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STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON LABOR AND HOUSING

TO: Senator Troy D. Jackson, President of the Senate  
Representative Ryan Fecteau, Speaker of the House  
Members, 130th Legislative Council

FROM: Senator Matthea Daughtry, Senate Chair MD<sup>SL</sup>  
Representative Michael Sylvester, House Chair MS<sup>SL</sup>  
Joint Standing Committee on Labor and Housing

DATE: April 19, 2022

RE: **Racial Impact Statement Report**

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The Committee on Labor and Housing submits this letter to provide feedback to the Legislative Council regarding the racial impact pilot process, as required by Public Law 2021, chapter 21 and as further described in the January 5, 2022 letter to the LBHS Committee from the Legislative Council.

The Committee received a racial impact statement on the following bill:

- LD 965, “An Act Concerning Nondisclosure Agreements in Employment” (Rep. Harnett)

Below are the Committee’s responses to questions posed by the Legislative Council in its guidance letter.

- a. *Whether the timeframe in which the racial impact statement was provided to the committee was useful, or whether receipt of the racial impact statement at a different point in time might have proven more useful*

Committee members felt that the Committee received the racial impact statement too late in the bill consideration process to be helpful. The statement was received after the public hearing was held, after the committee voted and after the bill was reported out. The bill was re-committed to the LBHS Committee on Jan. 5, 2022 to be considered as part of this pilot project. Committee members noted that having the racial impact statements at or immediately after the public hearing would have been more useful.

- b. *How much, if any, additional time did the committee devote to discussion and consideration of the bill as a result of the racial impact statement*

The committee heard a presentation on the racial impact statement and spent a short amount of time discussing it. However, because the statement came to the Committee so late and because the Committee had previously taken a position on the bill, the committee did not spend a significant amount of time discussing the statement.

- c. *Whether the information provided in the racial impact statement served to advance discussion of the bill in committee*

The committee found that the racial impact statement did not serve to advance discussion of the bills in committee largely due to the timing of the submission of the statement. The committee also noted that much of the information presented was general and not specific to Maine. Committee members felt that quantitative data specific to Maine would have strengthened the racial impact statement and would have led to a more informed discussion surrounding the bill and its effects on race.

- d. *Whether information provided in the racial impact statement influenced the development by the committee of amendments to the bill*

The LBHS Committee voted LD 965 as “ought to pass” on May 3, 2021 and the bill was subsequently reported out on May 18, 2021. The only amendment was the fiscal note that was required, which made the bill “ought to pass as amended.” The LBHS Committee voted this exact same manner on March 25, 2022. Because of the statement’s late timing and a prior vote from the LBHS Committee on the bill, committee members felt the statement did not influence its amendment at all.

- e. *Whether the information provided in the racial impact statement had an impact on the committee’s vote on the bill*

Committee members felt that the racial impact statement did not influence the committee’s vote on the bill. This was because of the timing of receipt of the racial impact statement and also because the statement did not contain demographics or statistics related specifically to Maine.

- f. *Any additional observations or suggestions concerning the racial impact statement process pilot*

Committee members felt strongly that the racial impact statements were received far too late in the process of bill consideration to be helpful and did not contain the necessary quantitative data to help guide their decision on the bill.

The Labor and Housing Committee appreciates this opportunity to provide feedback on the racial impact statement pilot and welcomes further questions.

Cc: Members, Joint Standing Committee on Labor and Housing