

State Legislative Research



PROFESSIONAL DEVELOPMENT SEMINAR

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State Childhood Obesity Policy Evaluation

Schedule for the Training



- Introduction
 - State legislatures overview
 - Why to do state legislative research
- Methods for legislative research
- Briefing on databases and searching
- Break (10 minutes)
- Form teams/compose search phrase
- Conduct legislative searches
- Present to group
- Summary



Oregon Capitol Rotunda

A Legislature by Any Other Name...



- Called “Legislature” or “State Legislature” in 24 states
- Called “General Assembly” in 19 states
- Called “General Court” in Massachusetts and New Hampshire
- And “Legislative Assembly” in North Dakota and Oregon



Kansas Capitol Building

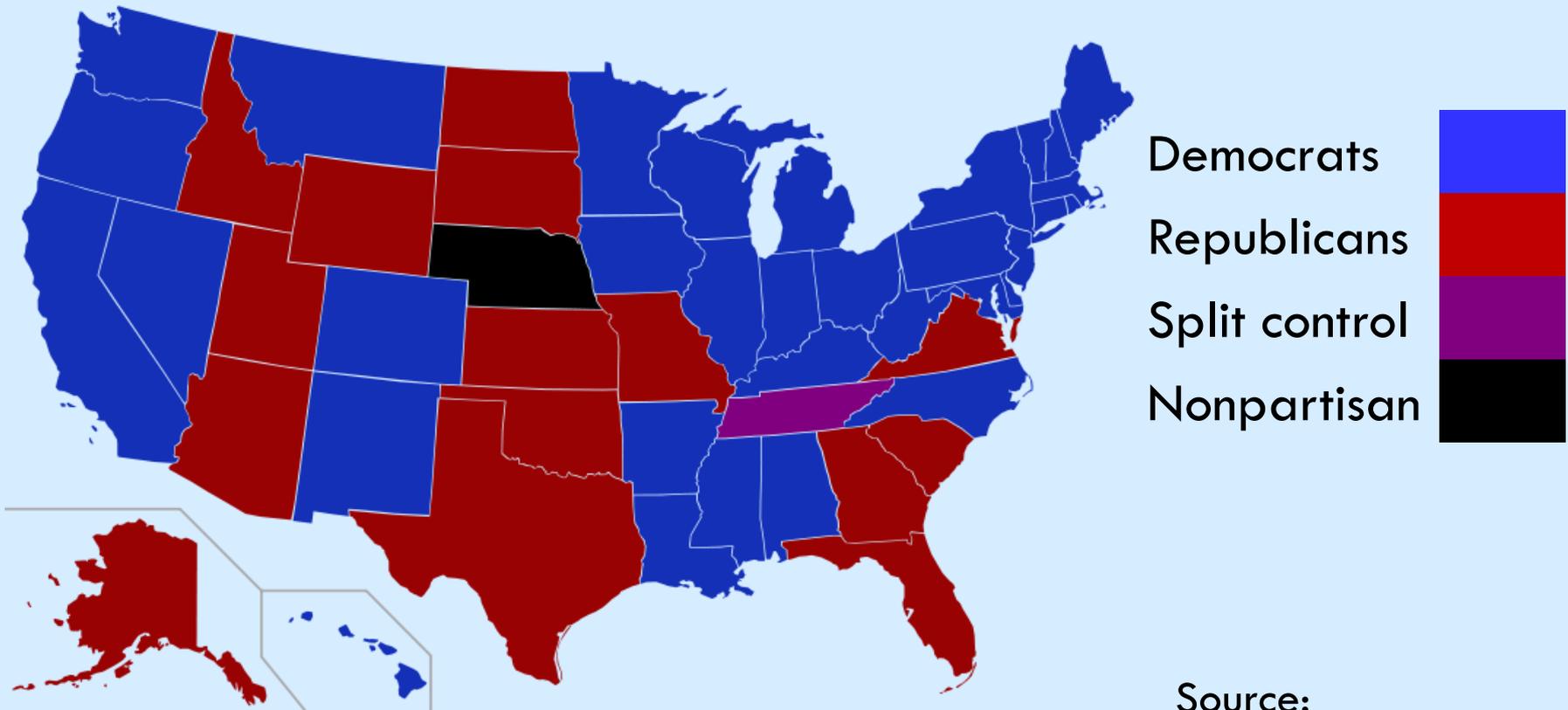
Chambers and Powers



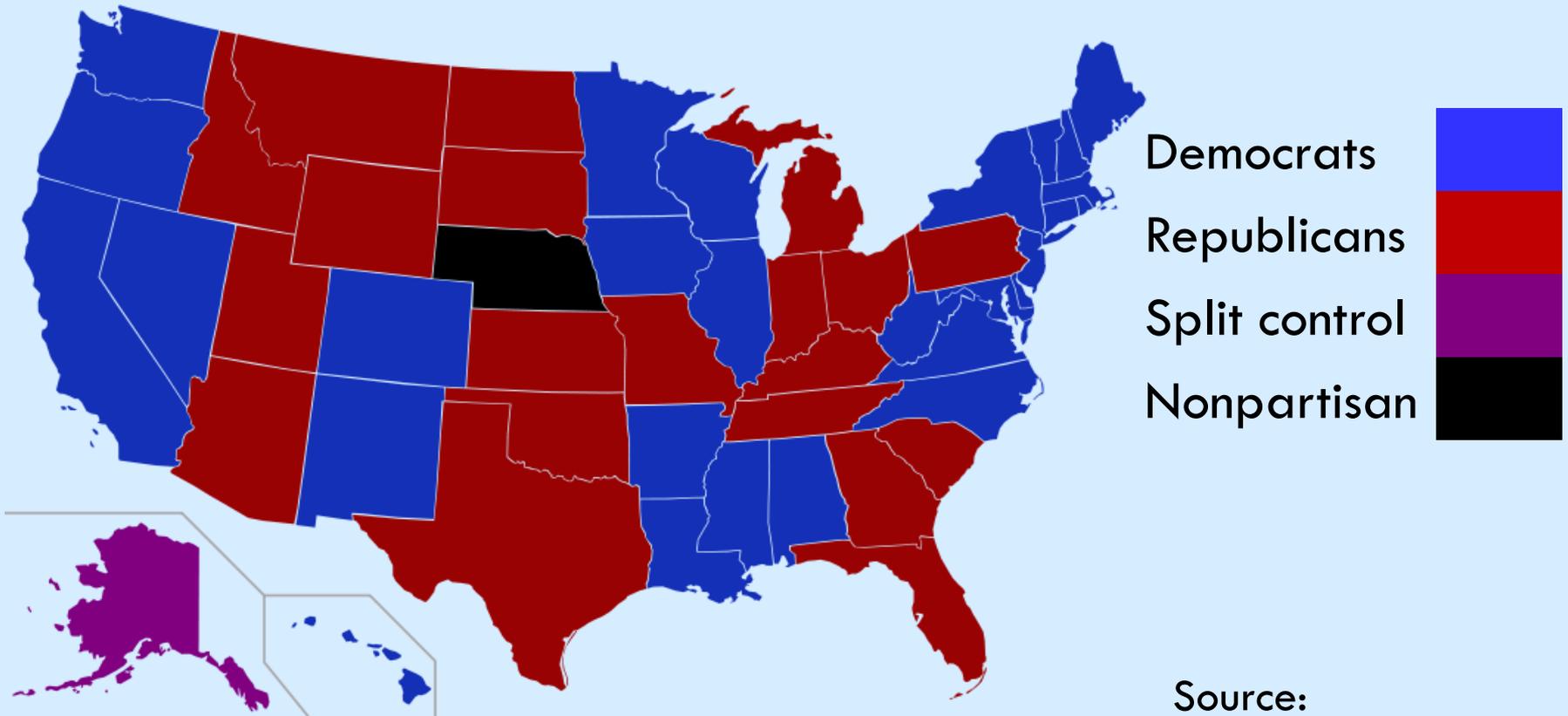
Every state except Nebraska has a *bicameral*, or two chamber system.

- In all bicameral states the smaller chamber is called the Senate and is usually referred to as the upper house.
 - ✦ Represent more citizens, serve longer
 - ✦ Powers often include:
 - Confirmation of gubernatorial appointments
 - Trying articles of impeachment
- 41 states call the larger chamber the “House of Representatives”, 5 call it the “Assembly”, and 3 call it the “House of Delegates”
 - ✦ Members represent fewer citizens, usually serve 2 year terms
 - ✦ Powers often include exclusive power to initiate taxing legislation and articles of impeachment

Party Control of Lower Houses



Party Control of Upper Houses



Source:
Wikipedia, 2009

Full and Part Time Legislatures



RED	RED LIGHT	WHITE		BLUE LIGHT	BLUE
CA MI NY PA	IL FL OH MA NJ WI	AL AK AZ AR CO CT DE HI IA KY LA MD	MN MO NE NC OK OR SC TN TX VA WA	GA ID IN KS ME MI NV NM RI VT WV	MT NH ND SD UT WY

Source: National Conference of State Legislatures, 2008

Average Job Time, Compensation, and Staff Size by Category of Legislature

Category of Legislature	Time on the Job (1)	Compensation (2)	Staff per Member (3)
Red	80%	\$68,599	8.9
White	70%	\$35,326	3.1
Blue	54%	\$15,984	1.2

Notes:

1. Estimated proportion of a full-time job spent on legislative work including time in session, constituent service, interim committee work, and election campaigns.
2. Estimated average annual compensation of legislators including salary, per diem, and any other unvouchered expense payments.
3. Ratio of total legislative staff to number of legislators. This includes central legislative staff offices, so it is not a measure of how many staff work directly for each legislator.

Source: National Conference of State Legislatures, 2008

Missouri Process of Legislation (simplified)



1. Introduced and read on introduction
2. Read second time
3. Referred to committee
4. Public hearing held
5. Committee makes recommendations or substitute bill
6. Bill placed on perfection calendar
7. Bill brought up for debate and vote (perfection) by full chamber
8. If passed printed as perfected
9. Third reading no changes can be made, vote by roll call
10. If passed bill moves to second chamber
11. Repeat steps 1-9 except this time changes can be made on third reading

Missouri Process of Legislation (simplified)



1. If bill passes both chambers in same form goes to governor
2. If bill is changed and first chamber agrees it is sent to governor
3. If first chamber does not accept changes sent back to second for reconsideration
4. If they don't accept original version then sent to conference committee
5. Conference committee changes reviewed and voted on by both chambers, if they don't pass, repeat process...if both chambers agree bill is sent to governor.

Why Do State Legislative Research?



- Power
- Money
- Efficacy



Missouri Capitol Building

State Powers



- States share sovereignty with federal government
- By ratifying constitution states transferred certain limited sovereign powers to the federal government
- All powers not delegated to the U.S. government are retained by the states.



Maine Capitol Building

State Jurisdictions



- Responsibilities of the states include:

- Education
- Public Safety
- Public Health
- Transportation
- Infrastructure

(These programs also receive federal dollars and have some federal regulation)



Iowa Capitol Building

Builds Efficacy of Policy Advocates



Louisiana Capitol Building

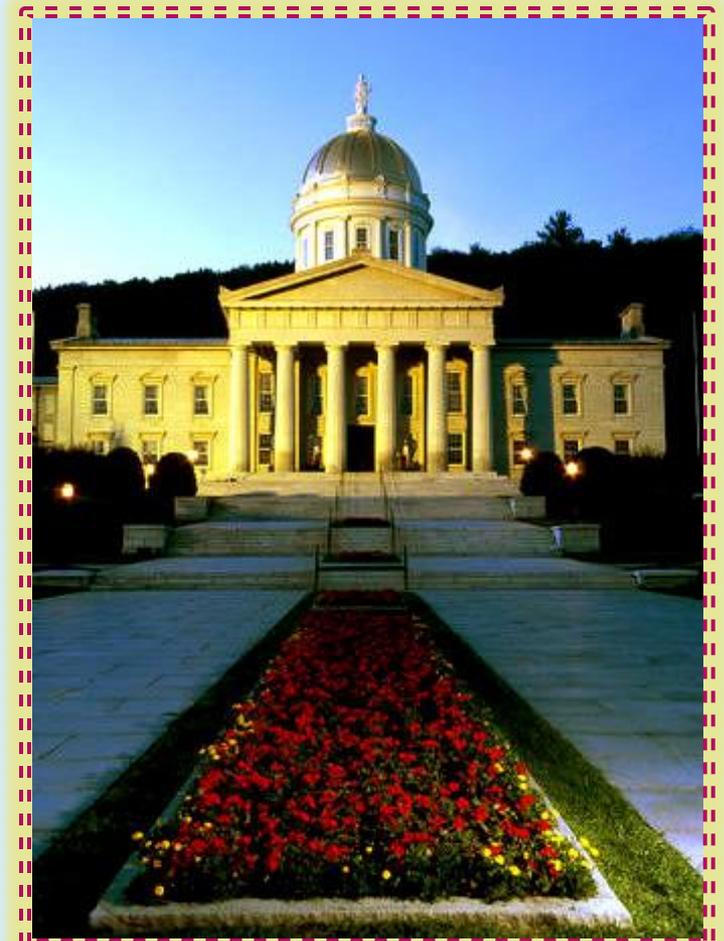
- Gives Practitioners, Researchers and Policy Makers the ability to:
 - Understand patterns in state policy
 - Develop model legislation
 - Examine the relationship between legislation content and outcomes.
 - Identify policy opportunities
 - Contribute to advancing evidence based policy
 - Build contacts with Legislators
 - Stay current (Bill Tracking)

To Be Effective...



- The legislative researcher/advocate needs:
 - Timeliness & relevance
 - Clear language
 - Brevity/ layering
 - Local examples
 - Consistency and collaboration
 - Trustworthiness
 - Cost effective solutions
 - Contact with legislators
 - Ongoing efforts

Source: E. Jones, M. Kreuter, S. Pritchett, R.M. Matulionis, & N. Hann (2006)



Vermont Capitol Building

Methods for State Legislative Research



Illinois Capitol Rotunda

- What do you want to know?
 - Are you looking for historical content?
 - Trends over time?
 - A collection of all bills on a topic?
 - Do you want to track a bill's progress from introduction to enactment?
 - Compare bills to codified laws in statutes?
 - Do you want to compare contents of bills?
 - Do you want to use legislation as a part of a multi-level analysis?

Research Question Examples



- Is state PE legislation evidence-based?
 - The objectives of this study were three-fold: 1) to identify a comprehensive inventory of state PE legislation; 2) to compare and contrast the PE bills; and 3) to evaluate the PE bills on inclusion of evidence-based elements.
- What state legislation contributes to the early detection of breast cancer?
- What components of obesity prevention legislation contribute to enactment?
- Are there trends in state legislation on trails?

General Bill Components

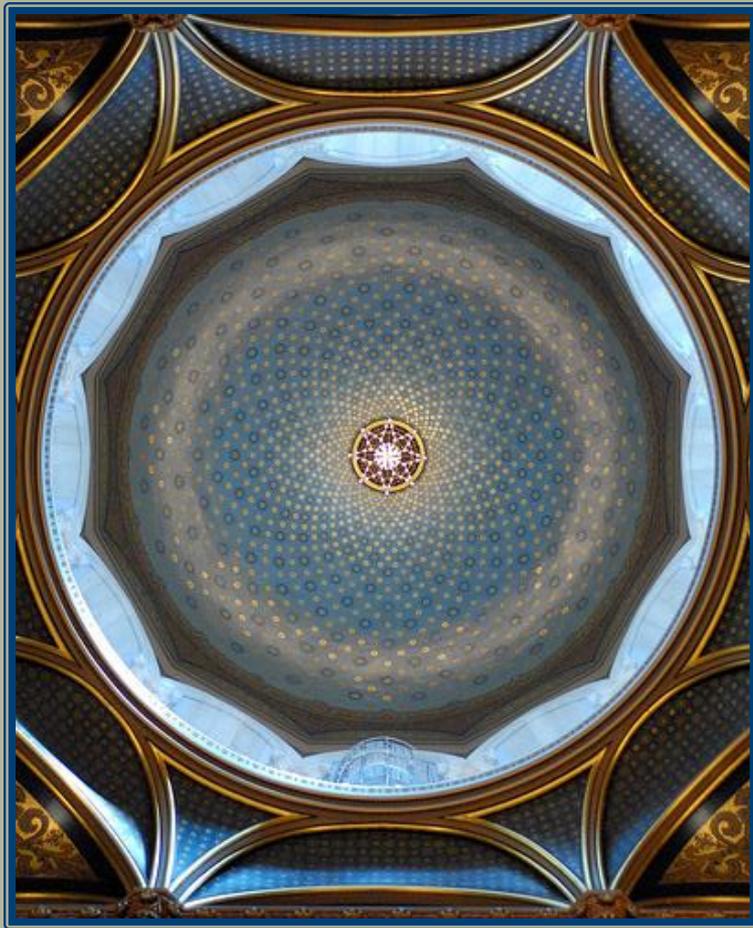


- **General bill components**
 - House or Senate?
 - Sponsors (co-sponsors)
 - New or amended?
 - Status (enacted or not)
 - Strength of language
 - Funding
 - Oversight
 - Evaluation



Missouri Capitol Rotunda

Specific Bill Content



Connecticut Capitol Rotunda

- Specific to your research topic
- Example: PE study
 - Minutes of PE
 - Intensity of PE
 - Certified Teachers
 - PE equipment or environment
- Example: Breast Cancer Study
 - Funding
 - Underserved populations
 - Age guidelines for mandated coverage

Does the bill “enable” trails without any specific bill components?	Supports trails without specific action. For example, the bill may give local authority for development of trails, but doesn’t appropriate funds or contain any other bill components. Look for terms like “authorize” .
Is there funding planned? *	Plans or indicates funding without being an appropriations bill. An example of funding planned would be plans for a percentage of lottery money going into a fund for trails.
Does the bill encourage or promote trails?	This describes the promotion of trail or trail system, or encourages regions to develop trails. This includes things like media campaigns and website development.
Is bill about building a new trail?	Describes plan or construction of trails not yet in existence.
Does the bill describe retro-fitting trails?	This is about making trails out of something that already exists (retro-fitting) such as a “rails to trails” project. Some bills will indicate a corridor or exiting path that will be developed into a trail.
Does the bill include_Preservation/Conservation.	The bill describes anything about conservation of land, shoreline etc, in relation to trail development or maintenance.
Does bill address accessibility? Are disabilities addressed?*	This component includes bills that describe requirements for disabilities or changes that must be made to increase accessibility and accommodate people with disabilities.
Does the bill indicate anything about maintaining a trail?*	The bill mentions maintenance of planned or existing trails.
Does the bill describe connectivity?_ *	This component describes planning or development of parts of a trail to make a larger or longer trail, often through several jurisdictions
Does the bill describe_landowner issues?	This component encompasses any landowner (private or commercial) issues with regard to the trail, most often something like a request or requirement for landowners to allow access to the trail.
Does the bill mention anything about liability of landowner of trail, municipality etc. ?*	This element describes the issues of liability on landowner when someone gets hurt or an accident occurs on a trail.
Does the bill include_government effort to acquire trails?	The bill includes something about state or local government purchasing or acquiring land for a trail. An example of this component would be the state buying land (flood buyout) to be used for a trail.
Does the bill describe tax deduction on trail land?	This component describes incentives given for trail land. Examples include tax incremental funding-TIF-, tax deferral, tax credit.

Databases for State Legislative Research



- Legislative databases by individual states
 - MO
 - CA
 - ME
- Subscription databases
 - Westlaw
- Other free access databases
 - CDC-DNPAO
 - NCSL

Legislative Databases by Individual States



- State Legislation Search Guide

	<u>Missouri</u>	<u>California</u>	<u>Maine</u>
Separate bill-searching website	X	<u>O</u>	<u>X</u>
Quick search link available	O	O	X – keywords
Recognizes “ “ or *	O	O	Only “ “
Highlights search terms	X	X	X
Provides detailed HELP page	X	O	O

Subscription Database



- Westlaw (www.westlaw.com)
 - Retrieves up-to-date information that might be difficult to find using books or that is not yet available in print.
 - Provides a current, comprehensive collection of primary authority, such as cases, statutes, regulations, and administrative decisions.
 - Uses Westlaw to search by citation or to cross reference statutes/code of bills.

The Westlaw logo, featuring the word "Westlaw" in white text on a dark blue rectangular background. Above the letter "e" in "Westlaw", there is a series of small white dots forming a curved path.

Terms and Connectors (Westlaw Specific)



- **Root expander !** - Drunk! : drunk, drunken, drunkard
- **Universal Character *** - Dr*nk : drank, drink, drunk
- **Connectors**

AND	&	Dogs AND cats Dogs & cats	
OR	Space	Dogs OR cats Dogs cats	
BUT NOT	%	Dogs BUT NOT cats Dogs % cats	

Terms and Connectors (Westlaw Specific)



Proximity Connectors

- **/s** within same sentence, **/p** within same paragraph
 - child /s obesity
- **/n** within the given number of words
 - obesity/3 prevention
- **+s** preceding within sentence, **+p** preceding within paragraph
 - physical +s activity
- **+n** preceding within the given number of words
 - John +3 Kennedy → John F. Kennedy

Terms and Connectors (Westlaw Specific)

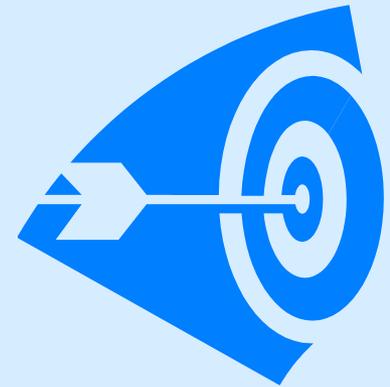


- **Examples of search term**

- child! AND "physical activity"

- (child! /3 obe!) & (physical /s activity)

- (child! /3 obe!) & (physical /s activity) & st (IL)



Subscription Databases



Database	Parent Company	Notes
Capitol Watch	Thomson Reuters	Designed for keeping up with current legislation. Only the current session is covered so not a good fit for historical research.
State Track	CQ/ Rollcall	
Lexis Nexis	Reed Eselvier	Provides a wide variety of products but is somewhat difficult to navigate. May be best subscription database choice for historical research since it covers all states back to 1995.
State Net	StateNet	Some states are covered in the archives back to 2003.
NetScan	Thomson Reuters	NetScan will be phased out at the end of 2010 and replaced by Capitol Watch

Other free access databases



- **CDC-DNPAO**: The Nutrition, Physical Activity, and Obesity Legislative Database
 - tracks state legislation related to nutrition and physical activity & provides bill summaries on the topics.
 - able to search bills by topics, state, or year from 2001 to 2008.
- **NCSL**: National Conference of State Legislatures
 - links to many topical databases or legislative summaries on specific topics

After Researching You will Present:



- Search term used
- Databases searched
- Number of results in each database
- 1 or 2 bills on your search topic
 - Why is the bill important in the big picture
- Search phrase tips:
 - Keep it simple
 - Use the words most specific to your topic



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Summary



- Why?
- How?
- What?
- So What?
- Now What?
- Thank You!



Floor of Texas Capitol Rotunda



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