

Legislative Advocacy: The Do's and Don'ts

Progressive Action Network and Our Wisconsin Revolution

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Politics and Lobbying: Tools for Change

Psychotherapist and philosopher Dr. Nathaniel Brandon relates happiness to high self-esteem and high self-esteem to *self-efficacy*. He defines *self-efficacy* as:

"Feeling that one is competent to deal with life's basic challenges. Self-efficacy leads to a sense of control over one's life."

Webster's Dictionary defines *efficacy* as:

"The power of producing effects; the power to produce a desired result."

Why Study Politics?

- ★ You are experts in many fields but not in politics.
- ★ Not a dirty word.
- ★ Not a spectator sport.
- ★ You are either a *participant* or a *victim*.
- ★ If you participate, you have tremendous power because most people choose to be part of the silent majority.

Special Interests – All of Us Included

- ★ Also not a dirty word.
- ★ We are all members of special interest groups.
- ★ If you do not tell lawmakers about your special interest, who will? Probably someone who does not share your interests or goals.

How Ideas Become Laws

- ★ Learn the basic structure of your state legislature.
(In Wisconsin, there are 33 Senators and 99 Assembly Representatives; each Senate District has three Assembly Districts. Each Senator represents about 170,000 people and each Representative represents about 57,000 people. You can locate much more information on the Legislature's website at <http://www.legis.wisconsin.gov>)
- ★ Legislators get ideas for new bills from constituents, lobbyists and interest groups.
- ★ They take these ideas to their legislative drafters, and a bill draft is written.
- ★ The primary author seeks co-authors and co-sponsors.

- ★ The bill is introduced. The bill is given its first reading in the house where it is introduced – either the Assembly or Senate.
- ★ The bill is assigned to the appropriate standing committee.
- ★ The committee may choose to hold a public hearing.
- ★ The committee may meet in executive session to recommend passage, amend the bill or let it stay in committee indefinitely.
- ★ If tax money is being spent, the bill will be sent to the Joint Finance (appropriation) Committee, for a vote by that committee.
- ★ If the bill makes it this far, it is scheduled for action by the entire Assembly or Senate.
- ★ It then gets its second reading and is debated on the floor. It may be amended and amendments voted on.
- ★ After the amending stage, the bill is given its third reading.
- ★ If it is passed, the bill will be sent to the other house, and the process begins again.
- ★ Often a bill will be introduced in each house at the same time, to speed up the process.
- ★ Once a bill passes both houses any differences must be reconciled and approved by both houses.
- ★ The governor gets the bill and may sign it or veto it.
- ★ If vetoed, it requires both houses to override the veto with a two-thirds majority to become law.
- ★ Every step of this process is controlled by Assembly and Senate leadership and by committee chairs. The majority party controls these positions.
- ★ In most states, the legislative session is two years long. A bill must get through this entire process in one session. If it is not passed into law, it must be reintroduced the next session, and the entire process starts over.

Local and federal legislative bodies follow similar patterns of decision-making. We can help with any questions or assist with any endeavors. Our goal is to make each person an effective and successful advocate.

Do's and Don'ts When Dealing with your Legislators

Do Know Your Legislators

- ★ Read their biographies.
- ★ Identify people you both know.
- ★ Get to know their staffs.
- ★ Know what their special issues and positions are.
- ★ Get to know your own legislator for the area where you live, and legislators representing the communities where you own businesses or provide services.
- ★ Get to know legislators who are leaders in fighting for your special interests.
- ★ Make your legislators your friends. The cardinal rule in politics is loyalty. If you are perceived as a loyal friend, your actions and words will impact on legislators.

Do Involve Your Legislators in Your Business

- ★ Invite them to your office or property.
- ★ Invite them to events like open houses.
- ★ Make sure they understand your business and your concerns.

Do Involve Your Legislators in Your Community

- ★ Remember, politicians like crowds.
- ★ Invite them to church, social, and civic events.
- ★ Invite them to high visibility events where they may meet people.
- ★ Definitely invite them to your Association meetings.
- ★ Definitely invite them to speak at your State Association meetings.

Do Contact Your Legislator When You Have Concerns

- ★ Meet them in their district or at the Capitol. *The very best way.*
- ★ Contact them by phone. *The second best way.*
- ★ Write them a personal letter. *The third best way.*
- ★ Send them an e-mail. *The fourth best way.*
- ★ Sent them a form letter. *The least best way.*

Do Contribute to Your Candidate's Campaign; Your Family and Friends Can Help

- ★ Money.
- ★ Work in the campaign.
- ★ Endorsement in paper or literature.
- ★ Yard Signs.
- ★ Organize Events. (Fundraisers)

Do Represent Your Group to Legislators

- ★ Understand the official positions of your group.
- ★ Be constructive, practical and reasonable – know what you want from the legislator.
- ★ Educate the legislator; you are the expert. Do not assume knowledge.
- ★ If you differ from the group on a point, make that clear.
- ★ Bring your legislators' concerns and positions back to the group, the leadership and your lobbyist.
- ★ Be friendly – keep in contact even when you don't want anything.
- ★ Be reasonable – there are different opinions and approaches.
- ★ Be realistic – compromise and accommodation gets things done.
- ★ Fight issues not people.
- ★ Be discreet.

Do Remember No Legislator Will Agree All of the Time.

- ★ Understand why a legislator may take a certain position on an issue.
- ★ Understand a legislator's former positions and votes on the issues.
- ★ Thank them when they support you.
- ★ Do not burn your bridges when they disagree.

Do Remember Legislators are Human Too

- ★ No legislator can understand every bill, law or regulation.
- ★ You must explain your concerns and views, and assume a limited understanding of the issue by the legislator.
- ★ Contact them at the right time for the issue.
- ★ Offer to provide any information they may need.

Do Remember Legislators are Busy

- ★ Make appointments to see legislators in their districts or at the Capitol.
- ★ Learn to state your positions in as simple and brief a way as possible.
- ★ Do not overstay your welcome.
- ★ Make your presentation fit the time the legislator has to spend with you.
- ★ Talk to and work with their staff.
- ★ If you do not do this, someone else – who may not share your views or have the same interests – will make the contacts.

Do Remember Legislators Represent Different Points of View

- ★ Understand their concerns, prejudices and backgrounds.
- ★ Understand their areas of expertise and influence in the legislature.
- ★ Understand their political support.
- ★ Respect them and their office even if you have no respect for their position.

Do Remember You Represent Your Group and Your Issue

- ★ The *issue* is important, not political parties.
- ★ Make the *issue* as non-partisan as possible.
- ★ Build support from both parties.
- ★ Support the legislators that support your special interests.

Do Prepare for Legislative Hearings

- ★ Prepare written testimony for the committee members.
- ★ Be brief and to the point and address the issues directly.
- ★ Do limit your testimony to your expertise and knowledge. Be prepared for questions.
- ★ Testimony about your personal experiences and how a bill will affect you and others is very influential.
- ★ Consider organizing your group's testimony in order to be brief and not bore the committee.
- ★ Do bring other association members to the hearing, even if they do not testify. Numbers count.

Don't Let Your Behavior Defeat Your Issue. Do Not Ever . . .

- ★ Address legislators with Mr. or Ms. (Senator or Representative is appropriate; no first names unless you have become close enough to do so.
- ★ Express your partisan views with legislators present.
- ★ Threaten a legislator with political reprisals. It won't work.
- ★ Imply or demand that political contributions will buy a vote. Its illegal, stupid and will backfire.
- ★ Call names, make accusations, or denigrate legislators.
- ★ Pile on lengthy data that needs interpretation.
- ★ Fake an answer. Instead, offer to recontact legislators with more information. Credibility is everything. You must be the expert for legislators.
- ★ Count on your lobbyist or organization to get the job done for you. Legislators like constituents.
- ★ Embarrass legislators in a public forum. It is bad taste and will make you an enemy.
- ★ Burn your bridges – you will need legislators' support on other issues.
- ★ Support or oppose a candidate without knowing all the candidates.
- ★ Insist a legislator support or oppose a proposal. Request is the word.
- ★ Misstate the group's position on an issue. Credibility is absolutely necessary for political influence.
- ★ Mix your other concerns with the group's interests. Save them for another contact.
- ★ Contact a legislator at odd hours or inappropriate locations.
- ★ Alienate legislators' staff or friends. They have influence.
- ★ Cry Wolf – exaggeration destroys your credibility.
- ★ Not keep in contact with a legislator – it will help when you have an issue.
- ★ Forget to say *Thank You* in a letter after a contact or a vote. This will be long remembered but doing it is most often forgotten.

You and The Political Process

Strategies and Tactics You and Your Neighbors Can Use For Political Victory

Form Coalitions

- ★ Join with other groups that have the same goals.
- ★ Achieve consensus. Negotiate with possible opposition groups in advance of introducing legislation.
- ★ Make it easy for legislators to support you by presenting a united front.
- ★ Achieve credibility.
- ★ Become the source of expertise on your issues for the legislators. They will consult you first.
- ★ Present information clearly, efficiently and truthfully.
- ★ Legislators deal with thousands of issues. One-page summaries from credible sources are ideal.
- ★ Know who in your association can be relied on to make contacts when needed.
- ★ Recognize that constituents who can vote are more influential with legislators than others.
- ★ Contacts should be reported to the lobbyist or association leadership for follow up.
- ★ Be prepared to compromise & adapt.
- ★ You may not get everything you want in one bill.
- ★ There can be wisdom in the process. Sometimes a proposal becomes better with more input and involvement from other groups.
- ★ Keep an open mind.

Know What Is Important

- ★ What part of the proposal can you give up?
- ★ What part can be changed without changing the purpose of the proposal?
- ★ What is a “deal breaker” – absolutely essential?
- ★ Victory comes in different ways.
- ★ A proposal that fails may get groups together and compromises can be negotiated. Legislators sometimes encourage this outcome.

- ★ By being politically active, your association prevents negative proposals from being made or getting very far in the process.

The Role of The Association's Lobbyist

- ★ Educate, inform and motivate the membership.
- ★ Watch for legislative proposals that would affect the association members.
- ★ Advise the association how to handle various issues and how the legislative process works.
- ★ Alert the association when action is needed by the membership.
- ★ Use his own contacts to promote the goals of the Association.
- ★ Organize political events and encourage membership participation in the process.
- ★ Attend and testify at hearings.
- ★ Work with and promote good relations with the administrative departments.
- ★ Be sure that all lobbying rules and ethical standards are being complied with as well as filing all required reports.

Political Action Committees (PACs)

- ★ Pool money to support legislators who are supportive of the association.
- ★ Sometimes legislators do not take money from PACs. There are also legal limits and candidates can only take so much money from the PACs.

Political Conduits

- ★ Another legal tool for associations and groups to make legal contributions to support legislators and candidates who support the Association's goals.
- ★ Each contributor approves of the contribution made to a candidate or legislator in his or her name.

Role and Duties of Legislators' Staff

- ★ Legislative Assistant: Issue specialist. Assist legislator in preparing, reviewing and acting on legislation.
- ★ Case Worker: Respond to non-legislative constituent concerns, including any specific problems constituents may have with state government agencies.
- ★ Secretary: Run the office, answer phones, sort mail, enter data.

- ★ Scheduler: Keeper of the legislator's calendar, and allocates a legislator's time between legislative responsibilities, staff requirements and constituent requests.
- ★ Press Secretary/Communications Director: Builds and maintains effective lines of communication between the legislator, his constituency and the general public. The press secretary must know the benefits, demands and special requirements of both print and electronic media and how to most effectively promote the legislator's view or position on specific issues.
- ★ Committee Staff: Work on issues handled by committee. They are experts on the subject matter of the committee.
- ★ The staff is the representative of the legislator when he/she is unable to be present at hearings, meetings etc.
- ★ Staff **cannot** engage in campaign activities on state time.
- ★ It is productive to talk to staff. They give you more time and may spend more time on your issue.

After the Legislature Votes

- ★ A lobbying effort does not just include the legislative process.
- ★ Laws are often passed directing a state department to promulgate rules to accomplish the purposes of the law. These administrative rules have the force of law.
- ★ State departments also recommend rules changes for approval by the legislature.
- ★ There is an opportunity to serve on advisory and other committees to help make these rules.
- ★ It is far easier to help make the rules than it is to defeat them or try to change them later.

Legislative Accomplishments

- ★ Success is not only measured by what you get passed, but also by what you prevent from passing.
- ★ It is far easier to stop or change something when you are in on it in the beginning.
- ★ You have achieved success in your political efforts when legislators and state departments ask you, your association or your lobbyist's input before making decisions.
- ★ Legislative success requires a long history of credibility.