there have been legal questions to consider before holding remote legislative sessions. For example, most of the Midwest’s state constitutions have language stating that the legislature “shall meet” at the “seat of government.” Do virtual sessions conflict with this constitutional (or statutory, in some cases) language?

States also often have requirements designed to ensure public access, including statutory language in states such as Indiana, Michigan, Nebraska and Wisconsin that call for the “doors of the legislature” to be open. In Illinois, Senate President Don Harmon says, “most members were in agreement that if we can avoid bringing people together — not only members, but staff and interested constituents — it would be in everyone’s long-term interests.”

The question was, can we do a remote session without first meeting once [in person] to pass a law authorizing it?”

Harmon, meanwhile, formed 17 bipartisan committees to study myriad issues arising from the COVID-19 pandemic, including government continuity. “Should we expressly authorize some sort of virtual meeting of the General Assembly? Should we amend our Open Meetings Act to ensure our state agencies and our local governments can proceed with their business without jeopardizing the health of their members?” Harmon asks. “Those are among the first things that I think need to be tackled.”

In Michigan, Senate Majority Leader Mike Shirkey says his state’s statutes and Constitution provide a clear direction for its full-time Legislature meet in person, not remotely. “The intent of our statutes and the words in our Constitution are very clear, and that is so our citizens can confront the people making decisions,” he says.

The Michigan Legislature has curtailed in-person sessions and authorized committees to do some work remotely, but in early April, lawmakers convened for one day in Lansing. Precautions were taken: Many members wore face masks, temperatures were taken of people entering the state Capitol, and only a small number of House members were allowed in the chamber at any given time, the Detroit Free Press reports.

This is not the first time in American history that state legislatures have had difficulty finding ways to meet and conduct the people’s business. During the Revolutionary War, political scientist Powell Squire says, legislatures had to “stay on the move and not get captured.” Capitol buildings have sometimes burned down, and legislatures have had to flee small towns due to outbreaks of disease.

“Most of the state’s constitutional provisions can be interpreted to allow for legislatures to meet in a way that is different than traditional fashions,” Squire says. He adds that the judicial branch typically defers “to legislatures and allows them to make decisions about internal operations.”

And more than any time in U.S. history, technology provides a tool to ensure legislative continuity. “It’s a matter of making some temporary adjustments to legislative rules, and making sure everyone who is a member of the body has the opportunity to participate,” says Squire, a professor at the University of Missouri and leading national expert on state legislatures.

POWER OF GOVERNORS TO TEMPORARILY CHANGE LAWS, REGULATIONS DURING DECLARED EMERGENCY (AS OF 2017)

In many states, session days and weeks have been suspended due to COVID-19. Other parts of the job of legislator, though, never stopped.

“It’s even more important to be engaged with our constituents because the acuity of their problems has increased dramatically,” Harmon says. “And we’re being posed with some very novel questions.” In March, for example, Harmon was trying to help get a constituent home from Peru. The constituent was stuck there due to COVID-19-related travel restrictions.

Another critical role for legislatures: checking the power of the executive branch. For example, it’s left to legislatures to continue or rescind governors’ emergency orders (see table).

“Having untethered powers is a very dangerous thing, especially given what’s happened with the size and scope of government,” Ornstein says. “To completely lose that check on behavior, which can lead to corruption or political manipulation, is a big mistake in a democracy.”

HELPING CONSTITUENTS, CHECKING GOVERNORS’ POWERS

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CHECKS AND BALANCES: FOUR EXAMPLES OF METHODS TO CURB EXECUTIVE BRANCH’S EMERGENCY POWERS

Method

Examples in Midwestern states

Rescind governor’s emergency order/declaration via legislative resolution

• States such as Indiana, Iowa, Kansas, Nebraska, North Dakota and Wisconsin explicitly give their legislatures the power to pass such a resolution to rescind at any time.

• In Iowa, when the Legislature is not in session, a bicameral, interim legislative steering committee is given the power to rescind a governor’s disaster emergency declaration.

Limit length of emergency order/declaration

• 28 days in Michigan, 30 days in Illinois, Iowa, Idaho, 60 days in Wisconsin; and six months in South Dakota.

Establish role for legislative branch in extension of emergency order/declaration

• In Michigan, the House and Senate must approve, by resolution, an extension beyond 38 days.

• In Minnesota, after 30 days, the Legislature can terminate a peacetime emergency; if the governor wants to extend the emergency when the Legislature is not in session, he or she must call for the House and Senate to immediately convene.

Provide legislative oversight of spending during emergency

• This year, Minnesota established a bicameral, 10-member commission of legislative leaders to approve or deny state agencies’ proposed use of dollars in a newly created COVID-19 Minnesota Fund.

STATELINE MIDWEST | APRIL 2020

| COVER STORY |

WITH TECHNOLOGY AND LEGAL CLEARANCE, REMOTE SESSIONS ALLOW FOR LEGISLATIVE CONTINUITY

Check out the rest of this issue at STATELINEMIDWEST.com
Larry Householder is no stranger to legislating and leading through times of crisis. The current speaker of the Ohio House held the same position 19 years ago when his home state, along with states across the country, needed to address the myriad economic and policy consequences of the four coordinated terrorist attacks on 9/11. But even the aftermath of those attacks, he says, doesn’t compare to the current and future challenges for state governments and their leaders.

“Af ter the planes struck the Twin Towers, the nation’s economy went through a free fall that caused states’ revenues to plummet,” he says. “However, it was not coupled with rising government expenditures. “The COVID-19 crisis also has had a devastating impact on the economy and caused revenues to plummet, but it is coupled with skyrocketing Medicaid and health care costs to treat the epidemic. “It is a perfect storm for state governments.”

Householder will be one of the political leaders managing Ohio through that storm. His home state is one of four in the Midwest with legislative term limits. It’s unusual, then, for any Ohio legislator, let alone one of the top leaders, to have to serve terms that date back decades. Householder is an exception: He was first elected in 1996, left in 2004 due to term limits, and then returned to the legislature after winning election in 2016. (Ohio’s law only limits legislators to consecutive terms in office.)

And it says something of Householder’s leadership ability that he has been elected House speaker twice at very different times — first nearly 20 years ago (2001 to 2004), and then last year by an altogether different group of lawmakers in the Republican House caucus.

“I’m a person who believes that you surround yourself with the very best people you can and you allow them to do their job,” Householder says about his leadership style. “You try to teach them by example and give them ways for them to be better at what they do. You trust them for a lot of the judgments that they make, and along the way, you try to continue to mentor staff and members.”

In a recent interview with CSG Midwest, Speaker Householder discussed his views on leadership and the challenges that lie ahead for states, while also reflecting on his time in office and what’s changed the most with our term limits had just first kicked in Ohio. ... And in looking back, what’s changed the most with our term limits is that you see more influence by the executive branch, more influence by lobbyists, more influence by the bureaucrat. And you see a lot less of the legislators working together. It used to be that legislators from a certain part of the state would all work together on certain projects. Now they’re sort of eyeballing each other because maybe they’re going to run against each other for the state Senate or maybe a congressional race down the road, so you don’t see those delegations work quite as well together as they used to.

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WORKFORCE SHORTAGE ISSUES ARE NOTHING NEW TO LEGISLATORS. WE HEAR FROM CONSTITUENTS, EMPLOYERS AND OTHERS THAT MORE PEOPLE ARE NEEDED TO WORK IN OUR VARIOUS INDUSTRIES ACROSS THE ECONOMY.

ONE AREA I HAVE BEEN FOCUSING ON IN INDIANA IS THE HEALTH CARE WORKFORCE. IN THIS NETWORK STATE, WE HAVE 127 COMMUNITIES IN FEDERALLY DESIGNATED PRIMARY CARE SHORTAGE AREAS, 87 IN DENTAL CARE SHORTAGE AREAS, AND 76 IN MENTAL HEALTH WORKFORCE SHORTAGE AREAS. I KNOW WE ARE NOT UNIQUE IN SEARCHING FOR SOLUTIONS TO THIS WORKFORCE CHALLENGE.

OUR STATE IS FORTUNATE TO HAVE A GREAT RESOURCE IN THE BOWEN CENTER FOR HEALTH WORKFORCE RESEARCH AND POLICY AT INDIANA UNIVERSITY. THIS CENTER IS HEADED BY DR. HANNAH MAEVEY, WHO HAS BEEN A TRUE LEADER AND IS HELPFUL TO US NOT ONLY IN INDIANA, BUT TO STATES ACROSS THE COUNTRY ON HEALTH WORKFORCE ISSUES.

THANKS TO DR. MAEVEY’S LEADERSHIP, SEA 223 BECAME LAW IN 2018. THIS MEASURE REQUIRES THE INDIANA PROFESSIONAL LICENSING AGENCY TO COLLECT DATA FROM LICENSEES IN OUR HEALTH WORKFORCE (PHYSICIANS, DENTISTS, PSYCHOLOGISTS, PHARMACISTS, NURSES, ETC.). BECAUSE OF THIS LAW, WE ARE NOW GATHERING INFORMATION ON:

- A LICENSEE’S SPECIALTY OR FIELD OF PRACTICE;
- THE ADDRESS OF THE LOCATIONS IN WHICH HE OR SHE PRACTICES;
- THE TYPES OF SERVICES OFFERED AND IN WHAT SETTING;
- THE AVERAGE NUMBER OF HOURS WORKED WEEKLY;
- A LICENSEE’S BACKGROUND AND TRAINING, AND WHETHER HE OR SHE PRACTICES TELEMEDICINE.

WE BEGAN COLLECTING THIS DATA AT THE START OF LAST YEAR. SINCE WE HAVE TWO-YEAR RENEWAL CYCLES, THE FULL DATASET WON’T BE COMPLETED UNTIL LATER IN 2020, BUT THE FIRST ROUND OF DATA COLLECTION HAS PROVEN EFFECTIVE IN HELPING US IDENTIFY SHORTAGE AREAS IN A VERY DETAILED MANNER. THERE IS NO SUNSET ON THIS LAW, SO WE WILL BE ABLE TO CONTINUALLY IDENTIFY SHORTAGE AREAS IN MULTIPLE WAYS.

IT’S MY UNDERSTANDING THAT INDIANA WAS THE FIRST STATE IN THE NATION TO PASS LEGISLATION LIKE THIS.

NEXT STEP: ADDRESS SHORTAGES WITH STUDENT LOAN REPAYMENTS

THIS SESSION, I FILED HB 1110, WHICH WOULD CREATE A STUDENT LOAN REPAYMENT PROGRAM FOR OUR HEALTH CARE WORKFORCE. THE LEGISLATION WAS CRAFTED TO ALLOW FOR A LOT OF FLEXIBILITY, BECAUSE WE HAVE TO RECOGNIZE THAT SHORTAGES ARE VERY DYNAMIC AND REQUIRE DISTINCT APPROACHES IN DIFFERENT AREAS OF THE STATE, IN DIFFERENT MEDICAL SPECIALTIES, AND MORE.

FOR EXAMPLE, I REPRESENT A RURAL AREA, AND EVERY TIME I VISIT A SCHOOL, I HEAR HOW DIFFICULT IT IS TO FIND A SPEECH LANGUAGE PATHOLOGIST. THESE LICENSED PROFESSIONALS ARE AMONG THE 13 THAT WOULD BE ELIGIBLE FOR ASSISTANCE UNDER HB 1110.

LICENSED PROFESSIONS ELIGIBLE FOR STUDENT LOAN REPAYMENTS UNDER HB 1110

- Dentist
- Physician
- Nurse
- Clinical social worker
- Marriage and family therapist
- Mental health counselor
- Clinical addiction counselor
- Pharmacist
- Physician assistant
- Psychologist
- Podiatrist
- Speech-language pathologist
- Audiologist

THE PLAN FOR FUNDING THE LOAN-REPAYMENT PROGRAM

IN ORDER TO PAY FOR THIS INITIATIVE, HB 1110 IMPOSES A SMALL ADDITIONAL FEE ON THE LICENSING RENEWALS OF THE PROVIDERS WHO ARE INCLUDED IN THE PROGRAM. FOR PROFESSIONS WITH RENEWAL FEES OF LESS THAN $100, THE FEE WILL INCREASE BY $10. FOR PROFESSIONS WITH RENEWAL FEES OF MORE THAN $100, THE FEE WILL BE $20.

ACCORDING TO OUR LEGISLATIVE SERVICES AGENCY, THIS RAISES $2.7 MILLION OVER TWO YEARS. IN ORDER TO MAKE THIS PROGRAM BUDGET-NEUTRAL, WE ALLOW THE STATE AGENCY IN CHARGE OF IT TO RETAIN $250,000 FOR ADMINISTRATION COSTS.

OF THE REMAINING FUNDS, HALF GOES TO THE HEALTH WORKFORCE COUNCIL FOR STATEWIDE DISTRIBUTION. THE OTHER HALF GOES BACK TO THE PROVIDER LICENSING BOARDS IN AMOUNTS BASED ON THE NUMBER OF PROVIDERS THEY HAVE. SINCE WE HAVE MORE NURSES THAN ANY OTHER PROFESSION, THE NURSING BOARD WILL GET THE LARGEST SHARE OF THIS HALF.

THIS CREATES A BALANCED FORMULA, AND OUR PROVIDER GROUPS HAVE BEEN VERY SUPPORTIVE. THEY ALL RECOGNIZE THE GREAT POTENTIAL OF THIS PROGRAM, AND KNOW FIRSTHAND ABOUT OUR HEALTH WORKFORCE CHALLENGES.

WHILE THE BILL WON’T BECOME LAW THIS YEAR, I CAN REPORT THERE IS BROAD SUPPORT AMONG MY FELLOW LEGISLATORS AND STEWARDS. THE BIGGEST ISSUE WE NEED TO WORK OUT IS DETERMINING WHICH STATE AGENCY WILL ADMINISTER THE PROGRAM. I’LL BE WORKING WITH AGENCY LEADERS AND OTHERS DURING THE INTERIM TO FINALIZE AN IMPROVED BILL FOR THE 2021 SESSION.

WITH HEALTH CARE ISSUES TOP-OF-MIND FOR MANY PEOPLE IN THE CURRENT CLIMATE, ONE COMPONENT WE FREQUENTLY DISCUSS IS ACCESS TO CARE.

IN CERTAIN AREAS OF OUR STATE, WE MAY HAVE A SHORTAGE IN THE PURE NUMBER OF PROVIDERS, OR WE MAY LACK CERTAIN PROFESSIONS AND SPECIALTIES THAT WE NEED, OR CERTAIN SKILLS AND SERVICES. THERE IS MUCH MORE WE CAN DO OVER THE LONG TERM THAN JUST THIS PROGRAM, BUT I BELIEVE HB 1110 WOULD MAKE A SIGNIFICANT IMPACT WHILE WE WORK ON OTHER SOLUTIONS.

A LOAN-REPAYMENT PROGRAM FOR STUDENTS — ONE THAT RECOGNIZES IT IS NOT JUST ABOUT THE NUMBERS, BUT ABOUT THE FULL PICTURE OF ACCESS TO AND DELIVERY OF CARE — WILL HELP HOOSIERS LEAD HEALTHIER, MORE PRODUCIVE LIVES.

CANCELLATION OF THE MIDWESTERN LEGISLATIVE CONFERENCE ANNUAL MEETING: A MESSAGE FROM MICHIGAN SEN. KEN HORN, MLC CHAIR

Due to the impact of the continuing COVID-19 pandemic across the Midwest and around the world, CSG’s Midwestern Legislative Conference has made the difficult but necessary decision to cancel the MLC’s 75th Annual Meeting, which was scheduled to be held in Detroit, Michigan, on July 19-22, 2020. Although this decision is unprecedented in the MLC’s 75 year history, so, too, are the challenges lawmakers across the region are facing in their capitals and in the states, provinces and local communities they represent.

As the current public health crisis continues, I believe it is critically important that we do what we can to protect the health, safety and well-being of the MLC’s members, guests, partners and friends.

Canceling our summer event is one way we can do this.

If you have already registered to attend the MLC Annual Meeting in Detroit or have made reservations in our room block at the Westin Book Cadillac Hotel, please note that your hotel accommodations will be canceled for you, and your registration fee will be refunded in full. If you made hotel reservations outside of the MLC room block or in another hotel, you will need to cancel those yourself.

To our many friends and partners in the private sector, whose contributions in support of the MLC always make our Annual Meetings possible, please know that we deeply appreciate the significant financial commitments that so many of you have already made in anticipation of our summer conference in Detroit. Additional details regarding the return of those contributions will follow immediately.

Finally, please know that The Council of State Governments and CSG’s Midwestern Legislative Conference are continuing to monitor the ever-changing circumstances and policy challenges related to COVID-19. We remain fully committed to providing members with a wide range of resources and services, including many that have been newly developed or recently enhanced in direct response to the pandemic and its impact on our states and provinces.

Details are always available on the CSG website (csg.org and csigmidwest.org) and in various CSG publications, including Stateline Midwest. On behalf of the entire Midwestern Legislative Conference, thank you all for your continued and unwavering commitment to public service during these challenging times. I wish you the very best in the weeks and months to come.

Sincerely,

Ken Horn
Michigan Senator and 2020 Chair
CSG Midwestern Legislative Conference

LONGEST-SERVING LEGISLATOR IN U.S. HISTORY TO RETIRE

The longest-serving state legislator in U.S. history has announced his decision not to seek re-election in November.

In a statement released in late March, Wisconsin Sen. Fred Risser confirmed that he will retire at the end of this year after 64 years of service in the Wisconsin Legislature.

Representing the capital city of Madison, Risser was first elected to the Legislature in 1956. Following three terms in the Wisconsin Assembly, he moved to the Senate in a special election in 1962. He has since served for more than half a century in the state’s upper chamber. During that time, he served as assistant minority leader, minority leader, president pro tem and, for 25 years, Senate president.

A World War II veteran who has worked with 13 different governors during his legislative tenure, Risser was preceded in the Legislature by his father, his grandfather and his great-grandfather. Together, the Risser family has provided well over a century of service to the state.

Sen. Risser has also long been an active member and a key leader of The Council of State Governments’ Midwestern Legislative Conference. The longest-serving member of the MLC Executive Committee, he is one of just two legislators to have twice served as chair of the MLC (in 1982 and again in 1993).

WEBCAST SERIES: COVID-19 AND THE MIDWEST’S RESPONSE

The Midwestern Legislative Conference has been holding free, weekly webinars on how the COVID-19 pandemic is impacting states and how legislators can respond. Information on upcoming webinars, as well as links to view those already held, can be found at csgmidwest.org. These MLC committee-led events cover topics related to public health, education, economic development, criminal justice and agriculture.

The Council of State Governments was founded in 1933 as a national, 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, innovation 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 also MLC affiliate members.
LEADERSHIP AND EFFECTIVE COMMUNICATION: RULES AND TIPS FOR STATE LEGISLATORS

It’s a funny thing: Almost all the people I know tell me that they communicate effectively. They are sure that when they speak, people listen and take action. But when I press them to tell me who was listening and what action was taken, rarely does anyone know.

Dear Reader, I can almost guarantee that no one is listening these days, and very few take action once the event, conference, phone call or tweet is over.

Why? Because effective communication needs the driver of leadership.

Leadership is the key component to managing an effective, long-lasting and far-reaching message. Along with leadership, there are two other drivers for success in every spoken exchange: control and preparation. Those three elements add up to effective communication.

Here are five steps for incorporating them into your work as a legislator.

1. **BE PREPARED FOR ‘CHALLENGE’ QUESTIONS, AND BE SURE TO STAY IN CONTROL**

We live in a 24/7 drama society, and as a legislator, you’re sure to face “challenge” questions that seem intended to create conflict and drama — for example, someone challenging you, your work as a legislator and/or your leadership in a public setting of some kind.

Our immediate reaction might be to become defensive, evasive or contentious, part of the “freeze, fight or flight response” that is inside each of us. But there is fourth human response — make a friend. If your answer to a “challenge question” is friendly, assured and to the point, you’re likely to emerge unscathed, if not victorious, with most audiences.

You’re able to do this by being prepared and in control. As a result, too, you can avoid being perceived by your audience as negative or hostile or intimidating. If you come across that way, your audience will be negative, hostile or unfriendly toward you.

By rising above, you maintain your leadership to effectively communicate with all audiences.

2. **KNOW YOUR LISTENING AUDIENCE IN ORDER TO EFFECTIVELY COMMUNICATE**

Who is your target audience for the presentation? Is it the general public, industry groups or perhaps the media? Know who they are and why they have come to hear you speak. Were they invited, asked or interested in the topic?

What are the demographics of your audience?

The more you learn about who you are speaking to, the better you are able to craft your message to meet their needs. Think about why they have agreed to come and hear you speak, in essence allowing you a chance to entertain, educate or enlighten.

Effective communication only works when you know who is in your listening audience. Be careful, too, about speaking in political jargon or technical language. That can be a tough adjustment, but it’s critical. Don’t talk over or down to your audience.

3. **KNOW THE PURPOSE OF YOUR PRESENTATION, AND CONVEY IT TO YOUR AUDIENCE**

Effective communication only works when you know your purpose for presenting. Why have I been asked to speak? What is the intended outcome? These are questions to help you prepare for success. Otherwise, you’ll be talking with no action to be taken by your audience. (Remember the importance of leadership to communication.)

Also, keep in mind that you don’t have much time to capture the attention of your audience and explain the purpose of your message. If you don’t catch them quickly about the reason for your message, your opportunity is lost.

4. **PUT IN THE TIME TO BUILD YOUR OWN KNOWLEDGE AND EXPERTISE**

Don’t settle for average when it comes to your level of knowledge and expertise. Anyone can be average today with Google and Wikipedia, but true knowledge comes from the work you do daily in studying, learning and helping others. Always position yourself as the expert. And if you are not an expert, do what it takes to become one. It will make you a better presenter, lecturer or guest.

5. **KNOW HOW TO SHAPE YOUR MESSAGE SO THAT IT WILL BE REMEMBERED**

The key to successful speaking comes down to clear and concise message points that can be remembered and repeated. I know that seems as obvious as reminding you to wear clothes for your event, but amazingly enough, most people are unprepared in crafting key message points for the audience to remember long after the presentation is over. If you don’t have your points down in a clear, succinct and memorable manner, your audience will not be able to follow you. Clear messaging is critical to effective communication and leadership.
CANCELED: 75th Annual Meeting of the Midwestern Legislative Conference

NOTE TO OUR MEMBERS: DUE TO THE IMPACT OF THE COVID-19 PANDEMIC, THE 75TH ANNUAL MEETING OF CSG’S MIDWESTERN LEGISLATIVE CONFERENCE HAS BEEN CANCELED. A MESSAGE FROM MICHIGAN SEN. KEN. HORN, MLC CHAIR, CAN BE READ ON PAGE 10. MEMBERS WILL BE MADE AWARE IF AND WHEN OTHER PLANNED MEETINGS MUST BE CHANGED.

26th Annual Bowhay Institute for Legislative Leadership Development
August 7-11, 2020 | Minneapolis, Minnesota
Contact: Laura Tomaka ~ ltomaka@csg.org
630.925.1922 | csgmidwest.org

CANCELED due to COVID-19 Pandemic: 2020 CSG Henry Toll Fellowship Program
PLEASE VISIT CSG.ORG OR CONTACT KELLEY ARNOLD (KARNOLD@CSG.ORG) FOR INFORMATION

Great Lakes-St. Lawrence Legislative Caucus Annual Meeting
September 18-19, 2020 | Detroit, Michigan
Contact: Lisa Janairo ~ ljanairo@csg.org
630.925.1922 | greatlakeslegislation.org

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

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

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CHANGE SERVICE REQUESTED