

*Tuesday, 10 September 2024]*

No 24 - 2024] FIRST SESSION, SEVENTH PARLIAMENT

# PARLIAMENT OF THE PROVINCE OF THE WESTERN CAPE

## ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

TUESDAY, 10 SEPTEMBER 2024

### ANNOUNCEMENT

#### The Speaker:

**2024 LEGISLATIVE SUMMIT OF THE NATIONAL CONFERENCE OF STATE  
LEGISLATURES LOUISVILLE, KENTUCKY, USA 4 to 7 AUGUST 2024**

#### DELEGATION:

Speaker: Daylin Mitchell

Deputy Speaker: Reagen Allen

Secretary to the Provincial Parliament: Romeo Adams

International Relations and Protocol Officer: Achmat Patience

### 1. INTRODUCTION

The Western Cape Provincial Parliament has been a regular participant in the annual legislative summits of the National Conference of State Legislatures (NCSL). These summits focus on developments in the mandates of United States legislatures and, in addition, consider how legislatures are dealing with various matters affecting the sector in a new and ever-changing world.

The sessions at the summit are presented with the intention of sharing best practices among the attendees. The summit is attended by legislators and legislative staff from the US state legislatures. As a result of the growing popularity of the summit in the international legislative sector, the summit offers a separate programme for international attendees. The summit also provides sessions specifically for legislative staff aimed at professionally developing legislative staff. This report provides a summarised record of the WCPP delegation's participation in the summit

### 2. DAY ONE, SUNDAY 4 AUGUST

## **REGISTRATION AND INTERNATIONAL DELEGATION PRE-CONFERENCE**

Approximately 180 international delegates attended the 2024 Legislative Summit, representing countries including but not limited to: Kenya, Nigeria, Ghana, Germany, Canada, New Zealand, Portugal and India. South Africa was represented by the provincial legislatures of the Western Cape, Gauteng and Northwest.

Following the registration process, the international delegates attended a pre-conference session where opening remarks were made by the President Elect of the NCSL, Marcus Evans; Deputy Speaker of the Legislative Assembly of Alberta, Angela Pitt; and Speaker of the Parliament of Ghana, Alban Sumana-Kingsford Bagbin.

The international attendees joined a discussion on a preview of the upcoming USA presidential and state legislature elections.

These discussions were led by Ben Williams, Associate Director, NCSL, and Chris Tuttle, Senior Fellow, Council on Foreign Relations.

Key takeaways from this session:

- The American political system consists of decentralised administration, the Madisonian model, frequency of elections and citizen initiatives.
- There has been a mixed control of state legislatures in respect of the Democratic Party and the Republican Party.
- The main policy issues affecting the elections are inflation, abortion, immigration and foreign policy.
- 5 836 state legislature seats are up for election this year.
- Former President Trump survived an assassination attempt and Vice President Harris replaced President Biden on the Democratic ticket.
- 28 state legislatures are led by the Republican Party; however, 27 states are governed by a Republican Governor.
- 20 state legislatures are led by the Democratic Party; however, 23 states are governed by a Democratic Governor.
- One state legislature is divided between the two parties, and one state is governed by an independent candidate.
- One state legislature has a nonpartisan legislature.
- The predictions indicate that the Republican edge over the Democratic Party will continue, and divided governments may increase.

Following the conclusion of the international pre-conference, the international attendees were hosted by the Canadian Consulate at a welcoming reception.

### **3. DAY TWO: MONDAY, 5 AUGUST**

#### **3.1 ARTIFICIAL INTELLIGENCE IS HERE: ARE STATES READY?**

The first session of the summit commenced with a presentation by Jennifer Pahlka on how to harness technology and attract talent to reimagine the way in which the government benefits its citizens.

Key takeaways from this session:

- Artificial intelligence (AI) is not human; however, it has the capability of learning through receiving data.

- Legislatures have been developing policies for the use of AI in the work of legislatures, albeit very widely and office specific.
- More AI software will be entering the market, and more staff will start using AI. Legislatures should continue to refine the usage by means of policies and guidelines.
- Policies typically contain a definition of AI, highlight the risks outlining safe practices and specify staff practices for the use of tools.
- Security frameworks assist with the use of AI in institutional environment for a specific use or purpose.
- Most states are using AI in low-risk environments.
- The value to the institution in relation to the use of AI should be measurable.
- Some difference between software and AI are:
  - Software performs a task while AI learns to perform the task.
  - Software is predictable while AI is unpredictable.
  - Software is deterministic while AI is emergent.
  - Software needs regular updating while AI updates itself.
  - Software requires coding while AI requires data.

### **3.2 ENGAGING YOUNG CITIZENS IN THE LEGISLATIVE PROCESS**

There is an increased concern about the state of USA politics and democracy, and attention has turned to civic education as a means of equipping learners with the skills and tools to become informed and engaged citizens, and to be able to participate in matters that affect them. Legislatures have developed programmes to engage young citizens in the process and institutions of government. These engagements vary from state to state; however, the common focus is to build a foundation of civic knowledge and communities who are well equipped to engage with lawmakers.

Key takeaways from this session:

- The Kentucky State Legislature uses the following framework in their civic education:
  - Access to the material is universal.
  - Civic educators are developed professionally.
  - Standards are maintained throughout the state.
  - There are assessments and accountability of the material that is disbursed.
  - There are pre-service requirements for educators before they become civic educators.
- The Washington State Legislature provides a page and internship programme with the following structure:
  - The page programme is a one-week session at the state legislature.
  - The page programme is designed for young people between the ages of 14 and 16.
  - Learners who need financial assistance to participate in the page programme will receive USD65 per day.
  - Students who participate in the internship programme must be attending a four-year university degree in Washington or be resident in Washington.
  - Academic record is in good standing.
  - The student need not be affiliated to any political entity.
  - The internship provides stipends up to USD2 400 for students who are in need.

### **3.3 THE HIGH-SPEED INTERNET OF TOMORROW**

High-speed internet is a necessity because it connects people with educational, employment and health opportunities. High-speed internet is expensive. In this session presenters discussed connectivity programmes, BEAD programme implementation, and other federal and state initiatives that help ensure that quality broadband is available and affordable for all.

Key takeaways from this session:

- It is important to partner with the right service provider who understands the needs of the community and is not afraid to invest financially in the project.
- The credibility of service providers are enhanced by their commitment to or investment in the projects, their competent workforce and their delivery within budget and on time.
- Community needs are identified in partnerships between communities, elected representatives and other community collectives.
- Digital literacy also important for users to benefit optimally from the use of the service.
- Community projects will only work in the best interests and service of communities if projects are facilitated by means of public-private-partnerships.
- Projects must provide a choice to the end user.
- Corporate investments are key to the programmes; however, state funding is available to bridge the gap between profits and losses of service providers

### **3.4 BUILDING AN AI-READY WORKFORCE**

In a rapidly changing technology environment, the demand for AI-ready and -skilled workers also changes. Presenters during this session took the opportunity to showcase state efforts to create career pathways for every student and to promote quality non-degree credentials that lead to the jobs of tomorrow.

Key takeaways from this session are follows:

- A recent LinkedIn report shows that 66% of companies will not hire someone without generative AI skills.
- 71% of companies will hire someone with less work experience but has generative AI skills over someone with more work experience, but less generative AI skills.
- A recent report conducted by the McKinsey Global Institute showed that higher wage-quantile vacancies consider the following criteria in this order:
  - Technological skills
  - Social and emotional skills
  - Higher cognitive skills
  - Basic cognitive skills
  - Physical and manual skills

### **3.5 OPENING CEREMONY**

All attendees at the summit were treated to a welcoming ceremony at the Kentucky Centre for Performing Arts in downtown Louisville.

## **4. DAY THREE: TUESDAY, 6 AUGUST**

### **4.1 NOTABLE DOCUMENTS AWARD CEREMONY**

Each year, the Legislative Research Librarians Professional Staff Association sponsors the competition for outstanding state and legislative documents that explore topics of interest to legislators and legislative staff, that present substantive material and that showcase the wide range of legislative information available.

During this small ceremony, a few legislative staff members received awards for their research, which was adopted as policy documents at their respective legislatures.

#### **4.2 10 LIES AND A TRUTH: USING BRAIN SCIENCE TO DISTINGUISH FACT FROM BIAS**

In the era of digital communication, it sometimes feels as if objective truth does not stand a chance against bias, lies and spin. John Medina, one of the leading brain scientists and a molecular biologist from Medina Scientific International, showcased the latest research that can help us sharpen our critical thinking skills to evaluate data and differentiate between fact and falsehood.

Key takeaways from this session:

- The illusionary truth effect is a phenomenon where people are more likely to believe something is true simply because they have heard it repeated multiple times.
- The Ebbinghaus *Forgetting Curve* illustrates that people’s forgetfulness accelerates rapidly in the first few minutes after class and, by the one-hour post exposure, approximately 50% is forgotten.
- The mere exposure effect is described as our tendency to develop preferences for things simply because we are familiar with them.
- The link between mathematics and critical thinking can be defined as the foundation of sound decision-making and problem-solving. With its rigorous demands and organised techniques, mathematics serves as a forge for sharpening the critical thinking skills we use in all aspects of life.
- If you think people only act out of self-interest, then you will see everyone you meet as people who only act out of self-interest, even if they do not.
- If you think people only act out of principle, then you will see everyone you meet as people who only act out of principle, even if they do not.
- When receiving information, apply the S.I.F.T principle:
  - S – Stop
  - I- Investigate
  - F- Find
  - T- Trace

#### **4.3 LEGISLATIVE OVERSIGHT AND AGENCY OPERATIONS.**

One of the roles of legislatures is to ensure that laws and agencies function as intended. Many legislatures use administrative rules review, but it can be controversial, and courts have made rulings for and against it.

Key takeaways from this session:

- Rules reviews are subject to the Administrative Procedures Act.
- Rule reviews in respect of education matters are handled differently.
- Certain entities or agencies are exempted from the Administrative Procedures Act.
- In the case of *Meadows v Hechler*, the court ruled that one committee cannot “kill” a rule, but a number of committees are required to support the amendment.
- The legislative rule-making review committee is:
  - A joint committee between the Senate and House of Assembly.
  - Makes recommendations to the full legislature.

- Consists of 12 Members, six from the Senate and six from the House of Assembly.
- The Administrative Procedures Act deals with the following category of rules:
  - Legislative
  - Legislative exempt
  - Procedural
  - Interpretative
  - Emergency
- The checklist for rule reviews for an entity or agency is as follows:
  - Does the agency have specific statutory authority to propose the rule change; if yes, that agency has not exceeded that authority?
  - Is the proposed legislative rule in conformity with the intent of the statute?
  - Does the propose legislative rule overlap, duplicate or conflict with other code provisions?
  - Is the proposed legislative rule necessary to accomplish fully the objectives of the statute?

#### **4.4 THE CURE FOR STUPIDITY: UNDERSTANDING WHY THEY DON'T UNDERSTAND YOU.**

This session was presented by Eric Bailey, President of Bailey Strategic Innovation Group. This session dealt with the art and brain science of removing communication barriers to help you improve all the relationships in your life.

Key takeaway from this session:

- Fear of being a failure is one of the most effective forms of freezing innovations.
- To expedite cognition, our brains take shortcuts and jump to conclusions.
- Our brains like to project certainty, even when there is none.
- Connecting with people is not as hard as we pretend it is.
- Without distinction, we will not know what we are missing.
- The state of things as they exist, rather than as they may be perceived or might be imagined, is perception.
- Some people fall into the trap of the illusion of certainty.

### **5. DAY FOUR: WEDNESDAY, 7 AUGUST.**

#### **5.1 CYBERSECURITY: EXPENSIVE BUT NECESSARY.**

The risk of cyberattacks remains high for government and schools, and the costs of preventing, insuring against and recovering from them grow. States have budgeted for cybersecurity; however, the exorbitant costs require a federal grant. This session discussed what programmes are out there and how states can take advantage of them.

Takeaways from this session:

- The primary law governing cybersecurity in the United States is the Federal Trade Commission Act (FTCA).
- The Computer Fraud and Abuse Act (CFAA) outlaws conduct that victimises computer systems. This is a cybersecurity law, and it protects federal computers, bank computers and computers connected to the internet.

- The United States does not yet have a comprehensive federal consumer data protection law that covers all varieties of private data.
- The FBI is the lead federal agency for investigating cyberattacks.
- The National Initiative for Cybersecurity Careers and Studies (NICCS) is the premier online resource for training, education and career information.
- Through the Infrastructure Investment and Jobs Act (IIJA) of 2021, Congress established the State and Local Cybersecurity Improvement Act, which established the State and Local Cybersecurity Grant Program, appropriating USD 1 billion to be awarded over four years

## **5.2 MEETING WITH NCSL EXECUTIVE.**

The WCPP delegation had the opportunity to meet privately with the NCSL Executive and the takeaway from that meeting as follows:

- The WCPP could consider paying the NCSL membership fee; however, at a reduced cost that will be discussed at a later stage.
- The NCSL introduced the newly elected President and his deputy to the WCPP delegation.
- The CEO of NCSL will be visiting Cape Town in October 2024.

## **6. OPPORTUNITIES TO CONSIDER FOR THE WCPP.**

- The NCSL has access to a wide range of resources that could be of great benefit to the Members and administration of the WCPP, particularly relating to policy development, the use of technology, etc.
- The conference provided a good opportunity for participants to gain exposure to a wide variety of aspects of the legislative environment and to interact with other legislators and staff members, not only from the US but from across the world.
- Many legislatures in the US are very active in drafting legislation relating to matters that affect the daily lives of citizens in the modern world, and this could serve as a source of inspiration and information for similar developments in our province and country.
- The opportunity to join the NCSL as a member has great benefit for the WCPP in its strategic planning.