



MEMBERS OF THE KANSAS SENATE AND HOUSE OF REPRESENTATIVES

April 27, 2020

Dear Governor Kelly,

Last week, many of us wrote to you requesting a plan from you for how the Kansas economy will reopen and defined metrics for when that will occur, in accordance with necessary public safety guidelines. Since that time, governors across the nation have announced their intention to reopen shortly. President Donald Trump unveiled a comprehensive guide for the country to reopen, and the Kansas Chamber of Commerce has recommended more than 40 different ideas for how this can occur. Rather than imposing tighter restrictions or further extensions, it is time to pursue a course to reopen Kansas.

Kansans need and deserve to know a plan to end the statewide stay-at-home order as soon as possible. Our families - whose lives and livelihoods depend on a functioning and open economy - deserve to know that their jobs will be secure in the future. **Each day that passes without a plan in place heightens the possibility of more businesses not ever reopening.** Jobs hang in the balance, businesses face closure, and our economic security is at risk. Unemployment is skyrocketing, with 160,000 Kansans filing first-time unemployment claims in the last four weeks.

President Trump's "Opening Up America Again" plan has been endorsed by leading medical professionals – Dr. Deborah Birx, Dr. Anthony Fauci, and Dr. Robert Redfield. This plan is a data-driven, phased approach meant to ensure the nation opens safely and in a way that matches up with the science. Throughout the three phases, safety is paramount, and there are key benchmarks which states must meet in order to enter the next phase.

Designed with states like Kansas in mind, the guidance takes into account the unique circumstances where substantial areas are unaffected by COVID-19. It specifically provides states like Kansas the flexibility to more fully reopen lightly impacted areas of their state without delay, while reopening more carefully in other areas. As of today, numerous counties across Kansas still are without a single case of COVID-19, and many others have very few cases, yet their businesses and Main Streets remain closed. There is no reason that these counties need to be subject to a statewide stay-at-home order.

Most importantly, the plan provides hope to Kansans, eager for their leaders to adopt a strategy to reopen our economy in a safe and responsible way. Kansans have acted responsibly and have done their part to flatten the curve, but they are ready to get back to work and it is time to put a plan in place to allow that to happen.

With that in mind, we write to you today to encourage you to adopt the "Opening Up America Again" strategy, and develop a plan unique for Kansas that takes into account the diversity of our state and begins reopening Kansas as quickly as possible. Kansans deserve to know this plan soon so they can plan accordingly. Specifically, we ask you to consider the following items:

- **Protect Constitutional Rights.** As the Opening Up America Again plan is implemented, we can do so in a way that completely protects constitutional rights. We ask that you refrain from and repeal any orders that infringe upon those rights.
- **Open Up Rural Kansas.** Numerous counties in rural Kansas have not been impacted by COVID-19 and in fact have not even had one case. Many others have very few cases. Those counties should immediately be allowed to open, providing their local leaders the discretion to decide which phase they are in.
- **Allow Kansans to Access Medical Care.** Kansans should be able to access surgeries at outpatient facilities as laid out in Phase 1, and then at in-patient facilities in Phase 2. Many Kansans are awaiting

important medical procedures and care, and many hospitals are losing substantial amounts of revenue due to the restrictions imposed on them and their ability to provide regular healthcare services. Our hospitals cannot continue to stand empty. They must be allowed to get back to providing the care Kansans need.

- **Allow Businesses to Begin Opening.** As we approach Phase 1, we must allow businesses to prepare to serve Kansans. We encourage you to remove the “non-essential function” framework and instead begin allowing businesses who can open safely to do so.
- **Encourage Outdoor Activities.** Health and fitness are important for all Kansans and outdoor activities should be allowed to occur, provided they follow social distancing guidelines consistent with the phase. Our parks, golf courses, tennis courts, nature trails and other outdoor activities should remain open.
- **Communicate Our Progress Clearly.** As Kansas moves through the phases of the plan, communicate to the people of Kansas where our state stands, so people can plan for reopening. In the daily updates from KDHE, provide detailed information that matches the “Gating Criteria” in the “Opening Up America Again” plan.
- **Be Honest with the People of Kansas.** The recent news from your administration’s Department of Labor, which sought to blame the delay in unemployment checks being processed on the federal government, was clearly an attempt to mislead Kansans. At a time of crisis, Kansans deserve to have confidence and trust in their elected officials.
- **Fix the Problem at the Department of Labor.** Your administration must immediately fix the huge problem which exists at the Department of Labor. The delays and problems which unemployed Kansans are facing in being able to reach the agency by phone, access a functioning website or waiting weeks for claims to be processed are unacceptable. This problem must be fixed immediately.
- **Work With Us.** We stand ready to work with you. This is not a time to politicize this situation or try to make points against the president with the national media. The guidelines within the “Opening Up America Again” strategy have been endorsed by the top medical professionals in the country and present a clear path towards reopening Kansas. We ask that you work with us as you implement a plan unique for Kansas, and seek our guidance so you can get a complete idea of where all Kansans stand on this important matter. Livelihoods are at stake.

Without question, the past few weeks have been unlike anything our state and nation have ever experienced and hopefully ever will again. We are of the belief that our state’s best days are still in front of us -- that our state’s economy will rebound and recover, Kansans will go back to work, and our lives will return to normal.

However, that will require visionary leadership which starts working today to return our state to productivity. We urge you to begin charting a pro-active path to which we can begin to reopen our economy and put Kansans back to work. Governor Kelly, we stand ready to work with you towards implementing the “Opening Up America Again” plan.

Together, let’s open up Kansas!

Sincerely,

Sen. Susan Wagle

Sen. Julia Lynn

Sen. Dennis Pyle

Sen. Ty Masterson

Sen. Mike Petersen

Sen. Robert Olson

Sen. Mike Thompson

Sen. Kevin Braun

Sen. Molly Baumgardner

Sen. Eric Rucker

Sen. Richard Hilderbrand

Sen. Dan Goddard

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