

Canada – United States
Inter-Parliamentary Group
Canadian Section



Groupe interparlementaire
Canada – États-Unis
Section canadienne

Report of the Canada–United States Inter-Parliamentary Group

**74th Annual Meeting of the Council of State Governments'
Midwestern Legislative Conference**

Chicago, Illinois, United States of America

July 21-24, 2019

Report

DELEGATION MEMBERS AND STAFF

From 21–24 July 2019, the Honourable Wayne Easter, P.C., M.P., Co-Chair of the Canadian Section of the Canada–United States Inter-Parliamentary Group (IPG), led a delegation to the 74th annual meeting of the Council of State Governments' Midwestern Legislative Conference (MLC) in Chicago, Illinois. The other members of the delegation were the Honourable Senator Jane Cordy, IPG Vice-Chair, Honourable Senators Robert Black and Victor Oh as well as Randeep Sarai, M.P. The delegation was accompanied by Ms. Miriam Burke, the Canadian Section's Executive Secretary, and Ms. Tanya Dupuis, Advisor to the Canadian Section.

THE EVENT

The Midwestern Legislative Conference (MLC), which meets annually, is a regional association of state legislators from 11 U.S. states and Canadian provincial legislators from four member or affiliate provinces (see list of states and provinces in the Appendix).

The purpose of the MLC is to foster regional intergovernmental cooperation in the U.S. Midwest by considering common problems, exchanging information and ideas, sharing knowledge and experience, and – as appropriate – pursuing collaborative efforts to improve sub-national governance.

DELEGATION OBJECTIVES FOR THE EVENT

The IPG aims to find points of convergence in respective national policies, to initiate dialogue on points of divergence, to encourage the exchange of information and to promote better understanding among legislators on shared issues of concern. Members of the IPG's Canadian Section meet regularly with their federal counterparts, and also attend meetings of U.S. governors and state legislators. At these events, Canadian delegates engage in conversations that help the Canadian Section achieve its objectives.

Members of the Canadian Section took advantage of the annual meeting to discuss opportunities for Canada and the U.S. Midwest to collaborate on improving regional economic development. As well, members benefited from presentations on a variety of policy areas that are important for both Canada and the United States, including trade, criminal justice and border issues.

ACTIVITIES DURING THE EVENT

During the MLC's 74th annual meeting, the following sessions were held:

- Featured Luncheons:
 - The Enduring Legacy of Abraham Lincoln
 - The Soul of America

- Keynote Presentations:
 - American Injustice – Mercy, Humanity and Making a Difference
 - A View from Washington
- Midwestern Jobs of the Future: The Region’s Evolving Economy
- The Impact of Tariffs and Trade Agreements on States and Provinces
- The Value of Civic Engagement, and How States can Encourage It

The MLC’s concurrent sessions were:

- A Discussion on Criminal Justice Reform – From Changing Civil asset Forfeiture to Lowering Recidivism Rates
- Better Outcomes for Youth – Juvenile Justice Reform
- Disaster Insurance: Saskatchewan’s Approach to Helping Farmers, Businesses and Communities
- Health Care Insurance and Reform
- Higher Education Savings Accounts for Children
- Incentivizing Cures for Major Diseases via Multistate Compact: A Look at Ohio’s “Cure Bill”
- Justice for All – State Responses to Racial and Ethnic Disparities in Prisons
- Mental Health and the Justice System
- State Regulation of Payday Lending
- Suicide Prevention: Ideas for State Action
- Teaching Comprehensive Consent as Part of Sex Education
- The Science of Vaccinations
- The State of Renewable Energy in the Midwest
- Urban Education: An Expert-Led Discussion on Policy Challenges and Opportunities for States and Their Schools

The following MLC committees also met during the annual meeting:

- Agriculture & Natural Resources Committee

- Criminal Justice & Public Safety Committee
- Economic Development Committee
- Education Committee
- Health & Human Services Committee
- Midwest-Canada Relations Committee
- Midwest-Canada Trade Relations Subcommittee

This report provides a list of salient points raised during selected committee meetings, sessions and concurrent discussions that occurred during the annual meeting.

MIDWEST-CANADA RELATIONS COMMITTEE

THE UNITED STATES–CANADA BORDER: STRATEGIES AND POLICIES TO SPEED UP MOVEMENT OF PEOPLE AND GOODS

Bill Anderson, *Cross-Border Institute*

- Canada and the United States need to work toward what they consider to be an ideal border. The border needs to be strong and secure, but it also needs to reflect the policy differences between the two countries.
- The American and Canadian economies are stronger together.
- Canada–U.S. trade is largely driven by cross-border supply chain integration. Supply chains include more than one supply chain partner on each side of the border, and it involves multiple crossings of the same good.
- Efforts are being made to increase the flow of goods and people at the border by embracing new technology and new infrastructure.
- The Gordie Howe International Bridge will reduce crossing costs and efficiently increase the flow of goods and people by providing larger inspection zones and additional lanes to support an increase in volume.

Criminal JUSTICE AND PUBLIC SAFETY COMMITTEE

LEGISLATIVE OPPORTUNITIES FOR JUSTICE: INNOVATION, REFORM, AND THE BASICS

Jac Charlier, *Treatment Alternatives for Safe Communities' Center for Health and Justice*

- Deflection, also known as pre-arrest diversion or police diversion, is a new practice in U.S. modern policing.

- Deflection differs from traditional forms of diversion in the sense that it moves the offender away from the justice system before entering it.
- Deflection is a practice that takes place at the time of the arrest and subsequent release by the police officer; it should not be confused with the practice of diverting an offender from within the criminal justice system into a distinct non-judicial stream after he or she has entered it.
- The practice of deflection allows non-violent offenders to be safely deflected into the community stream.
- An increase in offenders suffering from substance abuse and mental health problems is driving the need for deflection.
- Deflection could be a possible solution to the United States' mass incarceration rate and could help to alleviate racial disparity in the criminal justice system.
- Police chiefs are encouraging the use of deflection and asking officers to implement this practice when dealing with vulnerable and marginalized populations.
- Police officers are reporting that 81% of 911 calls are social service calls; deflection is a way to connect offenders to community-based services, housing treatment and recovery support in real time.

A DISCUSSION ON CRIMINAL JUSTICE REFORM—FROM CHANGING CIVIL ASSET FORFEITURE TO LOWERING RECIDIVISM RATES

Michigan Representative Graham Filler, *Discussion facilitator*

- Civil asset forfeiture regimes differ from state to state.
- The state of Michigan recently enacted legislation to amend its regime governing civil asset forfeitures. Before the legislation was enacted, Michigan had strict rules concerning civil asset forfeitures; police officers were allowed to seize a person's property believed to be involved in a crime and sell it before a conviction was rendered.
- Civil asset forfeiture was a regular source of funding for law enforcement; the regime was created to target high-level drug dealers.
- Bipartisan legislation was introduced by Michigan lawmakers in February 2019 to reform the civil asset forfeiture regime.

The Michigan Association of Chiefs of Police spoke against the legislation in the State House Judiciary Committee.

- The legislation was signed into law by Governor Gretchen Whitmer in May 2019. The new legislation requires that a conviction be rendered before law enforcement can sell property seized in connection with a crime; the value of the seized property may not exceed \$50,000.

AMERICAN INJUSTICE—MERCY, HUMANITY AND MAKING A DIFFERENCE

Bryan Stevenson, *Equal Justice Initiative*

- The United States prison population has changed significantly over the last 40 years; in 1972 nearly 300 000 Americans were incarcerated whereas today, close to 2.3 million people are imprisoned.
- The U.S. has the highest rate of incarceration in the world.
- Female incarceration rates in the United States have increased exponentially.
- America is burdened by a history of racial inequality.
- One out of three black male babies and one out of six Latino babies, born in the United States, are expected to go to prison.
- The level of despair is growing in communities of colour and feelings of hopelessness have begun to set in.
- The criminal justice system is not only being distorted by race but by poverty as well; the American criminal justice system will treat you much better if you are rich and guilty than if you're poor and innocent.
- The work of law makers should not be defined by what they do for the rich, but by what they can do for the poor and marginalized.

THE IMPACT OF TARIFFS AND TRADE AGREEMENTS ON STATES AND PROVINCES

Scott Miller, Senior Advisor, *Center for Strategic and International Studies*

- President Trump has personalized and personified policies to a greater extent than his predecessors.
- The current president is a business man, and this is how he views the U.S. trade file; it is also why he wanted to create balance in the country's trading relationships.
- Most Americans believe that President Trump's policy choices are quite rational; it is his implementation that people find more problematic.
- From a policy stand point, the President has given Americans the benefit of being very clear of where he stands on specific issues.

Shannon Hersfeld, *Archer Daniels Midland Company*

- Getting the United States–Mexico–Canada Agreement (USMCA) ratified is now the number one priority, and the fact that it was signed is a victory and a relief.
- Many Americans were concerned that the United States would withdraw from the *North American Free Trade Agreement*.
- Individuals who have a chance to express their support for the USMCA should do so.

Mathew Wilson, *Canadian Manufacturers and Exporters*

- The section 232 tariffs on steel and aluminum products were uncalled for and a detriment to Canada–U.S. relations.
- The tariffs on steel and aluminum products would have had a devastating effect on Canadian jobs and companies if both countries had not come to an understanding to eliminate them.
- It is important for the United States to remember that Canada is not a threat, and that both countries can build great things together.

MEETING OF THE MLC MIDWEST-CANADA TRADE RELATIONS SUBCOMMITTEE

UNITED STATES–CANADA–MEXICO AGREEMENT

Daniel D. Ujcz, *Dickinson Wright PLLC*

- The USMCA does not provide details on issues such as taxation and workforce management; these details will need to be clarified at the state and provincial level.
- Americans are happy with the USMCA.
- Canada agreed to move ahead with the ratification of the USMCA in exchange for the elimination of section 232 tariffs on steel and aluminum products.
- A fall election means that Canada will likely not go through the implementation of the USMCA until 2020.

DISASTER INSURANCE: SASKATCHEWAN'S APPROACH TO HELPING FARMERS, BUSINESSES AND COMMUNITIES

Saskatchewan Minister of Government Relations Warren Kaeding, *Discussion facilitator*

- Minister Kaeding provided an overview of the Provincial Disaster Assistance Program (PDAP) in Saskatchewan, its application process and eligibility requirements.

- In order to qualify for assistance, a community must apply to be approved for provincial disaster assistance funding. Once approved, PDAP provides financial assistance to eligible claimants for uninsurable, property damaged by natural disaster.
- Eligible claimants include municipalities, small businesses, agricultural operations, Indigenous communities, and private citizens.
- PDAP recovery centres have been opened in communities affected by flash floods, embankment flooding, tornadoes, plow winds, and other disasters caused by extreme weather events.
- Through PDAP, claimants can apply for financial aid to help with cleanup efforts and to obtain certain necessities of life such as food and shelter.
- PDAP help claimants return to pre-disaster conditions; it will not provide any assistance with upgrades.

THE VALUE OF CIVIC ENGAGEMENT, AND HOW STATES CAN ENCOURAGE IT

Sterling Speirn, *National Conference on Citizenship*

- The National Conference on Citizenship (NCOC) was created in 1953 by way of legislation. It has three mandates: to host and convene, to partner and innovate, and to network and communicate.
- In 2009, Congress commissioned the NCOC to develop a “Civic Health Assessment”.
- Civic health is how Americans engage with one another, how they engage with their institutions, how they engage within their communities, and how they engage in politics.
- According to the NCOC, civic health can yield stronger workforce development, and help to ensure stronger economic resiliency. It has also been shown to reduce unemployment.
- Civic health can be measured through survey questions about volunteering and civic engagement.
- The NCOC has conducted 80 civic health index surveys in 30 different states including Ohio, Indiana, Michigan, Illinois, Kansas and Nebraska. Data has not yet been gathered in North Dakota, South Dakota, Iowa, Wisconsin and Minnesota.

Heather Van Benthuyzen, *Social Science and Civic Engagement*

- Millions of ordinary citizens in the bottom third of the income distribution believe they have no discernible impact on the behavior of their elected representatives.

- Civic learning equals civic equity.
- Young people who have limited or no access to civic learning opportunities inherit an unequal democracy.
- Without civic education, some students are disenfranchised and disempowered.
- Schools with high proportions of youth of colour tend to lack meaningful civic engagement and democratic learning opportunities.
- When a student feels connected to his or her school, it is an important indicator of their future civic engagement.
- Democratic school activities and civic engagement are critically important in order to keep students interested in politics and political action.

Michelle Morales, *Mikva Challenge*

- You must learn democracy by doing it, you can't learn democracy in a text book.
- The United States is seeing a decrease in civic knowledge; nearly a third of Americans are unable to name any of the three branches of government.
- The United States is seeing decreases in civic knowledge because young students are disempowered. Less than half of young Americans vote including in presidential elections and low-income youths of colour are not getting meaningful opportunities to engage in real-life civic learning.
- There is a lack of quality civic knowledge and education throughout the country and young people are not being included in civic decision-making nor are they being solicited in core democratic activities.
- Examples of civic engagements for youths include project soapbox speeches and government internships.
- Civic engagement is about engaging in a discussion to obtain a better understanding of one another; it is the bridge that allows people to speak to one another.

MIDWESTERN JOBS OF THE FUTURE: THE REGION'S EVOLVING ECONOMY

Thomas McDonald, *U.S. Bureau of Labor Statistics*

- The employment projections prepared by the U.S. Bureau of Labor Statistics show that:
 - the labour force is expected to grow over the next decade;
 - the labour force is aging;

- there may be a pension crisis; and
- there is a decrease in the labour force category of 16 to 24 years of age.
- It is projected that the Hispanic labour force will grow in the coming years due to higher birth rates, immigration and because this category has a higher labour force participation rate.
- Health care and social assistance will be the fastest growing employment industry sector; the second will be mining as it includes the oil and gas industry.
- The manufacturing sector is showing the least amount of growth and is in decline.

THE SCIENCE OF VACCINATIONS

Kristen Ehresmann, *Minnesota Department of Public Health*

- Measles cases started appearing in the state of Minnesota in March 2017; it was the largest outbreak in almost 30 years.
- There were 75 reported cases of measles in Minnesota, and of those, 21 (28%) needed hospitalization.
- The source of the outbreak was never identified as there was no travel history.

Nancy Messonnier, *Centers for Disease Control*

- Despite safe and effective vaccines, the United States is in the midst of a major measles outbreak; 1,148 cases have been reported in 30 states as of July 18, 2019.
- Most outbreaks are happening in close-knit communities that are culturally similar.
- The World Health Organization reports that the measles incidence has increased 300% globally in 2019.
- The Centers for Disease Control (CDC) estimates that the vaccination of children born between 1994 and 2018 will:
 - prevent 419 million illnesses;
 - prevent 26.8 million hospitalizations;
 - help avoid 936,000 early deaths; and
 - save nearly \$404 billion in direct costs and \$1.9 trillion in total society costs.

- The CDC recommends that the states set laws establishing vaccination requirements for school children including those enrolled in private schools and day-care facilities.
- The U.S. vaccine supply is the safest it has been in history and it is the safest globally.
- Before a new vaccine is given to people, it goes through years of rigorous lab and clinical testing.
- The problem with immunization is that people get information (or misinformation) from many places, including social media and the Internet.
- Vaccines do not cause autism, and serious adverse reactions from the measles vaccine are rare.
- Vaccines do not overwhelm a child's immune system, and they do not contain toxins.

FEATURED PRESENTATION: A VIEW FROM WASHINGTON

Anna Palmer, *POLITICO*

- President Trump will want to run in the 2020 election as a vindicated man.
- More than 90 House Democrats have said they are in favour of impeaching President Trump. The number of Democrats in support of impeachment is expected to rise and it may happen.
- The role of Nancy Pelosi, Speaker of the United States House of Representatives, will be pivotal. She would prefer to rely on a series of court challenges in order to extract documents from the Donald Trump administration.
- President Trump is putting pressure on the Democrats and is telling them they should make a choice: either they investigate him, or they legislate with him.
- President Trump loves to govern by relying on unilateral actions such as executive orders.
- Every single tweet and fight President Trump picks with the Democrats make them less likely to want to work with him.
- What will happen in 2020? 62% of Americans believe that the country is on the wrong path and 49% are saying they would vote for someone other than Donald Trump.

Respectfully submitted,

Hon. Michael L. MacDonald,
Senator, Co-Chair
Canada–United States
Inter-Parliamentary Group

Hon. Wayne Easter, P.C., M.P.,
Co-Chair
Canada–United States
Inter-Parliamentary Group

APPENDIX

MEMBERS OF THE MIDWESTERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS

U.S. States

- Illinois
- Indiana
- Iowa
- Kansas
- Michigan
- Minnesota
- Nebraska
- North Dakota
- Ohio
- South Dakota
- Wisconsin

Canadian Provinces

- Alberta
- Manitoba
- Ontario
- Saskatchewan

Travel Costs

ASSOCIATION	Canada-United States Inter-Parliamentary Group
ACTIVITY	Council of State Governments Midwest Legislative Conference (MLC) Annual Meeting
DESTINATION	Chicago, Illinois, United States
DATES	21-24 July 2019
DELEGATION	
SENATE	Hon. Jane Cordy Hon. Robert Black Hon. Victor Oh
HOUSE OF COMMONS	Hon. Wayne Easter, P.C. Mr. Randeep Sarai
STAFF	Ms. Miriam Burke Ms. Tanya Dupuis
TRANSPORTATION	\$ 6,722.84
ACCOMMODATION	\$ 7,231.20
PER DIEMS	\$ 1,592.42
MISCELLANEOUS / REGISTRATION FEES	\$ 3,627.49
TOTAL	\$ 19,173.95