



Legislative Research Librarians NEWSLINE

Volume XXX, No. 3

Fall 2005

Chair's Column

*Tracey Kimball
Librarian, New Mexico*

Our summer Legislative Research Librarian season was so full that we haven't been able to put this Newsline issue together until now, but I hope our reporting will be up to the timeless standards of previous officers.

At the National Conference of State Legislatures annual meeting, Dave Harrell retired as our staff section chair, and then in September retired from the Oregon legislative library. He expects to take to the road seriously so look for him at the next national park you visit. We also welcomed Cathy Martin, SC, into the officer cycle as our new secretary.

Briefly, here are the highlights we've had and hope for in this year.

NCSL Opportunities. This Newsline include reports from the August annual meeting in Seattle and September's professional development seminar in Chicago. Comments and evaluations from the PDS show that the joint meeting with the legal services and research staff sections was successful and people enjoyed the broader range of programs we were able to offer. Future newsletters will describe other ways staff members can use their expertise or broaden their skills by participating in other NCSL work, includ-

ing the Standing Committees and Legislative Staff Management Institute.

LRL Web Page. Check our LRL web page for power point presentations and other information from the August and September meetings. Send your suggestions for other web-based information and training that would be useful to you, or let us know if your office has skills or subject training tools in electronic format that you can share.

We also have two more projects for web access. For the first, vice chair Kristin Ford, ID, and Jackie Curro, MD, are developing a survey to collect information on library structure and procedures for all LRL member libraries. We can have a permanent, searchable database on our web page that would be easily updated annually for spot comparisons, "who else does" questions and other needs.

The other project is to identify and link to those golden research nuggets, existing 50 state surveys of law. Our NCSL liaison, Janna Goodwin, will get us started with a gateway to lists already posted by NCSL. We can query LRLers periodically for newly discovered surveys, and anyone creating a document from a listserv response

continued on page 2



legislative
research
librarians

Legislative Research Librarians
Staff Section

National Conference of State Legislatures
7700 East First Place
Denver, Colorado 80230

Chair: Tracey Kimball, New Mexico

In This Issue:

Chair's Column	1
LRL at Annual Meeting	2
PDS in Chicago	6
State News	insert
NCSL Publications	insert

Chair's Column *continued*

or other research is encouraged to provide it to Janna for posting.

2006 PDS. Marion Rogers and Arden Rice from Wisconsin have generously offered to host our 2006 PDS in Madison. We'll look at possible dates when we know more about their football schedule. We expect to meet separately for this PDS, but we'll be exploring the possibility of meeting jointly again with the legal services and research sections in fall 2007.

Disaster Assistance. Not least of all, LRL extends its special sympathies and condolences to all librarians affected by hurricanes Katrina and Rita and other disasters this year. Suggestions for library-to-library and other assistance to Louisiana can be found through their state library website at www.state.lib.la.us.

Happy sessions to all,

Tracey



NCSL Annual Meeting Highlights

August 16-20, 2005

Seattle, Washington

Judicial Use and Misuse of Legislative History: Lessons from Washington State

by Kristin Ford, Idaho

This program was presented by William Bridges and Aldo Melchiori, two Washington state legislative committee staffers, who had “studied every Washington case using legislative history since 1854.” Courts use legislative history to determine legislative intent when a statute is ambiguous. These gentlemen discovered that use of legislative history by the Washington courts has increased greatly in the last fifty years. They reviewed the types of sources used by the courts, including final bill reports, intent sections, bill reports and analyses, testimony, staff reports and memoranda, and submitted documents. The presenters were enthusiastic in their concern that legislative history materials were not being evaluated and used CAREFULLY enough. Examples of misuse included:

One case relied on a certain lobbyist report being in the history file and the lawyers in court reiterated that the legislators had had that report in front of them when debating the bill. But a closer look at the dates on the report showed that the report was dated AFTER the committee hearing, so the report was probably NOT in front of the legislators and shouldn't therefore have been relied on as an indi-

cation of those legislators' intent;

- Thirty-six cases where the court used or cited a rejected bill's history;
- Instances in which a Senator had the last word on a House Bill: the senator inserted remarks on the bill's intent during debate;
- Use of incomplete records, or records that were later corrected, leaving out important data and/or corrections; and,
- Use of unidentified documents stuffed into the bill files.

The presenters suggested that more care be taken as to what information is put in bill files, that items be date-stamped when they are received, and that lawyers and the courts be educated that state legislative history is not as carefully compiled as federal legislative history reports and studies, and that therefore perhaps less weight should be given to state legislative history materials. Legislators should be educated about the possible uses and misuses of legislative histories. Legislators should perhaps designate a hierarchy of which types of documents ought to be given weight by the courts; should adopt section-by-section analyses of bills; should intervene in court actions; should use

disclaimers in legislative documents and statutes; and should encourage proper authentication and wise use of judicial notice of documents.

Kristin's note: The presenters were very enthusiastic about their cause; the audience seemed considerably more skeptical.



Susan Blixt (AZ) chats with LRL's past chair, and recently retired David Harrell (OR)
Photo courtesy Kristin Ford (ID)

LRL Business Meeting Notes
NCSL Annual Meeting
Thursday, August 18, 2005
by Kristin Ford, ID

Chair David Harrell (OR), thanked West, our luncheon sponsor. He noted the passing of Suzy Hughes (LA) earlier this year, described her many accomplishments and expressed our sympathies. We presented Laura Edmonston (LA) with a Distinguished Service plaque in Suzy's honor. Laura expressed her appreciation and indicated that the plaque would be hung in Suzy's former library, the David R. Poynter Legislative Research Library.

Janna Goodwin (NCSL) announced the Notable Document winners and presented a representative from the Montana legislative staff with our award for their publications. He

in turn thanked us for taking note of his staff's hard work, which he said had been a team effort involving all members of his staff.

We congratulated Dave Harrell (OR) on receiving the Legislative Staff Achievement Award this year and expressed our envy over his impending retirement. Dave has worn a lot of hats and we know he will be greatly missed by the Oregon legislators and staff.

Laura Edmonston (LA) described the work she has done on revising the Core Collection Development by incorporating subject headings used in her own library. We expressed our appreciation for her work. Tracey Kimball (NM) made a few suggestions for changes to the document and Laura made note of them. It is not too late if anyone else has additional changes they think should be made.

Kristin Ford (ID) raised the topic of the LRL Administrative Survey done in 1994. Shelley Day (UT), not present at the annual meeting, discovered this useful-looking survey of the legislative libraries that had been done about ten years ago. Kristin stated that she too thought it would be useful to update this survey. The survey contained comparative information as to the number of librarians, volumes in the library, types of services offered, etc. This sort of information can be useful for each library to review to look for ideas in changing their own libraries and finding out what standard practice and best practices exist out there. Consensus that it would be a good idea to update the survey. One problem is that we do not have the original survey questions, only the survey answers. It would be nice to find the original questions from the 1994 survey and

Kristin asked if everyone could check their library files back home to see if anyone had the old questions filed away somewhere. Of course the questions would need to be updated anyway, and Kristin will go ahead and begin drafting up questions for the new survey, and try to have the draft ready by the time of the professional development meeting in Chicago in September. Doug Sacarto (NCSL) brought up options to consider if we want to make the survey an electronic one on the NCSL web site, making it a searchable, regularly-updated database, which is a great idea.

Time having run out, Dave "passed the gavel" to Tracey Kimball (NM), our new Chair, and we also welcomed our newest officer and LRL secretary, Cathy Martin (NC). Tracey presented some thank-you gifts to Dave and to Janna, and the meeting adjourned.



Photo courtesy Kristin Ford, ID

Washington's Oral History Program

by Tracey Kimball, NM

Not so long ago the staff at the Washington State Oral History Program published standard, first-person histories of legislators and others involved in the political process. Then they met the internet, and began changing the face of that history themselves.

Their first step was to develop and post "web exhibits" that add photographs, historical review articles, pamphlets, news clippings, House and Senate journal pages and other background and information to their books. Read Speaker Don Eldridge's history, for example, and you can also explore everything from his campaign literature to his legal troubles as a member of the State Liquor Board.

Then they began pulling subject collections together for topics that originate in the oral histories but "stretch beyond the experiences of the individuals being interviewed." Pages on redistricting cover the 1890's to "2000 and beyond" and bring material from each decade out of their stacks and on to our desktops.

Now they are tackling another ambitious goal to document "Turning Points" in the evolution of the Legislature as an institution. They hope to approach a series of legislative history questions, such as "How did the Legislature respond to the emergency of the Depression?" and "How has the Legislature changed with the advent of computers?"

At the same time they are creating a record of the women who have served

in Washington's state legislature, and thinking about how to include other groups.

Program Coordinator Anne Kilgannon's in-depth presentation at the Seattle NCSL Annual Meeting, assisted by Publications Specialist Lori

Badredeen, introduced us to their treasure trove and explained the origins and evolution of their project. Take a trip down their byways at www.secstate.wa.gov/oralhistory, and plan to revisit – it's a sure bet this team will keep raising the standards for presenting the history of a legislature.



LRL Annual Meeting attendees enjoy a nice lunch. From left to right: Tracey Kimball (NM), Kristin Ford (ID), Cathy Martin (NC), Karen Mau (HI) and Carole Tanaka.
Photo courtesy Cathy Martin (NC)

Sharpening Top-Notch Skills

Good communication is essential. The first part of this program focused on the changing nature of communication and how to harness it effectively in the legislative environment. Presenting complex technical information clearly, navigating a diverse workplace and across generations, and honing your contact with outside stakeholders were explored.

The second part of this program explored techniques for reducing stress in the legislative workplace. Many legislators and legislative staff have methods for maintaining their cool, their political balance, and their high work standards when legislative activity is at

its most frenzied. This session allowed attendees to share their professional experiences when tensions are high and deadlines loom.

Judy Hall described the recent practice of NCSL to have a "mega-session" for staff at annual meeting and mentioned the commitment to continue the practice. She introduced John Turcotte, the speaker for Part I of the session.

John Turcotte identified five themes for consideration: (1) Legislators are powerful and are at the center of a swirl of information. (2) Technology exacerbates that swirl. (3) Generational and

personality differences affect how legislators communicate. (4) Staffers must sharpen their communication skills and take this all into account. (5) The Power Briefing technique helps staffers improve these key skills.

John told the audience that a staff presentation was just one tiny blip on a huge screen for legislators. You have to do something to make your presentations stand out in the swirl of information. This chaotic swirl of information is increasing with technology, and staff must use their skills to synthesize the vast amounts of information available. It's not enough just to find relevant information—you have to use your analytical ability to make it concise and precise for legislators.

Also, the staffer needs to understand different generational and personality differences found in legislators. John described the Traditionalist and Baby Boom generations and Generations X and Y. Traditionalists (born 1922-1945) tend to favor face-to-face communications, appreciate formality, hate wasting time and value trust. Baby Boomers (1946-1964) like an open and direct style, expect their questions to be answered thoroughly and appreciate options and flexible thinking. Generation Xers (1965-1978) want straight talk and facts, want to give feedback and favor informal communication. Generation Yers (1979-1994) like to test limits, use visual imagery and resent being talked down to.

John also described the Myers Briggs personality types. He mentioned the dimensions of introversion/extraversion, intuiting/sensing, thinking/feeling and judging/perceiving. The key is to understand that any group of people, including legislators, is likely to have a range of personality types, and presenters need to know how to reach

out to all of them. Some people want facts and logic; others want stories and appeals to emotion. Some want options; others want decisions or clear recommendations. Some want the big picture; others want the details. John gave suggestions on how to assuage each of the personality types.

To be successful, John recommended a Power Briefing technique. The presenter provides an overview first that frames the presentation, provides the key message and makes the summary points. The presenter then sustains the message making each point meaningful with facts, stories and images. The presenter then answers any questions and concludes by connecting the individual points into a complete picture.

The reactor panel added their own words of advice. Robert Brink urged the group to be crisp and concise, to avoid acronyms and strive to protect legislators by speaking "truth to power." Alice Bolin stressed the value of email for internal and external communication and group discussions, the impatience of legislators if staff fail to answer their questions and the need to observe confidentiality. Michael Sunseri advised the group to take advantage of technology. The expectations of legislators have increased, so staff need to take full advantage of email, list serves, photo links and other options to meet these demands.

In Part II, Frank Parisi led the seven-member panel through a fast-paced question-and-answer and comment session. Representative Rob Eissler stressed the value of attitude, noting that adopting a positive attitude usually leads to positive results. He also quoted Victor Frankl, famed concentration camp survivor and developer of existential psychology, who said that



LRL Chair Tracey Kimball (NM) enjoys her first Starbucks coffee. (NCSL was in Seattle, after all!)

Photo courtesy Kristin Ford (ID)

"everything can be taken away from man but one thing—the last human freedom, to choose one's attitude in any set of circumstances." Dave Henderson noted that the most stressful part of the job is when a legislator calls and you have no idea why he or she is upset. It is the classic fear of the unknown. Once you know the problem, you can start positive steps to correct it or mitigate the damage.

Clarence Russ noted that the roles of legislators in causing stress to staff. Although he likes and deeply respects legislators, he finds that they always want a lot of service right before session and they wait until the last minute to ask. Representative Rosie Berger said that the key to dealing with stress is building relationships—with legislators, staff and others. The strength of their relationships is something that will help you in the tough times. However, in some overwhelming times, Rosie suggested taking a walk or getting away from a few minutes to clear your head. Sometimes the stress is so great you need some reflection time.

Senator Peter Groff mentioned the value of getting perspective. One time

when Peter was angry over the way a television reporter had edited his interview, he called home and talked to his young son. The son was excited just to see his dad on television. Peter let go of much of his anger over the incident, enjoying his son's reaction to the clip.

Karl Aro reminded the group that there is always time to get the work done. He stressed being prepared and confident, becoming the master of your subject area and enjoying what you do. In wrap-up Laura Aspell mentioned that the panelists had the right idea—keep a positive perspective on your work challenges. Stress can come in the form of values dilemmas, time pressures, interruptions and many other things. The suggestions by the group also included actual problem solving, honesty and humor, all valuable in dealing with stress. She also emphasized the importance of exercise and sleep in preparing you for dealing with stress and the problems that alcohol and over-eating can cause.



Professional Development Seminar September 22-24, 2005 Chicago, Illinois

LRL Business Meeting Notes Friday, September 23, 2005

by Cathy Martin, NC

Tracey Kimball (NM) welcomed all to the meeting, recognized the many former staff section officers in attendance and encouraged members to consider the rewards of service to the staff section. Meeting attendees then introduced themselves to the group.

Regarding the Core Collection, minor suggestions are still welcome, but the core collection is ready to be posted on the web. Particular thanks go to Laura Edmonston and Susie Johnston of LA.

Kristin Ford (ID) plans to update the Library Administration Survey done by NCSL in 1994. As she looked into the history of the survey, she discovered other NCSL/LRL surveys including a 1988 Library Collection Survey, a 1996 Automation Survey, and an International Survey and wondered if these could all be consolidated into one survey. She proposed working on one survey to establish a dynamic database on the NCSL site, and this was approved by the Staff Section. Doug Sacarto of NCSL has offered his assistance in making the survey dynamic. Jackie Curro volunteered to help Kristin with the survey. The consensus was for the survey to be submitted to the listserv and the Regional Coordinators enlisted to encourage participation in the survey. Kristin's Talking Points memo ("Planning for an LRL Legislative Libraries Survey") was distributed at the meeting and is a part of these minutes.

In September, Dan Mitchel (CA)

posted to the LRL Listserv his concerns about e-mail and spamming, noting that spammers often harvest e-mail addresses through automation, off the Web. He suggested that LRL consider dropping the @ symbol from the Web directory and spread the name and institution parts of the email far enough apart to block automated harvesting of emails. The overall feeling: it's a good idea but not pressing. Though recognizing the concern, most members felt the potential benefit was not great enough to offset the loss of active e-mail links on the LRL pages. Janna Goodwin's (NCSL) solution — to limit active e-mails to the "members only" pages on the NCSL site — was met with approval.

Tracey suggested listserv surveys of state law: Can we compile and post the results of listserv "survey questions" in any meaningful way? There was general agreement on Anne Rottmann's (MO) observation that NCSL has excellent surveys already posted but they're very hard to find on NCSL pages. Arden Rice (WI) suggested metatagging them ("50 state surveys" or similarly). Janna will contact Doug and report back on this. She will start a "50 state survey" page on NCSL in an effort to make everything available in one place.

Before this meeting, the Executive Committee had questioned whether the role and function of regional coordinators were obsolete and, if so, whether the LRL by-laws needed to be amended. Given the active role regional coordinators will likely play in the Library Survey project, no action

was taken on this issue.

The Wisconsin Legislative Library would like to host the 2006 PDS. Another joint meeting is possible, as the LRL meetings with RACCS and LSSS have been a good fit. At least on RACCS officer is rumored to be on board with hosting a joint meeting in Madison in 2006. The staff section agreed that October dates are desirable for PDS, as in the past. Marian Rogers (WI) will check for October dates that avoid conflicts during important area events. In 2007, New Mexico will host the Leadership Staff Section and would be available for PDS, but the group felt the two sections do not enough common issues to hold a joint meeting.

Tracey raised the issue whether LRL needs to act as a group in response to the Katrina crisis. The response is for Tracey to post to the listserv resources for suggested donations to Gulf Coast libraries.

With that, the meeting adjourned.

50-State Law Surveys on the Internet

by Susan L. Blixt, AZ

How many times have you been asked for a 50-state compilation of state laws? Cheryl Nyberg, Reference Librarian, University of Washington, Seattle, delivered a presentation on "Subject Compilations of State Laws". Nyberg describes her method for finding state law compilations: (1) using multiple search engines, (2) going to what she calls "the usual suspects" and (3) checking out the different associations and organizations.

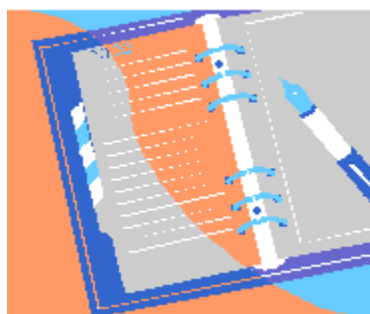
To obtain the best results, search using multiple search engines; not stopping at one search engine but continuing your search with others, e.g. Google, Dogpile, Clusty, and Altavista. In addition to using multiple search engines, create multiple searches of general terms and specific terms for best results. "The usual suspects" refer to websites that contain informa-



tion on specific topics due to the nature of the association or organization. If the topic is controversial, remember to view websites on both sides of the issue. Nyberg believes the best source for discovering associations and organizations that may have 50-state compilations is the Encyclopedia of Associations.

Once a state law survey has been located, evaluate for freshness, completeness, accuracy, objectivity and suitability to determine quality. To arrive at the quality of the website, there are questions that should be considered. How current or what is the date of the information? Does the compilation contain the laws for all 50 states? How accurate is the information? Has the website organization been objective or does there appear to be some manipulation of language? Does this survey provide the information you need?

Cheryl Nyberg can be contacted at cheryl_nyberg@yahoo.com for additional assistance. A pdf version of her powerpoint presentation is posted on our LRL web page at www.ncsl.org/lrl/netresearch05.htm under Handouts.



Miss the meeting?

LRL has posted the handouts and some session summaries for both the Annual Meeting and the Professional Development Seminar.

Go to

<http://www.ncsl.org/LRL/>

and check them out!

**The Suzanne Hughes-Francis Scholarship
is halfway to its goal! Help make it happen:**

School of Library & Information Science
Louisiana State University
Baton Rouge, LA 70783

Check payable to: LSU Foundation
Memo line: "Suzanne Hughes-Francis Scholarship"

Legislative Research Librarians
National Conference of State Legislatures
7700 East First Place
Denver, CO 80230