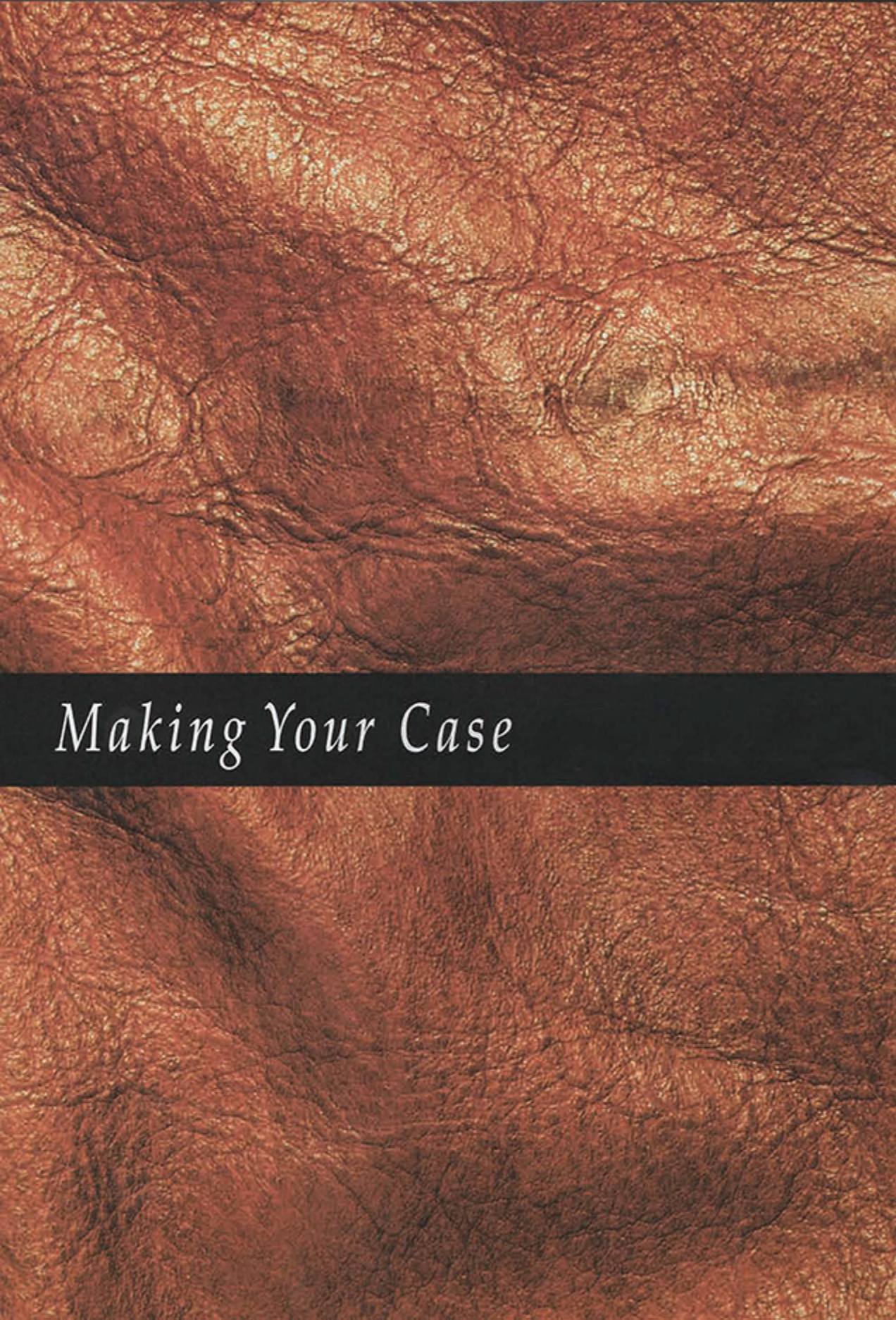

Making Your Case

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Introduction

Grassroots participation is the undergirding of a democratic society. Those who choose to lobby[1] – "to take their case" directly to their elected representatives – represent one very important form of grassroots participation.

Therefore, it is your right to lobby. Some would say it is your responsibility.

As you work within the legislative process, you will soon realize that it is not perfect. Yet, even with its flaws, it is much better than most such processes. In fact, after some comparisons and reflection, you may actually find that you can take pride in the process we have. So, leave your doubts at the door. Why?

BECAUSE THE SIMPLE TRUTH IS THIS: YOU CAN MAKE A DIFFERENCE. YOU CAN MAKE AN IMPACT.

Once you have decided that a law should be created, modified, or abolished, you have made your first important decision. Your next decision should be to become involved, or continue your involvement, to accomplish the end you desire. This is the essence of lobbying.

This book offers techniques and insights to assist you in your lobbying. The better you become, the more comfortable you will feel. Soon you will be saying, "This isn't so hard, and I'm actually enjoying it!"

So – let's begin.

[1] In contrast to the high regard for lobbying, the word lobbyist may conjure up a negative image (undeservedly so, in most cases).

Some groveling may be necessary!

Lobbying

Whether you are a professional lobbyist or someone who is simply planning to lobby on an issue to which you are committed, there are certain traits that are essential to functioning successfully in the legislative environment. Without these traits, any other techniques you may have perfected or expertise you may have developed will be quite worthless.

First and foremost, *BE TRUTHFUL.* You do not want to jeopardize your credibility in any way. Therefore, do not be tempted – even a mite – to embellish the materials you present to legislators or to exaggerate your "facts" in testimony.

The legislative process is sustained by trust, and part of that trust involves truthfulness–the characteristic most valued.

We Get the Message:
Lies Are Out

A veteran legislator said he had been lied to by lobbyists only twice in the 20 years he had been in the Legislature. He said he remembered vividly the dates and circumstances surrounding these lies and, even though they had taken place many years ago, he had made it a point never to speak to either lobbyist ever again.

Doors can be closed as easily as they can be opened.

Know The Process

For the professional lobbyist, knowing the process means knowing a myriad of formal rules and procedures of the Legislature. If you are not a professional lobbyist, you must have a familiarity with the rules and procedures, or know where to find them if you are not familiar with them.

UNDERSTANDING THE RULES. Part of knowing the process involves having an understanding of the rules. Rules are the methods of procedure adopted by each of the bodies. Rules tell you how things are done. When you understand rules, you will function with more confidence and will work comfortably in a milieu of "bills, amendments to bills, committees, floor actions, vetoes" and much more. In addition, you will have developed a vocabulary that allows you to communicate meaningfully in this milieu. (See *Glossary*, page 40).

KNOW THE NETWORK. Become familiar with the roles and responsibilities of legislative leaders; information about and interests of legislators generally; the responsibilities of key staff; and the function, availability, or location of the following: the Governor and other Constitutional officers, key state agencies and their heads, the research library and information offices, Capitol tours, parking spots, restaurants, and social gathering spots of legislators and other movers and shakers.

BE POLITE in all your dealings with legislators and staff. It is easy to drift over the boundary when you feel strongly about an issue. Don't be too aggressive, too forward, too pushy. *REMEMBER:* Doors can be closed to you just as easily as they can be opened.

"I believe the function of changing policy is to make the unknown, known—as I like to believe policymakers are not inherently insensitive; they just fall prey to all the myths and fears that society has toward people with disabilities."

Just as there are certain traits that you must have to lobby successfully, there are also behaviors that will not serve you well. Among these are the following:

THREATENING A LEGISLATOR. Threats are rare, but they do occur. Usually the threat is "I'll get you in the next election." Anyone who makes such a threat will lose that legislator's support. News of a threat will spread quickly along the legislative grapevine and more credibility will be lost. No one needs that.

EXHIBITING INAPPROPRIATE BEHAVIOR. Sexist or racist remarks are too offensive to need further comment here. However, there is a more subtle type of inappropriate behavior. To put it bluntly, there are times when you simply are not wanted. Face it. A legislator may be talking or meeting with another legislator or with his/her staff and you have a compelling urge to join them and share your "critically important" information or insights. Don't. Don't barge in or interrupt. Know your boundaries.

MAKING DISPARAGING REMARKS ABOUT LEGISLATORS WHO OPPOSE YOUR POSITION. It is often stated but bears repeating: Today's opponent may be next week's supporter. You need them more than they need you. This also bears repeating: One of the silliest things you can do is burn bridges.

COMING IN WITH LAST-MINUTE REQUESTS. Legislators realize there are times when these requests cannot be avoided. An amendment to a bill may not be ready or a fiscal note may be incomplete. However, if you choose, for whatever reason, to do little or nothing throughout the legislative session, legislators will be very irritated with last minute I-gotta-have-your-help requests. A better way to ensure your bill progresses through the legislative process is to be involved and prepared throughout the session, not just in the closing days.

Meeting With Legislators

A personal visit is the most effective means of communicating with a legislator. It provides you with the opportunity to "read" his/her reaction to your request for support, and for you to be able to respond immediately—something that cannot be accomplished as well by letter, telephone call, or another means. The personal visit also provides both of you with the opportunity to get acquainted, an experience that may prove helpful in future contacts as well.

You definitely should make an appointment in advance. Legislative staff may ask how long you think you will need to discuss your issue. In that case, request a half hour. During the hectic, closing days of a session, request 15 minutes. *REMEMBER:* You are competing with many others for a legislator's time. Be considerate. In some cases, a legislative staff will tell you how much time you may have. Always take what you can get.

Attempt to make your visit timely. Visits prior to a vote by the committee in which your bill will be heard are particularly effective. Visits prior to a vote by either the full Senate or House also are helpful.

If you just drop in at a legislator's office, you could be disappointed. He or she may be occupied with one of numerous legislative activities that need attention throughout the day, including meetings with people who had previously scheduled appointments. Even if there is a possibility of arranging a brief visit, you usually will have to wait. Furthermore, staff generally are not thrilled with drop-ins because they raise havoc with the daily schedule. *REMEMBER:* Constituents are an exception and generally can be worked in somehow.

You think you're lost?
The story goes—some new legislators have shown up at the St. Paul Cathedral rather than at the Capitol when it was time to take office. The two buildings do have some things in common:
(1) they're both tall, and
(2) prayer is often needed in both!

INTRODUCE YOURSELF. Give your name, address, and the organization you represent or with which you are affiliated, if that be the case. Do not overdo your comments about the worthiness (or the clout) of your organization. That is not why you are there.

REMAIN FOCUSED. Although you probably gave a reason for your visit with him / her when you scheduled your appointment, briefly reiterate. If you are visiting on a particular bill, have an extra copy to share. This saves time. Apprise your legislator of the status of the bill and include any significant committee action that has taken place.

EXPLAIN WHY YOU SUPPORT THE BILL. You may use either objective information or data or anecdotal information—or both. Convey this in a way that shows you are knowledgeable and committed. Avoid pretension. Nobody appreciates a know-it-all.

If you are visiting with another person(s), make sure your time is well spent by not repeating yourselves. Decide in advance of the visit who will say what. It is particularly helpful if you can relate personal experiences based on provisions in the bill and what the bill will accomplish.

ALLOW TIME FOR QUESTIONS and be prepared to respond to these. Never bluff. If you do not know the answer, say so. Follow-up with the answer at a later time.

NOTE: In the course of any day, legislators are confronted with numerous issues, often-times emotional ones. Therefore, be patient if a legislator interjects his/her feelings or opinions on an issue unrelated to yours. You may have to shorten your comments (or even schedule another appointment); however, there are times such as this when being a good listener is the role in which you are cast. Accept it.

ASK THE LEGISLATOR WHETHER OR NOT HE/SHE WILL SUPPORT THE BILL. Although you may be hesitant to do this, you need to do so to determine the extent of support the bill has. Tell supporters how much you appreciate their stand. Opponents need to know that, although you disagree with them, you respect their stand—and even understand their wish or need to oppose your position, in some cases. For those who won't give their position, ask whether you can provide additional information to help them make a decision.

Whatever you do, do not burn bridges. Today's supporter may be next week's opponent and vice versa.

CONCLUDE AND EXTEND YOUR APPRECIATION for the opportunity to visit, no matter what the outcome of the visit. Never leave on unfriendly terms.

WRITE A FOLLOW-UP THANK-YOU LETTER. Include any responses to questions that were asked during the visit and for which you did not have an answer at the time.

Go for the best!

Getting An Author For Your Bill

Among the most important contacts you will have with a legislator is the visit in which you request chief authorship. Although a bill may have up to four coauthors (in addition to the chief author), it is the chief author who bears primary responsibility for guiding the bill through the legislative process and, ultimately, for the bill's passing or not passing. Thus, selecting a potential chief author and then convincing this legislator to become chief author are two significant tasks.

In considering a chief author, you want a legislator who:

- Is committed to the issue that your bill, or proposal, addresses. A review of his/her votes and positions will give you a strong indication of a possible level of commitment.
- Has the necessary time to devote to the bill's passage.
- Has some influence or power within the legislative process. The chair of a committee to which the bill will be referred fits this category.
- Is a member of the majority caucus.

There are exceptions to the above. For example, there are some occasions when you will want to consider legislators with less influence or power. A committed, articulate, first-termer who serves on the appropriate committee fits this category. Usually this legislator has more time to devote than committee chairs, other legislative leaders, or senior members who generally chair other committees.

Because you never want to request a legislator to be chief author by letter or telephone (he/she would not agree to it anyhow), you need to schedule an appointment.

If you are representing an organization, no more than three or four representatives of your organization should visit as a group. Each person should be well-prepared and able to answer very specific questions. This is ***the*** time to demonstrate your commitment to and enthusiasm for the bill.

A Definite No-No

A small group lobbying on human services issues convinced a key legislator of the merits of a bill, and he agreed to be chief author.

Later in the day, the group returned to the legislator's office to ask him not to author the bill. They said they had found someone "better."

During the visit, you will need to do the following:

- Describe in detail what you hope to accomplish, why the bill is needed, and how it will change current law, if it does.
- Be candid about any anticipated opposition. A legislator who knows there will be strong opposition in his/her home district is not going to be interested. If a state department opposes the bill, mention that too.
- Make it clear that you will be available to help with the bill's passage throughout the session. This includes testifying on the bill, getting others to testify on the bill, and building a constituency of support to make timely visits, telehone calls, and write letters, if desired by the author.
- Offer to secure coauthors. Although the chief author may prefer to secure coauthors, the offer is appreciated. Be prepared to make recommendations. Use the same criteria as those used in selecting the chief author. (See page 11.) In addition, include one or two members of the minority caucus whenever appropriate (which is most of the time).
- Leave a summary of the bill or proposal. Include the names and telephone numbers of persons who can be reached at any time to answer questions or discuss the bill.

Begin strategizing immediately. If this is not done during the initial visit, make an appointment to do so shortly after the bill has been formally introduced. Keep your momentum going.

Testifying Before A Committee

How Will I Know They're Listening? And, If They Are, Will They Really Care?

Although some skeptics say that committee testimony is nothing more than window-dressing and that the real case for your position should have been made with individual committee members prior to the meeting, this is not true. There is no doubt that the personal contacts prior to the meeting can greatly strengthen your case, and you should make every effort to do this. However, whether or not you have made these personal contacts, the point is this: Testimony is always helpful. At times, it is indispensable.

Committee meetings, or hearings, are the public forum for public comment on the public's business. You need to be there to show support for the bill that is being considered at that time.

Once you are aware that a meeting has been scheduled, begin to prepare for it. Unfortunately, preparation is often overlooked. Be prepared!

Consider the following as you prepare:

- Because public speaking can be threatening, do not "force" people to testify if they do not wish to do so, even if you believe they have information that would strengthen your position. Select your witnesses carefully.
- Determine what you need to emphasize to make an impact on the committee. Members generally like to have some expert testimony and some anecdotal testimony. The former focuses on technical provisions of a bill (if there are any) and the latter on how passage of the bill will affect people on a personal basis, including how the present law has presented difficulties or has not addressed concerns. Anecdotal testimony by a person who has experienced the conditions firsthand can be particularly compelling.

Who's got the time?
A legislative staffer took a telephone call from a person who obviously was reading a canned message in support of a very lengthy piece of legislation.

The staffer politely asked the caller if he knew what was in the bill. The caller, who had just indicated his strong support for the bill, replied, "No, so I'd appreciate your reading it to me."

- Hold a mock hearing. This is especially important for persons who do not appear before committees on a regular basis. Give your presentation and answer questions you anticipate members of the committee will ask. With this exercise, you and other supporters will feel more comfortable about the upcoming committee hearing.
- Arrive 15 to 20 minutes early on the day of the meeting especially if this is the first time you have visited the Capitol or the building where the meeting is scheduled. This will give you an opportunity to get a good seat and check the agenda to make sure you are on it. (You should have called earlier to secure a place on the agenda). Early arrival also allows time for holding any last minute conversations with fellow supporters or, on occasion, legislators or staff.
- Know the committee protocol and style of the chair. "Mr. Chair" or "Madam Chair" are the most acceptable forms of addressing the Chair of the committee. "Senator X" or "Representative X" are the most acceptable forms of addressing other members.

A Chair sets the tone of the committee, and the members generally adapt to that tone. Some chairs conduct meetings in a very formal manner; others keep a very informal atmosphere. You may consider the formal style too restrictive and rigid, or the informal style too undisciplined. Accept either. You are the one who needs to adapt.

Incidentally, most capitols and surrounding areas are rich in state history, art, and architectural design. Free tours usually are available throughout the day. You may find that exposure to the legislative environment will enhance your desire to participate in the process! (See page 39).

When the Chair calls on you to present your testimony, remember the following:

- After addressing the Chair, introduce yourself. Give your name and address (city or town only); if you are representing an organization, give its name and a very brief description of the organization. (Some people spend far too much time talking about their organization, hoping to convince the committee that the support of the particular organization is as important as substantive remarks. Wrong.)
- Keep your remarks short (usually five minutes will do unless it is a complicated bill). Tell the committee why the bill is needed and how it will change current law, if it does. An appropriations or finance committee also will want to know how much enactment of the bill will cost. A policy committee may or may not wish to delve into cost. Either way, if this information is requested and you have it, share it.
- Tell the committee who will be directly affected by the bill. Share anecdotes or, better yet, personal experiences that show the need for the bill.
- Indicate your willingness to respond to questions and, when asked a question, respond calmly. Do not wander off, by commenting on matters that are not a part of the question. Do not let a hostile question upset you. If you do not know the answer to a question, say so. Tell the committee you will attempt to get the answer, and then do so.
- If you have a summary of your testimony, leave copies with a committee aide for distribution. Some people leave copies of their entire testimony rather than a summary. *REMEMBER:* It is not critical that you leave a copy of either one. Your oral testimony

What's that, you say?

Just prior to introduction, a bill is said to be "in the hopper." The legislative chamber where the business of the Legislature is conducted is called "the floor."

Thus, it is no wonder that an uninitiated constituent was perplexed when she was told that the bill in which she was interested had been "dumped in the hopper," and that her legislator was unavailable to talk with her because "he is tied up on the floor."

This violence really should stop!

may be all that is needed; you do not want to burden members with more paper unless you believe the material is particularly helpful.

- Thank the Chair and members for having had the opportunity to testify.

NOTE: There will be times when a motion is made to pass the bill before you have given your testimony. This is perfectly in order. However, because you have devoted much time and energy in preparing to testify, you may feel disappointed. If this happens, do a quick reality check: Which is more important? Giving your testimony or having the bill passed?

They Say Information Is Power, But This Is Ridiculous

A conference committee meeting had been especially tense, and many issues remained unresolved. Thus, the flock of lobbyists monitoring the meeting also had become tense–even paranoid.

During a break in the meeting, a legislator decided to test just how tense and paranoid the lobbyists were. He retrieved an old computer print-out (which had absolutely nothing to do with the committee's work) from a back room recycling bin. He then walked across the conference room and, while adjusting his glasses, he read the print-out with great interest. Everyone saw this.

Immediately a dozen lobbyists leaped to their feet, pleading, "May I have a copy?" "Where can I get a copy of the print-out?" "Do you have any extra copies?"

The spectacle was just great.

Letters To Legislators

Letter writing is probably the most widely used means of communicating with legislators, and they do pay attention to their mail. Legislators readily acknowledge that a good letter—particularly from a constituent—can make an impact. That is why it is so important that your letter is powerful.

The following guidelines will help to ensure that your letter will have maximum impact:

- The letter should be brief, preferably one page or two pages (at the very most). Unfortunately, some people who feel strongly about an issue may have an irresistible urge to tell "the whole story" and believe a legislator must have all the details. Usually that translates into a long letter. Resist the urge. Keep it short.
- A form letter, preprinted card, or other superficial means of communication has little effect. If it's from a constituent, it may have some impact; others should forget it altogether.
- If you are writing about a specific bill, include the bill number and a brief statement on the subject matter at the beginning of the letter. Because thousands of bills are introduced each session, it is impossible for individual legislators to track all of them.
- Discuss only one bill or issue in your letter. This makes it far easier for legislators or staff to track. If you wish to comment on several issues, write separate letters.
- Your letter should be neat and your tone sincere and polite. Guard against being whiny or maudlin; do not threaten or belittle.

And you thought you didn't count!
A staffer, noting how sensitive legislators are to contacts from constituents, stated that she often tells the legislator that "a letter flooded in."

"Have your facts straight. Once I agreed to author a bill and I was told there was no opposition in my community. It was a local bill. Now, after it's law, opposition is surfacing and I'm getting blamed."

Your letter will have maximum impact if it contains the following components:

- A brief statement (ten words or less) on the subject; bill number if writing on a specific bill.
- An introduction of yourself which tells why you are interested in or concerned about an issue or bill.
- A personal anecdote about how the bill will affect you, your family, your community, your business, your job, your school, etc.
- Some facts, including supporting information and data to support your position.
- An invitation to contact you to discuss the bill, if desired.
- A request for a reply if you need one.
- A statement of appreciation for consideration of your position.

In addition to letters showing support (or opposition), legislators receive letters requesting assistance to resolve issues with the bureaucracy. These requests usually are from constituents. In these letters, a legislator is called upon to be an advocate or ombudsman. This role has expanded in recent years, and significant support staff exists solely to respond to these requests. If a legislator is able to intervene successfully, the constituent is pleased. This is always important to any elected official.

Telephone Calls To Legislators

Will They Answer the Ring? Or Will the Machine?

Telephone calls can be an effective means of communicating with legislators if the calls: (1) convey a meaningful message with helpful information, and (2) are made in a timely manner.

Calls from constituents are the most effective; "telephone blitzes[2]" are the least effective. Other calls are somewhere in between.

It is important to remember that, during the legislative session, legislators usually are attending committee meetings, conducting other legislative business such as meeting with staff, drafting legislation, preparing for bill presentations, lobbying other legislators, or participating in formal legislative work in the Senate or House chambers. Therefore, it is likely that a legislator will not be available to take your call. If that is the case, do not hesitate to leave your message with a legislative assistant or other staff. Trust the staff to get your message to the legislator.

If you request a return call, you can usually be assured of getting one if you are a constituent. Others ***may*** get a return call. Remember that there simply are not enough hours in the day for legislators to return all calls, particularly if there is an organized blitz underway. Fortunately, most people are comfortable leaving their message with staff.

It is important to make your call brief and come quickly to the point. Always be polite.

In conveying your message, do the following:

- Identify yourself with your name and your city or town of residence.
- If your call is regarding a specific bill, give the bill number and subject matter.
- State your support (or opposition) to the bill and a brief reason for your position.

[2] Webster defines blitz as "a sudden attack; an intensive and forceful campaign."

- Request the legislator's support (or opposition) to the bill.
- Indicate your availability to discuss the issue further, if desired.
- Leave your telephone number.
- Express thanks.

Your call will have the most impact when received within a week of the bill's being heard in committee. If the legislator serves on the committee hearing the bill, that is a bonus! Another appropriate time, but usually not nearly as effective, is shortly before the bill is heard by the entire legislative body.

Legislators also receive many calls from people requesting assistance for a problem with the bureaucracy. These calls are handled in the same manner in which letters requesting assistance are handled. (See "Letters to Legislators.")

Finally, there is the call that may or may not have impact—it all depends. This is the call that is part of a blitz. Usually these calls are part of an organized effort to simply overwhelm a legislator's office. The calls do not provide much in the way of helpful information.

Be careful with blitz calls. They tend to irritate legislators and staff because they take up valuable time that most believe could be put to better use.

In spite of their dubious value, blitz calls are not totally ignored. However, you can count on one thing: A blitz is seldom, if ever, the main reason for the passage or defeat of a bill. Other factors are.

Lobbying Day At The Capitol

This event will give group members a sense of purpose and power in their effort to personally influence legislators.

If groups devote ample time and personnel to properly organize a Lobby Day, it can be a very effective way to make an impact.

Legislators also find Lobby Days very useful. They have the opportunity to show visitors their "human" side, i.e., tell the visitors about the legislative process, tell anecdotes about themselves, share some of their frustrations. Legislators are notified in advance about Lobby Day events and, therefore, are prepared and "up" for the arrival of the visitors.

If your organization is sponsoring a Lobby Day, you should expect the following:

- Notification at least six weeks in advance.
- List of the names and telephone numbers of legislators to enable you to schedule appointments. As a constituent, you would have the most impact; therefore, appointments need to be coordinated with other constituents. The group visiting a legislator should number no more than four to six at one time because offices are not large and have limited seating. When a large number of constituents are planning to participate in a Lobby Day, it is not unusual for legislators to reserve a room in the Capitol in which to meet.
- A packet of materials that includes, at a minimum, a copy of the bill or issue on which you will be lobbying; a fact sheet for your use that can also be shared with legislators; other essentials such as buttons (which give you an identity), pens, paper, and an agenda of the Day's activities; and a map of the Capitol complex.
- A get-together at the end of the day. This will allow you to share your experiences with other participants, tally wins and losses, and prepare for the next course of action.

Rallies

There appear to be two main reasons for holding a rally: (1) to whip up group enthusiasm for an issue, and (2) to get some attention (usually from the media) for the group's stand on an issue.

A rally's direct impact on legislators is minimal. However, a rally held in conjunction with a Lobby Day can be very useful. Together, they can give the group a sense of camaraderie prior to the group's members visiting legislators. The enthusiasm generated from the rally will come through in the visits.

You should note that for a rally to have any chance of being considered a success—even if held with a Lobby Day—a large number of people must participate. Whether held in the Capitol rotunda, on the steps of the Capitol, in a large room at the Capitol, or in the Capitol complex, a crowd is essential. There are few things more pathetic than a small group of people standing around having a rally. Neither you nor your group needs that type of embarrassment!

Petitions

The Question Remains: Are These Names Real People?

Usually, petitions do not make much of an impact. There is a general feeling that almost anyone will sign one because those soliciting signatures either give very little explanation of the issue or describe the issue in very simplistic terms.

If you have a choice of signing or not signing (and you understand the issue), by all means, sign. However, be aware that the impact will be only that of complementing more meaningful lobbying activities.

If you are a member of an organization that is thinking about circulating a petition, consider this: It takes enormous time and planning to mount a successful campaign. Ask the question: Could this time and effort be better spent on a more productive lobbying activity?

NOTE: Legislators may look at petitions to secure the names and addresses of constituents; the signers may even get a response.

They are the gatekeepers, treat them well.

Legislative Staff

Although their responsibilities may occasionally overlap, it will be helpful to you to divide staff into five groups[3]:

Legislative Assistant (formerly Secretary).
This person is among the first and most important people with whom you will come in contact.

At a minimum, a Legislative Assistant's responsibilities include scheduling appointments, answering telephone inquiries, and opening and prioritizing mail.

A Committee Legislative Assistant, in addition to the above responsibilities, sets up Committee meetings, reserves rooms, gets legislators' folders and name tags in order, keeps minutes, and prepares Committee reports.

This is the person who also keeps in touch with constituents and may advocate for the constituents, knows when bills are scheduled and where they will be heard, and understands the nuances of the legislative process.

During the close of the session, the Legislative Assistant is the person who juggles the schedule to ensure that the legislator is able to attend as many meetings as possible and yet meet a myriad of other demands.

Furthermore, many Legislative Assistants and Committee Administrators serve as confidantes to the legislator and know the tone that is to be set in the office. Usually this tone is one of extending service and assistance to those who come in contact with the office. *REMEMBER:* When you are a recipient of that service, express your appreciation.

[3] Titles vary from state to state.

Committee Administrator.

In consultation with the Chair of the Committee, the Committee Administrator schedules the bills to be heard by the Committee and "sets the stage" to assure that Committee activities proceed in an efficient and orderly manner.

When requested, the Committee Administrator also acts on behalf of the Chair in participating in meetings and other events when the Chair is unable to do so.

Although you undoubtedly will have more contact with the Legislative Assistant than the Committee Administrator, the Committee Administrator is a person with whom you also may have considerable interaction throughout the legislative session. Get to know him/her at the beginning.

Legislative Services (Caucus) Staff.

Both political parties have their own caucus staff. Caucus staff assist legislators in numerous ways, most of which will cast legislators in a positive light. Caucus staff summarize bills, provide casework for constituents, develop policy and political agendas, and provide media services.

More than likely you will not have much direct contact with Legislative Services staff. However, it is important that you know that they play a vital role.

Counsel and Research Staff.

They are nonpartisan staff whose services are available to all legislators without regard to caucus. Although many are attorneys, they also include those with experience or expertise in public policy, political science, and other related backgrounds.

They draft bills, issue reports, provide information, and give advice and legal counsel, but not legally binding opinions. Legislators may occasionally ask you to work with research staff in refining proposals and drafting bills.

Other.

A wide array of staff—including Revisor of the Statutes, assistants to Senate and House leadership, clerks, interns, computer experts, security and housekeeping personnel, and information specialists—are important to the process.

Some wield considerable power by virtue of the responsibilities associated with the job and/or relationship to leadership. Your contact with these staff will be minimal.

Whether you have much contact with Legislative Assistants, or very little with other legislative staff, treat them with courtesy and respect at all times.

REMEMBER: Never throw your weight around. Nobody will be impressed, but they will remember.

Important Players

PEOPLE WHO IMPACT THE LEGISLATIVE PROCESS

Knowing Where They Fit in Will Help You Fit in

THE GOVERNOR

Although the focus of lobbying during the session is the Legislature, do not forget the Governor. The Governor makes the final decision on a bill by either choosing to sign it or to veto it. If you have any indication that the Governor might veto a bill, contact the Governor's Office immediately following final passage of the bill by the Legislature— you may write, call or send a telegram / fax.

Timing is important because following passage of a bill, the Governor has only a limited time in which to sign or veto.[4] Your input during this time is vital.

STATE DEPARTMENTS

State departments or agencies must also be considered players. On behalf of the Governor, they submit both budget and nonbudget proposals to the Legislature.

Department staff devote considerable time and resources in their lobbying efforts to get their proposals into bill form, find authors, guide the bills through the process, and get them passed.

Departments also are called upon by the Legislature to complete fiscal notes on bills that carry an appropriation (cost money), comment on bills that are being heard in committee, and provide other information on the activities and programs of their particular department.

If you plan to lobby on a regular basis, get acquainted with department staff. They can provide information which you may be unable to get from any other source; and, on occasion, their support of your bill is helpful. *NOTE:* There also are occasions when a department's support is not helpful. Know when this is the case.

[4] Time limits vary by state. In Minnesota, the Governor has three days for bills that pass during session and fourteen days for bills passed on the last day.

RULE MAKERS

When a bill becomes law, it may only be the beginning of the implementation process. In many instances, rule making is the next step. The Legislature has granted significant authority to state agencies to adopt rules that respond to the what, when, where, and how of specific laws. Rules that evolve from this process have the "force and effect" of law.

If you are interested in or concerned about how a bill you supported is going to be implemented, contact the appropriate agency about its rule making process. Because the process is designed to be fair and impartial, public comment—including yours—is welcome.

THE COURT

The Judicial Branch is composed of the Supreme Court, Court of Appeals, and District Courts. One of the powers of the Court is to interpret laws. Thus, if there is a question on meaning or application, the citizenry may turn to the Courts for assistance.

A little known truth: the world does not stop just because the legislative session ends.

Interim Activities

When the legislative session ends, legislators seldom take an extended break. Many return to jobs which they hold in addition to their work as legislators.[5] Others consider themselves full-time legislators and continue to be involved in various interim projects. Either way, both devote considerable time to legislative activities during the interim.

ACTIVITIES IN THE DISTRICT

Whether or not it is an election year, legislators do their best to be involved and accessible in their districts. If you live in the district, every effort will be made to respond to your request or inquiry. Individuals, businesses, and organizations in the district usually get quick attention.

LEGISLATIVE COMMITTEE WORK

Be sure to get on the mailing list for interim committee meetings. In addition to meeting at the Capitol, committees often meet in locations throughout the state during the interim. Plan to attend those in your area that are relevant to the issue(s) in which you are interested.

Much of the groundwork for the next session is laid in interim committee deliberations; you will want to be aware of these. Attending interim meetings also gives you the opportunity to keep up contacts and shows your ongoing interest.

THE CAMPAIGNS

Senators are up for election every four (4) years and Representatives every two (2) years. Elections are held in even-numbered years. Campaigns start early (some say too early) and take an inordinate amount of time and energy. Therefore, if you plan to visit with a

[5] In some states, legislators have full-time positions; in others, part-time.

legislator during the interim of an election year, you may have some difficulty because he/she does not spend much time at the Capitol.

However, if you do need to contact a legislator during this time, make an appointment well in advance. The Legislative Assistant will try to arrange it around any meetings for which a legislator must come to the Capitol.

REMEMBER: The primary focus in an election year is the campaign.

YOUR PREPARATION FOR THE UPCOMING SESSION

Preparation for the session includes meeting with legislators to discuss your proposals, researching those proposals, and strategizing with the legislators who will be authoring the legislation you support. You should feel comfortable in initiating these presession contacts early in the fall. Mid-September to mid-December is the best time period in which to begin and, hopefully, finalize these presession activities.

Political Campaign Work

Political party affiliation is particularly important to legislators when: (1) organizing the Legislature—at which time the majority party takes control and members of the majority and minority have a voice in selecting their leaders and setting the direction and focus of their party (or caucus), and (2) when running for election or reelection.

For the most part, the former is an internal process in which you will have little, if any, impact (nor should you). The latter, however, presents an opportunity for you to become fully involved.

If you have a strong political point of view, plan to work on the campaign of a candidate who will support and articulate that point of view.

Surprisingly to some, campaign work—both for the candidate and for volunteers—involves a lot of grunt work. Stuffing envelopes, dropping literature, door knocking throughout the district, making telephone calls, and helping with fund-raisers are just a few of the tasks. However, the anticipated victory and camaraderie usually make it all worthwhile. And do not forget to make a financial contribution if you can afford it. Even a modest contribution is always appreciated.

During the campaign, you will have established a positive relationship with the candidate, and when he/she takes office, this relationship will allow you greater access. Legislators remember their supporters and workers.

Come on—do a little grunt work!

New Technologies

Email and Internet

In the last few years, new technologies, including email and the internet, have become valuable tools and an integral part of the legislative process.

The wise use of these new technologies will make your lobbying efforts more effective, enhance your ability to access the system, and make it easier for you to interact with individual legislators.

EMAIL is a fast, usually efficient way to contact your legislator. By using the guidelines for effective letter writing (pages 17-18), your email will gain the attention of your legislator and his/her key staff. It is particularly important to use the letter writing guidelines because the number of emails sent to legislators is increasing by leaps and bounds and, unfortunately, some email senders use a "too informal" style that does not get across the message the sender desires.

Also, be sure to put your home address and telephone number in the body of your email. This is often overlooked; most legislators wish to know who sent the email. Your email address is not sufficient.

Some legislators still maintain that there is no substitute for a well written letter; however, most now see email as an accepted means of communication.

THE INTERNET has revolutionized the way in which you can access and use information. As an internet user, you can move easily and swiftly throughout the legislative process.

Legislative committee schedules, including time, place and agenda are posted as soon as the meeting has been scheduled. This saves time for both you and legislative staff.

You will be able to involve yourself in considerably more legislative activity without having to be present at the capitol or in other locations from which

you need information. Your trek from office to office to obtain daily journals, bills and amendments will not be necessary. The internet will make the trek for you!

In addition, you will be able to access other extremely useful information such as statutes, rules and regulations, press releases from both the executive and legislative branches of government, bill summaries, and much, much more. These resources will prove valuable to you in many ways–from merely "becoming acquainted" to conducting serious research.

Due to the internet, legislative operations have realized both financial and time savings. For example, the number of requests for paper bills (hard copy bills, in tech language...) has been greatly reduced. These savings have freed staff to offer additional assistance to those who do not have the use of the internet.

NOTE: Some concern has been expressed over the possibility that the internet may actually limit access. For example, they foresee the teleconferencing of committee meetings and floor actions. Most, however, believe that the legislative bodies will continue to be thoughtful, deliberative, and open and welcome to all who wish to lobby for their cause or issue. Be confident that the latter view will prevail.

Financial Contributions

In recent years, states have begun passing legislation that provides for oversight of campaign contributions, particulary contributions made by registered lobbyists or the organizations they represent.[6]

The primary purpose of this oversight is to let the public know who is contributing to whom and how the money that is contributed is being spent. Under our system of representative government, it is very important to maintain a high level of confidence in our political system. People need assurance that large contributors–who definitely are in the minority–do not control any political agenda through their contributions and that ours is truly a government of the people.

You, as a citizen lobbyist, more than likely will not be affected by the laws relating to campaign finance. Therefore, following your review and approval of a candidate's qualifications and proposals, you should seriously consider making a financial contribution. Call any candidiate's campaign headquarters for the address to which the contribution should be sent. In local races, it is ususally appropriate to call the candidiate's home to get this information.

REMEMBER: Even a small contribution will be received with open arms by a grateful candidate!

[6] In Minnesota, the Ethics in Government Act established a board to oversee and enforce programs that ensure public access to information filed. This board is the Campaign Finance and Public Disclosure Board.

Vote!

In 1960, John F. Kennedy was elected President by 112,881 votes out of nearly 69 million cast– or an average of only one vote per precinct. Many consider a precinct their "neighborhood." That means that one person in each "neighborhood" made the difference.

As a citizen, your most basic individual responsibility is to cast your vote on election day. Do not neglect the one task that, with minimal effort, makes you a participant in our democratic process. Become an informed citizen–and vote.

The U.S. Constitution makes some limitations on who is qualified to vote; however, most qualifications are set by the states. For example, qualifications for pre registration and registration for absentee and election day voting are set by the states. Also, in most states, you can obtain complete voting information from either the Office of the Secretary of State or your local county auditor.

In a 1938 speech, Franklin D. Roosevelt stated, "Let us never forget that government is *ourselves* and not an alien power over us. The ultimate rulers of our democracy are not Presidents and senators and congressmen and government officials, but the voters of this country." So true.

The Capitol

People who visit the capitol note that they feel they are in "a special place," or a place "marked by stability and permanence" and "action and excitement."

In many states, state capitols and the grounds surrounding the capitol frequently are referred to as "treasures." If your capitol is one of these treasures, marked by unique architecture, paintings, sculpture, and interior design, be proud of the beauty and history of it. Even children, who often come to the capitol on school field trips, remember the experience with pride.

How does any of this praise for the capitol have anything to do with your affecting public policy through your involvement in the legislature process? Simply put, immersing yourself in the beauty and history of your capitol–if even for only 15 or 30 minutes allows you to see your commitment to your issues and ideals as part of a continuum: a continuum of history, as portrayed in the capitol, that reminds us that we join other great men and women who also arrived at this setting to "make their case."

Therefore, accept the invitation: When you come to visit your legislator or to testify or attend a rally or attend a committee hearing or pick up a bill or amendment, take time to look at your capitol. You will feel invigorated!

Glossary

Two dozen words that will help you understand what is going on

Create your own glossary if you are from outside Minnesota.

Amendment A change or addition to a bill or motion; must be germane to the subject of the bill or motion.

Author Legislator who introduces a bill; chief author has primary responsibility for passage of a bill which may have up to four coauthors; sometimes called sponsor.

Bill The form in which a proposal to create, change, or abolish a law is introduced into the Legislature.

Calendar Bills and/or other items of legislative business listed in the order in which they will be presented in the chamber. Bills are considered by the body (Senate or House). The Calendar is very useful to anyone following actions in the chamber.

Caucus Legislators who belong to the same political party and are organized to impact legislative actions; "to caucus" is a meeting of these legislators.

Chamber Place in the Capitol in which legislators meet to consider legislation and/or conduct other business.

Committee A group of legislators, appointed by the leadership, that considers and makes recommendations on bills that have been referred to it. Senate and House each has its own committee system. A "standing committee" is a permanent committee unless the Rules of the body are changed. Other committees include conference (members of Senate and House appointed to reach a compromise on different versions of a bill); interim (appointed to study a subject after the session adjourns and charged with reporting back to the Legislature in the next session); and ad hoc (appointed for a specific purpose; dissolves when task is completed).

Committee of the Whole Senate or House acting as a single committee. When either body meets as a Committee of the Whole, debate is informal and actions are preliminary. Votes are recorded in the Senate when three (3) members demand a vote; in the House when fifteen (15) members demand a vote.

First Reading The formal introduction of a bill. Clerk of the legislative body "reads in" the bill; usually the reading of the bill's title is all that is necessary. Following the first reading, the bill is referred to the appropriate committee.

Floor Area in the chambers where legislators sit and from which they speak.

Gallery Area reserved for the public to observe the chamber.

General Orders A list of the bills scheduled to be heard by the Committee of the Whole.

Hearing Committee meeting in which points of view on a bill are presented and votes are taken.

Journal Official record of the actions taken by the Legislature. Each body has its own journal. A copy of the journal usually is available the day following the proceedings.

Majority Leader Legislator selected by the Majority Caucus to direct caucus strategy on the floor; leads the caucus.

Motion A proposal made formally to a committee or to the full Senate or House. Bills and other legislative business are moved through the Legislature by motions.

Quorum Established by rule, it is the number of legislators that must be present to conduct business; generally, a majority.

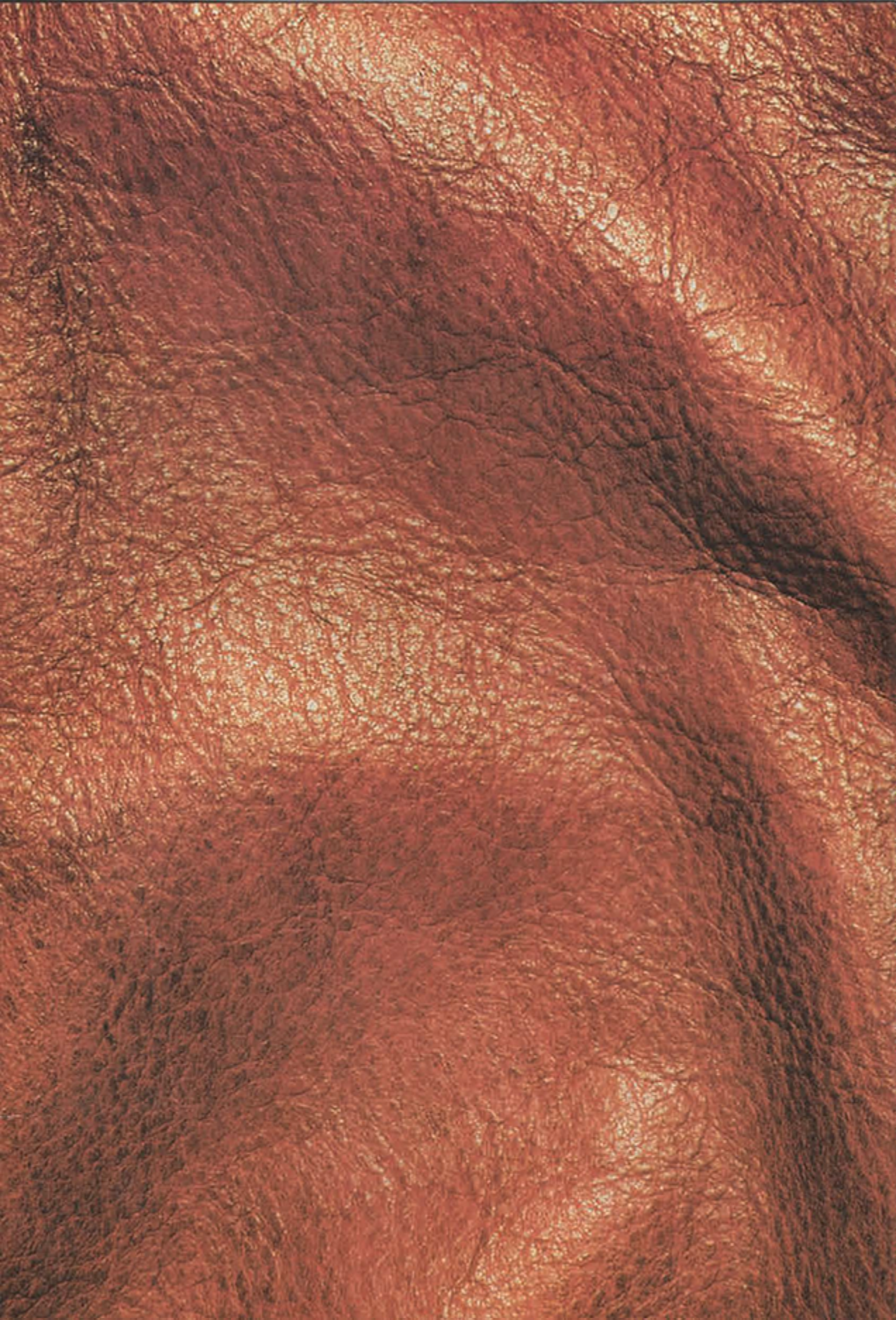
Revisor of the Statutes Office that has the authority to put bills in proper legal form.

Rules Adopted by the Legislature, rules regulate the process and actions of the Legislature in a prescribed way.

Second Reading Following committee action, a committee report is presented to the legislative body and, following acceptance of the report, the bill receives its second reading. Next step: the bill is placed on General Orders.

Sine Die Final adjournment of the Legislature.

Speaker The presiding officer of the House of Representatives, usually of the majority caucus. Often referred to as “the second most powerful position in state government” (following the Governor).

Third Reading Reading of the bill before the legislative body votes on final passage.

Veto Return of a bill by the Governor to the Legislature without the Governor's signature (which is necessary for a bill to become a law). To override a veto, two-thirds (2/3) majority of the entire Legislature is necessary for passage.