



TO: The Honorable Joseph Baldacci
The Honorable Ann Matlack, Co-Chairs
Members of the Joint Standing Committee on State and Local Government

DATE: February 3, 2021

RE: LD 2, An Act To Require the Inclusion of Racial Impact Statements in the Legislative Process.

Good morning Senator Baldacci and Representative Matlack, and members of the Joint Standing Committee on State and Local Government.

My name is Lado Lodoka. I am here today as Program Director for the League of Women Voters of Maine to testify in support of LD 2, An Act To Require the Inclusion of Racial Impact Statements in the Legislative Process.

The League of Women Voters of Maine is a nonpartisan political organization that has been working for over 100 years to encourage informed and active participation in government, to increase understanding of major public policy issues, and to influence public policy through education and advocacy. We never support or oppose any political party or candidate.

We believe that diversity, equity, and inclusion are central to our organization's success and more broadly in successfully engaging all individuals, households, communities, and policy makers in creating a more perfect democracy. Doing this necessary work requires that our institutions adopt a similar approach and enact policies and practices that acknowledge the inequities that exist and actively seek to address them. In order to thrive in the long term, we must ensure that every generation enjoys equal opportunity, and to do that we must address the significant barriers that hold back, impede, and frustrate Black, Indigenous, (and) People of Color in Maine (BIPOC).

Examples of racial and ethnic disparities are prevalent in our public policy, made all the more pernicious by the systemic inequalities that have persisted in our laws and institutions over time. Let me offer a couple of examples.

When this legislative body granted local municipalities the authority to control zoning, it was done within the purview of our federalist tradition and home rule. It resulted in exclusionary zoning rules being instituted across municipalities. It magnified the divide between disadvantaged neighborhoods versus opportunity neighborhoods, having an impact not only on the current generation but also on the next generation. Since school funding is tied to property values, opportunity neighborhoods can afford services that disadvantaged neighborhoods cannot.

Studies have shown children who grow up in disadvantaged areas earn less over their lifetime than their counterparts raised in the opportunity neighborhoods. Since exclusionary zoning places a lot of hurdles against BIPOC gaining a foothold in the opportunity area, it has a devastating effect on racial equity and on participation in civic life across many dimensions: legal, economic, and political. Working class and BIPOC are more likely to live and work next to environmentally polluted areas.

Now we know that if such decisions were made with due consideration to its effect on racial minorities, and a commitment to equal protection and opportunity, the result might have been different.

We know that voting laws can have racially disparate impacts, too. Research has consistently shown that eligible voters in BIPOC communities tend to lack identification documents required by these laws at higher rates than the general population. It has also been shown that these laws decrease voter turnout, particularly in BIPOC communities. Racial impact statements could help lawmakers be fully informed of these impacts, providing them with necessary data while considering voting legislation.

Too often, we fail to address problems by observing that “hindsight is 2020.” It is time to acknowledge that the racial disparities that persist today are the result of decisions made year after year throughout our history. The problems are systemic and demand affirmative steps that raise awareness and give lawmakers the means to fully consider the probable consequences of their actions. Racial impact statements offer legislators foresight into effects that might not be obvious at first glance.

Racial impact assessment is a necessary and valuable tool for policy makers to ensure they have a better understanding of legislative impacts in our communities, and in particular in disadvantaged communities which have long experienced the harmful impacts of systemic racism and economic oppression. The League encourages this Committee to take this critical first step to bring greater equity to our laws and process and vote Ought to Pass.

Thank you for the opportunity to testify. I would be happy to answer any questions from the Committee.