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Rules Committee October 18, 2019
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CRAWFORD: [RECORDER MALFUNCTION] and welcome to the Rules Committee. My name is Senator Sue Crawford, and I represent the 45th District in Bellevue and eastern Sarpy County, and serve as Chair of this committee. We will start off having members of the committee and committee staff do self-introductions starting on my right with Senator Howard.

HOWARD: I'm Senator Sara Howard. I represent District 9 in midtown Omaha.

ERDMAN: Steve Erdman, District 47, ten counties in the Panhandle.

LATHROP: Steve Lathrop, District 12, which is Ralston and parts of southwest Omaha.

CRAWFORD: Thank you. Also assisting us today is our clerk, Lillian Butler-Hale. This hearing runs similar to a hearing for bills. We have-- we'll have the introducer introduce their LR, but then we'll have open testimony from anyone wishing to testify. In LRs and interim, we do not have proponent, opponent, and neutral testimony. We will not be using the light system today. However, we ask you to limit your testimony to about five minutes. There are blue testifier sheets by the door. If you are testifying, please make sure you fill out a blue sheet and hand it to the clerk when you come in. If you have

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copies, please give those to our clerk and she will pass them out. I remind everyone, including our senators, to please turn off your cell phones or turn them on vibrate. And with that, we will begin our hearing as we are-- at first allow Senator Hansen to introduce yourself.

M. HANSEN: Senator Matt Hansen, District 26, in northeast Lincoln.

CRAWFORD: Great. Thank you. We are beginning with LR159. And with that, I'll turn the floor over to Vice Chair, Senator Erdman.

ERDMAN: Thank you, Senator Crawford. Good to see you, Senator Hansen.

M. HANSEN: Good morning.

CRAWFORD: Good morning, Vice Chair Erdman,--

ERDMAN: Good morning.

CRAWFORD: --and the Rules Committee members. My name is Sue Crawford, S-u-e C-r-a-w-f-o-r-d from LD 45. I'm here to open on LR159, an interim study I introduced to examine the rules of the Legislature about information required to be included in committee records. I introduce this LR to specifically examine the question of whether the names of those who provide letters for the record as written testimony should be included in committee statements. As a senator, I would like to know if they're compelling letters for the record as we debate bills and who submitted letters for the record. This issue has also

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been brought to my attention numerous times over the past years by advocates who believe that the inclusion of letters for the records and committee statements will help bolster civic engagement and foster accessibility and transparency. As senators, we all know how rapidly action can unfold on the floor during debate and how often we are required to quickly digest information and form opinions about bills. We often rely on a bill's committee statement to give us important information about what the bill does, how the committee voted, and, and whom from-- who from the public was in support or opposition to the bill. It's not uncommon to hear senators state in their opening for a bill that there was no opposition to the bill pointing to the committee statement, which reflects as much. However, this does not always paint an accurate and complete picture of the public interest in a bill. Informed, well-thought-out testimony may have been submitted to the committee for consideration either via physical letter or e-mail. This could be testimony that could sway a senator's opinion on the bill, but the senator may never become aware of this because it was not included on the committee statement. Not only does the admission of letters for the record testimony and committee statements give senators a limited picture of public interest in a given bill, but current practice poses a number of issues around access and engagement in the democratic process. Our current system favors organizations that have the means to maintain a dedicated full-time lobbyist. Geography is another consideration. Sheer physical

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proximity favor citizens and advocates who live closer to the Capitol.

Why should the citizens of Scottsbluff or Chadron not have the same opportunity to have their voice heard as the citizen in Lincoln or Omaha? The lack of inclusion of letters for the record and committee statements also raises issues of access for those who may have physical disability or lack of access to transportation, those who work nontraditional hours or who are unable to leave work for hours to testify at a hearing, single parents may not be able to find childcare to watch young children while they wait for their turn to testify.

Whatever the case may be, it is clear that the current system privileges a narrow selection of the population. Those that have the time, capacity, resources, and proximity to be able to show up in person to sit through a hearing and testify, therefore, having their position recorded in the first place-- senators-- in the first place, senators look to gather information about a bill. With today's hearing, I look forward to having a discussion about what it would mean to be more inclusive in how we handle letters for the record. In preparation for this hearing, I had discussions with Patrick O'Donnell, current legislative committee clerks, and legislative IT staff to gather input and explore ideas. What has emerged from these discussions is that there is likely a technological solution to greater access to letters for the record, that could streamline the process and reduce the potential workload on committee clerks while ensuring that more Nebraskans have their voices heard. IT staff have

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indicated they've been exploring the issue of how to better deal with electronic records-- letters for the record already. It appears that they would have the capacity to develop an automated on-line form through which citizens wishing to submit written testimony could do so. This would eliminate the concern we hear from many committee clerks about the hundreds of copy and paste e-mails they sometimes receive and how to handle those. Clerks would not be required to dig through e-mail in-boxes and make judgment calls about which e-mails are and aren't worthy of consideration. Letters for the record testifiers would self-report by checking a box for opponent, proponent, or neutral testimony as well as their name and affiliation. It would be possible to disallow the copy and paste function on the form as a means to potentially curb e-mails with unoriginal content or spamming of multiple submissions. This form can automatically generate summary document with links to actual letters for the record content for senators who want to dig deeper. This could be outside of the committee statement or could have names listed on the committee statement. However, on-- or on the committee statement, we could feature a simple tally. Something like letters for the record, 15 proponents and 15 opponents. Along these lines we discussed the possibility of a link tied to each bill that comes out of committee, separate from the committee statement that's available to the senators to access the content of the letters so the senators can look at who the proponents and opponents are and what arguments they have made.

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This is just an idea we formulated from-- ideas we formulated from discussions with clerks and IT. Other solutions may exist, and I welcome the committee's ideas on how to best approach this. As a Rules Committee, we have jurisdiction over the rules about what's in a committee statement and whether we would want rules about other information that must be provided with a bill. The, the, the options of providing more information may also rest with the Executive Board unless we decide that it needs to be included in the rules. While this committee, the Executive Board, IT, and clerk staff will no doubt have to work out some questions about the implementation and details of such changes, the overall benefits to a more inclusive committee statement and more inclusive access to written testimony outweighs the challenge of working out some of these kinks. Nebraskans should be able to submit letters for the record and have it available for senators' consideration, regardless of where they live, their job, or socioeconomic status. In an effort to be respectful of testifier's time, I will conclude here, but I'm happy to answer any questions regarding possible details. And you will also hear from advocates and citizens about how this change would make a difference for them. Clerk and IT staff are available as well to help answer questions and will follow me. Thank you.

ERDMAN: Thank you, Senator Crawford. Are there any questions?

LATHROP: I don't have a question so much as a comment. And that is, I, I happen to chair a committee that gets a significant volume of letters.

CRAWFORD: Right.

LATHROP: A lot of hot button issues that come to Judiciary Committee. I'm glad we're having this hearing and we're taking up this topic because I think it's important just from an administrative point of view in terms of trying to function with a wave of e-mails and letters that come into Judiciary Committee on many of the hot button issues that generate so much of this. So thanks for doing this.

CRAWFORD: Right, I appreciate that. Yeah, and I appreciate IT has been working on this issue. So good. Thank you.

ERDMAN: Thank you, Senator Lathrop. Anyone else? Senator Crawford, and along the lines of Senator Lathrop, I also have a-- basically a comment. I appreciate the fact that we'd be able to allow those people, as you described from Chadron and Scottsbluff to be involved,--

CRAWFORD: Um-hum.

ERDMAN: --and, and you very distinctly described that in your comments that it costs someone from Scottsbluff or Chadron a lot to come and testify and it doesn't cost someone who lives in Lincoln very much,

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and so [INAUDIBLE] is not the same for those people it is for people here. But I'll be interested to hear what we're gonna try to do with the electronic transfer and information being processed to put together. Those copy and paste e-mails are, are really an aggravation. And if we can figure out a way to try to wade through that, that's good as well.

CRAWFORD: Um-hum.

ERDMAN: So I appreciate you bringing that. So any other questions?

Thank you very much.

CRAWFORD: Thank you.

ERDMAN: Anyone else wishing to testify? Good morning.

KENT ROBERT: Good morning.

ERDMAN: Thank you for coming.

KENT ROBERT: Senator Erdman, Senator Crawford, members of the Rules Committee, my name is Kent Rogert, K-e-n-t R-o-g-e-r-t, and I'm here representing-- it's gonna say on the clerk's sheet that Jensen Rogert Associates is who I'm representing, but I'm also here on behalf of an organization called Nebraska Federation of Business Associations, a group that you may all be fairly well affiliated with. We don't-- we're not a lobby group, we're a social club where the association and associations members are realtors, chambers of commerce, car and truck

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dealers, construction companies, CPAs, and many healthcare professions. We host the first dinner on the first night of Session. We have candidate interviews after the primary every other year and we have a semi-weekly meeting during Session where we have senators come over and talk to us about what's going on. But I sit before you today representing tens of thousands of workers across the state. And I polled the membership here this week on what they thought might come of this resolution. And we thank Senator Crawford for bringing it. Some of our members wanted more or much more items to be recorded on the committee statement. Some of them agree that it should be a delineation between test-- testifiers that come and sit in the chair and are subject to-- you know, some pretty serious questions back and forth from the committee members. And I agree that that is probably the case as well. First, while I understand there's, there's staffing constraints in compiling and recording information for public use and distribution, we want to be respectful of that, clerks do a lot of work during Session and I know it can be time consuming and up against the button. When I-- we, we, we do, we do know that e-mails can be a problem and most of our members try to encourage folks not to do these mass e-mails. I know you had a couple, Senator Lathrop, received over a thousand e-mails for a couple of hearings this year. But large interest groups, out-of-state, in-state, they're gonna continue to play whatever game we set the rules for them by. So we're just gonna-- I like Senator Crawford's idea that she's working with to try and come

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up with a forum or something that you can get around that to say. Stop my vibrating there. For time constraints, we had a lot of bills and a lot of hearings. Some of those hearings, such as the sales tax exemption, property tax hearings we had this year that went well into the night. You know, eight, ten hours per each one of those. Many of those folks were simply staying in the rooms so that they and their organization would be showing up on a committee statement should a bill advance from committee, because we do have that requirement currently. They want to be able to let everybody know who's for or against a particular issue. We understand that letters are an easier way to communicate a position to the committee for better or for worse. It's a dodge. Right? I don't want to go in there and either rain on their parade or I don't want "Senator Such" to yell at me for a while on the stand so I'm just gonna submit a letter and give my position. But it is, it is a way for people who cannot be here for whatever reason: weather, people have jobs, for us sometimes we're in three or four places at the same time, we know we just have to prioritize on who testifies as what. And then the distance thing for folks out in greater Nebraska, it's a different-- it's a thing. So we, we do think if, if we were to add some more stuff to the committee statement, we probably shorten, shorten some hearing times and it, it wouldn't have to be a lot. I pulled up a bill, LB103, from this past year. It, it ended up passing. But if you look here, Senator Friesen, was chairing the committee at the time, and this is the transcript. Do

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we have any letters for the record? And the clerk says, yep, proponent X, X, X, opponent X, X, and neutral X. And just maybe somewhere-- here's the committee statement that, that came out for that. We've got the-- you know, we know we've got the folks who, who testified. We've got the summary at the bottom. We could have a section that just said simply, letter for the record, name, position. That's it. And it may solve a lot of those issues. And the current-- I had a copy of it-- the current-- you know, policy on delivering stuff says you have to have it here by 5:00 on the business day before. And it states in that policy that-- wherever the heck it is, that mass e-mails will not be included. And so I think your policy already is there. It's just to determine-- determination of what's a mass e-mail and what isn't. And it could be-- well, it's got to be an actual attachment or in letter form and have the name and address of the person and the organization and clearly state their position either in the subject line and probably in the letter. So-- I mean, there are some ways to, to handle it. We know it takes a little bit of working, but I would be offering myself and the folks in our organization to sit at the table and talk to you back and forth about how it's done. But I think the vast majority of our folks would say, yeah, we'd like to see those letters at least recognized in some way.

KENT ROBERT: Thank you, Mr. Rogert. Any questions? Senator Lathrop.

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LATHROP: Can I ask one? And maybe you know the quest-- the answer to this question or maybe I'll just directed to Patrick later. If somebody writes a letter-- because a bill will not get on the consent calendar if there's opposition, if you came along and dropped a letter, would that count for opposition?

KENT ROBERT: Senator Lathrop, I believe the way-- and, and this-- I-- most speakers, I think they, they will vary a little bit, but I think the way that we've been doing it the past several years is, is there are no dissenting votes in committee, there's no opposition. There can be opposition testimony, but there may be an amendment that fixes it when it comes out.

LATHROP: OK.

KENT ROBERT: So if it comes out--

LATHROP: I know the rule used to be if there was any opponents, I thought, but maybe I'm, maybe I'm mistaken.

KENT ROBERT: Because, because there-- an opponent can be solved by a word change. I mean, you may have to come in and say, I got to oppose this bill because you got a "shall" or a "may" or something to that effect and you can advance it from committee having no dissenting votes and then it can still be eligible for a consent calendar. I believe that's the way it is.

LATHROP: All right. I guess we'll take a closer look at that, because we don't want people just going--

KENT ROBERT: For sure.

LATHROP: --you know what? I'm gonna go screw things up for that senator on this bill. You drop a letter and now the thing is not eligible for the consent calendar.

KENT ROBERT: And that's-- yeah, right. And I think that's kind of why the variance has been [INAUDIBLE].

ERDMAN: Good question. Any other questions? Thank you very much, Mr. Rogert.

KENT ROBERT: Thank you.

ERDMAN: Thank you. Anyone else wishing to testify? Good morning.

KEN SMITH: Good morning.

ERDMAN: If you would just please state your name and begin.

KEN SMITH: Yes. My name is Ken Smith. That is spelled K-e-n S-m-i-t-h. I am a-- I'm the senior staff attorney in the economic justice program at Nebraska Appleseed, and I appreciate the opportunity to share a few brief comments on LR159. Nebraska Appleseed strongly supported Senator Crawford's proposed rule change to Rule 3, Section 19 of the legislative rules to require each committee statement to include a

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listing of written testimony or submitted letters from individuals and the organizations they represent and the position they took on a piece of legislation. I think I had authored some testimony earlier in 2019 about this and we supported that proposed rule change and we continue to support that change for two primary reasons, both of which have been hit on today. So I'll, I'll be brief. The first of which is just very simply to ensure that there's a more accurate and comprehensive record as to who supports and opposes a bill and the reasons for doing so, just wanting to make sure that lawmakers are equipped with, again, as much information and as accurate information about the perspectives of the public as possible when making these decisions. But the, the second reason, and the reason that I've seen a lot in my work, is that the current practice of excluding that written testimony really does exclude voices from the record, including voices of marginalized Nebraskans that Nebraska Appleseed works with and that other advocacy groups in the state work with. I know it's been really difficult on some of the issues we've been working on, from public benefits issues to predatory lending issues or debt collection issues, issues with the child welfare system. When, when working in, in arenas that impact Nebraskans who may be working long hours at low-wage jobs, there's not a lot of luxury or flexibility within their schedules to be able to come to the Capitol in the middle of a workweek, in the middle of a workday to, to make their voices heard. Also, I know our healthcare access team has worked a lot with folks with medical disabilities

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that, that may not be able to, to make the trip to the Capitol to testify in person. So you know, I think that as we're, as we're trying to work with folks who are directly impacted by the issues that are debated in, in our committees, we're wanting to ensure we're doing what we can to ensure those voices are on the record that are accounted for, that are taken into consideration when, when casting your votes. And this we see as a way to, to, to increase access to, to those people or increase access to this process for those, for those folks. We also work with, with communities across the state. And we know Senator Erdman was talking about this earlier, that it's, it's much harder for somebody who has a six-and-a-half-hour drive to Lincoln to make the trip. And, and we think that the voices across our rural communities that Appleseed also works within have, have a much harder time making themselves heard. I know that there have been some comments about how this-- you know, there will be kind of logistical challenges in terms of trying to do this in a way that's not overly burdensome. But I'm, I'm hopeful that we can, we can get past those obstacles and, and stay focused on, on the goal of ensuring that this is as accessible a process as it can be for, for all Nebraskans. So with that, we would just urge the Legislature to include written testimony and submitted letters on committee statements. And I'd be happy to answer any questions.

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ERDMAN: Thank you, Mr. Smith. Are there any questions for Mr. Smith? I noticed in your letter you said that in the rural areas they can live up to eight hours away from Lincoln. You must have been to Harrison once, huh?

KEN SMITH: Yeah, I think that's also if you drive the speed limit, which-- you know, some may, some may not.

ERDMAN: We all do, right?

KEN SMITH: Of course, of course. On the record, yes.

ERDMAN: Yeah, thank you for coming. There are no questions? Senator Lathrop.

LATHROP: Maybe just this to, to make a point. Is the idea that we want to encourage people to put information in front of the senators that serve on these committees that can take that information into consideration or is it to have the committee statement reflect the number of letters that came in for and against?

KEN SMITH: I think--

LATHROP: Because they're two different issues, right? One is whether we basically close the door to incoming e-mail or mail. And the other is whether we keep the score in the committee statement.

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KEN SMITH: I think my comments and testimony were more focused on just ensuring that the content of the perspectives of people who can't be here are taken into account in our-- and are a matter of record. Keeping score, that could-- that certainly could be a secondary objective. But I think the, the thrust of my comments are more around just ensuring that those perspectives of people who can't sit at this table are, are accounted for and are in the record.

LATHROP: OK. Thank you.

KEN SMITH: Um-hum.

ERDMAN: Thank you, Senator Lathrop. Thank you. Anything else? Thank you very much. Appreciate it.

KEN SMITH: Thank you.

ERDMAN: Good morning.

DANIELLE CONRAD: Hi. Good morning.

ERDMAN: Thanks for coming.

DANIELLE CONRAD: Hi. Thank you so much. Hi, my name's Danielle Conrad. It's D-a-n-i-e-l-l-e, it's Conrad, C-o-n-r-a-d. I'm here today on behalf of the ACLU of Nebraska because our fabulous lobbyist, Spike Eickholt, is camping and hunting with his son this weekend. So that's a really exciting place to be. But I'm excited to be here with you

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this morning. So we want to lend our support for this measure and thank Senator Crawford for her leadership in bringing this resolution forward and thank the Rules Committee for their time and consideration of this important matter to strengthen our legislative process and, in fact, our democracy. I won't reiterate what's already been talked about today, but we do believe that it will help to lend itself to putting better knowledge and information before committee members and then also the body as a whole. The more diverse voices that we center and elevate in the process helps us to have better decisions about the policies impacting Nebraskans lives. And to Senator Lathrop, just to tee off on the question that you asked my friend, Ken Smith, I think that the, the intent is, is both actually. I think it's a dual purpose with the rule. I remember from my time in the Legislature that particularly when a bill comes before the body in a subject matter area that I wasn't serving on the committee of jurisdiction, you kind of use that committee statement as a, a cliff note or a starting point to kind of get glean a better understanding about what happened before that committee. And then maybe it opens up a dialog where you go and talk to your colleagues who do serve on that committee and say, hey, tell me what was going on, or I saw these folks were opposed. Has that been addressed? So I think it really serves a dual purpose. Additionally, the other point I just want to note is that by embracing technologies, I think there's great examples from our sister states that do similar processes that, that we can learn from. And I know

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just this summer when we were working on some issues in the city of Omaha, I was paging through their agenda and their minutes. And their minutes, in essence, are a hot link PDF where you can do-- where you can go in and essentially review all the correspondence on any given matter. Not saying that's gonna be the exact right process for us and the Nebraska Legislature, but I do think there are good models out there to help people get a better understanding of people's perspectives on key issues. So with that, I'm happy to answer any questions.

ERDMAN: Thank you for your testimony. Is there any questions?

DANIELLE CONRAD: Thank you. Thank you.

ERDMAN: Appreciate it. Thank you. Anyone else wishing to testify? Anyone from the Clerk's Office gonna share their opinions, testify today?

CRAWFORD: [INAUDIBLE]

ERDMAN: OK.

PATRICK O'DONNELL: Yep. Mr. Vice Chairman, I'm gonna testify in a neutral capacity.

ERDMAN: Great. Good morning, Patrick.

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PATRICK O'DONNELL: Senator Crawford, I appreciated our conversation the other day.

ERDMAN: Does he need to state his name and spell it?

CRAWFORD: Yes.

PATRICK O'DONNELL: I'm sorry. Thank you, Senator. Patrick O'Donnell, O-D-o-n-n-e-l-l, and I'll get you the paperwork when we get done, Clerk of the Nebraska Legislature. I, I will tell you that we're throwing around terms of art today that I suspect have different meanings to each one of you and including the people who've testified. OK?

ERDMAN: OK.

PATRICK O'DONNELL: The committee statement, as originally intended, was designed to reflect people who came to the committee to express their opinions and afford the committee the opportunity to provide the give and take. OK? It was never intended to suggest to you who was reaching out who had an opinion that they want to express but wouldn't appear. It was designed to give you information about the committee hearing. We've, we've now channeled-- and in all-- in the last several years, we now have these, as each of you know, committee chairs will read letters to the-- for the record. I, I tell you, I don't know what that term means. It-- letters to the record do not reflect to me or indicate to me that somebody has taken an informed opinion about

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anything. They're, they're an expression of sentiment either for or against something. You all know about mass mailings. OK. I, I, I worry about-- and, and, Senator Crawford, you're right. When you talked with Daren and our, our IT staff, we've been working on approaches to how we can address and distinguish between what happens at the committee hearing versus communications that you may receive outside that hearing. But I'd also remind you-- you know, remember we-- you have staff to answer phones to talk to people. You have e-mail systems that are designed to allow people to communicate with you. OK. So now we want to take it to the next step, which is fine. That's your decision to allow for-- and I'll, I'll paint the Judiciary Committee scenario where an individual may submit 50 petitions with 50 signatures on each, on each petition. All right. So purportedly you have 2,500 people have expressed themselves. I don't know how helpful that is to you. OK. And I think that's a question you need to ask yourselves, is what piece of information do you need to make, make informed decisions? I know, Senator Crawford, in our conversation, and your conversation with Daren, and you indicated that perhaps we could have some sort of-- I'll characterize it as a link that allows people to express themselves. I-- I'm not sure how much time you're gonna have to do that. I, I don't want to be in a situation where people are expecting something's gonna happen that's not gonna happen. OK. I think you need to think about that, how much time you have to reflect and consider those things. Maybe we need to extend the time frames for

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hearings-- you know, to allow people to come in. Maybe, maybe we will have multiple hearings on the same bill if it's a contentious issue. I don't know. Again, those are the things you need to think about. We can do some things from an information technology standpoint. As I think several of you know, the Speaker's Office, has the last few years been working on an approach. It's not perfect. But we're, we're experimenting. I can't sit here today and tell you I've got an answer. There are some technology options available to us. I just need to get a better sense from you and the members about what they're trying to accomplish. If it's a situation where we're simply acknowledging that people have reached out to you on an issue, we can do that. OK. I'm not sure that's an appropriate inclusion on a committee statement. But again, that's your decision. And the other thing about the public hearing process that I think people lose sight of, it's designed to inform people. OK. A lot of the mail you're gonna get, a lot of communications you're gonna get aren't necessarily-- I don't want to be-- I want to be careful how I say this, but they're not necessarily going to be informed opinions about what's going on. The part-- your responsibility in those hearings is to indicate and tell the public what is trying to be accomplished and ask questions about that. The people who are gonna communicate to you that via the mechanism you're talking about aren't gonna have the luxury or the benefit of that exchange. OK. And on-- and again, I mean, we've done some things to address that issue, were screening everything down. And, you know, I

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mean, people have the opportunity. I know there are difficulties in geographical challenges, but it's not like we've closed the door and, and kept people on the outside wondering what's going on. So I, I don't want you to think I'm opposed to anything you're talking about today. I just want you to think about and know there are consequences to what you're gonna do. I don't pretend to understand all of them. I have to tell you, I fear the day when somebody stands up on the floor and says, I've got 712 letters that say, no, and I've got two for-- and that's not a good way to make good public policy, at least from my judgment and watching [INAUDIBLE]. And so I'm gonna leave you with that. You may have questions. Daren's here to answer any technology questions that you may have. The other thing, let me just say this-- and I'll respond to you, Senator. Any technology solution probably is not something we can effectuate for the 2020 Session. OK, it depends how complicated it is. But I don't want you to have expectations that something's gonna happen tomorrow. Just, just leave you with that. That's yet to be determined. Yes, sir. Did you have a question? I thought you were raising your hand at me.

ERDMAN: Thank you, Patrick. I appreciate you coming. Are there any questions? Senator Lathrop.

LATHROP: I do want to make a point in response to your testimony, and that is over in Judiciary Committee we had a number of issues that came before us that I will say were of a moral nature and hot button.

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And there are several advocacy groups on one side or, or people who have e-mail lists. They light those people up and in come literally 1,400 e-mails. Is-- from a technology point of view, I'd like to see those e-mails go to the Judiciary Committee. Right? If we can do that so that Laurie knows and Samantha, the people that work in my office, know e-mail on a, on a, on a bill versus stuff somebody in my district wants me to look at that's, that's sort of a side issue. But the, but the score at the end of it-- putting a score card on the committee statement, I have a problem with because you make a good point, these people are sending these letters in, in response to mass e-mails to a constituency before the bill's even been heard. Like no one said, what's good about it or bad about it yet. We haven't had a single witness-- the introducer hasn't even introduced it. So what we're getting are in many cases, and we wouldn't be here except for mass e-mail. In many cases, those are opinions that are driven by whoever lit them up in the first place, and then in come mass communications. We're all getting them on various topics. Some of them dealing with a constitu-- amending the constitution or having a constitutional convention. It can be the various moral or hot button issues that the Judiciary Committee faces. It can be revenue issues, which I'm sure this is happening as well. And having a scorecard, doesn't-- that can't be a strategy for legislating where somebody comes to the floor and says five times more people are for this than against it, because that just has to do with somebody's e-mail list in an advocacy group

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that are lighting people up to send these things in for the purpose of running up the score so that they have something to say about it in the legislative process. I think we need to have access to information to these letters, ultimately. But whether we, whether we put them into a committee statement or distill it down to a score for and against, I, I-- in my experience, I don't think it's helpful. And I think it's producing something of a competition for who can get the most e-mails into a committee on a-- on various issues. That's really not a question for you, but maybe to a [INAUDIBLE].

PATRICK O'DONNELL: Well, you raised a thought with me, though, and that is it seems to me there maybe should be a distinction drawn between e-mails that come in before a public hearing versus those that come in after a bill's been reported to the floor. Because bills oftentimes, as you all know, change complexion and I may and may not make any sense, but it does in my mind in terms of how I see the process, but you may have different views about that.

ERDMAN: Senator Hansen.

M. HANSEN: Yes. Thank you. Kind of similarly more of a comment, but along Senator Lathrop's lines. As a chair, sometimes it's difficult that the way we've set up to encourage people to submit written testimony, the letters for the record, or whatever term we want to use, it's the same e-mail that I have to deal with constituents and so

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they'll be kind of-- I know we've had other people who chair out here, you know, it's sometimes hard to distinguish whether or not it's-- you know, an individual from your district who's writing you as their personal representative or somebody who is contacting you as the chair because it's all been funneled to the same way. That's just something I've noticed and has-- it sometimes even just kind of-- I can only imagine, Senator Lathrop trying to catch a personal-- you know, a personal connection from a constituent in the midst of 1,400 e-mails. It probably disables-- functionally disabled your e-mail in-box. That's just one thing that I've noted. I don't know to what extent technology or if that's just the duty of our clerks to kind of filter some of that. One thing I did want to ask, and I had this thought earlier, but I wanted to kind of wait, where we're talking about what the committee statement looks like. I noticed in our model rules of committee procedure, we don't use the term neutral testimony. We use the term testifying for, I believe, informational purposes. Have we always used the term neutral or has that been a transition over time?

PATRICK O'DONNELL: No. I mean, as far as I can recall, I think we've always characterized neutral testimony. The, the rule, the model rules that you refer to were-- you know, they've never been-- they're referenced in the rule book, they're not adopted unless the committee so chooses to do. But as long as I remember-- I mean, I will tell you from the-- again, the best of my recollection, is the whole notion of

neutral testimony was originally intended to allow agencies to come in and offer testimony or comments to, to legislation because they didn't want to be seen as taking for or against positions. That dynamic has changed considerably, too, but--

M. HANSEN: Thank you.

ERDMAN: Anyone else? I appreciate your testimony.

PATRICK O'DONNELL: Yeah. Thank you.

ERDMAN: Thank you very much. Appreciate it. Anyone else wishing to testify?

PATRICK O'DONNELL: Would you like Daren to come up? Or what do you think? I mean, I don't know if you want to reflect your conversations with him.

LATHROP: Is he the IT guy?

CRAWFORD: Yeah.

HOWARD: Is he the IT guy?

CRAWFORD: Yeah.

ERDMAN: Please do.

PATRICK O'DONNELL: Just talk about what you talked about with Senator Crawford.

DAREN GILLESPIE: OK.

PATRICK O'DONNELL: Yeah.

ERDMAN: Good morning.

DAREN GILLESPIE: Good morning.

ERDMAN: If you just state and spell your name, please, and then begin.

DAREN GILLESPIE: Daren Gillespie, D-a-r-e-n G-i-l-l-e-s-p-i-e, network administrator for the Clerk's Office. Yeah, we have been working on and discussed basically ways to aggregate the mass amount of communication that we get from the outside with what I term as letter for the record. A letter for the record is the document that needs to be submitted to the committee at 5:00 prior to the hearing taking place. So that's what I call a letter for the record. And the only thing that I was trying to do when I started working on a form for submission on the Web was to aggregate the letters for the record to an e-mail address that was associated with the committee. And it just made it easier to disseminate among the committee clerks. I didn't have any idea of working with anything or anyone from the outside. I was just trying to get the information funneled through a single

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source to an e-mail that was different than the senators or the chairs.

ERDMAN: OK. Any questions?

LATHROP: No, but a comment perhaps.

ERDMAN: All right. Senator Lathrop.

LATHROP: If, if we go to a place where a constituent, somebody that wants to communicate on a bill, and they go to a Web site and they can hit the bill number and there's a link to submit information and out pops a form that says for, against, or neutral and have them list their name and address. We get an awful lot of e-mail with no names-- or with no addresses, just Mary Smith. And I don't know if that Mary Smith is from Houston or from-- you know, Scottsbluff. And that might be helpful. And if there was a way to check a box for their district, then maybe copy it to the senator's e-mail address, that might be useful.

DAREN GILLESPIE: OK. Yeah, we can, we can force them to fill in a lot of information that's required and then subsequently split all that information up or tally whatever it is you want in the database after we take that submitted form. I wouldn't have a lot of stringent requirements on the form, but probably wouldn't allow multiple submissions using technology. But other than that, that's-- somebody

is gonna find a way to take advantage of the system at some point anyway, but at least I can filter it.

LATHROP: I think that's right. And for me, though, it's-- it-- when I have somebody that writes me and they don't leave an address, I don't know if they're in my district or outside my district. And I, I try to make a point to respond to people in the district that have an opinion about a bill, but someone who's outside the district, I simply can't respond to all of it.

DAREN GILLESPIE: Right. That's something that we did talk about at one point-- you know, on the form, would it be in-state, out-of-state. You know, do, do we mark them, are we allowed to mark them.

LATHROP: Or what district do you live in. Yeah.

DAREN GILLESPIE: The possibilities-- we talked about a lot of possibilities. And I don't know what the answer is, but I do have a shell of a form created. That's about it.

LATHROP: OK.

ERDMAN: Very good. Thank you. Anyone else?

HOWARD: Can we see the form? Like, can you share?

DAREN GILLESPIE: Yeah, I can show you-- I can send you a link, yeah.

HOWARD: That would be great. Thank you.

ERDMAN: Thank you. OK. Appreciate it. Thank you very much.

DAREN GILLESPIE: Thank you.

ERDMAN: Anyone else? Any other testimony? Senator Crawford.

CRAWFORD: Thank you. Thank you, committee members, for your attention to this issue, and I really want to thank the Clerk's Office and, and Daren and other folks who have been a part of the conversation. I think it is a, it is a question of what information we want to know. And I thought Patrick summed it up well. What would be valuable to us to know? I do think it's important that we have a way to access those letters because, because there are people who live out state or people who are unable to come to a hearing. And I think it's important that we hear those voices and how, how we record that is something that we can continue to have conversation about. But I think it's important that we continue to aim to have those voices heard and have them possible for people on the committee to see that and also possible for people on the floor to know and have some of that information if they wish to get-- if they wish to see it before we have it-- before we're voting on the bill. So I know currently it gets compiled and it's available if somebody were to ask for the committee record, but can we have an opportunity for senators to have access to who sent in letters and, and perhaps content of those letters before we're voting on a

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bill. I think that, that would be my aim. And what that looks like could differ. Committee statement is one place that we just often look to. So that was the first thought. But if there is another link or other way of making that information available, I think that would also be valuable. It's a question of how far we can move and what makes the most sense in terms of information that senators want to know. That's part of the reason for having the hearing is to start that conversation.

ERDMAN: Appreciate that. Thank you for bringing this issue forward. Thank you for those who testified. Are there any questions for Senator Crawford? Appreciate it.

CRAWFORD: Thank you.

ERDMAN: OK. Thank you very much. I'll turn it back over to Chairman Crawford-- Chairwoman Crawford for the next hearing.

CRAWFORD: Thank you. So that will close our hearing on LR159, and we'll begin our hearing on LR217. Senator Vargas, welcome. Welcome.

VARGAS: Good morning, members of the committee, Chairman Crawford. My name is Senator Tony Vargas, T-o-n-y V-a-r-g-a-s. I represent District 7. The communities of downtown and south Omaha. LR217 should be a familiar subject to you. I introduced a similar interim study after the 2018 Legislative Session which ended and as a result I proposed a rule change to allow racial impact statements to be considered and

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created. We, of course, had a hearing on that proposed rule change and I think that the idea just wasn't ready to be implemented, which is why I'm bringing it back. My hope is that through this hearing that we can have productive conversation about racial impact statements, why they are important to use and to us as policymakers and how to make this idea work for our Legislature and the Legislative Research Office, which can be tasked with creating these impact statements. For your reference, and I'll pass this out in here in a second, I'm gonna provide you with a copy of the proposed rule change from last Session that we can work through-- well, as a reference, and then some examples from-- specifically from the Iowa legislature. So while it's going around, simply put, racial impact statements are a tool that will give us important data to make informed decisions as we consider debate and enact public policy. In 2008, our neighbor to the east, Iowa, was the first state to require what they call minority impact statements. And these minority impact statements are part of the fiscal notes for certain legislative bills. Their law was passed as a response to the growing concern that their corrections and prison population was disproportionately full of African-American and Latinos. Nebraska has this problem as well. And one way we can work on addressing it is by having nonpolitical information about how policies would or wouldn't affect minority populations. Since Iowa pioneered this concept, a handful of other states have also passed similar bills. Connecticut, Oregon, and New Jersey have racial impact

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statements now, and bills have been introduced in Arkansas, Florida, Mississippi, and Wisconsin. What I proposed last session were two separate rule changes that you have in front of you. The first in Rule 3 requires a racial impact statement for any bill or resolution that significantly affects criminal and juvenile law. The second part of this change in Rule 3 allows a bill's introducer or the chair of a committee where a bill is referenced to request a racial impact statement regardless of the bill's subject matter. The second rule change in Rule 5 directed the Legislative Research Office to create a racial impact statement for legislation referred to them by the Referencing Committee. This rule change also outlined the information to be included in the racial impact statement and allowed them to request the cooperation of any state agency or political subdivision as they prepare the statement. So here's my thought process on these changes and why I went this way: One, we didn't want to trigger a racial impact statement on every single bill, like a fiscal note is required on every single bill when the most significant and frequent impacts of this information will be in a specific subject matter namely, namely criminal law offenses, sentencing, juvenile justice. Two, we wanted to work with longstanding framework of the Legislature's operations by respecting each senator's right to information and a public hearing on every bill while also respecting the role of committee chairs. And three, it seems that the Legislative Research Office is the most obvious office to collect this information

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and compile it. They are part of our nonpartisan body. Their work is highly respected and regarded as nonpolitical and purely informational and not motivated by bipartisanship. We also wanted to give them enough guidelines about the information to be reported in a racial impact statement without being too, too prescriptive in allowing them to seek information for whatever resources are needed. Now it's incredibly important that the information contained in these racial impact statements is not seen as political or partisan. Much like we view fiscal notes for all of our bills and legislative office, it's the best estimate of the costs to our state's general and cash funds, not as a commentary on the quality or the idea of the legislation. The same thing would apply for racial impact statements. And I think it's something that we need. My office has had conversations with the Legislative Research Office over the past year about how this goal might be accomplished. I understand someone from LRO will be here to testify on their perspective on how this proposal could work logistically, as well as to express their concerns or ideas about how to improve the proposal from last year. The last thing I'll mention before I open it up for questions-- and we will have testifiers here as well on racial impact statements on how it might look in actuality on a piece of paper in front of us. So you have a packet here, and this is from, this is from the Iowa legislature. And so I'm gonna try to go through this. One of the biggest questions coming out of our-- of the hearing last year, from what I remember, is what this looks

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like. And so we wanted to spend some time making sure you have an idea of what this actually looks like. So what you have in front of you is a packet information from Iowa on HF 2392 [SIC], the legislation to create what they called minority impact statements in 2008. The packet includes a number of actual examples on how they carry this statutory obligation out. And what they do is make the minority impact statement part of the fiscal note. You'll see that my office has highlighted a number of areas where this information is laid out. In particular, I'll point you to page 11. If you look at page 11, it's attachment E, you'll see a circled part that shows minority impact, and it very clearly states that this bill is not likely to have a disproportionate impact on the minority population. The way that they structure this as they have a sort of a summary statement, a minority impact, fiscal impact, and very interesting enough to you, Chairman Lathrop, it also includes a correctional impact that they put on every single one of these bills and it's all grounded in data. And so if you look at previous and looking at the assumptions in the minority data information that is on page 10, it, it-- that information is used to then support the racial impact statement that is then following on page 11. And so in this instance, they made the determination that there really is very little to no impact that's expected as a result of this. If you look at a different example specifically, let's look at page 17, page 16 actually, if you look at page 16, there's a circular part that shows that this is an impact-- this is a full

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fiscal impact and minority impact statement. And what circled on page 16 for this specific legislative bill is minority data information. And it says, approximately 40 percent of offenders convicted of serious misdemeanors eluding-- and this is where they're trying to amend this eluding statute to broaden the definition are African-Americans. That's the data specific to their state as a result of that information. And they make the minority data information statement that-- and you'll see it at the bottom of page 17, it is anticipated this bill will have a disproportionate impact on African-Americans, very clearly because of the data that they, that they, that they found specific for this bill. And to the extent that the bill shifts serious misdemeanor convictions to aggravated misdemeanor convictions, there will be an increase in the length of stay of minority offenders in the corrections system. What I think is important I want you to see is, this is-- none of the language here is making any valiative statements on whether or not this, this policy is right or wrong. It's making a statement as to whether or not the data is leading us-- is leading and making somewhat of a conclusion that there is gonna be a population, specifically an underserved minority population is more likely to be impacted because of the data that they do have, which we should have in front of us-- we should-- when we're making these decisions. And I think that this sort of summary of what we're seeing in these different examples is just important for you to see so this is not just living in what is a minority impact statement.

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So given the fact that we see a severe overpopulation problem in our Corrections institution, I think that this, this information is particularly relevant in the Corrections system, in our juvenile justice system, especially when we're considering creating new or increasing the severity of existing criminal offenses. With that, like I said, we're gonna have more people that are gonna testify to provide different perspectives behind me as well as Legislative Research Office. But I wanted to make sure that we were grounded in example, and you can actually see what language looks like, this was an act in 2008 in Iowa. That was a while ago now, and it still-- it is existing to this day and it works. And I think what particularly works about this is it is not seen as a partisan perspective. And if we had this-- what I think is really important for this committee and this body is we begin to engage in conversations about race and ethnicity in a very matter-of-fact way. And what better way to do that than to-- than have the data in front of us and whether or not it's actually impacting the work that we're trying to propose. With that, I'll open up for any questions or any comments that the committee has.

CRAWFORD: Thank you. Any questions? Yes, Senator Lathrop.

LATHROP: I, I, I don't know if this is so much of a question as a-- I guess, there's gonna be a question in this,--

VARGAS: Great.

LATHROP: --as a comment. I have an interest in this Correction impact, and I've actually talked to the Crime Commission about this, and Mike [PHONETIC] over in the-- the IT guy over in the Crime Commission tells me that he is developing a database and that it's about a year out from being done where they can make, make some projections. So my question, I guess, is, do we have the information that the researchers can go to, to make intelligent judgments about these things or accurate judgments at this point?

VARGAS: So--

LATHROP: We may in a year from now.

VARGAS: Yeah. I'll give you my-- so we had this discussion, I'm remembering either in the interim when we first had this study or when we actually had the hearing that one of the issues we have is who really has the, the knowledge, the background and data to do this one. And I've said this, this is my testimony I still stand by, Legislative Research Office, I think, is, is primed to do this. But how do we then access people that have these data sets and that are doing this work? And I think that there is an opportunity we discussed potentially being able to contract out experts that are doing this work either nationally or specifically in our state. I will leave it up to Legislative Research to then provide their perspective on how this can actually happen in reality. But that's one of the conversations we had

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that since we're not doing it, we don't have the resources right now to do it. But if we decide we're gonna do it and we have a ramp up of a year, kind of like where you're thinking about the Corrections data, I have full confidence that we will find the resources to be able to do it.

LATHROP: Thank you.

CRAWFORD: Other questions? I have a question.

VARGAS: Um-hum.

CRAWFORD: Do you know if the university-- if --excuse me, the state of Iowa contracts their research?

VARGAS: I don't. What I do know is that the Fiscal Office is the final say on compiling all this information, which is why it's in one document rather than separate it out, which I actually think lends even more credibility to that this is a nonpartisan data informing piece of information, but we can find out. And it's possible that when they first introduced it, maybe the, maybe the offices that were working on it didn't have all the resources at their disposal, or maybe they contracted the people, but over time they found somebody that was able to then do that, but we'll find out.

CRAWFORD: And my other question. It looks like the, the statement in these Iowa examples is, is pretty straightforward on just an estimate

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of the impact and your proposed rule change includes other components, like whether the population was consulted, some other considerations like that.

VARGAS: Um-hum.

CRAWFORD: I wonder if you could speak to, speak to the inclusion of, of other aspects besides something that is, is a statement like what we're seeing in the Iowa example.

VARGAS: Yeah. I wanted us to be a little bit more progressive with this. And what I mean by that is I wanted us-- I think Iowa's is a great example when it was put into place. It was a step in the direction to make conversations about-- to separate out conversations about race and class, but then specifically looking at how race and class was being impacted in terms of the data. However-- and this is something that I think is important, if we don't try to seek out diverse perspectives and voices and different, different communities that have expertise in this area, in this arena, I think those might be missed voices. But to your point, I'm more than willing to work on how we might implement something like that for this bill-- or, I'm sorry, for this rule change in particular. I just want to make sure that we are-- we're tapping the resources that we have available to us in the state. And we're also honestly tapping diverse voices that have been doing this work.

CRAWFORD: Right. I guess the-- I think it will also be important that the required components are ones that the Research Office has access to. I guess-- and that was my question on have they been consulted? Is that how the Research Office know if minority populations have been consulted or how to gage that?

VARGAS: I have confidence that we will be able to work, work through that, and the Legislative Research Office will, will speak a little bit to this, but I'm more of the if you build it, they will come. If we, if we pass this rule change-- you know, we have the ability to create the sort of ramping up and find the resources to make it happen. The question I really pose in front of you and very clearly I'm biased, I think I'm very passionate about this, but my hope is this-- this is just a very matter of fact piece of information. When I saw the Corrections information, I thought we should be doing this. We should have been doing this a while ago because it's just very, very clear cut and dry. And knowing that there are specific populations that we constantly run into with the word disproportionate minority contact in so many different other legislation that we discuss, it seems to something that matter of fact that we should be able to do in this community. But I put this in front of you because-- you know, as a representation of the body, I'm, I'm trying to then garner support for this idea, which is a very unique idea, especially at sometimes when it's hard to make rules changes. I want to make sure you kind of

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see what it actually looks like rather than me just saying I think we need racial-- that's a really heavy, heavy thing. So I'm happy to get you some of the other examples from the other states as well that have started to implement this.

CRAWFORD: Thank you. Other questions? Yes, Senator Erdman.

ERDMAN: Thank you, Senator Crawford. Thank you, Senator Vargas for this information on Iowa. Haven't seen in a long time, but just reviewing what I've seen there of things you pointed out to us, so what do they do with that information? Like on page 17 at the bottom, it said the minority impact, and it said, it is anticipated the bill will have a disproportionate impact on African-Americans because 40 percent of the offenders convicted of serious misdemeanor, including-- included are African-American. So they get that information to the legislative people, how do they deal with that, they change the law or they make different laws for different groups? You know, if you're a minority, you have to abide this law and if you're not a minority, this is the law you abide by. How do they do that? What, what value was there [INAUDIBLE] that?

VARGAS: I'm gonna ask you a question. What do you do with your fiscal statements?

ERDMAN: Say that again.

VARGAS: When you introduce a legislative bill, what do you do with the fiscal impact fiscal statements that you get from us, from the-- well, from the Nebraska Legislature?

ERDMAN: We make a determination whether we have the funds to support that.

VARGAS: Yes, but like with all the other information that's not just provided on the funds, but let's say the sustainability of things-- you know, the FTEs, the cost. I want you to imagine you're getting this information right here and this is your bill. What would you do if you got this information, this specific impact statement?

CRAWFORD: You can't ask questions.

VARGAS: Oh, yeah. OK, that's right. Well, posing you a rhetorical question. The point I'm trying to make is just like a fiscal-- just like, just like financial analysis that we get on the impact of the bill, it is information provided to senators. Whether or not it is used to change the legislation is completely up to senators.

ERDMAN: OK. So--

VARGAS: But I think the transparency and the, the openness on, on the data on how it actually impacts populations is extremely important.

ERDMAN: So let me ask this differently. In Iowa when this information comes to the legislature, have you spoken to anybody on how they deal

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with this information then? So let's say, for example, that is a true statement and people believe that to be the case on the bottom of page 17. And if they implement this new law, then is gonna adversely affect that group, 40 percent of that group. So then we don't implement that law? It, it appears to me that the reason this is impacting 40 percent of the African-American population, they're breaking the law. That's the way it looks. I mean, I'm not sure how that exactly, but that's what it says. So if you don't want this to impact, you, don't break the law. So should we have two different types of laws, those for minorities and those for un-- not minorities? How do, how do we go about determining once we, once we get the information, what determination do we make as to what laws should we pass? Well, let's not pass that law because it affects this group differently than this group. The law is the law. When I'm driving down the highway and the speed limit is 75 and I'm going 80, don't make any difference what my racial background is or who I am. I broke the law. And that's the way it appears here, that if you break the law, 40 percent of the people are gonna be affected by it and they happen to be African-Americans. You don't want to be affected, don't break the law. So I don't, I don't have any clue as to what value having a racial minority impact statement will do for bills coming to the Legislature. I mean, the law is the law. We're all Americans. We may be different colored skin, we

may speak a different language, we're all Americans. The law is the law.

VARGAS: Senator Erdman, I think you're demonstrating the kind of conversations that we want to have. Had you not had that information in front of you, I don't think a legislative body or a committee might have that conversation grounded in the data. Your perspective and opinion that, that is a matter of fact, and this has to do with whether or not people are abiding by laws or not, is, is your opinion. There are other people that might believe that there might be biases. And maybe our system is-- and this is what I tend to believe, our system disproportionately is affecting communities of color. And if they're disproportionately affecting communities of color, I want to understand if there's things within our system that can be done differently ahead of time to avoid any potential biases that's leading to that. We see it all the time. We see it in our-- you know, our, our juvenile justice system when kids are entering and have truancy issues. We see it when they have suspensions. We see it when we are looking at our-- the number of individuals and, and the profile of individuals that are getting certain sentencing and getting parole or not. And our in our corrections system and are even in our solitary confinement. And so I want to present this information so that a senator like you can have this debate based on the data. But if we didn't have that impact statement, I don't think we would have a

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conversation with other senators and have a debate like-- or a conversation of discourse like this. And that's the whole part. So the example I gave you is, I want you to imagine-- we serve in Appropriations together, we get our, we get our, our, our financial-- our fiscal, our fiscal note, the fiscal note we look at-- and I think when we both look at it, we discuss whether or not it's-- we, we believe it's valid in our opinion. We don't take it necessarily as whether or not it's gonna support our legislation or not. It is something that helps inform the legislation and the impact we have. And that's what, that's what it is. And then we discuss and debate whether-- you know, whether, whether or not that impacts whether or not we're gonna move forward with the legislation. But if we didn't have that statement of the financial or the fiscal impact of the bill, we probably wouldn't be discussing it. I want us to have real discussions about how legislation is impacting and at times detrimentally impacting people of color. And if we could disagree on it, that's fine. But you know, this conversation and what you just posed is exactly why we need statements like this.

ERDMAN: So-- excuse me, are you're saying every bill should have a minority impact statement?

VARGAS: No. The way that this is drafted is there are specific subject areas where we are seeing and where there is different information collected on disproportionate minority contact in specific areas where

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we're seeing more underrepresented groups, Latinos and Hispanics, that are affected by law changes specific-- specifically with offenses. And so I think that the criminal justice system, Corrections, anything that's actually changing offenses either in juvenile or criminal justice are the best areas to do it. But the other way that we wrote this-- one of these amendments to the rules was could be at the discretion of the introducer to request one of these impact statements or the chair of the committee so that there is some level of deference to, to the rules. Sorry, to the committee itself. So I wanted to give a couple different options rather than just say we use it for every single thing because I don't know what it would really look like in some other different subject areas, but I can very for certain say that in the areas of criminal justice and juvenile justice, it, it plays a significant role in support information.

ERDMAN: So will there be a definition of minority so we'll know what group it's affecting? I mean, in other words, that's a pretty broad statement minority. Will there be a distinction of who the minorities are we're looking at?

VARGAS: I think that is a good conversation on implementation. My hope is we use-- you know, better definitions on underrepresented groups. And I think that's what we would have. I trust our Legislative Research Office and then we'll get the experts to then help us to support and do that. But your point's taken, we need to have some

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working common language to then be able to interpret this, no different from our fiscal notes.

ERDMAN: I'd put in a plug for farmers being the smallest minority, there's only like 1.8 percent of them.

VARGAS: Well, since we're,--

ERDMAN: That was rhetorical.

VARGAS: --we're, we're-- yeah. Well, since we're looking in the criminal justice system and juvenile justice system and specifically underrepresented minority groups that are Latino and Hispanic. And that's one of the ways that I've put, put this in here because they are overly impacted and represented in our justice system. I specifically wrote it this way because that's the, that's the area of population that's most affected.

ERDMAN: Would you agree they're there because they broke the law?

VARGAS: No, that's open to interpretation based on the offenses, based on the justice system. There's a whole litany and different set of things that make that determination, Senator Erdman.

ERDMAN: OK.

HOWARD: And I would also clarify for kids--

CRAWFORD: Senator Howard.

HOWARD: Yeah. I'm so sorry. I would also clarify for kids, it's not that they're breaking the law, would be--might be not going to school or something like that. But those are the kids when they're truant that are sent to Geneva and Kearney. And so it's not necessarily that they done something wrong but maybe they didn't have a ride school, and now they're truant, and now they're in Kearney. And so really, I think these are, are really interesting and innovative addition to the way that we think about the impacts of the work that we do. And it, and it invites a conversation that we should be having, even if it includes a conversation about farmers, which would be fascinating.

CRAWFORD: Other questions? Senator Lathrop.

LATHROP: Yesterday, we had an interim study up in Omaha on juvenile justice issues. Had a number of people that testified, and the topic of the different impacts on minority populations is a-- is an issue that is constantly talked about in criminal justice and in juvenile justice. And if we have an impact statement, we can have a conversation about that. A lot of it is who do the law enforcement choose to pull over, which is sort of the front door to all of this. But Don Kleine was-- Douglas County Attorney was there, and I think maybe gave some perspective. And I don't know how that works into this, into this statement, but his point was this: if you passed a law

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to make some, let's just say, a gang violence bill that was going to make it a life sentence, your report would say that it is disproportionately affecting minority populations in all likelihood. I'm not trying to make a judgment about that. But, but his point was they're also disproportionately the victims of these kind of crimes. And I don't know how we, we factor that in, because sometimes when they are-- when these, these crimes that we try to address disproportionately affect minority populations, they're also-- or they're provided in response to disproportionately being the victims of these same kinds of crimes. So I don't know how you, how you measure that, but I think if all we did was look at does this crime disproportionately affect them? And, and we miss the point that these crimes are being imposed on their neighbors who are typically in the same minority population.

VARGAS: Um-hum.

LATHROP: I just throw that out because I think that's perhaps a consideration in the process, too.

VARGAS: Yeah. No, that's a good point. I didn't think of it as much that way. And I don't actually know if some of the newer states have considered it that way. I think the reason why they've tended to focus on the other end is because so many more of the inputs in terms of data are, are related to those that are-- you know, being sentenced or

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those in the juvenile justice system rather than the information, the data that's outside where the-- you know, the victims that are potentially impacted by this. And so it's a lot easier for us to, to be-- I'm not saying that we can't be objective, but the objectivity in the data [INAUDIBLE] exist.

LATHROP: Right. No, I appreciate it.

CRAWFORD: Thank you. Other questions? Yes, Senator Hansen.

M. HANSEN: Thank you, Senator Crawford. And thank you for bringing this, Senator Vargas. My question is, has there been any conversation or had there been any other states that have done this for gender as well?

VARGAS: I will look into that.

M. HANSEN: All right. Thank you.

CRAWFORD: Other questions? Thank you, Senator Vargas.

VARGAS: Thank you very much.

CRAWFORD: Do we have anyone wishing to testify on LR217? Welcome.

LAMONT RAINEY: Thank you, Chairwoman Crawford and members of the Rules Committee. My name is Lamont Rainey, that's L-a-m-o-n-t R-a-i-n-e-y, here today on behalf of Research Director Nancy Cyr to share with you three concerns that Director Cyr has in regards to if Legislative

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Research were, were to be assigned the task of compiling and disseminating racial impact statements. Her first concern is the availability, timeliness, and quality of the data that's out there. The cooperation between agencies and branches of government for purposes of getting that data and then the time needed and the number of statements to be provided. With that last point, keeping in mind that if you're looking to implement this rule during the 2021 Session, that Legislative Research is a small shop, we're seven people, and in 2021, half of the staff will be committed to redistricting. So there, there will be some staffing concerns there. And at this point, it's an unknown as to how many statements will be requested or required, particularly if the statements say are not limited to, as in other states, sentence enhancements or increases, probation, or juvenile detention types of issues. Those are her, her three concerns. However, she did want me to say, if we were assigned this task, we will do it to the best of our abilities as we do with everything else. And we will do it in the kind of nonpartisan way that our office has, has, has done everything else, so. If there is any questions?

CRAWFORD: Thank you, Mr. Rainey. Any questions? I have a question. Have, have you gone through the, the different requirements of the statement and assessed if there were any in particular that would be more difficult than others?

LAMONT RAINEY: We haven't,--

CRAWFORD: OK.

LAMONT RAINEY: --and, and primarily because we don't know ultimately what we'll be tasked with doing and how we will be tasked to do it. I mean, certainly the conversations that we did have there, there was the concern in terms of from whom and where we get the data. There was a preference that, that we get reliable data. And, and, and if-- and a preference for getting that data from other governmental entities that the Legislature has a relationship and/or statutory parameters over. So-- you know, we're-- so we're, we're dealing with the Department of Corrections, we're, we're dealing with the Crime Commission, we're dealing-- you know, whoever we're dealing with, that's, that's a governmental entity, there, there is at least a statutory basis for them to collect that data and some parameters around how often they collect that data, what they do with that data. You know, that was one of the real discussions that we have, is that whoever we are tasked with getting the data from, that they should be collecting that data as part of their mission and regular task. Whereas, the university and others like NCSL may not collect that data on an ongoing consistent basis, but they may collect that data for a specific project. You know, project to project, so there were some concerns with that.

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CRAWFORD: Thank you. Other questions? Thank you, Mr. Rainey. Anyone else wishing to testify? Welcome.

CRAIG BECK: Good morning, Chairperson Crawford and members of the Rules Committee. For the record, my name is Craig Beck, C-r-a-i-g B-e-c-k, and I'm the fiscal analyst at OpenSky Policy Institute. I'm here today to speak about the importance of considering the racial impact of legislation as examined in LR217. OpenSky strongly believes in evaluating the racial impact of proposed legislation. The manner in which state and local governments raise and spend revenue has major implications for racial and ethnic equity, and fiscal policy has too often increased racial disparities in power and wealth. Working to ensure fiscal policies provide equal opportunity for all people helps to promote prosperity. Fiscal policies do not need to be explicitly race-based to worsen or perpetuate racial inequities. Some legislation, such as large tax cuts for the wealthy, exacerbates disparities without acknowledging their impacts on certain groups. Tax cuts in North Carolina in 2013, for example, resulted in white North Carolinians receiving 81 percent of the benefits, despite being only two-thirds of the state's population. Similarly, according to an October 2018 report by the Institute on Taxation and Economic Policy, the Tax Cuts and Jobs Act, passed by Congress in 2017 overwhelmingly benefited wealthy Americans. Because white Americans are three times more likely to be among the nation's wealthy, the TCJA resulted in

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households of color being largely excluded from accessing its benefits. Considering these examples, OpenSky believes it is vital to thoroughly examine the racial impact of proposed legislation to ensure that no negative effects, unintended or otherwise, are imposed upon communities of color. OpenSky has identified several policy areas where the introduction of racial impact statements for proposed legislation could be especially insightful. Changes in the tax code, particularly those which disproportionately impact one end of the socioeconomic spectrum, often serve to increase or temper racial disparities. The State Inheritance Tax and Earned Income Tax Credit Program are two examples of policies that, when changed, have an outsized effect on particular racial or ethnic groups. It is also important to examine how changes in certain budget areas would exacerbate racial inequities within the state. Health, education, and transportation funding, in particular, is vital for shared prosperity. Other states have found that communities of color are more likely to be uninsured, live in counties with less access to high quality clinical care, attend school in aging buildings, and are less likely to own a car. State funding is vital in seeking to mitigate these disparities, which begins with understanding the potential racial impact of proposed legislation. There are several resources that examine racial disparities, which OpenSky believes could aid in the development of racial impact statements for proposed legislation. The U.S. Census Bureau's American Community Survey tracks SNAP and school

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enrollment by racial and ethnic groups, as well as income and poverty status of families. The Kids Count Data Center disaggregates children at Title I schools by race and ethnicity at the state level, with statistics on graduation, proficiency, suspension and expulsion metrics. There is a growing trend of incorporating racial disparities in data collection and rendering a thorough analysis of the racial impact of proposed legislation is increasingly feasible. OpenSky is currently working to incorporate this racial equity framework in updates of our past publications as well as our future analyses. We strongly believe in doing everything possible to evaluate the racial impact of proposed legislation and hope that the Legislature will do the same moving forward. With that, I'm happy to answer any questions the committee may have. Thank you.

CRAWFORD: Thank you, Mr. Beck. Questions? Seeing none, thank you.

Other people wishing-- oh, here we go. Come on up.

DANIELLE CONRAD: Hi. Good morning, again. My name is Danielle Conrad, it's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I'm here today on behalf of the ACLU of Nebraska and in support of this important legislative resolution. We want to extend our gratitude and appreciation to Senator Vargas for his continued leadership on this important issue. And thank the committee for entertaining some feedback on this important change this morning. And I know you've taken up the issue previously, so continuing the dialog on these issues, actually. I

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don't want to burden the committee's time with repetitive testimony, but did want to pass round two important and fairly robust handouts about racial justice impact statements, one that was just recently released by the Sentencing Project in September 2019, which details kind of a nice overview of how our sister states handle these issues. As you can see there, at present time, about 5 states in total have adopted some form of procedural or statutory framework to put forward racial justice impact statements. Of course, we know that there are many local jurisdictions that have moved forward in that regard as well. And then as the Sentencing Project notes, eight more-- at least eight more states have proposed a similar kind of idea in recent years. The second handout that I want to draw your attention to is literally hot off the presses, not only from our copy machine this morning, but that just came out in October 2019. And it is a fairly comprehensive overview about race in the Midwest region and how race impacts a host of different policy choices in the criminal justice, economic justice, and in other contexts. And it really provides a considerable amount of detail and data about how communities of color and how people of color in Nebraska and in other Midwestern states are faring in our society. And in addition to pointing out disparities and issues, it also helps to identify policy solutions to ensure a stronger racial justice lens and equality outcome for, for all of our citizens. So I just wanted to reiterate that we'd be happy to work with the committee and the Legislature on any of the implementation

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details or technical, logistical kind of issues, but really wanted to just elevate kind of the top lines here about why it's important. We know from recent statistics that in Nebraska, black students are suspended and expelled from school at a rate of six times that of their white peers. That's right here in Nebraska. A black Nebraskan is about just, just shy of about five times more likely to be arrested for simple marijuana possession than their white counterparts in Nebraska. And today, a Latino woman still earns only 54 percent on the dollar compared to her white male counterparts. So those are just a few recent statistics that I wanted to put into the record to, to kind of recenter this dialog and about why it's so important that you have full information available to you when deciding how to cast important votes on important issues and policies. Finally, I'd just like to address Senator Erdman's questions to previous testifiers. I think it's important to note a couple of things in this regard: one, when we talk about criminal justice issues, the studies are actually very clear that across demographics people commit crimes at very similar rates. But what we know then, in addition, is because of inherent, implicit and systemic biases, that certain people reap the consequences of that criminal behavior in a different way. And those stats bear out in Nebraska and beyond. The other thing that I think is important to note, there are some, I think, global partners that are starting to explore gender equity in terms of their public policy making. And that's something that we would definitely be open to

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exploring, too. But I want to be really clear, race is different for a host of different reasons. And I won't reiterate all of the many reasons, but I would remind you to reflect upon the critical dialog that you had as a Legislature last year in support of Senator Hunt's resolution to combat white supremacy. There's historical issues at play here. There are systemic issues that play here. And we have to be really thoughtful about that context when we legislate. And frankly, I know from my time in the Legislature, I think it would have been very helpful to have an additional data point to help inform what's in my head and what's in my heart when I'm deciding how to cast my vote. I hope that you might consider additional information helpful to your endeavors as well. Thank you.

CRAWFORD: Thank you. Questions? Yes, Senator Lathrop.

DANIELLE CONRAD: Yes.

LATHROP: Danielle,--

DANIELLE CONRAD: Yes. Hi.

LATHROP: Hi. You were at the hearing yesterday,--

DANIELLE CONRAD: I was, yes.

LATHROP: --and I appreciate you being there. I wonder how we in this process and I, I-- the difficulty with asking these questions is I don't want to ask something--

DANIELLE CONRAD: Sure.

LATHROP: --that suggests that I have some kind of a bias,--

DANIELLE CONRAD: No, of course.

LATHROP: --but let me, let me take up truancy.

DANIELLE CONRAD: Um-hum.

LATHROP: So we heard yesterday essentially that the County Attorney gets referred-- I'm gonna make-- I'm gonna round some numbers off.

DANIELLE CONRAD: Sure.

LATHROP: A thousand cases on truancy, that 90 percent of those get resolved and he filed on 10 percent of them. My numbers are off by a little bit, but I'm rounding them,--

DANIELLE CONRAD: Sure.

LATHROP: --that was 114 cases. Whatever the, whatever the percentage of African-Americans in Douglas County is to the entire population, I don't know what that number is, I think, it used to be 11 percent,--

DANIELLE CONRAD: Yes.

LATHROP: --something like that. If we found that 80 percent of the kids that were filed on for truancy-- or not going to school, whatever we, whatever we refer to it as, if we found that 80 percent of those were African-American, is that the whole story? Does that tell us everything we need to know in a racial impact? Or do we need to know that-- and now I'm gonna say something I don't know to be true,--

DANIELLE CONRAD: Sure.

LATHROP: --but to illustrate a point, that 80 percent of the kids that don't go to school are African-American. So the group that got filed on is representative of the group that we're trying to fix something with. You follow me?

DANIELLE CONRAD: I do follow you, yeah.

LATHROP: How, how do we-- because if all we do is say 80 percent of the kids that were filed on were African-American, there's a problem over at the County Attorney's Office for we need to make a different policy without looking at a broader question. How do we, how do we factor both the population of people with a particular issue and the ones that are getting filed on--

DANIELLE CONRAD: Yeah. No, it was a very--

LATHROP: -- so that, that, that the statement is meaningful?

DANIELLE CONRAD: Right. Thank you, Senator Lathrop. And I thought it was a very meaningful hearing and dialog that you had before the Judiciary Committee yesterday. So to the first point where you started your conversation, is, is, I think, really important for this committee to consider. We, we can't be afraid to talk about race. Right? We can't be afraid to be perceived as unthinking or uncaring. And in fact, I think having racial justice impact statements before you helps to elevate and guide that conversation in a really thoughtful way. But because our political dynamic is so fraught and perilous right now, I think it's rather work to shut down meaningful conversations rather than open them up. And this is one tool and one data point to do that in a guided and thoughtful way. Right? As to the other points, I think the data is what the data is. It's a data point. And what it does is help to provoke additional inquiries as to the explanation for that data. And they may be incredibly legitimate or it may point to a red flag issue. I know when we were looking at the Prosecutorial Data and Transparency Act yesterday, what other states have found that have moved in that direction is that sometimes they're seeing racial disparities, particularly when prosecutors are inexperienced. So that provides really a teaching and a learning moment for senior prosecutors to help guide new attorneys in, in making more equitable and just decisions. So I think the same would

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hold true for the legislative arena. You would have information before you to identify what the potential impact or disparity might be on a facially neutral policy. And then it would allow you to open up questions and say, why is that? What is the root-- what are, what are the root causes there? What is the subset or universe that we're looking at within so that this has context and relevance? I don't think that it will-- a racial justice impact statement will be able to answer all of those questions for you. But I think it will help to elevate when the questions need to be asked so that you can bring in additional experts to get additional guidance on it. Helpful?

Responsive, nonresponsive.

LATHROP: Yeah, it's kind of-- the question's kind of what needs--

DANIELLE CONRAD: OK.

LATHROP: --to be in there to make it meaningful because we're looking for-- the best example is back when the federal sentencing guidelines had cocaine over here and crack over here. And I think Judge Strom was one of those judges in the country to say this is just-- you are doing something to African-Americans since sentencing them more harshly than you are white or Caucasians. A perfect example of what we're describing. But if there is-- if the underlying bias is actually towards people in poverty and it looks like a minority issue, how do we, how do we make sure that we are looking at what the problem is in

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addition to-- so that it's more meaningful, are we-- the person from OpenSky talked about the, the tax implications of tax policy and how it affects people in poverty more and therefore affects African-Americans more? And the real question-- not that's not important, but it's-- we're, we're doing something that disproportionately affects people in poverty.

DANIELLE CONRAD: Right.

LATHROP: And I don't know how these statements-- I like the idea, by the way, but I don't know-- I think they need to have enough information to make them full of all the considerations, including the victims.

DANIELLE CONRAD: Right. And, of course, the data on its face and alone can't answer the question of causation versus correlation, right? And full disclosure, I am a not a data scientist. But I think-- you know, one area that we see this pop up a lot, actually, is for decades, Nebraska has required a fairly robust reporting on traffic stops and arrests and searches as part of our antiracial profiling work as a state and commitment thereto through our various law enforcement agencies. So you have a host of data points collected by the Crime Commission each year, which shows consistent and, then unfortunately, increasing disparities in the level of people of color in Nebraska that are subjected to stop, search, and arrest at, at those points.

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And many of our colleagues in the law enforcement community will point to exactly what you were just talking about, Senator Lathrop, about how it doesn't control for socioeconomic issues and how that might impact part of the data picture that, that is reflected in the reports. Again, I think that it's important to have those conversations because they are related. But again, race is different, and we know that, and we know when people commit crimes, again, similarly across all demographics. But you look at the racial impact of our criminal justice system, there's some very significant questions there that we need to grapple with together that go far beyond just socioeconomic status. So I think that this is one important tool to guide and elevate those discussions.

LATHROP: OK, thanks.

DANIELLE CONRAD: Yeah.

CRAWFORD: Thank you.

DANIELLE CONRAD: Thank you.

CRAWFORD: Other questions?

DANIELLE CONRAD: Thank you so much.

CRAWFORD: Seeing none, thank you.

LAZARO SPINDOLA: Well, good morning, Senator Crawford--

CRAWFORD: Good morning.

LAZARO SPINDOLA: --and members of the committee. Thank you for receiving me today. For the record, my name is Lazaro Spindola, that would be L-a-z-a-r-o S-p-i-n-d-o-l-a, and I am the executive director of the Latino American Commission. I am also here in support of LR217. And I wish to thank, Senator Vargas, for having introduced this. Having a healthcare background, I will talk about something a little different. Racial impact seems to focus on one specific ethnic or racial group, but we must consider the effect that such measures have on other ethnic groups. Back in 2009, the Legislature passed LB403, which prevented individuals not lawfully present in the United States from obtaining public benefits. This bill effected mostly Hispanic/Latinos. But even though we have been warned, it had unintended consequences. And this, Senator Erdman, might partially answer your question. Even though we had been warned, everybody in the healthcare primary, public health, and even the religious community told us, and I say us because I work with the Legislature, what was gonna happen. Now, Senator Erdman, you said something very true, the law is the law for everybody, not just for every citizen, everybody present in the United States. But a law does not become law until the bill is passed in the Chamber. So in this case, the racial impact would not be only law, would be only proposed law. Because what happened was Hispanic/Latinos no longer had Medicaid coverage. Hey,

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but we kept getting sick. Since ethnic minorities are disproportionately affected by low income, unemployment, lack of high school education, teenage births, and inadequate prenatal care, the emergency rooms saw an increase in individuals whose condition did not constitute a medical emergency. And that increased the waiting time for all racial groups that went to those emergency rooms. Worse, conditions like the common cold, flu, diabetes, and others easily treatable with a modest investment worsened to the point where they required hospitalization at a cost of thousands and even hundreds of thousands of dollars. The worst part was that pregnant women were denied prenatal care. The number of premature births, stillborn, and maternal complications rose. Pregnant women went to the emergency room only for delivery, but preventable complications such as gestational diabetes, C-sections, and Toxemia Gravidicum increased exponentially. Furthermore, neonatal intensive care units were taxed by overcrowding, and these overcrowding affected every neonate that needed that unit from any race. So the state saved some tax dollars, but hospitals found that they had a large number of high uncollectible bills due to the federal regulations concerning hospital treatments. Now in 2011, we had to backtrack even though we had previously-- been previously warned. And this situation was corrected notwithstanding the Governor's veto with LB599. In 2013, we were trying to step on the same hole again with LB518. Luckily, that bill was indefinitely postponed. I encourage you to approve LR217 and prevent us from making

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similar mistakes in the future. Now there are seven states which already have racial impact statements in their, in their bills. And most of them seem to focus on the penal and juvenile service system. I like the Sacramento approach better. They're working on this is more comprehensive, maybe a little too comprehensive. If I had my way, I would say the bills going to Health and Human Services, Judiciary [INAUDIBLE] Committee would need to be looked at to see if they need this kind of impact statement. And I would be more than happy if whatever committee is looking at this, ask me any questions about it. Now I will be happy to try to answer any questions that you might have.

CRAWFORD: Thank you. Questions? Seeing none, thank you for your testimony today.

LAZARO SPINDOLA: Thank you.

CRAWFORD: Anyone else wishing to testify? Seeing none, Senator Vargas would you like to close?

VARGAS: Thanks, everybody. Members of the committee, I appreciate you taking the time today on a Friday morning. The only things I'd like to say-- I want to thank everybody for coming and testifying. Given that we're proposing this is a rule change, I think we have a benefit here. The benefit we have is that this is not gonna be a statute that lives-- you know, is gonna require significant changes. We can change

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it-- you know, after-- you know, two years. Which means we have the, the capability and the flexibility to be able to make it work. I do appreciate the perspective from LRO regarding a couple different concerns, which are all-- again, I'm encouraged, all these-- these are all things that we can work on. In regards to-- you know, the number of statements-- you know, we have the benefit of seeing other states and what it looks like. We can create a standard-- rather than in the rule, we can work on creating the rule to be a little bit more prescriptive in terms of how many statements or what statements or how many data points that can all be done. So we can work on that so there's guidance to LRO on what, what it is or if there's a deference to LRO to establish sort of a baseline number of data points and then they can do more after that. And I think that there's-- I mean, if you've looked at your fiscal notes, you'll see some that are pages and pages and some that are one single page. And I, I don't think they just say what's, what's the baseline we need, but let's do our due diligence. And so I think we can find a sort of nice bright spot that works to make it, to make it feasible. In terms of cooperation, I think we can address that when we get to that point. There are a lot of different data sets that exist. I know-- you know, you mentioned the Crime Commission is collecting a lot of different data points, and so this requires some collaboration with, with other entities here at state government. And if this were something to then move forward for 2021, I think it's-- we have the time to ramp up and work on figuring

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out what those data sets are and who the agencies are that really house them, especially if we're confining it in the way this is drafted to specific agency-- to specific subject areas. In terms of capacity, I, I understand that, and I think that capacity is always an issue. As the Vice Chair on the Executive Board, we are constantly running into capacity issues and want to make sure we're meeting the needs of staff and committees. But I think that one way that we can then make more informed decisions is by having a rule in place similar to this or similar to how other states have done this. And it will better inform and make the policy that we put in place more sound and make sure that we don't have blinders on and we don't have our own inherent biases. We're not missing out on having a fruitful discussion on, on how things are-- might be disproportionately impacting a certain minority group or not in the legislation. And I know that capacity may be an issue, but I think that's something that since we're not doing this forever, might be something that we work on. And we can really say, maybe we're just really focusing on one subject matter. We're gonna do it for two years. We're gonna have a ramp up-- you know, year to plan and implement and then figure out what a budget looks like or-- and we'll find out from other states whether or not they've contracted and how that might have looked like so that we can address capacity. You know, we do that with-- you know, my committee right now in Legislative Planning contracts out and works with-- you know, different entities to help support some of our data planning. So

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it's not an-- it's not a new thing that we, we will be doing if we go down this route. But in the end, I think this is a pragmatic way of ensuring that we are having-- and I appreciate how Senator Howard referenced having these conversations that we, we really need to have at the table. And if we have more of this information at our disposal, no different from our fiscal notes, I think, it's going to lead to legislation and discussions and discourse that is going to ensure that we are not having blinders on how a specific set of minority group might be detrimentally impacted, specifically when we're looking at these different subject areas. So with that, I just want to thank you. And I am-- you know, I have a couple different follow-up things. The victim's piece from Senator Lathrop. You know, I heard things about gender, capacity, definitions, and common language so that we have some standards so that piece of cooperation with agencies. We've taken notes. We'll work on some of these things as a follow up. But if there's other things that come to mind, please don't-- please come, come to my office-- come and talk to me if something else comes up. I think this is something that is gonna be important for us to do.

CRAWFORD: Thank you, Senator Vargas. Other questions for the Senator? Seeing none, thank you.

VARGAS: Thank you very much. Have a great Friday.

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CRAWFORD: Thank you. This closes the hearing on LR217. Thank you all
for being here.