COVID-19: A LOOK AT THE MANY POLICY CHALLENGES AHEAD FOR STATES, PROVINCES

A net loss in U.S. farm income of $20.1 billion in 2020. Hundreds of thousands of enrollees being added to many Midwestern states’ Medicaid programs in the weeks and months ahead. The emergence of some local jails and state prisons as hot spots for COVID-19 cases. And many other impacts of the pandemic on the people of this region, and on the public policies of its states and provinces, are the focus of this edition of Stateline Midwest.

Inside, we look at the early and future effects of COVID-19 on the economy, state health budgets, agriculture, criminal justice, education and cross-border trade. For example, how can states help local school leaders navigate a new school year in which more remediations are needed to address losses in student learning, and in which a continued reliance on distance learning is likely? How and when will vital cross-border trade between the Midwest’s states and provinces “reawaken”? Each of the six policy committees of The Council of State Governments’ Midwestern Legislative Conference has been examining COVID-19’s impact and potential legislative responses. Some of the committee’s findings are included in this month’s edition. (These committees are bipartisan groups of legislators from 11 states and four provinces from this region.)

The Congressional Budget Office estimated in April that U.S. gross domestic product would decline by 12 percent in the second quarter of 2020. That is the equivalent to an annual rate of decline of 40 percent. “We’ve had times revenue did not meet expectations and [we] faced low commodity prices,” Iowa Speaker of the House Pat Grassley said in a recent interview with CSG Midwest (see page 8). “Those things you can work through. But as our governor says, there is really not a manual for something like this.”

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ECONOMIC DEVELOPMENT

Though overshadowed by governors, legislators have role in plans for economic reopening, recovery

by Laura Tomaka (ltomaka@csg.org)

Since early April, Rep. Dave Greenspan and 23 other members of a specially formed Ohio House task force have been meeting, sharing ideas, and getting the perspective of business owners across various sectors and geographic areas. One question above all else is guiding his work on the task force: What can we do to help businesses reopen, and remain open, safely? “We’re not looking at the same things that the governor is looking at as far as public health protocols,” Greenspan says. “Our attention is on what we can do either directly through legislation or by facilitating, through other bodies, actions that allow [businesses] to open.” That Economic Recovery Task Force in Ohio is an example of the important work being done by the Midwest’s legislatures, even during a time when the powers of governors have been strengthened due to the public health emergencies caused by the COVID-19 pandemic. “Every state of emergency ends and executive orders eventually cease to exist,” Michigan Sen. Ken Horn says. “And the legislature will take its rightful place again as a co-equal branch.”

DEVELOPING IDEAS FOR REOPENING PLANS

Between February and April, the nation’s unemployment rate rose from 3.5 percent to 14.7 percent, a number not seen since the Great Depression. Numbers like these are driving legislative task forces such as Ohio’s to develop a plan for recovery. Each member of the task force, for example, was asked to submit a set of recommendations; they will then be compiled into a summary document. Greenspan’s ideas for state action include:

• having a dashboard or metrics to allow businesses to partially reopen and then move to subsequent phases;
• having protocols and regulatory measures in place to ensure safety; and
• emphasizing the importance of opening schools, day care centers and summer camps to allow workers to return to work.

Greenspan also worries about the costs to businesses of making unemployment payments, which, in some cases, exceed earnings. “That’s obviously a concern as employers try to get their employees back to work,” he says.

Ohio Gov. Mike DeWine has laid out a plan for a phased reopening of businesses and economic activity, with new safety and distancing measures in place. In May, a number of retail businesses were allowed to open, then restaurants could open with outdoor seating and, finally, indoor dining (with distancing guidelines) resumed. “I happen to like what our governor did,” Greenspan says of DeWine’s reopening of restaurants. “Unlike [many] other states, who have set a maximum of 25 or 50 percent occupancy, our governor has said, ‘You’re open, you figure it out.’” (Restaurants are allowed to seat as many customers as they would like as long as distance protocols are followed.)

RAISING CONCERNS ABOUT POWER BALANCE

Ohio and Michigan are among the many states where tensions have arisen between the legislative and executive branches. In early May, the Ohio House passed a measure (a version of SB 1) to restrict the powers of the state’s health director. It would limit an order from the health director to a maximum of 14 days; it could then only be extended with approval of the legislature’s Joint Committee on Agency Rules Review.

As of May, the amended bill still needed to be taken up by the Senate; Gov. DeWine has said that he would veto it.

Republicans control the legislative and executive branches in Ohio. Power is divided in Michigan, and the Republican-led Legislature filed a lawsuit in early May to end Democrat Gov. Gretchen Whitmer’s orders that closed most non-essential businesses and required residents to stay at home. Legislators argue that the governor overstepped her legal authority.

Sen. Horn is among those concerned about the role of the Legislature in managing the response to the COVID-19 crisis. “There is no co-equal branch of government in Michigan right now,” he says. As chair of the Michigan Senate’s Economic and Small Business Development Committee, Horn will be one of the Legislature’s key leaders in crafting policies related to the economic reopening.

The first issue to deal with, he says, is health and safety. “What safety protocols and protective equipment are needed, including distancing?” he asks. “Different industries can be applied to different work arrangements and designed for each industry, including the numbers of workers involved and their contact with customers.”

“The goal is to make the workplace as safe as home,” he says. “You follow the rules, stay sheltered, go to work in a safe workplace, go back home again and get the economy rolling.”

Helping businesses create these safe work environments is another policy consideration for states. “How do businesses make the investment of getting their people back to work and making the appropriate changes in the workplace to be safe?” he asks. “Do we give them tax credits, grants, loans? How do we get them started again?”

Horn also stresses the need for a regional approach within a state, noting that “some counties are not as affected [by COVID-19], so maybe they can open up a little sooner and a little faster.”

At the same time, variations in different states’ reopening plans can create a problem as well. “If other states are getting back to work and Michigan is not, then we’re behind the eight ball,” he says. “We need to watch our borders carefully and work state-to-state — with our governors and their executive orders, but backed up by the legislature — to open up the same industries at the same time.”

SEIZING FUTURE ECONOMIC OPPORTUNITY

Over the longer term, Rep. Greenspan sees economic opportunities ahead. “We’ve been too reliant on other countries for our public health supplies, whether it’s medicine, medical equipment or [personal protective equipment],” he says. “How do we encourage domestic growth of those industries so we can re-engage our manufacturing community and grow our manufacturing base? We are sitting on an opportunity that I think we should seize.”

Greenspan also points to the need for states to focus on expanding broadband access. “If we’ve learned nothing from this, we have learned how disconnected parts of our state — urban, suburban and rural — are from the internet,” he adds. “And it’s important when we look at not only distance learning for our kids, but when we look at how this experience is going to change how business operates.”

Nebraska Sen. John McCollister and Ohio Rep. Dave Greenspan serve as co-chairs of the Midwestern Legislative Conference Economic Development Committee. The vice chair is Indiana Rep. Karlee Maier. Laura Tomaka serves as CSG Midwest staff liaison to the committee.

CHANGES IN WEEKLY INITIAL UNEMPLOYMENT CLAIMS FILINGS IN UNITED STATES: MARCH 14-MAY 2*  

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<th>Initial Claims</th>
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</tr>
<tr>
<td>May 2</td>
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</tr>
</tbody>
</table>

* An initial claim occurs when an individual applies for unemployment benefits for the first time.
As COVID-19 burns through the Midwest, legislators brace for effects on states’ Medicaid budgets

by Jon Davis (jdavis@csg.org)

Both Gabel and Rep. Norine Hammond, who sits on the House Human Services Committee’s Medicaid Subcommittee, say Illinois legislators are in much the same predicament. But Gabel says federal funding from the four COVID-related bills to pass U.S. Congress to date — including the 6.2 percentage point increase in the federal contribution for Medicaid in the Families First Act, $100 billion in the CARES Act and $75 billion in the federal Paycheck Protection Program and Health Care Enhancement Act (H.R. 266) — has provided a cushion of sorts. “I’m hearing more about the general fund than Medicaid,” Gabel adds.

Illinois Gov. J.B. Pritzker’s pre-pandemic budget for fiscal year 2021 proposed spending $27 billion, including $7.9 billion in general funds, on Medicaid. Hammond says the state applied for and received approval for federal waivers to expand coverage of over-the-counter medications and to expand the definition of allowed facilities to include drive-through COVID-19 testing facilities. Section 1115 waivers allow temporary modifications of state Medicaid plans in a presidentially declared national emergency. They usually end no later than 60 days after the emergency is over but can be extended for additional 60-day periods.

As of April, Illinois was pursuing a Section 1115 waiver to eliminate out-of-pocket costs for uninsured residents, Hammond says. The idea is to pursue as much federal reimbursement for the state’s up-front costs to combat the pandemic, Hammond says, adding “we’re hopeful of recouping much of what the state will have to soon spend.” “Now, our focus is all in on COVID-19 and what it’s doing to the budget,” she says. “We know it’s going to have a significant impact financially, not only in Illinois but in all states.”

FEDERAL AID FOR STATES

The Families First Coronavirus Response Act (signed on March 18) raises the federal share of states’ Medicaid funding by 6.2 percentage points from Jan. 1 through the last day of the calendar quarter in which the public health emergency declared by the Secretary of Health and Human Services for COVID-19, including any extensions, terminates.

So, if the federal government funded 50 percent of a state’s Medicaid costs, it will fund 56.2 percent during the COVID-19 emergency. (This does not apply to people covered by the Affordable Care Act’s Medicaid expansion; the federal government covers 90 percent of costs for that population.) States cannot cut people from Medicaid coverage during the emergency. The Coronavirus Aid, Relief and Economic Security (CARES) Act, signed on March 27, provides $100 billion in emergency health funding to help states and other entities cover COVID-19 costs. These expenditures include range from testing, to broadening the use of telehealth services, to workforce training. The Paycheck Protection Program and Health Care Enhancement Act, signed on April 24, provided another $75 billion to be distributed in the same way as CARES Act funding. However, that measure did not include any extra Medicaid funding.


COVID-19 PANDEMIC-RELATED MEDICAID WAIVERS APPROVED FOR MIDWESTERN STATES AS OF MAY 1, 2020

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<tr>
<th>State</th>
<th>Increase in enrollees with 10% jobless rate</th>
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<th>Increase in enrollees with 25% jobless rate</th>
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<td>401,000</td>
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<td>Ohio*</td>
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<td>22,000</td>
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<tr>
<td>Wisconsin</td>
<td>151,000</td>
<td>234,000</td>
<td>329,000</td>
</tr>
</tbody>
</table>

* States that expanded Medicaid under the Affordable Care Act. Fewer newly unemployed people will be eligible for Medicaid in non-expansion states.

** Nebraska has adopted, but not yet implemented, Medicaid expansion.

Sources: Health Management Associates, April 2020

Increased demand for health care services contrasts with a significant drop in revenue. “You don’t go from 3.8 percent unemployment to 17.5 percent in six weeks without some major costs,” he says. “The more we gain experience with this situation, the more I fear we’re in for an extended economic downturn.” Even after re-opening, he adds, people will be reluctant to return to business as usual.

The best thing state Medicaid directors can do now to prepare for that financial outlook is to model different likely scenarios and begin educating their governors and legislators as to what the options are likely to be, Browning says.

TO THE GROUND, SO FAR

“That hasn’t quite played out yet,” Illinois Rep. Robyn Gabel, chair of the House Appropriations Committee’s Medicaid & Managed Care subcommittee, said in a late April interview. “I think a lot of businesses still have people on their insurance waiting to see how this plays out.” But Wisconsin Rep. John Nygren, who co-chairs the Legislature’s Joint Committee on Finance, said in late April that he and his colleagues are “definitely” anticipating a huge growth in Medicaid enrollment, coupled with a significant drop in revenue.

“It’s going to be a double whammy,” Nygren says. The 2008-09 recession’s impact on Wisconsin’s biennial budget for 2011-13 resulted in draining $700 million out of its “rainy day” fund. But that was a normal recession, Nygren says.

Wisconsin’s pre-pandemic budget for FY 2021 slated $11.1 billion for Medicaid. Legislators have passed AB 1038 in the state’s first virtual session on April 15 (Gov. Tony Evers signed it that same day). That new law allows the state to suspend some Medicaid rules (including a work requirement) in order to meet requirements in the Families First Coronavirus Response Act for increased federal Medicaid funding. Legislators are waiting to see what happens next, while ensuring they don’t bog down, Nygren says.

“You don’t go from 3.8 percent unemployment to 18 percent in six weeks without some major costs,” he says. “The more we gain experience with this situation, the more I fear we’re in for an extended economic downturn.” Even after re-opening, he adds, people will be reluctant to return to business as usual.

Families First Coronavirus Response Act for increased federal Medicaid funding. Legislators are waiting to see what happens next, while ensuring they don’t bog down, Nygren says.

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ON THE GROUND, SO FAR

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NAME THE COMMUNITY FROM THE MIDWEST

Futures prices for hogs and feeder cattle? Down 53 percent and 25 percent, respectively, between the start of this year and the beginning of April, according to the American Farm Bureau Federation. Over that same time period, futures prices fell for ethanol (-33 percent), corn (-20 percent), soybeans (-13 percent), Class III milk (-22 percent) and wheat (-4 percent).

“We are definitely living in uncertain times, with every aspect of our economy affected,” Minnesota Rep. Paul Anderson said in April during a webinar hosted by the Council of State Governments’ Midwestern Legislative Conference Agriculture & Natural Resources Committee.

“Agriculture has taken a big hit from the pandemic, and it will take many months, if not years, to recover.”

One of the takeaways from that recent webinar (it is available at csgmidwest.org): State legislatures can play a central role in helping the Midwest’s farm operations and other rural businesses survive, and recover.

NEW DISASTER RELIEF IN MINNESOTA

Minnesota was one of the first states in the Midwest to take major legislative action in direct response to the COVID-19 pandemic, including the passage in late March of HF 4531. That bipartisan, $330 million measure covered a wide range of policy areas. To support farmers, lawmakers expanded the reach of Minnesota’s existing Disaster Recovery Loan Program.

That program originally was designed for farm-loss situations not covered by insurance — for example, replacing livestock or repairing septic systems and agricultural buildings. With the signing of HF 4531 into law, that state program will now cover losses of revenue due to “contagious animal disease” or “an infectious human disease for which the governor has declared a peacetime emergency.”

Those new statutory provisions will help producers get through market periods like these, when demand for agricultural products is down due to the closing of restaurants and schools and the overall drop in domestic and global economic activity. Along with the precipitous drop in commodity prices, producers have had to dump milk and euthanize hogs.

“A baseline of March 1 was set, and loans [are] available to cover the quantifiable loss of sales compared to that date,” Rep. Anderson, co-chair of the MLC Agriculture & Natural Resources Committee, explained to fellow legislators during the recent webinar. “An example for a dairy producer would be if the price of milk was $18 on March 1, 2020, and is now $12. That is a loss of $6 for every CWT of milk sold.”

The Legislature provided $3 million in direct appropriations to the Minnesota Rural Finance Authority’s revolving loan account for this program; the RFA also has the authority to sell $50 million in bonds to finance other ongoing initiatives, including help for beginning farmers and a seller-assisted loan program.

To apply for a Minnesota Disaster Recovery Loan, farmers work with their regular lenders. The RFA covers up to 45 percent of the loan, at an interest rate that is currently 0 percent. The remainder of the loan is paid back at the lender’s normal interest rate. As of late April, there was significant interest among agricultural producers in the program, but one requirement may have been slowing actual application filings — a farmer has to demonstrate his or her ability to repay the loan.

Because of current commodity prices, it is difficult for some farmers to show a positive cash flow. Some farmers may also be waiting to see what assistance they get from the U.S. Department of Agriculture, Anderson said.

STATE PROGRAMS CONNECT RURAL BUSINESSES TO PRIVATE CAPITAL

One of the first legislative responses by the U.S. government was creation of the Paycheck Protection Program, or PPP. Many farm operations and rural businesses in the Midwest meet eligibility standards for this program, which is designed to help small businesses and workers.

While the availability of funding for the first round of PPP loans ran out quickly, this region fared better than others.

For example, the Midwest led the nation in the percentage of small businesses receiving these loans. Nationally, 5.7 percent of small businesses received PPP loans; in contrast, the rate in North Dakota was 15 percent (highest in the nation).

According to the U.S. Small Business Administration, one small bank in Nebraska ranked second in the nation for the number of PPP loans it approved. And of the 10 U.S. states with the highest percentage of small businesses receiving funding under the first round of PPP, six were in the Midwest (see map).

Loans aren’t the only way to help rural firms and communities recover.

“State legislatures will play a critical and integral role in the recovery of their economies for rural small businesses,” Mark Scheflta, a former Colorado legislator and current senior vice president for Advantage Capital, said on the April webinar. “Now is the time to plan for the deployment of much-needed capital for rural small businesses.”

One idea: Build on the New Markets Tax Credit program, a federal initiative created by the U.S. Congress in 2000. It provides tax credits for private-sector investments in businesses located in low-income, distressed communities (both rural and urban).

Some states have like-minded, successful programs of their own that have helped rural businesses gain access to capital and, as a result, add employees. Mackenzie Ledet, director of Stonehenge Capital, noted in the April webinar. “Examples in the Midwest include Illinois’ New Markets Development Program, Iowa’s Rural Business Growth Program and Nebraska’s New Markets Job Growth Development Act.

“All of these programs can be easily tweaked to meet your state’s specific small-business needs in the COVID-19 recovery,” Ledet said to legislators.


AGRICULTURE & NATURAL RESOURCES

States have tools to help their farmers and rural businesses weather the COVID-19 storm

by Carolyn Orr (carolyn@strawridgefarm.us)

In April, the University of Missouri’s Food & Agricultural Policy Research Institute evaluated the impact of the COVID-19 pandemic on farm income in calendar year 2020. Its early findings are based on the difference in income estimates made in January, before the pandemic, vs. those made in April. (Note: The combined losses in crop and livestock receipts are higher than the loss in net farm income due to expected increases in government payments and declines in production expenses.)

- $20.1 BILLION | LOSS IN NET FARM INCOME
- $11.9 BILLION | LOSS IN ALL CROP RECEIPTS
- $20.2 BILLION | LOSS IN ALL LIVESTOCK RECEIPTS

Early estimates of COVID-19’s impact on U.S. farm income

In April, the University of Missouri’s Food & Agricultural Policy Research Institute evaluated the impact of the COVID-19 pandemic on farm income in calendar year 2020. Its early findings are based on the difference in income estimates made in January, before the pandemic, vs. those made in April. (Note: The combined losses in crop and livestock receipts are higher than the loss in net farm income due to expected increases in government payments and declines in production expenses.)

Early estimates of COVID-19’s impact on agricultural futures prices: price change from Jan. 2 to April 15

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Change in futures prices</th>
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<tbody>
<tr>
<td>Wheat</td>
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<tr>
<td>Soybeans</td>
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<tr>
<td>Corn</td>
<td>-20%</td>
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<tr>
<td>Feeder cattle</td>
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<tr>
<td>Class III milk</td>
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<td>Live cattle</td>
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<tr>
<td>Ethanol</td>
<td>-33%</td>
</tr>
<tr>
<td>Hogs</td>
<td>-53%</td>
</tr>
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Sources: Barchart and American Farm Bureau Federation

Sources: Small Business Administration and CSG Midwest research

Early Impact of COVID-19 on Agricultural Futures Prices: Price Change from Jan. 2 to April 15

% of State’s Small Businesses that Received a Loan in First Round of Funding Under Paycheck Protection Program

- The 11-state Midwest received $247 billion, which is 26 percent of the total first round of funding. According to the Small Business Administration, the Midwest had the highest number of per capita loans among the four regions.

<table>
<thead>
<tr>
<th>State</th>
<th>Percentage</th>
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<tr>
<td>Ohio</td>
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<tr>
<td>Illinois</td>
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Sources: Small Business Administration and CSG Midwest research
“If you want to prevent the rapid spread and impacts of COVID, you have to look at where it is. Prisons and jails are where it is.”

Professor Sharon Dolovich
UCLA School of Law

New state policies emerge as jails and prisons become COVID-19 hot spots in parts of Midwest

by Mitch Arvidson (marvidson@csg.org)

W

ith the number of COVID-19 cases increasing, and a rise in deaths from the disease, “social distancing” has become a familiar term and way of life across the country.

But how is social distancing possible for people whose days are spent in a 6-by-8-foot cell with another person? How can state and local governments maintain public safety while protecting inmates? How can they prevent outbreaks from starting in correctional facilities, and then spreading to the wider community?

These are some of the questions that have vexed criminal justice administrators, inmates, staff and family members for months.

“If you want to prevent the rapid spread and impacts of COVID, you have to look where it is,” says Professor Sharon Dolovich, who launched the UCLA School of Law’s COVID-19 Behind the Bars Data Project, which is tracking COVID-19 conditions in the nation’s correctional facilities. “Prisons and jails are where it is because of the conditions we have created and allowed to be perpetuated for these decades.”

These facilities, she notes, are not insulated from their surrounding communities. Workers and food and supply delvers are constantly cycling in and out, and even though many prisons have health clinics, they don’t have the capacity to deal with emergencies. Under these circumstances, residents with serious conditions such as COVID-19 are taken to local public hospitals.

Dolovich cites two other reasons why jails and prisons are so important to states’ COVID-19 response. First, governments have a moral and constitutional obligation to keep prison and jail residents alive and safe. Second, longer sentences and unsanitary conditions have created an older, more vulnerable population.

EARLY POLICY RESPONSES: END FACE-TO-FACE VISITS, CURB NEW ADMISIONS

Across the country, one of the common policy responses has been to eliminate inmates’ face-to-face visits with friends and family. Contact with the outside world, though, is integral to inmates’ mental health. One alternative is to hold court and local governments:

Eliminate inmates’ barriers to contact with family and friends in other ways, by waiving or reducing customary fees for phone or video calls.

Many states and locales, meanwhile, have tried to reduce jail admissions to keep COVID-19 out of their facilities. Between the first week of March and the first week of April, for example, daily jail bookings in Minnesota’s Ramsey County were down by about 74 percent. A statewide stay-at-home order was one reason for this decline, the Star Tribune reported in April, but another was instructions to local police departments to reserve jail beds for violent offenders. Likewise, Chippewa County, Wis., reduced its jail intake by about 50 percent by issuing citations and court dates instead of arresting and holding offenders in pretrial detention.

Once a virus is inside a jail or prison, it is almost impossible to stop the spread. As of late April, 692 inmates and staff at Chicago’s Cook County Jail had tested positive for COVID-19, six detainees and a correctional officer had died. Around that same time, Ohio’s Pickaway Correctional Institution and Marion Correctional Institution had 1,609 and 2,165 confirmed cases, respectively. Eight Pickaway inmates had died; one inmate and two correction officers at Marion had died.

OHIO LEADS ON TESTING: OTHER STATES HELPING INMATES WITH HEALTH COSTS

These numbers from Ohio are eye-popping and concerning. Dolovich says, but the public knows about them because of Gov. Mike DeWine’s leadership in implementing a best practice that other states should follow: He ordered the testing of every prisoner at Marion, Pickaway and a third Ohio corrections facility.

“People ask, ‘What’s going wrong in Ohio that they have 2,000 plus cases?’” Dolovich says. “My answer to them is that everybody has prisons with 2,000 cases; we just don’t know which ones they are because no one is doing enough testing.”

COVID-19 also can have devastating effects on inmates’ finances. As the nonprofit, nonpartisan Prison Policy Initiative notes, state prison jobs for incarcerated individuals typically pay between 14 and 63 cents per hour. So even a seemingly small out-of-pocket co-pay for physician visits becomes extremely high for inmates.

To help reduce this burden, states such as Minnesota have suspended all co-pays during the duration of the COVID-19 pandemic. As of April, Indiana and Kansas were among the states that suspended co-pays for medical care related to respiratory, flu and/or COVID-19 related symptoms (see map).

GOVERNORS COMMUTE SENTENCES, EXPAND RELEASE OF PRISONERS FOR GOOD BEHAVIOR

The nonpartisan Brennan Center for Justice has urged the nation’s governors and other state policymakers to “release as many people as possible from incarceration, provided they do not pose serious public safety threats, for the duration of the pandemic.”

Its recommendations include commuting the sentences of older, more medically vulnerable inmates; expanding the use of “good time credit” programs; and commuted the sentences of seven others. Illinois Gov. J.B. Pritzker issued an executive order that eased some restrictions on early release for good behavior. (Pritzker also suspended admissions to all Department of Corrections facilities from the state’s county jails.)

“If governors don’t feel that they can commute sentences,” Dolovich adds, “they should be ordering the temporary release of people who can then be re-incarcerated when the crisis is over.”


### IMPACT OF COVID-19 PANDEMIC ON MIDWEST’S JAILS AND PRISONS (DATA AS OF MAY 11)***

<table>
<thead>
<tr>
<th>State/province</th>
<th># of COVID-19 cases</th>
<th># of COVID-19 deaths</th>
<th># of prison/jail releases related to COVID-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>1,278</td>
<td>15</td>
<td>5,510</td>
</tr>
<tr>
<td>Indiana</td>
<td>846</td>
<td>18</td>
<td>200 to 215</td>
</tr>
<tr>
<td>Iowa</td>
<td>34</td>
<td>0</td>
<td>700</td>
</tr>
<tr>
<td>Kansas</td>
<td>796</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Michigan</td>
<td>2,458</td>
<td>22</td>
<td>1,101</td>
</tr>
<tr>
<td>Minnesota</td>
<td>142</td>
<td>0</td>
<td>512</td>
</tr>
<tr>
<td>Nebraska</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>North Dakota</td>
<td>0</td>
<td>0</td>
<td>56</td>
</tr>
<tr>
<td>Ohio</td>
<td>4,861</td>
<td>50</td>
<td>1,276</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>6</td>
<td>0</td>
<td>278</td>
</tr>
<tr>
<td>South Dakota</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>44</td>
<td>0</td>
<td>3,448</td>
</tr>
</tbody>
</table>

** Does not include federal prisons in the states.

* Sources: UCLA School of Law COVID-19 Behind the Bars Data Project, Global News Canada and RTV Den Moines

### RULES ON CO-PAYS REQUIRED OF INCARCERATED INDIVIDUALS FOR MEDICAL CARE (AS OF APRIL)

<table>
<thead>
<tr>
<th>State</th>
<th>Co-pay Rules Related to COVID-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>State did not charge co-pays prior to COVID-19 pandemic</td>
<td></td>
</tr>
<tr>
<td>State suspended all co-pays in response to COVID-19 pandemic</td>
<td></td>
</tr>
<tr>
<td>State suspended co-pays for care related to respiratory, flu related or COVID-19 symptoms</td>
<td></td>
</tr>
</tbody>
</table>

Source: Prison Policy Initiative

### POWER TO GRANT REPRIEVES, COMMUTATIONS AND PAROONS (EXPECTING, IN MOST STATES, CASES OF TREASON AND IMPEDIMENT)

Governor

Governor, attorney general and supreme court

Governor, attorney general and secretary of state

* Illinois’ governor must report all reprieves, commutations and pardons to the General Assembly.

** Kansas’ governor not explicitly granted the power to grant reprieves.

*** In Michigan, there is an extensive review to process clemency, but it can be expedited for medical reasons.

Source: New York University School of Law
A state may have a lot of recent college graduates looking for jobs. It might be something that states can consider to rapidly deploy into the schools to offer tutoring.

Sean Gill, research analyst Center on Reinventing Public Education

losses in student learning and increases in achievement gaps due to factors such as lost-in-person instructional time, the inadequacy of some school districts’ remote-learning plans, and variations in family learning environments. “I think the best thing states can do is to have a good assessment in the fall, or maybe even in the summer,” said Gill, a research analyst for the Center on Reinventing Public Education, said on the webinar. “That will help us understand where student learning is, and allow schools to plan accordingly.”

The next step after testing is to provide resources to schools, staff, students and parents for the remediation response — a challenge in normal times, let alone with the fiscal problems facing states and their local districts.

gill suggested the possibility of new partnerships with nonprofits and other service providers to help with remedial coursework or to meet the social-emotional needs of students. He added that states could seek assistance from young people willing and able to commit to public service.

“A state may have a lot of recent college graduates looking for jobs,” he said. “It might be something that states can consider to rapidly deploy into the schools to offer tutoring and counseling support.”

A longstanding initiative in Minnesota is one example of how this might work. That state’s Reading Corps members of Reading Corps receive training on how to deliver evidence-based interventions to young students who struggle with reading. The state also has a Math Corps program for fourth- to eighth-graders. Reading and Math Corps members (who can be new college graduates, retirees or others) work alongside teachers in the schools; they get paid a stipend, receive health insurance and are eligible for education scholarships.

States also are likely to look at ways of strengthening the delivery of e- or distance learning. The federal CARES Act, signed into law in March, includes $16 billion for states to use for K-12 education (a portion of that total also can be used for higher education). In letters sent to governors and education commissioners, U.S. Department of Education Secretary Betsy DeVos encouraged states to use some of those dollars to strengthen remote learning.

On the April webinar, Gill noted that there already have been increased local investments in WiFi hot spots to expand access to families. He also said states could develop new initiatives that connect low-income households to the existing free or low-cost programs offered by internet providers.

In Minnesota, the closure of schools and move to distance learning “really focused the spotlight on equity,” said Jeff Planam, online and digital learning specialist for the state Department of Education.

“It’s not just access to the devices, access to the internet,” he said. “Beyond that, it’s thinking about how different families, based on their lived experiences, can support the kind of learning that teachers are expecting.”

South Dakota Sen. Jim Bolin and Minnesota Rep. Mary Kunesh-Podein serve as co-chairs of the Midwestern Legislative Conference Education Committee. The vice chair is Ohio Sen. Hearcel Craig. Tim Anderson serves as CSG Midwest staff liaison to the committee.

Potential legislative interventions

- Consider incentives for districts to extend instructional time for the 2020-21 school year earlier start dates, later end dates and lengthened school days
- Strengthen diagnostic testing to learn about losses in learning due to school closures
- Invest more in teacher and staff professional development to improve distance learning and better differentiate instruction
- Provide statewide resources for districts to improve remote learning
- Expand availability of computer and internet resources for students in need; investments in new WiFi hot spots, expansions of broadband to underserved areas and new partnerships with providers to reach low-income families
- Develop new summer learning programs and tutoring opportunities for students
- Develop new partnerships with outside providers and nonprofit groups to expand remedial instruction and mental health services
- Bring recent college graduates into K-12 schools via AmeriCorps-type public service programs

Sources: Michigan State University Institute for Public Policy and Social Research and presentations from April 30 webinar of the Midwestern Legislative Conference Education Committee

Two new forms of federal support for state K-12 education systems under CARES Act

1. Elementary and secondary school emergency relief fund

2. Governor’s emergency education relief fund

* This fund can be used by governors to support K-12 schools (including charter and non-public schools), postsecondary institutions and other education-related organizations.

TWO NEW FORMS OF FEDERAL SUPPORT FOR STATE K-12 EDUCATION SYSTEMS UNDER CARES ACT

ELEMETARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND

GOVERNOR’S EMERGENCY EDUCATION RELIEF FUND

Potential legislative interventions in response to closing of schools. Opening of 2020-21 school year

Consider incentives for districts to extend instructional time for the 2020-21 school year.

Strengthen diagnostic testing to learn about losses in learning due to school closures.

Invest more in teacher and staff professional development to improve distance learning and better differentiate instruction.

Provide statewide resources for districts to improve remote learning.

Expand availability of computer and internet resources for students in need. Investments in new WiFi hot spots, expansions of broadband to underserved areas and new partnerships with providers to reach low-income families.

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Bring recent college graduates into K-12 schools via AmeriCorps-type public service programs.
‘Reawakening’ the border: A return to binational trade, movement is crucial to broader recovery

by Ilene Grossman (grossman@csog.org)

E ven as the U.S.-Canada border shut down earlier this year to all but trade and the movement of essential workers, the strength and durability of the relationship between the two countries was on display. “They worked as partners to restrict, but not (totally) close, the border,” Chris Sands, director of the Canada Institute at the Woodrow Wilson International Center for Scholars, said during a May webinar for state and provincial legislators.

This cooperative effort (which included Mexico, via a separate border agreement with the United States), he said, was “historic.” And looking ahead, as the border begins to “reawaken,” he views the North American trading relationship as potentially more important than ever before.

According to Sands, one of the likely takeaways from the COVID-19 pandemic will be a push to change supply chains for essential goods such as medical equipment and supplies — away from producers in markets such as China to those in North America. Not only will this be a deliberate policy shift among governments, he said, some manufacturers “will no longer want to put their supply chains at risk.”

He also predicts a general shift to “nearshoring”: Rather than expanding in far-off locations in the world with low-wage workers, manufacturers will invest in production facilities closer to home.

The webinar was hosted by The Council of State Governments’ Midwest-Canada Relations Committee, a 29-year-old group of state and provincial legislators that works to improve binational trade and relations.

The U.S.-Canada relationship has been the largest bilateral trading relationship in the world, with more than $2.4 billion worth of goods and services being exchanged each day before the pandemic. Cross-border movement has slowed considerably, but Sands discussed with lawmakers several “reawakening” steps for government to take as border restrictions are lifted.

AS THE BORDER ‘REAWAKENS’ …

At the federal level, Sands recommends: “simplifying the border process by designating those companies that have invested in the security of their supply chains [by being approved by the United States’ and Canada’s trusted shipper or trucker programs], as essential.”

Such a move, he told legislators, will “allow for easier transit.”

As states and provinces move ahead with a reopening of their economies, he suggested that they think more regionally and look at eliminating unnecessary barriers — for example, a permit issued in one jurisdiction (whether it’s a state or province) should be recognized in the other.

Early on in the pandemic, much of the slowdown in trade activity was being caused by a decrease in demand rather than by the partial border closure. Factories that were essential parts of a cross-border supply chain have temporarily shut or slowed production to allow for physical distancing; and there has been an overall economic downturn due to pandemic-related job losses.

But Sands noted in the webinar that the bilateral relationship is much more than simply trading goods. Cross-border movement of all kinds, including tourism and shopping, “is so important for getting our economies moving again,” he said.

Because the two countries’ pandemic-related border rules allow only for trade and essential travel, tourism-dependent communities on both sides of the border — and many small and medium-sized businesses in the travel sector — have been severely impacted. Recent data on passenger vehicle crossings in the Midwest underscore the big changes in travel that have occurred. In Michigan, Minnesota and North Dakota, the number of inbound crossings in March 2020 was only about half of what it was one year earlier (see table). Michigan’s decline has been slightly less, likely due to the relatively high number of health care and other “essential” workers crossing the border.

PROBLEM SOLVING: WHO’S ‘ESSENTIAL’?

Exactly what makes for an “essential” worker was still being debated in Canada and the United States, Sands said. As of early May, non-essential or discretionary travel included travel for tourism, recreation and entertainment. Essential travel has been defined as including travel for supporting critical infrastructure, trade and commerce, and health security. Border officers still have some discretion, as do embassies when issuing visas, so some details were still being worked out. And problems in implementation were also being reported — for example, some technicians crossing to do repairs were being stopped at the border.

From the start of the pandemic, it was clear that essential workers would include health care professionals. The Detroit metropolitan area relies heavily on nurses and other health care professionals from Canada to supplement its workforce. Estimates are that between 1,500 and 2,000 such workers cross the border from Windsor each day to work in or near Detroit.

This daily flow of health care workers is repeated throughout many communities along the border. With more than 1 million residents collectively in the cities of Detroit and Windsor, and more than 4 million in the Detroit metro area, this metropolitan area has the largest number of cross-border health care workers. The Canadian government has resisted calls for these workers to choose one side of the border to work on during the pandemic. Due to the large number of COVID-19 cases in the Detroit area, some Windsor hospitals have asked workers to make that choice.)

The U.S.-Canada relationship was also challenged when shipments of N-95 masks made by 3M and bound for Canada ran into a roadblock. Invoking the Defense Production Act, which presidents can use to expedite and expand the production of key goods in times of emergency, the Trump administration halted the export of these masks to Canada as well as to Latin America. (3M is the only U.S. supplier of N-95 masks to Canada, which does not produce them; the country relies heavily on nurses and other health care professionals from Canada to supplement its workforce. Estimates are that between 1,500 and 2,000 such workers cross the border from Windsor each day to work in or near Detroit.

But following several days of discussions, the Trump administration exempted Canada and Mexico from this export ban on N-95 masks.

“Canada and the U.S. are close partners in the fight against COVID-19, and we are part of the shared supply chain for both PPE [personal protective equipment] and medical equipment,” said Joe Comartin, Canada’s consul general in Detroit. He notes that the supply chains for essential medical equipment (gloves, ventilators, testing kits, etc.) cross both ways, as do health care supplies, services and workers.

Ohio Rep. Bob Cupp and Manitoba Minister Kelvin Goertzen serve as co-chairs of the Midwest Legislative Conference Midwest-Canada Relations Committee. The vice chairs are Saskatchewan Speaker Mark Doherty and Michigan Sen. Jim Stamas. Ilene Grossman serves as CSG Midwest staff liaison to the committee.
In his first year in top leadership role, Iowa native talks about COVID-19, the unprecedented challenges it poses to states, and the role for legislatures

by Ilene Grossman (igrossman@csg.org)

In an April interview with CSG Midwest, Speaker Grassley talked about the legislative role in addressing the state’s response to the COVID-19 pandemic, his views on leadership, and other policy priorities. Here are excerpts.

Q COVID-19 hit Iowa shortly after you became speaker. What is your perspective on the challenges now facing Iowa and its leaders?

A Whether you are a new leader or have been at this for a long time, it is very hard to plan for something like what we are enduring right now. We’ve had times when revenue did not meet expectations and we had low commodity prices. Those things you can work through. But as our governor says, there is really not a manual for something like this. All of us across the country are learning as we go, not just the specific issues but general preparedness as well. We just have to work through it and look ahead to learn how to handle future emergencies.

Q How do you view the Legislature’s role in managing the state response?

A We did several things to ensure that the Legislature was staying engaged and involved. In Iowa, the Legislative Council is mostly responsible for oversight of leadership from all four caucuses in the Legislature. In legislation we passed on the last day of session (before session was suspended), we gave the council more authority. We wanted to avoid the situation that when we needed to take some level of legislative action, we would have to bring the whole Legislature and support staff back together. So, for example, we were able to meet by phone to extend the legislative session. (Editor’s Note: Like many states in the Midwest, Iowa has a part-time legislature that does not meet year-round.)

Another part of the legislation addressed oversight of state funds. Our Economic Emergency Fund has $200 million. The governor has discretion over the first $200 million, and after that, the Legislative Council has to approve additional spending.

I have full confidence in Gov. (Kim) Reynolds. We want the governor to have the ability to react quicker than the wheels of government can sometimes move when the situation is as fluid as it is, but we also want to make sure that the Legislature is still involved in that process.

We are collecting information on the requirements of the federal funds Iowa will receive, so when the Legislature comes back, we are ready to act.

Q This pandemic is a reminder of the importance of leadership in the states. What are some of the qualities and characteristics that an effective leader should exhibit? How would you describe your legislative leadership style?

A Gov. Reynolds offers an example of leadership in this time. She keeps open lines of communication, not only with her own party but both parties. She puts herself in front of the media to reach all Iowans. It is important to be open and transparent, and to rely upon experts and data.

As House Appropriations Committee chair (from 2015-2019), I had to first work with the budget subcommittee chairs, and then build consensus within the entire caucus. I have always operated in a way that builds consensus from the ground up, so we spend a lot of time in caucus getting the input that is needed for both the budget and policy.

Q How long was your service in the Legislature? For Iowa over the next 15 to 20 years?

A This is my 14th year in the Legislature, but I was not part of the top leadership team before. There are some things you see as speaker that you don’t see as a rank-and-file member, or even as a committee chair. We have a couple of hundred employees that work in the legislative branch, and the House and Senate each have an internal budget.

Until you sit in the speaker’s chair, you aren’t aware of some of the management responsibilities of running the day-to-day legislative operations. All four of the top leadership positions in our caucus had new people in the roles, and we are all learning on the fly.

But the biggest change for me is the responsibility for speaking on behalf of the entire caucus. As a [rank-and-file] member of the caucus, you speak for yourself. As a committee chair, I learned that I sometimes had to speak on behalf of the caucus, but now, as speaker, that has been amplified to a totally different level — with everything I say.

In the months before I became speaker until now, that is one of biggest changes for me. My opinion matters, but the opinion of the caucus is the one that really matters.

Q Looking beyond the impact of the pandemic, what do you see as some of the biggest challenges and opportunities for Iowa over the next 15 to 20 years?

A One challenge that Iowa will face is population growth, or where population is located. I represent a very rural district, and one of the concerns I see is population loss and shifts in population from rural to urban areas. As the population continues to shift from rural areas, our districts are getting bigger and rural areas will have less representation.

I have some concerns about how long we can go without making sure rural areas have the same economic development and educational opportunities. The Legislature has to be mindful of this. But we also have tremendous opportunities as an agriculture-based state and being a leader in so many commodities.

“I want the governor to have the ability to react quicker than the wheels of government can sometimes move when the situation is as fluid as it is, but we also want to make sure that the Legislature is still involved.”

By Ilene Grossman

Bio-Sketch: Iowa Speaker of the House Pat Grassley

By Ilene Grossman

Elected speaker of the Iowa House in 2019
Served as Appropriations Committee chair from 2015 to 2019
First elected to the Iowa House in 2006
Operates family farm in northeast Iowa town of New Hartford with his family and grandfather
Lives on family farm with his wife, Amanda, and their three children

“We want the governor to have the ability to react quicker than the wheels of government can sometimes move when the situation is as fluid as it is, but we also want to make sure that the Legislature is still involved.”
FIRST PERSON: LESSONS LEARNED ON HOW STATE LEGISLATURE CAN FUNCTION DURING A CRISIS

by Minnesota Deputy Majority Leader Michelle Benson

“...It is crucial to have someone on your team looking 30 days, 60 days and even further out to make sure that legislation meets the long-term scope of the crisis.”

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 Midwestern 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

Political divisions did not stop meaningful interbranch, bipartisan cooperation as deputy majority leader, I had a significant role in the creation of our three relief packages.

THREE EARLY LEGISLATIVE RESPONSES TO COVID-19

In the early days of the response, before the dangers of coronavirus were explicitly known, the Legislature passed a $209.9 million bill to bolster our state’s public health response. SF 3813 was passed at the request of the governor. This money went to an existing contingency account for public health responses—investigating diseases, monitoring outbreaks, providing public information, coordinating statewide response activities, and conducting laboratory tests. Our second legislative response was written in three days and passed just before Minnesota’s shelter-in-place order (that order subsequently kept members from being physically present at the Capitol). This legislation (SF 4343) contained a spending total of $2.25 million, with $50 million for nursing homes, long-term care centers, paramedics and clinics. It also established an oversight board to help our state’s Department of Health prioritize needs on a statewide basis. Under the measure, our Legislative Advisory Commission (an existing bicameral group of key legislative leaders) was given the authority to review, approve or stop any spending proposals of $1 million or more from this health care response fund. Another $150 million was made available through an application process for COVID-19 screening, testing and treatment. The third piece of legislation (HF 4531), a $330 million bill written over a week of remote work, invested more in our health care needs while also providing assistance for other impacted individuals and sectors—for example, veterans’ services, college students, small businesses, and child care for health care workers.

NEED TO MEET REMOTELY DIDN’T STOP Bipartisan cooperation

Working remotely while maintaining public access to the legislative process was challenging. A significant action on the part of our Senate counsel and leadership staff to develop a system that involved public input. Minority party caucus members were also critical to creating workable legislative processes. Firm deadlines, fiscal responsibility, reliance on nonpartisan staff, and good relationships with commissioners (the heads of Minnesota’s state agencies) contributed to a rapid turnaround rate and high-quality legislation.

State legislators must prioritize emergency legislation as the situation develops. An obvious statement, perhaps, but under the conditions of a regular session, lawmakers tend to focus on their areas of interest. In this case, that was not possible.

Setting hard, fast deadlines led members to collaborate on essentials. This, in turn, became a catalyst for the Senate majority and minority caucuses to work together. We should consider taking this route when faced with critical decisions, even with the luxury of more time to debate.

CRISIS HAS HIGHLIGHTED VALUE OF LEGISLATIVE STAFF

Firm deadlines are next to impossible to keep without all staff on hand to share the burden. During the emergency, most team members had to go home, while nonpartisan employees kept legislators consistently updated through conference and video calls. Their expertise was essential to inform legislative decisions regarding executive requests, as well as to make sure that the language would fit well into current statutes.

Partisan staff, meanwhile, helped keep legislators from agreeing to items unrelated to crisis response, as the effort to be nonpolitical can be difficult in high-stress situations. It also became clear how crucial it is to have someone on your team looking 30 days, 60 days and even further out to make sure that legislation meets the long-term scope of the crisis. It is essential that in a time of adrenaline-fed decision making, someone is looking at the long game.

LEGISLATIVE BRANCH IS EQUAL, NOT LESSER, PARTNER

As part of the measures we passed early in our legislative response, we included provisions to ensure that, at the end of the crisis, unused emergency funding would be returned to the state general fund. Funneling unused dollars back into the general fund is a matter of accountability, a firm reminder of the importance of retaining legislative control and oversight in an emergency. The executive branch has incredible power politically during a declared emergency, but the legislative branch is an equal, not lesser, partner. We are the hinge point that should supply the executive branch with the resources it needs for special dispensations of emergency power. As district-specific representatives of the people, our transparency with tax payers and accountability requirements is paramount.

Since state commissioners play a key role in either creating or disrupting legislation, regular meetings with them have been vital to creating and sustaining a functioning relationship.

Though the Senate majority in Minnesota does not align politically or organizationally with the executive branch, we have a successful working relationship with most of the governor-appointed commissioners. One of the most important roles of a committee chair is to foster a business-like and efficient relationship with these commissions and other state leaders. Cooperation ensures that the process is not burdened by typical political disputes when working at a lightning pace.

COMMIT TO TRANSPARENCY AND WORKING TOGETHER

Noting lessons learned in this crisis will provide great insight for many years to come. In summary, it is important to remember the strength of a well-functioning legislative body that is truly representative of the people. We know our districts better than the federal government or the governor’s administration ever could, but functional working relationships with commissioners are imperative when putting knowledge into action.

Our constituents deserve a transparent process that should be discussed well before an emergency hits.

Finally, committed team members make it possible to survive difficult times. We need to know who will support us and keep the long game in mind when drafting emergency legislation.

The struggle against the pandemic continues, and we all hope never to re-encounter this situation. Minnesota’s system was by no means perfect, but what we learned will help us work better together during future endeavors. Protection of legislative authority is imperative for balance, even in a peacetime emergency; this is the job we were elected to do.

Minnesota Senate Deputy Majority Leader Michelle Benson is serving her third term.
The Council of State Governments’ Midwestern Legislative Conference wishes to express its deepest thanks to the following public and private sector donors, all of whom generously pledged significant contributions in support of the MLC’s 75th Annual Meeting, previously scheduled to be held in Detroit on July 19-22. Notwithstanding the unfortunate cancellation of this year’s conference due to the COVID-19 pandemic, the MLC remains grateful for the loyal support of its partners, who help make the MLC Annual Meeting possible — every year!

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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 MLC affiliate members.

**ESTIMATED ALLOTMENT OF FEDERAL COVID-19 RELIEF FUND TO STATES IN MIDWEST UNDER CARES ACT**

<table>
<thead>
<tr>
<th>State</th>
<th>Total allotment (state and local governments)</th>
<th>Minimum share for state government</th>
<th>Maximum direct allotment to local governments*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>$4.91 billion</td>
<td>$2.7 billion</td>
<td>$2.21 billion</td>
</tr>
<tr>
<td>Indiana</td>
<td>$2.61 billion</td>
<td>$1.44 billion</td>
<td>$1.18 billion</td>
</tr>
<tr>
<td>Iowa</td>
<td>$1.25 billion</td>
<td>$688 million</td>
<td>$563 million</td>
</tr>
<tr>
<td>Kansas</td>
<td>$1.25 billion</td>
<td>$688 million</td>
<td>$563 million</td>
</tr>
<tr>
<td>Michigan</td>
<td>$3.87 billion</td>
<td>$2.13 billion</td>
<td>$1.74 billion</td>
</tr>
<tr>
<td>Minnesota</td>
<td>$2.19 billion</td>
<td>$1.20 billion</td>
<td>$998 million</td>
</tr>
<tr>
<td>Nebraska</td>
<td>$1.25 billion</td>
<td>$688 million</td>
<td>$563 million</td>
</tr>
<tr>
<td>North Dakota</td>
<td>$1.25 billion</td>
<td>$688 million</td>
<td>$563 million</td>
</tr>
<tr>
<td>Ohio</td>
<td>$4.53 billion</td>
<td>$2.49 billion</td>
<td>$2.04 billion</td>
</tr>
<tr>
<td>South Dakota</td>
<td>$1.25 billion</td>
<td>$688 million</td>
<td>$563 million</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>$2.26 billion</td>
<td>$1.24 billion</td>
<td>$1.02 billion</td>
</tr>
</tbody>
</table>

* Local governments with a population of 500,000 or more can request direct assistance from the federal government.

Source: Federal Funds Information for States

**MLC’S COVID-19 WEBINAR SERIES NOW AVAILABLE ONLINE**

The Midwestern Legislative Conference’s initial series of free, weekly webinars on how the COVID-19 pandemic is impacting states and how legislators can respond wrapped up on May 21. These MLC committee-led events covered topics related to public health, education, economic development, U.S.-Canada trade, and health insurance marketplaces “has created additional risks as systems are being modified or created to handle the exponential increase in demand;” the letter states, thus requiring additional investment in both funding and manpower “to keep up with the massive usage.”

Along with CSG, signatories to this letter include the National Governors Association, National Conference of State Legislatures, National Association of Counties, National League of Cities, International City/County Management Association, National Association of State Chief Information Officers, National Emergency Management Association, State Treasurers, the Governors Homeland Security Advisory Council, Government Finance Officers Association, and the National Association of State Auditors, Comptrollers and Treasurers.
In November 2018, I was honored to be elected to the state Senate.

From the start of this time in public service, my long career in the medical field has helped inform and guide my work as a state legislator. I am an otolaryngologist, and was in medical practice as an intern, nurse and throat doctor for more than 40 years before my medical partner and I closed our ENT practice in 2019.

Through the years, too, I have been in various positions to see the important connections between medical care and public policy — for example, as president of the Michigan State Medical Society and as a member of the Council of State Governments’ Healthy States Task Force.

HOPE AS A PHYSICIAN AND LEGISLATOR

Currently I am the only physician in the Michigan Legislature. I like to think that my medical experience, training and service, coupled with my public service, have given me a unique perspective in Michigan into what we are facing as we battle COVID-19.

There is reason to have hope here in Michigan, as well as across the nation and the world. Along with other medical professionals in Michigan, I have joined the U.S. Centers for Disease Control and Prevention in advising that everyone wear face coverings in public to help prevent the spread of COVID-19. This practice offers some protection against infection and unknowingly spreading the virus if you are asymptomatic. A YouTube video titled “A Doctor Explains How to Make the Safest Face Mask” shows how to make a very efficient mask out of a new High Efficiency Particulate Air vacuum cleaner bag.

Sharing resources like these with our constituents is one way we as legislators can aid in our states’ public health response.

In addition, recently I have been encouraged by a promising drug in the fight against COVID-19. Dr. Edward Loniewski is an orthopedic surgeon in Michigan who has been doing some trials on stem cells with a group out of Seattle called AVM Biotechnology. AVM’s founder and lead researcher, Dr. Theresa Deisher, along with her team, has been working on a medicine labeled AVM0703. The drug is reported to turn one’s own immunity system on, and as of April, it was in trials to obtain U.S. Food and Drug Administration approval for use in this pandemic. AVM0703 is a more highly purified form of dexamethasone, a generic medicine in many of the patients currently being treated for their COVID-19 infections, especially when they are hospitalized.

Doctors are using this generic medicine in many of the patients currently being treated for their COVID-19 infections, especially when they are hospitalized. Doctors typically give dexamethasone, or other steroids, in very small doses over an extended period of time. Typically, doctors to consider this approach, or to consider using some other ‘off label’ medicines. Please consult with your doctor about different options.

LEGISLATION TO HELP SMALL PHARMACIES

As we continue to work on our response to the COVID-19 pandemic, there also is room for new policies that help improve access to medicines overall access to needed care and medications.

That is the intent of SB 630, a bill that I introduced in the fall to create a long-lasting, positive impact on my state. This bill would create a new category of medical licensure in Michigan for wholesale distributor-brokers of prescription drugs — a category distinct from wholesale distributors.

Wholesale drug distributors are intended to serve as a link in the pharmaceutical and medical device supply chain. These distributors purchase medicines and/or medical devices directly from manufacturers for storage in warehouses and distribution centers across the country. From there, licensed pharmacies, hospitals and medical providers place orders with the wholesale distributors for the medicines and devices they need. The distributors process and deliver the orders.

Under SB 630, a licensed wholesale distributor-broker would have the statutory authority to facilitate the delivery or trade of a drug or device between pharmacies for the purpose of filling a prescription for a patient. The wholesale distributor-broker would not take physical possession or ownership of the drug or device.

The Michigan Department of Licensing and Regulatory Affairs has recently determined that, despite prior licensure, the statutory definition of pharmacy wholesaler does not include or encompass this type of facilitation. SB 630 would fill this gap in our state statute.

This type of broker facilitation is particularly useful in supporting smaller pharmacies. They need to secure medication for their customers in smaller lots, a difficult task due to supply-chain constraints.

“The creation of this new category of licensure in Michigan will foster continued access to needed medications during this pandemic and in the future,” Johny Kello, the CEO of MatchRX (a web-based marketplace used by many independent pharmacies), recently said about the bill. As of April, SB 630 had passed out of committee and was awaiting action on the Senate floor.
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. MEMBERS WILL BE MADE AWARE IF AND WHEN OTHER PLANNED MEETINGS MUST BE CHANGED.

CANCELED: 2020 Bowhay Institute for Legislative Leadership Development

NOTE TO OUR MEMBERS: THIS SUMMER’S BILLD PROGRAM HAS BEEN CANCELED DUE TO THE IMPACT OF THE COVID-19 PANDEMIC. APPLICATIONS FOR THE 2021 BILLD PROGRAM WILL BE AVAILABLE LATER THIS YEAR.

Great Lakes-St. Lawrence Legislative Caucus Annual Meeting

September 18-19, 2020 | Detroit, Michigan
Contact: Lisa Janairo – ljanaire@csg.org
630.925.1922 | greatlakeslegislators.org

Midwest Interstate Passenger Rail Commission Annual Meeting

November 9-11, 2020 | Detroit, Michigan
Contact: Laura Kliewer – kliewer@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

Midwestern Legislative Conference Annual Meeting

July 11-14, 2021 | Rapid City, South Dakota
Contact: Cindy Andrews – candrews@csg.org
800.800.1910 | csg.org

Great Lakes-St. Lawrence Legislative Caucus

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THE COUNCIL OF STATE GOVERNMENTS | MIDWESTERN OFFICE

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MIDWEST

May 2020

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CHANGE SERVICE REQUESTED