

Lobbying 101

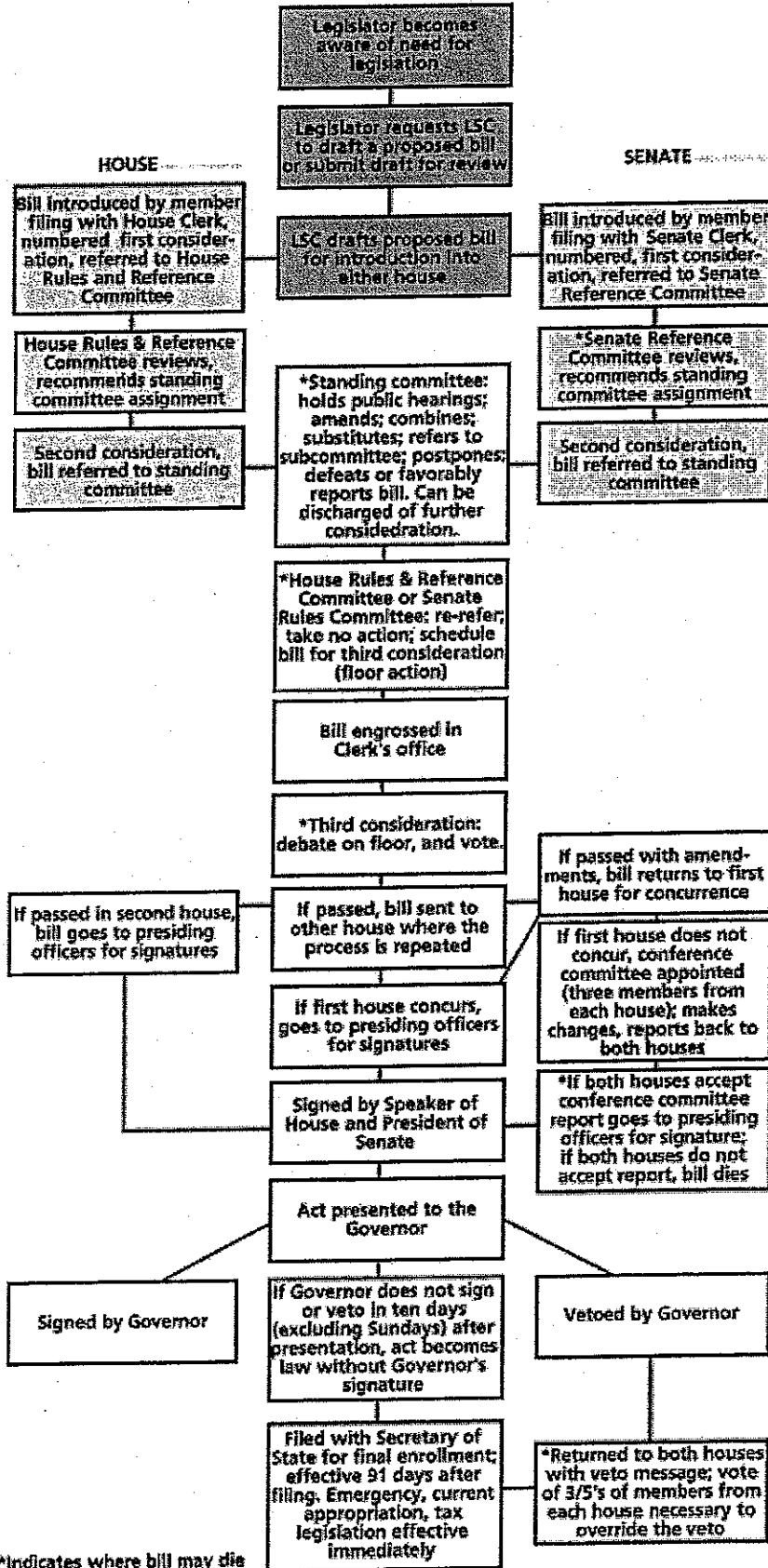


Tips on Testifying

Tips on Testifying before a House or Senate Committee:

- Know who is the committee chair and who are the committee members so you can address them by name in any written material and during your testimony
- Contact the committee chair's office to ask if you can provide testimony
- Complete the necessary form stating your name, contact information and desire to testify
- Prepare written copies of your testimony and additional information so every member of the committee receives a copy at the time you testify (25 copies minimum)
- Be on time, be courteous and respectful and Dress appropriately
- When you begin your remarks, address the committee chair as Chair (legislator's last name)
- Speak clearly and loud enough to be heard and speak as the expert you are about your story
- Be brief and stay on target
- Be prepared to answer any questions following your testimony. When answering questions, begin your response by addressing the chair by name, then the legislator asking the question by name, such as; "Mr/Madam. Chair, Senator/Representative _____"
- Thank the committee chair and members for providing you with an opportunity to speak to them
- Send written notes to each committee member thanking them for the opportunity to talk with them and to again stress some key points.

How a Bill Becomes a Law in Ohio



*Indicates where bill may die

The bill is then either reported out favorably or indefinitely postponed (defeated). A majority vote of committee members is required to take either action. The committee may also simply take no action on the bill, in which case it is dead at the end of the term.

RULES COMMITTEE: A bill which has been favorably reported back to the House or Senate by a standing committee is sent to the Rules Committee of that house. The Rules Committee selects the bills for floor action on any given day, listing for third consideration those bills to be debated and voted on. When a bill has been listed for a floor vote, it is engrossed (printed in official form). This is required before final passage so that it can be transmitted to the second house immediately afterward.

FLOOR ACTION: The bills to be voted on each day are given a third consideration. Amendments may be offered from the floor. Debate proceeds according to the rules of the house and the requirements of parliamentary debate. All members on the floor are required to vote. A bill must attain a favorable vote by a majority of the membership in order to pass. In the House, 50 votes are needed; 17 are needed in the Senate for passage. Emergency legislation requires a two-thirds vote of the membership of both House and Senate. After the bill passes one house it is sent to the other where it follows a similar procedure. If a bill is amended in the second house, it must return to the first house for concurrence in amendments. If the first house refuses, a conference committee is appointed to produce a version which both houses will approve.

THE GOVERNOR: A bill which has passed both houses is enrolled in act form and signed by the Speaker of the House and the President of the Senate. The act is then transmitted to the Governor who has 10 days, excluding Sunday, after receiving it to sign or veto it. If it is signed, the act becomes law in 90 days after being filed with the Secretary of State. However, emergency or appropriation measures so designated become effective immediately.

Once the bill is passed by both houses, it normally goes to the printer to be printed in act form. The bill is then signed by the Speaker of the House and the President of the Senate, then it is sent to the Governor. In some cases this process can take several weeks. In other cases where the bill is needed quickly, the bill will be "hand-enrolled" (not printed in final form) and signed by the Speaker, the President of the Senate and the Governor very quickly. The biennial budget bill is often prepared in this manner and signed late on June 30 for the July 1 start of the state's fiscal year.

The Governor has 10 days to sign the bill from the time he receives the bill. If he fails to sign the bill it will "become law without signature".

If the act is vetoed, it is returned to the house of origin with the Governor's written objections. A three-fifths majority is required in both houses to override a veto.

In Ohio, the Governor is allowed to "line-item" veto appropriation measures. The veto will remove that provision from the bill while the remainder of the bill will go into effect. (The biennial budget bills often have line-item vetoes in them of programs the Governor doesn't agree with.) The legislature could vote to override the line-item vetoes but often they will introduce the measure as a individual bill.



HOW A BILL BECOMES A LAW

MEMBERSHIP: In Ohio the legislature is called the General Assembly which is composed of the House of Representatives and the Senate. The representatives and senators are elected in November of even-numbered years. The House members serve two year terms, all 99 members run every two years. The Senators serve a four year term, one half of the 33 senators run every two years (the even and odd-numbered districts). Their term of office begins the first day of January of the year following election.

Any member who has been appointed to fill a vacancy runs in the next election. A senator appointed near the start of a term would run the next election regardless of the district number.

House members are limited to four consecutive two-year terms. Senators are limited to two consecutive four-year terms.

SESSIONS: Each legislative session is two years long, starting in odd-numbered years. They are numbered (for example the session beginning in 2005 is the 126th General Assembly). The Ohio Constitution requires the legislature to meet in regular session beginning the first Monday in January in odd-numbered years. There is no limitation on the length of the sessions. Floor and committee sessions are held, at the call of the Legislative leadership and committee chairmen, during the legislative week which begins usually on Tuesday and ends on Thursday.

Daily sessions may be either "Regular" or "Non-Voting". A "Regular" session is one where all members are expected to attend and each house debates, votes on bills and conducts other business. A "Non-Voting" session (sometimes called "skeleton session") only requires two members of the house to be present, one to "preside" and one to agree (non-voting session may only last several minutes). The only business that can be conducted is the introduction of bills, acceptance of committee reports and other "housekeeping" functions. In the case of committee reports, the Senate (by their rules) only accepts committee reports in full sessions.

Committee meetings are normally held on days with full sessions or sometimes the day before or after a full session, these are normally the days when out-of-town members are present. Committees may not meet during a session of either house, unless members vote to suspend the rules so committees can meet.

In cases where the members wish to confer with each other, either house may recess for a "caucus" where the members of each party meet in a closed session to discuss their positions and strategy on an issue.

INTRODUCTION OF A BILL: A bill must be sponsored by at least one legislator in order to be introduced in either chamber of the legislature. Any member of either house may introduce a bill; that legislator becomes the bill's sponsor and manages the bill through the legislative process. Upon introduction, bills are numbered consecutively starting with

Number 1 at the beginning of each General Assembly and read by title only. Introduction constitutes the first of the three considerations of each bill required by the Ohio Constitution. Bills are numbered in each house consecutively and the subjects of like numbered bills in each house have no correlation to each other. (For example HB10 in the House is not the same bill as SB10 in the Senate) Very often House and Senate bills are "companions" (the same text). In other cases there may be several bills in each house on the same subject that take different approaches to the same problem. The committee process will normally merge the various bills into a single bill to be acted on by both houses.

REFERRAL: After introduction, the bill is sent to the Reference Committee where it is reviewed for substance and possible duplication and assigned to a committee for testimony, debate and committee action. The report to the floor in which the Reference Committee designates which committee a bill has been assigned to is the second consideration of the bill.

Each house has several "standing" committees which exist for the duration of the entire session. These will deal with topics, such as agriculture, criminal law, civil law, insurance, etc. Each house has a finance committee which deals with money issues and how to finance the programs in legislation. The Finance committees also deal with the biennial budgets, the so-called "Capitol Bill", the "Budget Correction Bill" and other major appropriation legislation. For especially controversial issues or important issues the legislature can form special committees and in some cases joint committees (House and Senate members) to hear witnesses and draft legislation and bring it back to the full body.

COMMITTEE HEARINGS AND ACTION: The most important part of the legislative process takes place in committee where the fate of a bill is usually determined. Standing committees are designated in each house to deal with bills relating to particular subject areas, such as; education, finance, elections, energy, etc. When bills are complicated, controversial or when a committee has been assigned several relating to one topic, a sub-committee is often appointed to hold additional hearings, make desired changes and report back to the full committee.

The assigned committee or subcommittee examines and debates each bill. Persons with an interest in the bill testify before the committee during the hearings. Normally, there are at least two hearings are held, one for proponents and one for opponents. Hearings on bills are scheduled at the "pleasure" of the committee chair. In some cases as few as one hearing may be held or as many as ten hearings may be held. The committee may amend, rewrite or combine bills.

Any member of the committee may propose an amendment or a substitute bill. An amendment changes language of the bill. A substitute bill may contain any kind of change. It is essentially a rewritten bill. Substitute bills are used to include other bills, make major additions to bills or major deletions of subject matter. In some cases the original bill may be completely removed and another new bill inserted.

If there have been a number of amendments accepted to a bill the chairman may ask LSC for a new substitute bill which only includes those amendments agreed to. This allows members and interested parties to more easily read and understand the text of the bill. There are also "technical amendments" which do not make substantive changes to the bills but are grammar or revised code references needed by LSC. Once the bill is voted on by committee members there is a title amendment which allows members to add or remove their names as sponsors.



HOW TO READ A BILL

NUMBERING: Bills are numbered consecutively as introduced in each house. The first bill in the House is known as "H.B. 1"; the first bill in the Senate is known as "S.B. 1" etc. When a bill is amended, it becomes Am. H.B. 1. If it is extensively amended a substitute bill is prepared and it is renamed as Sub. H.B. 1, which if further amended, becomes Am. Sub. H.B. 1.

SPONSOR: Sponsor(s) names are listed beneath the number. The first named legislator is responsible for "carrying" the bill through the first house and is expected to be best informed on its content. This person is sometimes referred to as the primary sponsor. Legislators may add their names to the sponsor list becoming co-sponsors.

TITLE: At the beginning of each bill is an indented paragraph listing the sections of the Ohio Revised Code (ORC) being amended, enacted or repealed. The title must also indicate the subject of a bill and if the bill includes an appropriation, levies a tax or declares an emergency. No bill may contain more than one subject.

CLAUSE: The Ohio Constitution stipulates that laws begin with, "Be it enacted by the General Assembly of the State of Ohio:" All bills contain this clause.

SECTION 1: The body of the bill is contained in Section 1 of the bill. The code (ORC) sections which the bill amends are listed, and these sections are then printed in their entirety in numerical order.

NEW LANGUAGE and DELETED LANGUAGE: Proposed new language appears in capital letters; new punctuation is underlined. Present language, not to be altered, appears in lower case letters. Deleted words are shown with double brackets enclosing them. If an entire section is being repealed, it will not appear in the body of the bill, but the title and SECTION 2 will list such sections as repealed.

SECTION 2: Because an entirely new section of law is being enacted when an existing section is amended (even by one word), it is necessary to repeal by number the section being changed. These sections are listed by number in Section 2 of the bill known as the repeal clause.

SECTION 3: Emergency measures are specified in Section 3. Normally bills go into effect 90 days after filing with the Secretary of State, which occurs shortly after the Governor signs the bill, unless they are tax measures, appropriations for current expenses or passed as emergency legislation; i.e., necessary for immediate peace, health, welfare of Ohio citizens. In the case of an emergency clause, there is a vote on the emergency clause in each house of the legislature.

How to Write an Effective Letter to a Legislator

- The letter should be typewritten or very clearly written by hand.
- Always put a return address on the letter -- not just the envelope. Envelopes are immediately thrown away. Put your telephone number on the letter.
- Do not write letters that are more than two pages. One page is preferable.
- Do not write long paragraphs. Try to keep your paragraphs to no more than eight lines.
- State why you are writing in the very first paragraph.
- If relevant, state where the money will come from to fund the proposal.
- Briefly state who you are.
- State your relationship to the legislator, i.e., constituent, registered voter, representative of an association or group of people, Lobbyist.
- Elaborate on why you are writing. Make this part of the letter personal. Describe the macro issue, if possible, and then describe your experience. This should be two or three paragraphs.
- Convey a sense of urgency about the legislation. People are suffering today. Services are needed today. For some, tomorrow may be too late.
- Always ask a question of the legislator. "How would you feel if..., etc."
- Specifically ask the legislator to support/oppose/amend the bill.
- Respectfully ask to hear from the legislator regarding their position on the bill.

Order of Effectiveness of communicating with a Legislator

- Personal Visit from constituent/lobbyist
- Hand-delivered letter from constituent/lobbyist
- Mailed Letter from constituent/lobbyist
- Fax
- Email

10 Tips for Effective Meetings with Your Legislators

1. Be punctual—Once you have scheduled meetings with your legislators and/or staff, you should arrive to the meetings on time.
2. Select a spokesperson—If you are in a group of people, you should select a spokesperson. Although everyone should contribute to the conversation, you should have one person who will begin the discussion. Generally after introductions are made the staff person or the member might ask why you are in Columbus. A spokesperson should be prepared to say that the group is in town for the State Legislative Conference, and then highlight the main issues that the group members want to discuss. Decide in advance who will discuss each issue so that your visit will run smoothly.
3. Do your research—Research your legislators' backgrounds, committee assignments, and voting records on education issues.
4. Emphasize local concerns—One of your biggest assets is that you understand how things work at the local level. Members and their staffs are always eager to hear how programs and funding are being implemented at the local level. This is your chance to relay this information. Lobbying with real life experiences is your most persuasive tool.
5. Ask directly for your legislators' support—If your legislator is supportive, ask him/her to lobby other members to support your position. If your member disagrees with your position, hear him/her out politely, express respectful disappointment, and rebut his/her argument if you have the facts to do so. Be courteous; you'll have other issues to take up in the future.
6. Distribute minimal paperwork—Your associations will provide you with concise information to leave with the member or staffer.
7. Know how to handle a difficult question—If, during the meeting, you are asked a question and you do not know the answer, inform the member or staffer that you will need to look into that issue and that you would be happy to get back in touch with the requested information. Be certain to get a business card so that you can contact the person with the information as soon as possible.
8. Thank your legislators—Everyone likes a pat on the back. Remember to thank each of your legislators for a job well-done.
9. Invite your legislators back home—Invite them to visit your schools. Ask for the name of the person who handles scheduling requests for the member so that you can follow-up with a formal invitation.
10. Write a follow-up letter—Send the member and/or staffer a follow-up letter thanking them for meeting with you. This is an excellent opportunity to reiterate the issues that were discussed during the meeting and answer any questions that needed follow up.