



The Bell Policy Center

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Reported Business Fiscal Impacts

Senate Bill 15-078

Chris Edmonds, Colorado College Public Interest Fellow
Testimony to the House State Veterans and Military Affairs Committee
April 1, 2015

Thank you for the opportunity to testify to the committee today.

I am Chris Edmonds, a Colorado College Public Interest Fellow at the Bell Policy Center. The Bell Policy Center is a non-partisan, non-profit research and advocacy organization founded on progressive values and dedicated to making Colorado a state of opportunity for all.

The Bell Policy Center opposes Senate Bill 15-078, which would allow the public to submit comments on legislation and rules and then direct the Legislative Council Staff to compile the comments and post them on the agency's website. Although the Bell Policy Center supports efforts to increase public engagement and public comment on proposed legislation and rulemaking, a number of major problems exist with the process outlined in SB15-078. First, SB15-078 unfairly provides one group — business interests — a means for commenting on proposed legislation and rulemaking. Second, while Legislative Council Staff may put minimum formatting and obscenities standards into place, staff are forbidden from fact-checking or analyzing the comments before posting them on their website. This process risks Legislative Council Staff resources and threatens their reputation as unbiased researchers.

The procedure set out in SB15-078 is both confusing and unfair. When I testified in the Senate State Veterans and Military Affairs Committee, the sponsor and much of the committee indicated that the bill doesn't limit comments' subject matter to "Business Fiscal Impacts." The bill would allow comments about any subject, and Legislative Council would be required to post the comments under the heading "Business Fiscal Impacts."

This is problematic for a couple of reasons. First, it is important to remember that titles have meaning. Governments try to give committees, boards, and departments accurate names to avoid confusion and to encourage efficiency. If all comments are allowed, it is not accurate to call them "Business Fiscal Impacts." Under this title, it would be reasonable for a member of the public to assume that they must limit their comments to those about the business community or a specific business. Therefore, if they wanted to make a comment on consequences for K-12 education, childcare, health care, or another relevant issue, they would be much less likely to post it. This bill would give business interests an unequal platform for their concerns.

If the public did realize that they could submit any comments of their choosing, the comments would lose their value to lawmakers as "Business Fiscal Impacts," and we may end up with thousands of commenters submitting messages about any issue they want.

Finally, this bill may misuse the valuable time and expertise of Legislative Council Staff and could even tarnish their sound reputation. SB15-078 would mandate that Legislative Council Staff post an unlimited number of public comments on their website, without the opportunity to review, fact-check, or analyze the comments for accuracy. Although commenters are allowed to include methodology, Legislative Council Staff is barred from including any analysis or conclusions. In short, people can make up what they want and have it published as if Legislative Council themselves came to this conclusion. For people viewing the agency website, this threatens the reputation of Legislative Council Staff's non-partisan, data-driven approach.

Transparency and accountability are essential. But SB15-078 risks the time and reputation of our state's official legislative research body in favor of inaccurately titled, unfiltered comments.

For these reasons, I urge you to vote no on SB15-078.

I am happy to answer any questions you might have.

If you would like more information or have further questions, please contact me at Edmonds@bellpolicy.org or via telephone at 303-297-0456, ext. 216.