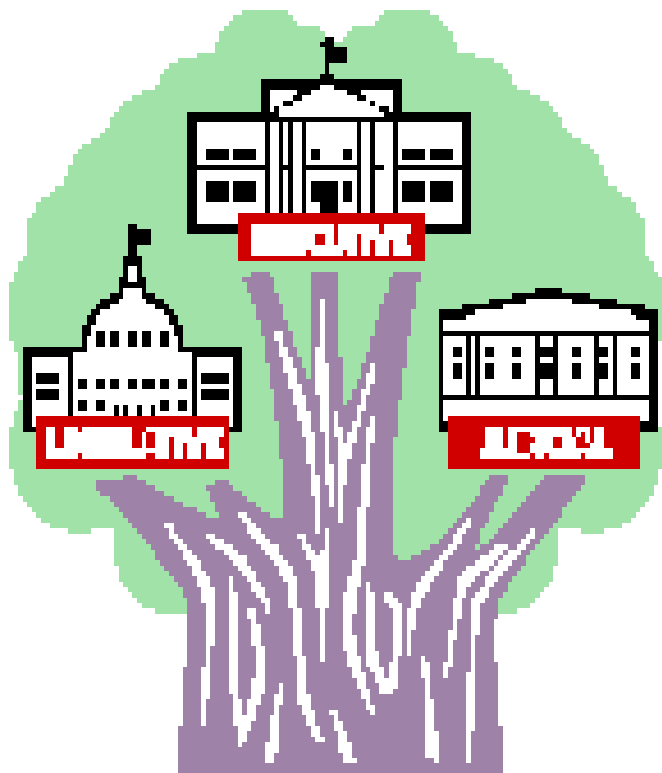


The Dummy's Guide To Legislative Advocacy



**“An Interactive, Online Workbook
For Those Who Want To Gain Their Share Of
Legislative Influence, Prestige, & Profit”**

by

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Dear Future Advocate;

The *Dummy's Guide to Legislative Advocacy* carries with it five specific dedications.

First, this workbook is dedicated to educating and providing the reader with effective ways to participate in the legislative process, while providing hard hitting ways to make a difference for themselves, their families, their community and others.

Second, I want to extend my dedication to the role the Advocacy profession has played in American politics, history and the expansion and protection of our constitutional rights.

Third, this document is dedicated to all those who want to become Legislative Advocates - *I support your decision and hope this booklet helps provide you with some effective guidelines to doing so.*

Fourth, this unique, one of a kind, step-by-step guide is dedicated to providing you with the tools necessary to save money and compete against lobbyists & lawyers.

Finally, this guide is dedicated to the principals and concepts embodied in the Magna Carta, U.S. Constitution and Bill of Rights - because without those foundational documents, the inherent freedoms that we have as a people, would not exist, making it difficult for people like "us" to voice opinions, question leadership and challenge our government. After all, it's these concepts that help people self-publish and choose careers that we want, without anyone's permission.



Michael C. Ross, J. D.

A decorative banner with a patriotic theme. At the top, it says "WE WANT YOUR VOTE" in a stylized font. Below this, there are two circular icons: one with a red horse and one with a red elephant. The banner is decorated with red, white, and blue stripes and a large red, white, and blue circular motif at the top.

www.lobbyist.org
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www.lobbyist.org/voter_registration.html

On-Line Video Resources

1) Executive Branch	www.lobbyist.org/book/executive.html
2) The Congress	www.lobbyist.org/book/congress.html
3) How A Bill Becomes A Law	www.lobbyist.org/book/how.html
4) Legislators (contacting offices)	www.lobbyist.org/book/legislators.html
5) Legislative Staff	www.lobbyist.org/book/legislative.html
6) Appearance & Organization	www.lobbyist.org/book/appearance.html
7) Publications	www.lobbyist.org/book/publications.html
8) Analyzing Legislation	www.lobbyist.org/book/analyze.html
9) Writing Letters and Reports	www.lobbyist.org/book/writing.html
10) Testifying Before Committees	www.lobbyist.org/book/testify.html
11) The press and Lobbyists	www.lobbyist.org/book/press.html
12) Networking	www.lobbyist.org/book/networking.html

INTRODUCTION - BEFORE WE BEGIN

When America's Founding Fathers penned the Declaration of Independence, the U. S. Constitution and the Bill Of Rights, they did so knowing that they were laying the foundation for a new society, one with a new type of government that's "of the people, by the people and for the people." These philosophical thoughts and social beliefs created new operational rules and procedures that government should, can & will follow on our behalf. Those revolutionary concepts include:

- 1) A new version of man's inherent rights and role in society;
- 2) A separation of church and state;
- 3) Constitutionally established branches of government that create a system of "checks and balances" to prevent abuses;
- 5) The concept that you are innocent until proven guilty; and
- 6) Participation in the legislative process is open to all.

With that last thought in mind, there's good news and bad. The good news is that political access and participation is open to everyone (you don't even need to be an American) who spends the time (and money) to learn how to participate. The bad news is that participation and access goes to those who work hard to understand the government's complexities, actions and needs.

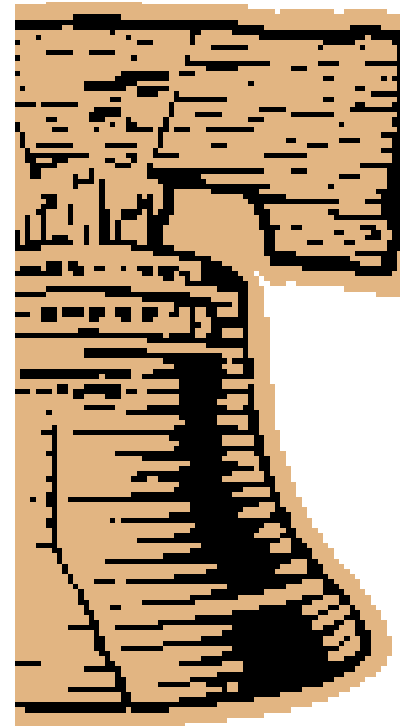
Want some more good news? If you follow this books follow easy to understand concepts, and do the exercises, you'll learn the basics of effective lobbying. Subjects included are:

- a) What is a Lobbyists and what do they do;
- b) A legislative review - including how a bill becomes law;
- c) A sampling of important legislative terminology;
- d) Understanding the role of legislative publications;
- e) How to successfully work with Legislative Staff;
- f) How to take legislative positions;
- g) How to effectively testify before a committee;
- h) PACs - What they do and how to create them;
- i) Exercises to fine tune your advocacy skills.

METHODOLOGY

The material this book will present to you is complex and difficult to master. It will be presented to the reader in 5 ways:

First, by using a variety of definitions and thought provoking examples, I'll explain what a lobbyist does and why the word conjures up questionable thoughts, theories and ideas. Along the way we'll learn the industry's history and foundational basics, including theories, language, documents, tools and insights. To support your growth in these areas, I've created specifically focused exercises that will help you create issues, find clients and participate in the legislative process as Advocates.



Second, this workbook is written with this basic premise in mind: **you're curious and interested about the lobbying profession.** And since you're interested, I want to urge you to get the most out of this workbook by doing the exercises.

Third, each section comes with specifically designed URL's that

I urge you to visit for more information, especially the ones that include specially shot video.

Fourth, I'll be supplying real life examples and experiences designed to stimulate your education, illuminate and lead.

Fifth, this book is designed to be used at the Federal, State and Local governmental levels, as well as any and all democracies.



DO YOU HAVE WHAT IT TAKES?

I'm often asked what type of experience do you need to become a lobbyist or work in politics? Applicable experience ranges from being a Law Clerk to Nurse, from CPA to Janitor. Additionally, Ranchers, Police Officers, Actors, Doctors, Housewives, Teachers, Small Business Owners, Consumers, Collectors, Sports Fans and Movie Buffs are eligible and encouraged. Actually, in today's modern legislature(s), besides being over 18 and not a felon, the commonalities are:

- a) An interest in politics or life's everyday issues;
- b) An interest in changing the "world" around you;
- c) The need for an interesting and exciting career;
- d) The willingness to put up with long hours;
- e) Being a creative, out of the box thinker;
- f) The ability to promote yourself and your causes;
- g) An understanding of money and it's impact on Governmental decisions and business;
- h) The ability to undertake multiple tasks at one time;
- i) The ability to speak in public.

To make your professional experience pay off, you'll also need to promote yourself properly. The first part of the promotional equation includes a Professional Profile (resume) that fits the job and image you want to project. Please use the ideas that are provided in this booklet to help you create one.

As a lobbyist, you are a generalist. First and foremost, you are an expert on "legislative operations." As such, your job is to get your client to the right people, place and spot at the right time.

Lobbyist Tip

WHAT EXACTLY IS A LOBBYIST?

America's political history has lead to the development of a variety of traditions. All in all, our Fore Fathers have shown the world that our most basic thoughts and feelings about humanity, as well as our economic beliefs, are founded on solid principles. Our system of government shows that when those principals are followed, they provide avenues that lobbyist or advocates with a little insight, good communications skills, creativity and instinct will/can use to make a living and difference.

America is connected with England through law and history, as well as the inherent belief and understanding of what 'the rights of man are.' Common Law connections have helped great thinkers pick up where the Magna Carta ends: with the penning of the U. S. Constitution and Bill of Rights.



Although common law goes back hundreds of years, no one really knows exactly where the term "lobbyist" comes from. Some research shows that the word was created to describe people who "sat in lobbies while waiting to see those in power (the King)," while other research shows that it means someone who tries



to persuade legislators to vote for bills that they favor. Additionally, Webster's Dictionary claims that the word came into use/existence during the 1940's. No matter where the definition comes from, there are 2 commonalities: 1) The definitions are broad and over reaching and 2) People (polls) blame lobbyists for corruption.

As of June, 2013, there were about 243,000 registered attorney's in California, compared to about 2,000 registered lobbyists

Lobbyist Insight

ONE STATE'S DEFINITION

No matter what definition history provides us with (or that's used), the only way to know exactly what a lobbyist is, is to read the governing statutes of the body you are attempting to lobby and then apply them to your situation. According to a variety of Lobbyist Regulatory Acts and Statutes, lobbying consists of attempting to influence one of the following governmental matters:



(1) "A decision related to any matter to be considered (or being considered) by the legislative branch of government or any legislative committee or any legislative matter requiring action by the Executive Officer of the Political Entity or awaiting action by the Executive Officer of the Political Entity"



or

(2) "An official governmental trend or action."



Because at least 2 options are always available, the term official action means "the action or non-action of a state official or state agency, board or commission acting in a rule making proceeding."



Compare the definitions of the term lobbyist (found on the next page) with the most important definition, your state's! Ask yourself what are the differences? What impact do they have on you?

Lobbyist Exercise

DEFINITIONS CONTINUED

To start us off on the same foot, we need to establish a basic vocabulary. To do so, I'm going to provide you with 2 sets of definitions. The first set defines the term lobbyist, while the second set provides you with commonly used "industry terms." These terms are important to know, are part of the Advocate's vocabulary, and should become part of your also. All terms are used in this workbook (often interchangeably). The 5 basic lobbyist definitions are:

LOBBYIST DEFINITIONS

LOBBYIST - GENERAL TERM

California's Code defines a lobbyist as someone who represents issues, ideas, thoughts or positions of organizations, businesses or individuals before governmental bodies for compensation or free. This category contains the following subcategories.

CONTRACT LOBBYIST

Someone who works for a specific company or cause under a defined contract. Usually, there is no long term "tie" to the issue once the contract is over (about 95% of the lobbyists).

ADVOCATE

Someone who represents issues, ideas, thoughts or positions on behalf of an issue or cause that's usually dear to the individual, for compensation or not. Most consumer advocates fall into this category. (About 2% of the Lobbyists).

PUBLIC RELATIONS ADVOCATE

Individuals who promote you and your issues before the media and public at the grass roots level (about 3% of the lobbyists).

Write a 1,000 word essay on the 5 definitions of Lobbyist provided in this workbook. Which is most important to you in relation to your state's definition & the issues you hope/plan to deal with? Why?

Lobbyist Exercise

GOVERNMENTAL RELATIONS ADVOCATE

This is the professional lobbyist's way to define exactly what "they do." Think of it as follows: as a registered lobbyist, the services I provide are "Governmental Relations" services.

For the record, based on these 5 definitions, the most common types of lobbyists are: The Contract Lobbyist, the Employee Lobbyist and the Governmental Lobbyist.

CONTRACT V. EMPLOYEE

Every form of advocacy provides certain pluses and minuses, but since each Advocate's practice is personal, I'm not going to rate the types. Rather, I want to explain what they're all about.

The Contract Lobbyist: The Contract Lobbyists views life in the political process on a contract basis. As the ultimate capitalists, they're always looking for their next client (contract). As a result of dealing with a variety of interests, the Contract Lobbyist usually specializes in several areas that are highlighted by their knowledge of the legislative process, meaning that their career depends on continually expanding their knowledge, contacts and experience. The contract lobbyist is required to register with governmental authorities.

The Lobbyist Employee: Usually works for a company that has specific corporate goals and needs in the legislature. As an actual employee of that company, these Advocates have one benefit Contract Lobbyist do not have: they are eligible for bonuses, stock plans and other company oriented perks. The lobbyist employee must register with the government.

Get a pack of index cards and make a set of flash cards using the definitions and terms in this section. As you use this book, don't forget to learn the words and use the vocabulary.

Lobbyist Exercise

Governmental Lobbyist: These Advocates are traditionally referred to as government employees who lobby on behalf of their department. For example, the lobbyist for the Department XYZ has their own in house lobbyist. In many instances, they are not required to register.

INDUSTRY DEFINITIONS

For many, buying a ticket to the big game and sitting in the sidelines is as good as it gets. But for others, that's just not enough - especially when big money is on the line. As such, if you want to play in the game and be an insider, the best way to do so is to learn the system and speak "insider speak". The best way to do is to learn the industry's buzz words and terminology. Before I get into specific definitions, remember that all states have created specific language and they use in their legislative operations. Even so, there is a common language thread that all legislatures use, and its outlined here.



Abstain: Not voting

Absent: Not in the room when the vote was taken.

Amendment: A proposed change to a piece of legislation. In general, there are 2 types of amendments - friendly or hostile.

Amendments: Friendly -usually taken as either "author's amendments" while Hostile (voted on by the Committee against the author's wishes).

Author: The legislator who introduced the Bill.

Aye: A yes vote

Bill: A legislative proposal that affects current or proposes new law.

Select 15 terms from this list. Call your legislator's office & explain that you're working on a school project & need help defining some terms. The idea is to interact with your legislator's office to understand how to use the words.

Lobbyist Exercise

Blue Pencil: The Governors of many states have the power to “edit, rewrite or eliminate” funding and/or programs in that state’s budget (after its passed by that state’s legislature). The President doesn’t have this power.

Budget: The spending plan for a specific fiscal year.

Budget Process: A series of hearings designed to create an operational budget.

Calendar: Legislatures operational schedule.

Chapter: A Bill that has been passed by the legislature and enacted into law.

Consent Calendar Item: A Bill with no opposition.

Debate: To discuss the merits of the Bill.

Due Pass: Used in reference to an amended Bill that’s passed by a committee and sent to the next step of the process. If the measure is amended in the committee then its sent out of that committee “due pass as amended.”

Enacted: A Bill that has been implemented into law.

File: The official list of a houses work load for the day/week.

Framing (an issue): An attempt to create and “organize an issue” into a controllable, organized “picture.”

Floor: Where the legislative body meets and conducts business.

Fourth Estate: The press.

Ghost Voting: Voting for an absent member.

History: A list of complete events that occur on any Bill.

House: Congressionally, the lower of two houses. Also the lower branch of the legislature.


K.I.S.S: Keep it simple stupid - a PR term

Member: The elected official.

Monitor: Following a Bill or proposal without taking a position.

Motion: A procedural rule, usually to vote on a Bill.

Move the Bill: A legislative motion to have the committee vote on the



The 3 best ways to understand legislative terminology are: 1) Hang around the legislature and listen to how they are used; 2) Read legislative material (where they are used); 3) Use them in conversation(s) and writing.

Lobbyist Tip

Bill and send it to it’s next location.

Nay: A no vote.

Neutral: Participating in a Bill’s discussion, while being neither in support or opposition.

“On Call”: A Bill without enough votes is placed “On Call” until those who have not voted, vote.

PAC: Political Action Committee.

Resolution: A nonbinding policy passed by the Legislature expressing feelings and thoughts.

Sergeant: Law enforcement officer in charge of safety and operations of a committee.

Session: The length of time the legislature is “working.”

Sponsor: The originator of a bill idea.

Staff: Assistants to the elected official. Hired to perform assigned duties for the elected official.

Suspense File: The Revenue and Taxation Committee’s list of items that exceed a preestablished monetary value.

Third House: The Lobbying Corps.

Under The Dome: the term used to express when you are in the building.

Vehicle: A Bill is referred to as a “vehicle” as it moves through the legislative process.

Vote: To cast a public position on an issue or Bill.

Wonk (Policy): A policy wonk is someone who is interested, curious or involved in the creation, enactment and administration of public policy in a given area.

Of course there are other words and phrases we could define, but this is the basic list. More are online at www.lobbyist.org.




Spend time in a committee room & listen for 15 words that are used that you don’t understand & not on this list. Add them to your master vocabulary list & post them on www.lobbyist.org

Lobbyist Exercise

DO YOU HAVE WHAT IT TAKES EXERCISES

- 1) Explain the following to 5 friends:
 - a) What a lobbyist is and does, including the 5 different types;
 - b) Why you want to be one
 - c) Which type you would like to be, and why;
 - d) The area of interest you want to practice in and why;
 - e) Who potential clients may be and why.
- 2) Go to **www.lobbyist.org** and go through the lobbyist library of articles. Find three that are of interest to you and read them.
- 3) Obtain a copy of **Roberts Rules of Order** and read about how professionals interact and debate (www.Lobbyist.org/reference) or visit www.Rulesonline.com/rror--00.htm for operation rules of procedure).

NOTES:



Don't try to be
the world's best
lobbyist - Rather be
the best lobbyist you
can be for your
client's needs.

Lobbyist Tip

Chapter 2



WHAT DOES A LOBBYIST DO?

Lobbyists undertake a variety of activities during a legislative session, often wearing several hats at once as they juggle bills, people and ideas. Unfortunately, because of the competitive nature of the legislature, combined with the fact that clients have different needs as well as a clear "*put that fire out*" mentality that controls agendas, those activities all seem to happen at once. As a result, for clarity and fine tuning, your duties as a lobbyist should be defined in writing. Those duties should be based on goals that are created by the employer and Advocate, and are clearly based on the employer's specific need(s).

Because economic and political needs in a competitive market place vary from business to business, industry to industry, and issue to issue, an Advocate's duties will range from legislative tracking, monitoring and reporting to writing legislative analysis, meeting with legislators and conducting media programs.

To maximize profits and skills, a professional lobbyist's portfolio should be well rounded and consist of the following time tested duties (they are common to all legislatures):

- Legislative Bill Tracking - (Follow Bills through the process);
- Legislative Research and Analysis - (Establishing how the proposal will affect your clients);
- Meetings - (for clients);
- Press Relations;
- Group relations;
- Polling & Data Collection;
- Fund-raising;
- Political filing with proper authorities.



The lobbyist's
#1 job is to help
clients communicate
verbally & in writing with
the legislative process. This
makes you a valuable asset.
Remember, you are an
information conduit,
so act that way.

Lobbyist Tip

THE CONTRACT

Since the majority of lobbyists are contract lobbyists and the contract establishes your duties (and pay), a quick review of lobbying & contract law is in order.

In its most basic form, a contract is defined by the parties who enter into it, exchanging “consideration” for a binding duty that they have voluntarily chosen to undertake (an obligation). There are two basic types of contracts: Express or Implied. An Express contract is expressed in writing or orally. An Implied contract is one inferred by law to exist because the conduct (actions) exhibited by both parties and/or circumstances that indicate a contractual relationship exists. There are also Bilateral or unilateral contracts. A bilateral contract is one involving mutual promises between parties. A unilateral contract is a one-sided promise where one party undertakes an obligation without a reciprocal promise or obligation being made or undertaken.

All contracts should be written and contain short, direct and understandable clauses that are specific and clarifying. Since a contract doesn't have to be long and complex to be effective, I suggest that it consist of the following clauses or language:

- 1) An introduction that captures the background, intent and agreement's spirit (The intent section).
- 2) The issue portfolio defined.
- 3) Legislative Activities defined.
- 4) Remuneration
- 5) Expenses: What's reimbursable and how.
- 6) Billing - An invoice.
- 7) Agreement Length: Month to month, year to year or ?
- 8) Cancellation/termination: Notice and final arrangements.

Lobbying contracts, like other contracts, consists of 3 elements: Offer, Acceptance and Consideration. As such, they are covered by the Uniform Commercial Code as a service.

Lobbyist Tip

Note: Many states have outlawed the awarding of “commissions or bonuses” to lobbyists for passing or defeating a bill because it is contrary to public policy. As such, make sure that your contract doesn't include a “bonus” for passing or killing a bill.

ACTIVITIES OFTEN OVERLOOKED IN CONTRACTS

- **Information Resource:** As an advocate, you're where the action is. As a result, you can be a constant source of information from Capitol to clients and from clients to the Capitol.
- **News stories:** Additionally, being a recognized resource puts you in a position that not only requires you to stay on top of things, but places you in the perfect position to write magazine articles, reports and short stories about your actions. Make sure any agreement that you enter into recognizes this and protects your publishing rights. This should be done in advance, not when the situation arises.
- **Representation & Multiple Clients:** As a professional, you often stand in place of your clients and provide information to legislators, their staff, and news media. As such, depending on the industry and your employer, you can also represent more than one client, subject and/or industry over the course of a legislative session. Make sure that your contract states if you can or can not have multiple clients.
- **Economic Ambassadors:** Lobbyists help businesses open economic doors and expand business markets, as such, don't forget your investment rights & opportunities!
- **Economic Assistance:** There's nothing wrong with providing services that don't compete with a client's interests or needs.

Make your contract clear, concise, & easy to understand. Using basic format will make it easier to fulfill the agreement, as well as understand and enforce it!

Lobbyist Exercise

SAMPLE LOBBYIST AGREEMENT

INTRODUCTION:

Thank you very much for hiring (me/firm) name to help you with your legislative agenda and needs. It's our firm's understanding that you wish for us to follow the actions of the _____ State Government, including but not limited to the _____ Legislature and it's governing boards and commissions.

OFFICIAL DUTIES:

I understand that I/we have been hired to conduct comprehensive legislative representation on behalf of __ (firm name) ____ . Your representation includes, but is not limited to:

- 1) Testimony before Legislative Bodies and meeting with elected officials regarding legislative affairs that affect your business interests
- 2) The creation of specific, pre approved, legislative material and preparing to support our positions.
- 3) Interaction with support and/or opposition

LEGISLATIVE MATERIAL:

I will regularly supply you or your designated representatives with:

- 1) Copies of bills, resolutions and amendments;
- 2) Copies of official legislative analysis reports and other material related to issues we both determine to be of interest to your business;
- 3) An analysis of how I believe the proposed legislation affects you, with suggested position/actions;
- 4) Appointments with Legislators and Staff when needed;
- 5) Copies of Speeches, testimony and other presentation material that are produced for use during hearings on issues that affect your interests;
- 6) After "action" is taken on each bill of interest or action, you will receive an "update" as to what happened during the hearing;
- 7) At the beginning of each legislative session, you will receive a comprehensive list or package of "proposed laws" that are believe to affect your

business interests. It's up to you to let me know which ones you support, oppose or want monitored;

- 8) At the end of each legislative session, you will receive a comprehensive "legislative update" from me which will outline the activity I have taken on your behalf on each bill and the bills current disposition.

Write a sample contract based on the example provided in this section. Once written, have both a friend, & law professional review it. This will ensure that its easy to read & protects your interests, saving you time, money & heartache!

Lobbyist Tip

EXPENSES:

It is understood by both parties that there will be certain expenses provided by myself on your behalf. Those expenses include, but are not limited to, printing, travel, phone calls and the creation and filing of quarterly Secretary of State Advocacy Forms (as required by California State Law). It is understood by both parties that those expenses will be paid by you, and that any expenses over \$50 must be pre approved.

REMUNERATION:

In return for conducting the above duties as your a registered Legislative Advocate, _____ will pay me the following fee ____ (per hour) or a flat fee of _____ (per month) or a flat fee of \$ _____ (____ dollars) per year.

BILLING:

Each month an invoice will be prepared for services rendered" that will include the following summarized information:

- 1) Activities and actions taken on your behalf, complete with "attachments" when necessary;
- 2) Billing will take place during the first week of the month, and will be due and payable by the last day of the month;
- 3) Checks should be made payable to :
- 4) A retainer of \$____,000 is requested, and will be placed in a constructive trust.

LENGTH OF AGREEMENT AND RENEWAL:

This agreement shall be in effect for _____, and shall commence starting _____. This agreement shall end _____, unless renewed. Renewal of this agreement can take place at any time with written consent of both parties.

CANCELATION:

This agreement is cancelable with 90 (ninety) days notice by either party.

SIGNATURES:

This agreement is understood and accepted by, on behalf of: (both parties need to sign at the end of the document. Signatures should be made on the signature line).

In the legal profession, there is a confidentiality bond between clients and attorneys. In lobbying, the concept is the same, the work you do on behalf of your clients is confidential.

Lobbyist Tip

REMEMBER... YOU'RE A LOBBYIST IF...

- You are compensated for lobbying in any fashion;
- You are designated by a group or organization to represent it for the purpose of lobbying; or
- In the course of your employment you are engaged in lobbying on a substantial or regular basis.

YOU'RE NOT A LOBBYIST IF...

- You represent only yourself and no one else;
- A legislative committee or administrative agency has asked you to testify as a creditable witness in connection with legislation or an official action;
- Your efforts are focused to providing oral or written public testimony in connection with a legislative committee or in a rule making proceeding and you clearly and publicly identify yourself and the interest you represent;
- You are a state employee or the staff member of a statewide elected official who has been designated by your agency pursuant to enacted rules;
- You are an elected or appointed state officer or its political subdivisions or an Indian tribe;
- You are a member of the legislature, the staff of any member of the legislature or the staff of any legislative committee when addressing legislation;
- You are a publisher, owner, or employee of the print media, radio, or television, while gathering or disseminating news or editorial comment to the general public in the ordinary course of business.

If you are still unsure whether lobbyist registration is required for you, please do one of the following:

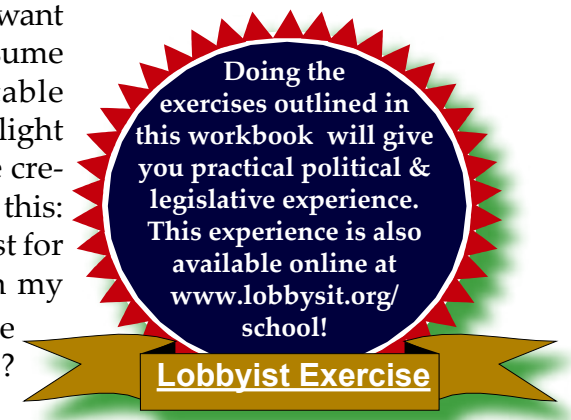
- call your Secretary of State's office and find out
- visit our website at www.lobbyist.org
- email us at ssorleahcim@lobbyist.org and we'll help you register!



WHAT DOES AN ADVOCATE DO EXERCISES

- 1) For the best information possible, visit your legislator's website or call their office and find/ask for a copy of their Resume, Biography or Curriculum Vitae. Once you find/receive it, read it and use it as a model for your own resume. The goal is for you to design your perfect political resume, while cataloging your skills. As you review the resumes, keep in mind this question: does the resume highlight important qualities or concepts that are important to the community and people they represent?
- 2) Contact your local City Clerk and get the latest copy of the openings on County/City Boards and Commissions. Once you receive the list (& applications), write a resume for the position you are applying for, fill out the paperwork and then actually apply for that position by submitting the material.
- 3) Contact 3 legislative advocates or political professionals and ask them for copies of their resumes. For many, resumes are also available on the internet at sites like Monster.com and LinkedIn.com. If you go this route, please search for resumes using three different sources. Once you receive them, write one for yourself, using the others as examples.

- 4) Compare the collected samples and choose a style that best fits you and what you want to accomplish. The resume should feel comfortable and should help highlight your strengths. While creating it, ask yourself this: Why is this format best for me? Why did it catch my eye? How can this be used as my Resume?





CREATING ISSUES & PLATFORMS

An effective lobbyist or governmental relations professional possess a variety of skills - and often use them all at once. They range from creative out of the box thinking to dynamic written and oral communications. Other skills include courage, public speaking and one of the lobbyists most important skill - instinct.

Instinct is often overlooked by most of us on a day to day basis. Instinct is an important skill, one that's a problem for most to handle because they're not in touch with it, let alone don't know how to interpret it. Instinct is used in the legislative process because everyone is using it, and you're selling thoughts, concepts and ideas - all of which affect someone economically (watch what happens when you touch someone's wallet, their instincts RAPIDLY come to life). Instinct will often tell you what to do and when to do it, including when to stand up and complain. Instinct also helps you with 'timing.' Personally, every profession uses instincts, but only 2 careers can compare to using instinct in the political process: gambling and securities trading (the NYSE's floor). Like the gambler or securities trader who knows when to hold'em and when to fold'em, strong instinctual skills will help you interpret and process information and then properly act on their client's behalf.

Once developed, instinct will also help you choose issues and construct your platform. Over all, there are 2 types of issues: General and Special. General are wide ranging - from governmental to business operations. Spe-

Remember, creating your own special interest (one that you control), shows that you're serious & is often as easy as filing a few pieces of paper!

Lobbyist Tip

cial are creative solutions developed for common problems - ideas that make an impact and help establish career credentials. When properly used, instinct helps you create issues, agendas and platforms, as well as a PAC to help raise money, organize and represent those views. I use this business model because it affords me a luxury: I believe that you can't (shouldn't) represent an issue or client unless you believe in it or them. For example, take Medical Marijuana - I was involved in the issues because I was once a registered caregiver and saw how it helped people with cancer, and I want to see it help others.



SPECIAL INTERESTS

Four trends have contributed to lobbying's dramatic expansion.



- 1) the growth of the legislative process in and of itself (size & going from part-time to full time);
- 2) the impact of legislative actions on the economy, business and employment;
- 3) the expansion of issues that once were not special interests, but are now identified as special interests;
- 4) the ease in

which the creation of special interests can happen.

But what exactly is a special interest? According to Princeton University at wordnet.princeton.edu/perl/webwn, a special interest is: An individual or group who are concerned with the economy and who try to influence legislators or bureaucrats to act in their favor".

Issues are here, there and everywhere - to find them, keep your eyes open for new and exciting developments in emerging fields, technology & interests.

Lobbyist Exercise

Wikipedia defines special interest as: An interest group (also called an advocacy group, lobbying group, pressure group or special interest) is a group, however loosely or tightly organized, doing advocacy: Those determined to encourage or prevent changes in public policy without trying to be elected. (http://en.wikipedia.org/wiki/Special_interest). Finally, the **Merriam-Webster Online Dictionary** (<http://www.m-w.com/dictionary/special+interest>) defines special interest as: Function: *noun*: a person or group seeking to influence legislative or government policy to further often narrowly defined interests; *especially*: LOBBY



For this workbook's purposes, special interests are a group of people organizing with respect to a specific issue, subject or interest. A Lobbyist can either do the organizing or sit back and hope that when that group is organized, that it comes to them for representation. Organizing special interests is done for a variety of reasons, with the largest being that the old adage - there is strength in numbers - is true. Professionally, its very profitable. Groups that symbolize this strength in numbers theory include **AARP** and the **NRA**. Many believe that special interests are bad or evil, and the average person just doesn't realize that everything is actually a special interest - businesses, hobbies, pet peeves and yes, neighborhood concerns.



I find that the more obscure your "hobby or interest" is, the more likely that no one represents those interests in the legislative process! The best way to do so is with a Non-Profit Organization.

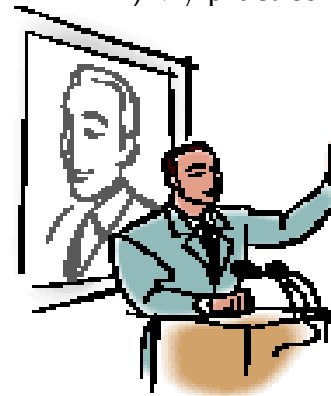
Lobbyist Tip

PERSONAL INTEREST

Finding quality issues and making a career out of them is one of the advocate's hardest and most creative jobs. As you'll see when you start your own practice, often you'll have no choice but to make work for yourself, and to do that, you will fall back on issues, subjects or "things" that are of interest to you.

As previously stated often throughout the book, I'm different than most lobbyists, and my advocacy practice celebrates that difference based on four beliefs:

1) My practice has a theme: consumer protection.



I believe in the concept, idea or theory of being there first. That means I think up, create and start my own trends and a supporting Political Action Committee (PAC). I then use the PAC to funnel ideas, raise money and then watch the policy area grow up around me. As the issue area grows, I create a lobbying program around it, and that program includes public relations events that help me make

the 'expert' - all of which earns money. I enjoy this type of lobbying because I control my destiny, stay on top, out in front and in charge.

3) Creating my own work allows me to do what I want!

4) If a bill is introduced that directly affects my life and no one is doing anything about it (or they are doing a poor job), I'll get involved!

For example take the collectibles industry. As a collector of trading cards, dolls, lunch pails, mugs, art, books, Beatle's memorabilia and plates,

Personal interests are often the most powerful special interest there are - you can't go wrong supporting something you know in your heart is right & that you personally experience.

Lobbyist Tip

I have a direct connection to this issues surrounding the field. As such, issues that directly affect me include: taxation, insurance, certificates of authenticity and return policies (especially over the internet) and over a dozen others including how flea markets and garage sales operate. In fact, thanks to my work in the early 90's on the passage of 4 basic collectibles law(s),

not only did I create a policy area for me to play in, but also future work because when a proposal comes along that alters current enacted law, I'm there, ready to play, protect interests and make money.

The being there first theory has many pluses and minuses. Even so, one has to recognize that lobbying is a crap shoot that's not for the timid. In fact, if its done incorrectly, it could be criminal! The largest plus on your side is your ability to help frame the issue's debate parameters, and this directly affects its future and societal impact. For lobbyists, this creates job security through expertise. For instance, take the issue of Rx Cannabis. In this growing, yet questionable field, I first got involved when there were zero laws on the books. With laws now on the books at multiple levels, and there are many new proposed laws popping up everywhere - not just in California, but around the country. In an effort to support my involvement in this issue area, I not only created a PAC, but wrote some proposals, (consumer issues like packaging, labeling and quality control), put up a website (www.RxCannabis.com) and started taking legislative positions. Lucky for me, my proposals are now being discussed and with a little but of luck and work, they will eventually become law!

In your phone book, look up non-profit & for profit associations. Make a list of those you would & wouldn't represent. As you do, ask yourself, why would or wouldn't you represent them?

Lobbyist Exercise

BUSINESS EXPERTISE

For many of us who live in the real world, the term networking is overused, sadly, often rending it meaningless. Even so, in the lobbying world, networking is vital because it allows you to develop issues, find clients, raise money and build coalitions.

As a result, I urge you not to overlook the obvious - after personal interests, don't neglect your business background as a base to network, build issues, and attract political friends and clients. After all, you already h of expertise, share something ir common with peers and have an idea of what problems need to be addressed, so why not lobby for your business interests?

For example, throughout college I worked as a process server, delivering those dreaded legal papers. After graduation, I continued to work in the field (12 total years). As a result, I have first hand experience, friends and a direct interest in the field. When legislation arises dealing with the subject area, if interested, I'm able to provide expert testimony and can explain to the industry how the proposal affects them and then explain to legislators the industry's concerns. Clearly I can directly related to the client's specific needs because I once was one of them. This builds bridges and coalitions, which in turn increases visibility, finds work and helps you earn more money.

Most business groups or associations have lobbying P.A.C.s that conduct lobbying days in your state capital. For real life experience, spend a day with them. You'll learn a lot.

Lobbyist Tip



POLITICAL EXPERTISE

In a lobbyist's world, politics generates issues and issues generate (create) clients, work and profits.

With creating issues in mind, we'll start with the premise that certain issues are inherently Democratic, while others are inherently Republican. As a lobbyist, you need be able to instinctively distinguish which issues belong to which camps - *IMMEDIATELY* - and be able to not only align yourself with others who match your political philosophy, but more importantly, use those issues to attract attention and make a name for yourself. For example, take the Gay Marriage issue. Since it first started being discussed, it has pitted the supporting "D's" against the opposing "R's." It wound up in their camp because of the "R's" position on families and church.

As you can imagine, political support for the party's policies have a large impact on the nature and direction of legislative action. And who gets involved often depends on what section of law the bill affects, whose going to enforce it and its overall impact on government spending or business profits.

Additionally, the positions you take often identifies and determines the clients that you'll attract, as well as gives others an insight into your thinking, actions, motives and beliefs.

Professionally speaking, that's a strong position because it gives you options to: 1) lead the pack, 2) walk with the crowd, or 3) sit back and "collect the eventual gravy."

The best way to ensure that you'll have a "political future" is to plan for one. To do so, create a short-term business plan, as well as one for one, two, three, four & five years.

Lobbyist Tip

CAREER PLANNING AND PATHS

The only way to ensure for a lobbying career is to plan for one. Creating a political action plan is similar in nature to creating a business plan, and its vital for the career minded lobbyist.

In the short term, the average Advocate works from contract to contract, from legislative session to legislative session; from issue to issue and is always looking for more things to do, including ballot initiatives, staging events and publishing/writing.

Because of what we do and the many options open to us, establishing a lobbyist's career plan is extremely difficult, yet financially rewarding, especially if your plans can't, aren't or won't be easy to implement (**the harder the plan, the higher rewards**).

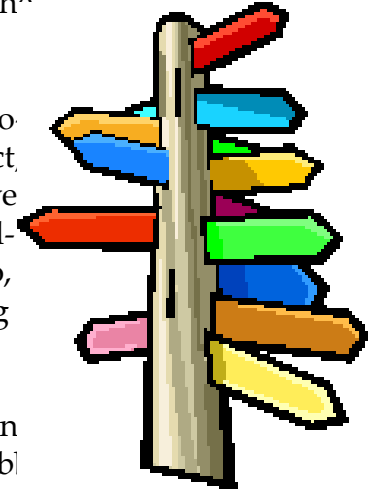


For experience to pay off professionally, you need to create an atmosphere that promotes you and your ideas. This can be done in a variety of ways, but is usually accomplished through the presentation of credentials that establish your professional image. In this day and age,

you need the right tools to properly promote yourself. The tools include an online resume, complete with writing samples, and video clips (I also put everything on DVDs, along with free promotional software).

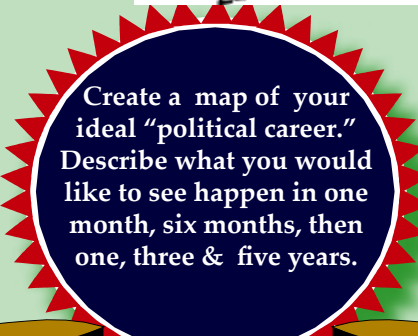
Even though they say they can do so, I have never met a job recruiter (head hunter) who conducted a search for a Lobbyist or governmental relations pro.

Lobbyist Tip



8 STEPS TO A SUCCESSFUL POLITICAL CAREER

- 1) Select issues with growth potential
- 2) Learn how to promote those issues - become knowledgeable about publicity and the media system(s) that media now encompass
- 3) Learn how to expand the issues you have selected - All issues are expandable, so roll up your sleeves and don't be afraid to do it;
- 4) Learn how to protect those issues from outside interests -Remember, there are no trademarks on ideas, so protect them!
- 5) Learn how to stay insulated from issue fallout;
- 6) Learn when to get in and out of an issue - Timing is everything in life, and sometimes the issue's direction starts one way, and then takes a nasty turn, so learn to read an issue's direction. The best example of this is the old ball player who refuses to hang up his spikes and suffers image wise because of it.
- 7) Learn to use what's handed, given or provided to you - you can make lemonade out of lemons.
- 8) Learn to promote an issue, and your visibility with it.



Create a map of your ideal "political career." Describe what you would like to see happen in one month, six months, then one, three & five years.

Legislative Exercise



COMMITTEE HEARINGS

Committee hearings are very useful tools for an advocate because they help develop issues that attract clients while promoting your involvement in the issue to potential clients. This not only helps you learn new issues, but shows off your skills to potential clients, legislators, staff and the media.

When you testify, everyone gets to see your abilities to:

- Think on your feet while providing political analysis;
- Speak in public - your ability to make sense on your feet;
- See how confident you are;
- Build and support coalition building - those there with you.

Knowing that you might take center stage at the hearing when you testify, you need to adhere to 2 concepts: Be prepared and K.I.S.S. (Keep It Simple Stupid).

Being prepared means bringing business cards, enough hand-outs and a written presentation (even though you will only speak for 3 or 4 minutes) for everyone on the committee.

You can also write a press release announcing that you will be testifying. This helps the media find a consumer hook or face for their story. The press release should provide the story's who, what, when, and where. This approach caters towards radio shows who are looking for special, "happening" (or just happened) news - especially news that will be of interest to their listeners!

Finally, in an effort to build a legislative record, I provide copies of written testimony to the committee staff so that it will/can be made part of the official record(s).



Participate in as many committee hearings as you can - they teach you "ropes" (the process), while helping you construct a positive image that provides you with contacts.

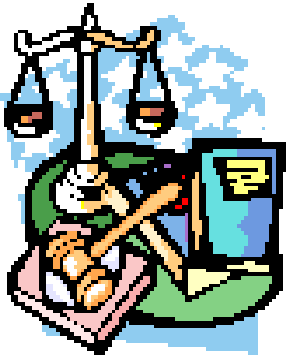
Legislative Tip

OTHER SOURCES FOR SOURCES

There are also several miscellaneous categories that should be considered when looking for issues. They are:

a) **Religion:** Religious ideas frequently spark legislative actions and attract publicity while bringing you support and if lucky, money.

b) **Friends:** You can't imagine how many ideas can be obtained and developed just by casual visits or conversations with your friends (remember, everyone has at least one bill idea in them, especially since we all have pet peeves that need/want correction).



c) **One Proposal Brings Another:** As I said earlier, I select issues that are expected to grow and are consumer protection oriented. Usually, as the issue grows, so does the number of Bill introductions and thus your chance of

landing a client in that area. Often this increase is due to two factors - 1) legislators jumping on board the "regulation train" or 2) legislators doing something at the urging/request of their constituents. For example, I started dealing with Internet issues in what seems like minutes after the technology was made available to the public. This not only showed people my intuitiveness and creativity, but also gave me an issue area that I could participate in for years to come (I knew Bills would be introduced). What made this "work" was this: I was friends with the guys who were installing the computers so I got inside information!

Remember, Lobbyists are professionally aggressive - we have to be - after all, the product (skills) we're selling are knowledge, experience, connections, tenacity & confidence.

Legislative Tip

FINDING ISSUES EXERCISES

a) Get copies of your state's 4 major newspapers and lay them out on a table. Then, going page by page, section by section, take note of where the stories are placed, what's being shown and how the public is reacting. As you do, comprise a list of at least one dozen issues of importance to your state and then a dozen to you (they can overlap). Make sure you have issues from all levels of government, and that the list corresponds to what is being shown in the various sections. Once completed, group the issues as either international, national, state or local and see if they "match up" to how your newspaper presents them to their readers. Also, ask yourself this: is the news being presented in a nonpartisan/neutral/3rd party sort of way?

b) After compiling the list, come up with at least three reasons per issue as to why the issue is important to you and three reasons why it is not (do both).

c) Write an outline describing what you would like to change about each of the issues you have selected. Then state why you would want to change them.

d) List five potential clients for each issue. Once listed, find their corporate offices. They can overlap.

e) Outline/prepare a short speech that you will use to talk to those prospective clients.

f) With a friend, practice your phone call to the potential clients.

NOTES:

A good advocate, like elected politicians, should be able to come up with at least half a dozen new issues each year.

Legislative Tip



LEGISLATIVE PARTICIPATION

Its unfortunate, but many Americans believe that they are locked out of the political process and that their thoughts, feelings, voice and vote don't count. What makes this extremely



sad is that our founding fathers designed our political system to be easily accessible by the citizenry. Unfortunately, many don't realize it, let alone take advantage of it.

I understand why people feel this way - the government is confusing and many don't have the time or energy to get involved and make a difference. This is a sad commentary on our society, especially when most of the world wants a democracy like ours (the vote and multiple candidates), yet we can barely get 1/2 of those eligible to vote in our country, to actually vote. Our system is open to all and although many don't believe it, it doesn't take a lot of money to participate, and I'm living proof! All you need is the desire to make a difference and are willing to invest the time, effort and energy to learn what to do and when to do it. In fact, to the careful eye, my actions also show that you don't have to make donations to be effective. In fact,

in 35 years of legislative activity, I made **ZERO** contributions (I donate time, letters or position briefings/papers, they are much more valuable).

One of the best ways to participate as an equal and overcome money's influence, is to dress

Participating in the legislative process is important, not just for lobbyists, but for all American citizens.

Legislative Tip

and act like a professional. That means to wear your Sunday best and blend in with your peers - legislators, lobbyists and learn the institution's operations, rules and history. Remember, in layman's terms the process is open and accessible to all, but it's open and more accessible to those who are educated, skilled and trained to be there. That raises an important question: How do you participate if you're not educated or trained to do so?

HOW TO PARTICIPATE

Participation in the legislative process, although conceptually uniform, is actually strategically different for each idea, bill, person, legislator, committee and company at every step of the way. As such, there's only one way to level the playing field and to participate as an equal: **LEARN THE SYSTEM**. And you can only learn the process by experiencing it first hand - so roll up your sleeves, walk into your capitol and get to work!

LEGISLATIVE PROPOSALS (BILLS)

As an Advocate, participating in the passage or defeat (support or opposition) of Bills is your job, after all making or creating public policy is what lobbying is all about. As such, you should stake your claim in any bill/subject that affects you or your clients. Personally, in a good year, I pride myself on being able to review and/or participate in 5-10% of California's "total policy stream." That's between 125 - 250 bills a legislative session.

Your participation level increases when you sponsor a Bill. Sponsorship means that the bill was introduced by a legislator on your behalf, and as such, it's your idea, whereas the legislator is known as the author.

Understanding the legislative process is a special skill - one that is in huge demand because of how governmental actions affect our economic system as a whole and business specifically.

Legislative Insight

HEARINGS & PUBLICATIONS

Constitutionally, bills are only introduced by legislators. Once introduced, the Bill is a public document and theoretically entitled to a hearing (although that doesn't always happen). There are 2 types of committee hearings: Bill Hearings and Informational Hearings. A Bill hearing is a regularly scheduled committee hearing, designed to take care of committee business (hear Bills and establish policy). The agenda's size may range from a dozens to just a couple.

When committees have a light load, they often hold informational hearings, usually on issues that are in the news or are of personal interest to either the Committee Chair or members.



As a rule, these hearings are designed to gather information, garner publicity and find experts. A good lobbyist will use these types of hearings as a chance to become better educated and find new and potential clients.

With stakes incredibly high, the best way to play the game is to use the same tools they use and it starts with the **Daily File**. This publication is the heart and soul of the legislature's operations because it allows you to follow and track legislation, agendas and committee actions.

As you get used to the Daily File, you'll notice that most committees have issue jurisdictions and meet at certain times. In California, consumer protection legislation is heard before the Consumer Protection, Business & Professions or Judiciary Committee(s) in

Open the yellow pages & look up the terms "Lobbyist, Public Affairs & Governmental Affairs". in 1,000 words, explain what you found and what this means to you and your career.

Legislative Exercise

both houses. As my experience grew, I was soon participating in the passage or defeat of consumer protection issues in those and other committees, and as your skills expand, so will you. This enhances your reputation and enhances profits.

Here, I'd like to point out that because of an over abundance of potential issues (and lack of time), I have participation rules, and urge you to establish some. My #1 rule is: I do not participate in subject areas with 3 or more consumer advocates. For example, one the largest issue areas is Insurance. I rarely participate in this issue because every other consumer advocate is already there, as such, how can you make a name for yourself in such a crowded room (besides, isn't insurance boring?).



As previously stated, a committee's basic activity is hearing legislative proposals - Bills.

As such, as committee hearings are scheduled, schedule your activities around theirs. In fact, as a habit, you should always attend or at least listen to the hearing (on the internet), whether you have business before the committee that day or not. Additionally, it's unfortunate, but your life schedule should revolve around your work, and at times, it has to. For example, California's legislature operates full time on Monday - Wednesday and legislators usually return to their districts early on Thursday. This makes Friday a casual, optional day, one I often take off, (unless I have something to do with staff). This makes Sunday my "prep day" (I do twice as much). That makes Friday and Saturday my days off.

Call your Governor's office & ask them for the phone number of the Capital Press Corps. Then call the press corps & ask them how you can send/deliver a press release or information to them.

Legislative Exercise

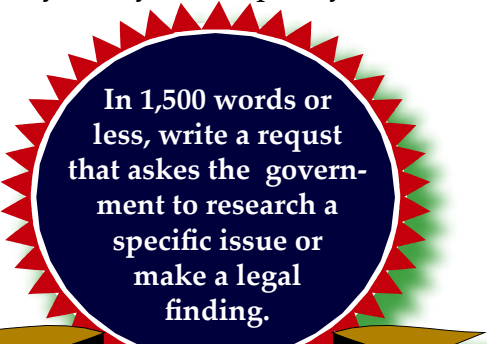
OPEN MEETINGS & THE ANALYSIS

Generally speaking, State's have open meeting laws. In California, a bill must be noticed at least 72 hours before a committee (or even a local government) can publicly discuss and vote on an issue. That means that if its not publicly noticed by 5 PM on Friday, then it probably won't be on the next agenda (unless the rules are waived). This is important because the committee has to provide an official bill analysis to the public. The analysis records the positions of everyone who writes and supports or opposes the bill. This is where your clients name(s) and argument(s) go before the public. To do so, normally you must have your written position statements (letters) in by a certain date: normally a couple of days before the hearing (Note: all committees have their own schedules and rules). This way, the consultant can review your material, include your position and write the analysis. This helps sort out issues before the hearing.

Being in the committee analysis is important for at least 3 reasons. First, you might not be able to speak at the hearing, and being in the analysis spreads your message for you, especially when most legislators read the analysis before they vote. Second, others with your position will find you and network with you. Finally, it shows your clients that you're doing something!

Once published, make sure that you get a copy, review it and before testifying, write your own analysis to either refute or support what the official analysis says. The quality of the official analysis impacts your next actions, so make sure you discuss the analysis with your clients and make a decision together.

Another useful avenue to find issues (and clients) is



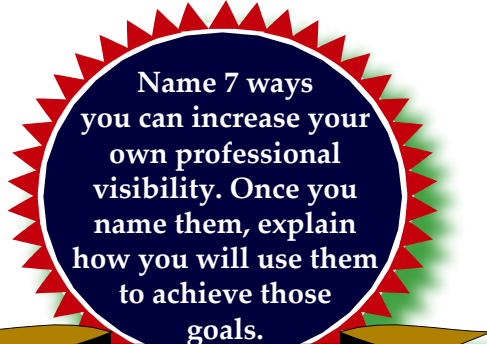
In 1,500 words or less, write a request that asks the government to research a specific issue or make a legal finding.

Legislative Exercise

when committees hold special hearings. Often called Interim Hearings, they usually focus on one major issue, with several closely related issues tossed in to get a good overview and keep things lively. The hearing's result is education, organization and almost always, the creation of "legislation designed to correct the problem they are/were studying." Interestingly enough, thanks to the two party system, the legislature usually produces 2 different versions - one Republican and one Democrat. What's important for you is this: two bills means more work for you! For example, several years ago California held hearings on the issue of How To Improve Jessica's Law. I testified and suggested using GPS locators to track sex offenders. The idea was immediately axed by both parties, yet for some unknown reason, two bills were introduced the next session - one R and one D. Not only was I making an impact, but also work for some lucky lobbyist.

NEWS SOURCES

Obviously the media is an excellent way to sniff out what's going on or is about to happen in the legislature for 2 reasons. First, the public hears, reads or sees a story and demands action. Second, politicians deal with hard-hitting, timely issues, mostly for publicity. Both avenues make politicians look responsive to community needs. For instance, have you ever noticed why laws dealing with anti-adult entertainment themes arise during election years? It's done so politicians can introduce or discuss legislation that proves to constituents that they're tuff on crime. (FYI: that's why the industry will never be outlawed - if it was, politicians would have no one to pick on).



Name 7 ways you can increase your own professional visibility. Once you name them, explain how you will use them to achieve those goals.

Legislative Exercise

MAKING APPOINTMENTS & FRIENDS

As you walk through your Capitol, you'll see a sea of smiling faces - all of whom are future allies and potential enemies. Like you, they all have agendas. They are your peers and sources of information. Get to know them - their actions, thoughts and what's important, them as people. Professionally, there's nothing wrong with two "pros" sharing information and interests. The best way to do this is to shake hands, sit down and talk with them. And making appointments with them is the best way to do that. In fact, if you're just starting out, you'll need to meet with as many legislators, staff and advocates as possible. This not only educates, but legitimizes your efforts and helps you gather information - both of which open doors.

TAKE POSITIONS

Taking positions is what lobbyists do. Positions are submitted in writing to legislators and staff. Submitting a position quickly gets the office's attention, no matter if you are supporting or opposing. They will also often pick up the phone and call you, and either thank you for supporting, or say "we understand you're opposition, how can we amend the bill to remove your opposition? This is the true power of position taking, and it shows everyone that you're active and ready to play. In fact, believe it or not, there's a direct relationship between the number of positions you take and the size of the issues you tackle!



TESTIFYING

After taking positions on legislation, the lobbyist must be able to properly represent the client's positions before legislators, committees and at professional func-

Watch our
Networking Video
at: www.lobbyist.org/book/networking.html
or our dress for success
video at: www.lobbyist.org/book/appearance.html

Legislative Insight

tions. This is viewed in one of two ways: First, you can't always be the expert - rather you need to be the expert that gets the client's experts to the right spot - at the right time. And, if you are the right person, you'll need public communications skills.

PRESS CONFERENCES

An effective and key part of the political process is the press conference. This generates publicity while educating the public about your client's positions, needs and issues.

WRITE REPORTS

You can enhance your visibility by releasing reports. Entitled **White Papers**, these reports deal with pre-selected issues or areas of importance to you or your clients. Publishing **White Papers** should become an important part of your practice because when you release a report, you often become the subject's expert. This strengthens your legislative position(s) and value. Going one step further, with client permission, you can also sell or submit your **White Papers** to newspapers, magazines and trade journals as articles for publication. They can also be used to attract other clients, often in the same field. The least they are is writing samples.

NETWORK WITH PROFESSIONALS

As your direction & agenda solidifies, you'll find other experts with similar agenda's to work with. As stated above, meeting with them is very important, and when you do, remember two things: 1) politics makes strange bedfellows, so surround yourself with people whom you can trust your ideas & future with; and 2) no

If you want to
be taken seriously,
you have to dress for
success - wear clean, professional
attire - suits, ties and dress shirts
and shoes for men, with suits, dresses
and pants-suits for women.

Legislative Tip

matter what position the other guys are taking, they have the same rights as you and thus deserve the same respect. Remembering this helps you build professional relationships and friendships. In other words, even though you may not agree with their views, you should support their right to say it and treat their positions with respect and courtesy (so don't make enemies, because today's enemies, are tomorrow's friends).

VISIBILITY - ONE FINAL THOUGHT

In this chapter we have spent some time talking about visibility. Clearly its an important tool for today's Legislative Advocate, and becomes even more important when the media gets involved - inside and out of the Capitol. To be effective for clients and yourself, operate under this theory: **"If you're there participating, then you belong and are equal to the other guy."** The logical implication is that - 1) the process is open to all, 2) if you're there, then there's a reason for you to be there, and 3) if you're there, someone's footing the bill, and its worth someone's while to listen to you. This is what counts.

PARTICIPATION EXERCISES

- 1) Make an appointment to interview an elected official at any level of Government. During the interview, ask them for five tips on how to navigate the legislative process.
- 2) Write a 1,500 word essay about what you believe to be the single most important part of the legislative process. Be sure to include why it's the most important and how you can use that to find clients.
- 3) Look up the terms Lobbyists, Public Affairs and Governmental Relations (yellow pages or internet) and write a 1000 word essay about what you find in each category.

Most lobbyist employers hire governmental relations firms to represent them. In turn, they hire lobbyists who either work for them or got there because they brought the concept to their attention.

Legislative Insight

CHAPTER 5



HOW TO FIND CLIENTS

Once you get past the long hours, piles of papers, a reading list a mile high, demanding schedules and the use of social and communicative skills, there's no doubt about it - the lobbyists hardest skill to master is finding clients, especially when you're



I believe that's because most don't plan what they're doing - and failure stems from poor planning. In fact, experts agree that the largest reason that small business fail is because they fail to plan - and its the same with lobbying. In my experience, few lobbyists have business plans, and when they fail, they have no idea

why and just disappear in to the matrix.

In an effort to create a successful lobbying business, I urge everyone to write a strategic business plan that includes how you will find, keep and represent clients while creating a political future for yourself.

Create, design & list 5 loss leaders that you would use to promote yourself and your new Advocacy business.

Legislative Exercise

STARTING THE SEARCH FOR CLIENTS

Because of our country's spirit and freedoms, we're largely able to choose what we do with our lives and for a living. With that same spirit, every business person has a theory, idea or plan on how they want to make their business successful. Whether they know it or not, this is called a business plan, and you one should be in place before you start your business.

But what should the plan include? Plans include a variety of things, including but not limited to the following:

- 1) What your business mission, vision and theme will be
- 2) Identifying what product or service you are selling
- 3) Identifying the specific market you aim to "capture"
- 4) A marketing outline - how you will advertise & promote
- 5) A list of possible first year promotions
- 6) Office and equipment requirements and needs
- 7) A budget - including income & expenses for 1, 3 & 5 years.

BUSINESS COMPONENTS

Theme -Your business, like any, should have a theme and it should be followed as religiously as possible. As I said above, my theme is (and always will be), consumer protection. This theme helps me expand dull areas of law while creating new ones. For example, I brought these principles into focus for a committee that's traditionally only followed by Democrats, Republicans and political consultants - Elections & Reapportionment. How? I supported a bill that required Constitutional office Candidates to debate in the election, and sold it using consumer protection phrases, issues, thoughts and feelings during committee hearings (I argued that the bill is/was pro consumer because it supported educating



Now available:
Specialized email
and web site addresses using
the lobbyist.org extension
are available - write us
or visit www.lobbyist.org
for more info.

Legislative Tip

consumers and was pro market place).

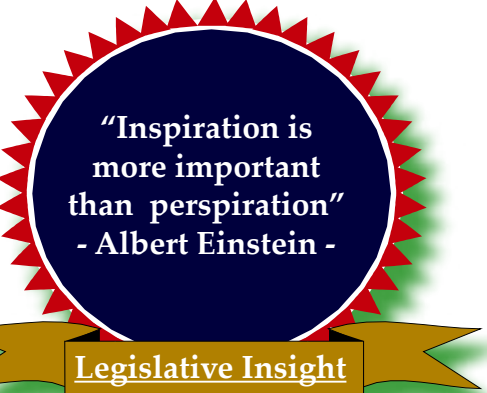
Specialization - As an Advocate, you should and can build a reputation by specializing in a specific, growing issue or area of law, and reference that in your business plan (and resume). Although it doesn't mean much to you now, it clearly will help you in the long run, and mean something to your projects,



clients and other industry professionals who you network with. For example, I'm an expert in collectibles law. No one else in the country, as a consumer, is - probably because it doesn't pay a ton of money. So, when a bill pops up somewhere, I get can get involved on behalf of consumers, as an expert! In fact, start-up companies have hired me several times to work on their behalf, based on my legislative work and history (they actually saw me in action).

Office - Because of schedules, many lobbyists work out of their homes, while others work out of expensive offices. The office you need depends on what you do, your budget and of course, your company's size. I work out of my home for three reasons. First, it is relaxing. Second, I never have office visitors - when my clients are in town, we are working "under the dome". And if I need a room somewhere, I simply rent a meeting room near the capitol. Finally, I get a lot of work done either late at night or early in the morning, when its quite and peaceful and inspiration strikes.

Structure - Most lobbyist either own or are part of consulting firms called Public Affairs or Governmental Relations Agencies. You can use any business form to set up your business, from a sole



"Inspiration is
more important
than perspiration"
- Albert Einstein -

Legislative Insight

proprietorship to the many forms of Incorporation. My business is a sole proprietorship, entitled MCR Public Affairs & Advocacy. This entity hires lobbyists (me). I am the owner/president. When I hire others, work is divided up based on skills and client needs. You can also form various partnerships with other Advocacy firms, based on the project, need and their business structure design.

Equipment -In today's hi-tech world, your career becomes easier to manage if you use every resource and tool at your disposal - from stationary templates and lap tops, to tablets and cell phones, and the higher the tech, the better your communications with clients - and trust me, they come in handy when you need to discuss something with a client in the middle of a committee hearing!

Timing - In politics, like life, timing is everything. The more time you spend, the more likely you are to be noticed by the right client.

Political Parties: Political Parties play a large role in helping find, attract & retain clients. For example, Political Parties often takes or develop positions on an issue of importance at their convention, and when they do, they do so in something they call a platform plank. These planks help attract the business that they impact (FYI: Political Parties look for help creating platform planks, as well as financing them).

Visibility -The higher your public visibility - the better your chances of finding clients based on subjects of interest.

Establish a political platform: This can be accomplished in many

A circular callout box with a red serrated border and a blue background. Below the circle is a yellow ribbon banner with the text "Legislative Tip".

Most government agencies that require lobbyist registration, supply forms online. Do a Google search for your state, or visit lobbyist.org/forms

Legislative Tip

ways - for example, you can create a political platform for yourself and then find clients to support it, or find clients and then create a platform for them.

Loss leaders: Loss leaders are useful tools used by business to cultivate future clients. They help keep your name in front of them. Lobbyists, although out of the box thinkers, are not that creative, and they should be. Personally, I do several things - from place potential clients on a mailing list and regularly send them copies of bills and reports to providing them with software, websites and other items that are of interest to them.

FINDING CLIENTS EXERCISES


1) Create a list of issues/subjects that interest you. When completed, list ten potential clients for each issue or subject. Then, create two positive and negative arguments outlining why you would or would not represent them. Your arguments should answer the "why would you work for them AND why would they hire you" aspect for each potential client.

2) Draft a Letter of Introduction for distribution to potential clients. The letter should introduce yourself and services, while highlighting your knowledge of issues important to them.

3) Create a list of ten companies that you would like to represent and ten that you believe you are qualified to represent (note:

these are different concepts, and there will contain overlapping companies).

4) List 10 businesses that you would never represent, and list the reason(s) why.

A circular callout box with a red serrated border and a blue background. Below the circle is a yellow ribbon banner with the text "Legislative Insight".

If you can sell a client on your services, you should be able to sell the legislature on your political agenda!

Legislative Insight



LOBBYIST REGISTRATION

Why do lobbyists file statements and financial reports?

The answer to this question is simple, yet complex: everyone knows that lobbyists register because “Lobbyists corrupt the political process,” right? Personally, I don’t believe that, but polls show that Americans believe it, making it a fact that has to be dealt with. For me, registration protects my reputation.

Lobbyists register with designated governmental authorities for political reasons that are based on historical events over the last century. At times, some bragged that they owned legislative officials and perverted the law for their client’s benefits, and as such, felt above the law. As public anger grew over the role these lobbyists were playing, states started to track lobbyist actions, and do in an effort to “protect citizens from undue influence exercised by lobbyists.” The fallacy in that statement is this: even with law enforcement & FBI stings, political corruption is rare in our country, especially when compared to the number of elected officials that we have.

So what’s the problem? First, the press takes the legal actions of constitutionally protected right, and puts a negative spin on it. This creates rumor, innuendo and sensationalism that attracts governmental interest. Second, people didn’t know what Lobbyists do, whose footing the bill, and how money is spent, so the public asked for lobbying reforms, and politicians followed.

If you understand the Legislature’s complexities, you’ll come to understand that it is designed to foster friendship, stability, protection & job security for those who know how to use it.

Legislative Insight

FORMS

Every state has different filing deadlines, forms and requirements for those who register as lobbyists. The common elements that they possess are: established filing periods, spending limits, PAC’s and candidate notification requirements.

TYPES OF FORMS

All states use different forms and form names, but they all collect the following information:



- **Company Name** - You must list your company or firm name;
- **Lobbyist** - Lobbyists who work for your firm must register;
- **Employer** - The employer who hires the firm or individual Advocate must register, complete with contact information;
- **Spending**: Where you and your clients money is being spent;
- **Activity start or end**: Registration is required when you start representing a client’s behalf and notification when you stop.

REQUIRED FILINGS - BASICS

- All required information is open to public review.
- Quarterly reports are usually required, but some states require semi-annual or annual reports.
- Fines are levied when reports are not filed on time or contain blatant mistakes and activities (unreported money).

Make sure you file your required documents - even if they’re wrong, they can be amended. If they are not filed on time, you will get fined!

Legislative Tip

REGISTRATION EXERCISES

- 1) Obtain a copy of your state's lobbyist registration requirements. This is usually found in the Secretary of State's Office. To make this exercise easy, many state's have their registration requirements and forms online for easy access.
- 2) Contact your Secretary of State's Office and get three copies of the following:
 - a) Company registration form(s);
 - b) Lobbyist registration form(s);
 - c) Lobbyist employer registration form(s).
- 3) Read each one and notice the differences.
- 4) Fill out one copy of each document and prepare to file them (you don't have to file them, unless you want to).



Lobbyist
Registration
protects your
career - so follow
your state's rules!

Legislative Tip

CHAPTER 7




HOW A BILL BECOMES LAW

The Federal and State legislative processes are theoretically the same, yet structurally different because of their make up and size. For example, both have 2 houses - an upper house (the Senate), and a lower house (usually called the House or Assembly). All bodies operate on pre established and published rules that invite public participation and input.



For a lobbyist, these "similar differences" are pros and cons: "con" is the challenging aspect of learning new procedural & operational rules, while "pro" is the realization that its this same knowledge (those rules) that are valuable skills and tools. This chapter provides an overview of the rules, outlines the life cycle of a Bill, and the impact of rules on any proposal.

Legislative Proposals are ideas that often come from a constituent (person or business). It is hoped that this idea will either help either party compete better in the marketplace, or cure a governmental, business or societal problem. But how do you present the idea so they will take you seriously? The answer is the **Bill Request Form**. This document helps you showcase your idea. Once written (and proofread), your first stop should be with your legislator. If they are not interested (for whatever reason), expand your search to include Legislators who sit on the committee where you believe the bill will be heard.



Using the
Bill Request Form
will help make you
look like a professional
insider - as well as
help you find a legisla-
tor who might carry a
bill for you.

Legislative Insight

THE BILL REQUEST FORM

The **Bill Request Form (BRF)** supplies legislators and staff with the information necessary to evaluate whether they should carry your proposed law change, and does so in a short, sweet and to the point format. To be effective, the **BRF** should cover the following:

- The exact problem outlining the problem's basic problems in 2 or 3 sentences;
- A specific example of the problem;
- How the change eliminates the problem;
- The code section(s) your proposal affects;
- Possible support and/or opposition
- Possible pro and con arguments - (max two sentences);
- The Bills' budget implications (how much does cost or save);
- The proposed language (If possible, use your own language).



Here I'd like to stress the following: To have your ideas taken seriously, you must do the following: 1) Everything must be

professionally packaged (typed and laid out); 2) All information must be factual and honest; 3) If you present arguments for both sides, present them fairly, evenly and accurately (***DON'T LIE & BE AS COMPLETE AS POSSIBLE on this form - that's what its for!***).



Once the **BRF** is completed and presented, you are ready for step two: either make an appointment with the legislator's office to discuss the proposal with the legislator, or just as effective, you can meet with the legislator's policy staff. If properly written and intrigued, they will discuss it with you (if

Use the bill request form outlined in this chapter to create five legislative proposals or potential legislation.

Legislative Exercise

properly written, staff really won't have to). At the proper time, they'll then either help you present the idea to the legislator, or do it themselves. Either way, if your idea is liked, warmly received or not liked at all, its a courtesy for a legislator to send your idea to the official Bill Drafting Service for drafting. If the office doesn't offer, it is acceptable to ask them to do this for you.

PRE-PRINT BILLS

If a legislator opts not to introduce your bill, you still have 2 effective alternatives: A pre-print bill and/or future amendments. A pre-print bill is a draft bill that shows possible clients a "possible law" that you can ask them to support, organize and hire you to work through the process. Amendments are "changes" made to an introduced proposal



THE PROCESS, A QUICK OVERVIEW

Once drafted, your idea is returned to the legislator who has the option of introducing or not. If introduced, it's sent to the Rules Committee, where it is assigned to a **POLICY** committee. Here the bill will be reviewed for it's implication(s).

If the Bill is Fiscal oriented (costs or saves money), it will also be sent to a fiscal committee, usually entitled something like Budget, Ways & Means or Appropriations. Here, the bill is analyzed and reviewed for it's **FISCAL** impact on the Budget or Governmental operations at the state or local levels. If not fiscal oriented, the bill, after committee passage, heads to the

There is a direct correlation between the increase in crime & the passage of more laws - The more laws we pass, the more crime increases!

Legislative Insight

Legislative floor. Once there, with enough votes, It's adopted and then sent to the other house, where it often travels the same route as it did in the 1st house. The process differs when substantive amendments are made affecting the Bill's over all policy, operations or a request by the committee chair to hear the bill because of the changes. For example, if an amendment removes the fiscal aspects, then a trip to a fiscal committee isn't necessary.

THE ANALYSIS AND COMMITTEE HEARINGS

Along the way, documents entitled analysis are created. The official analysis is produced by an expert who reports (a committee consultant) both what the bill does and what it's impact on the state is. Usually at least 2 analysis are written at every bill hearing - one by the majority and minority parties, and



you want to be in both. According to recent court rulings, both are public documents, yet usually only one is made available at the hearing: the majority opinion. Here, I'd like to point out that in an effort to support or enhance positions, other analysis are created, usually by the Author and lobbyist

(for the client).

The analysis is **VITAL** to the overall process because they ask and answer a variety of questions, all of which can (or should) be gleamed from the **BRF**. The analysis expands issues outlined in the **BRF**.

Although not universally required, many legislatures are adding something new to the analysis: a review of how the Bill affects the economy (does it create or cost jobs?). That's great, especially when

Material for use in creating issues is found all over the internet - its hard to be an advocate without access to information. A list of news sources can be found at lobbyist.org/news

Legislative Insight

economic giants like California, Florida, Texas and New York are fighting for jobs and money.

Bills have several public hearings, and its at these hearings where the lobbyist (you) can have your largest impact on the life or death of a bill by supporting, opposing, amending or killing it. Quite often, an advocate's actions are designed to amend the bill so that it doesn't impact your clients' business as much, or to slow it down so it takes effect later rather than sooner. This all means one thing: to claim a victory, the author has to pass several committees and still get the Governor's signature, while the opposition only needs one negative vote (or lack of the Gov's signature) to claim a victory.



ADDITIONAL INFLUENCES

The following are players in the life, death and direction of an issue or a bill:

a) **Lobbyists:** They represent & protect their clients interest(s). It's their job to pass Bills that enhance *their* client's business, while killing or stalling those that don't.

b) **Initiatives, Referendums and Recalls** - 3 Constitutionally developed ways for citizens to address legislative failures. For example, California passed the **Compassionate Use of Marijuana Statutes** because the legislature failed to act. Proponents collected enough signatures and it was put on the ballot. Using one of these methods is a great way to grab attention and make money, as well as a name.

c) **Press** - The capitol is designed for the press, creating news, and recording history that educates the public. As such,

Congress posts all of their information online. To follow their actions, visit their website at: www.thomas.us.gov. For state legislatures, go to lobbyist.org/states.

Legislative Tip

politicians and issues vigorously fight for press coverage. If your subject is a good one (timely), the press jumps all over it. If it's one that's not timely or they don't understand, they'll probably leave it alone. Professionally, it's your job to help them find and understand why your news is important. To help you, you need to draft a publicity plan, and this plan must outline how you will frame the issue and establish the subject's overall parameters.

d) **Political Parties** - As stated earlier, political parties play an important role in the legislative process. The role differs depending on the state. Usually the Party's platform (agenda) is adopted at their Convention and legislators use that platform to create legislative concepts. One way of ensuring that your idea is introduced, is to get your idea(s) made part of the platform.

e) **Law Enforcement** - if it creates a crime, affects their personnel, or impacts their budget in any way, they'll let you know.

f) **The Courts** - The Constitutional separation of powers defines the judiciary's role in the legislative process two ways. First, when approached, they decide if the law (or process it established) is constitutional or not. Second, depending on the issue, their ruling can be interpreted as a way to fix the adjudicated problem. As such, Legislators often follow court actions and try to support, influence or change the ruling by changing law or

codifying the ruling based on the court cases/actions.

INFORMATION RESOURCES

As a kid, magnets fascinated me. Even though I was told repeatedly, I never

could figure out why magnets were attracted

If you have information you want to share with others using this book, please go to lobbyist.org/share to post your information.

Legislative Insight

or repelled to each other (I still can't). In the political world, the capitol often draws lobbyists and policy makers like magnets for one reason: To enhance something's personal, social or economic role in society. As a result, information flows from a variety of sources, all of which are bidding for attention, services and money - and they all impact the legislative process.

The best information resources in the capital are:

1) **Legislative Staff** - They have their ear to the ground for their boss, themselves and often times you.

2) **Lobbyists** - If you do your job right, you'll have an "alter ego" who takes similar or opposite positions as you on Bills. Even though they're on the "other side" of the issue, you should befriend and learn from them. Often, what you learn can help you effectively compete (and win).

3) **Publications** - Legislatures produce their own official publications and documents. In this day and age, they are often found free online (www.Lobbyist.org/publications has a list).

4) **Websites, internet & computers** - they create & report trends & have expanded information sources available to lobbyists.

5) **Newsletters and trade journals** - from industry and business.

HOW A BILL BECOME LAW EXERCISES

1) Call your legislator and ask for any pamphlets or books on the subject of how a bill becomes law in your state. Review the procedure and write a 2,000 word essay about the process.

2) Use the **Bill Request Form**, and write your "Dream Bill."

3) Try to determine which committee the Bill will go to, and write a short essay explaining why.

4) Using your state's current political make up, project committee votes and possible passage and signature by the Governor or their veto.

There's an old saying in the legislative arena: there are two things you never want to see made - the sausage and laws.

Legislative Insight



LEGISLATIVE PUBLICATIONS

READ, READ, READ, AND THEN READ SOME MORE

To successfully navigate the halls of power, a lot of factors need to be taken into consideration - and they are useless unless you understand what type of material your legislature produces.

Generally, state legislatures produce documents that helps voters follow their actions and participate. Usually this material is found in the Bill Room, your legislator's office or on-line. The material falls into 3 categories - Bills, Publications and Reports.

It's my hopes that this section of the handbook will introduce you to the various types of publications a legislature creates, while showing you how to read and use them.

BILLS & RESOLUTIONS

A Bill is a proposed law, while a Resolution establishes policy. Every bill has several parts, and the next page shows the components of a legislative bill or resolution. Combined, these parts provide you with the Bill's who, what, when, where and how - from who the author is, to what the proposed language means. Starting at the top you'll find the Bill's number. SB stands for Senate Bill (#1), while "AB" stands for Assembly Bill (In Congress, "S" = Senate and "HR" = House of Representatives). Additionally, the Bill must show the author's name (#2), Introduction or amendment date (#3) and the code section(s)

Most legislative publications are published online - just visit your state legislature's website for more details or lobbyist.org/publications.

Legislative Tip

it impacts(#4). Next the Bill provides you with its subject and official summary (#5). This is prepared by the legislature's lawyers. Finally, the bill provides the reader with fiscal information (#6) as well as the bill's most recent and exact language (#7).

AMENDED IN ASSEMBLY JUNE 22, 2005

③ AMENDED IN ASSEMBLY JUNE 14, 2005

AMENDED IN SENATE APRIL 12, 2005

① SENATE BILL No. 3 ①

② Introduced by Senator Torlakson

December 6, 2004

④ An act to add Section 97 to, and to add and repeal Section 97.4 of, the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

⑤ SB 3, as amended, Torlakson. Highways; Safety Enhancement-Double Fine Zones.

Under existing law, until January 1, 2006, the segment of State Highway Route 101 between Eureka Slough Bridge and the Gannon Slough Bridge in Arcata is designated a Safety Enhancement-Double Fine Zone.

This bill would, until January 1, 2010, designate, upon approval of 2 county resolutions, as a Safety Enhancement-Double Fine Zone a segment of Vasco Road between the Interstate 580 junction in Alameda County and the Walnut Boulevard intersection in Contra Costa County. The bill would also establish standards for a designation of a highway or road segment as a Safety Enhancement-Double Fine Zone, including a 4-year duration limit, and would require an evaluation by the Department of Transportation of each-designated-segment segments. The bill would impose an increased penalty for certain traffic violations committed in a Safety Enhancement-Double Fine Zone.

Note: majority. Appropriation: no. Fiscal committee: yes. ⑥
State-mandated local program: no.

The people of the State of California do enact as follows:

⑦ 1 SECTION 1. Section 97 is added to the Streets and Highways
2 Code, to read:
3 97. (a) In order to be designated by statute as a Safety

DAILY FILES

In the legislative world, the phrase “you can’t tell the players without a program” is true. And the easiest way to follow the legislative “players and action” is to read the Legislature’s Program(s) - **The Senate or Assembly Daily File**. Published daily, these documents provide the reader with a summary of the body’s daily actions - yesterday’s and today’s. By studying the **Daily Files**, you’ll come to understand the legislature’s philosophy, make up and direction. This helps find new issues that lead to new clients. It also helps you establish a schedule.

And what’s in this magical publication? It contains information ranging from committee hearings and their agendas, to the official legislative calendar, not to mention the names, phone numbers and addresses of elected officials. Often you can also find voting patterns and even use it to expand your vocabulary!

As you read the file and follow committee’s actions, you’ll come to understand the *Peyton Place* nature of the process while becoming part of it. The file will also open your eyes, and help you understand legislative shortcomings, the subjects they address, how the committee process operates, what action its likely to take, and what interests come before them.

Understanding this publication will help you understand how legislative committees work, and if read regularly, will help you establish effective, hard hitting lobbying plans.

The **Daily File** also often contains the Legislature’s Official Roster and committee hearing schedule. The next page contains a sample of what a committee agenda looks like. This document

The Daily File includes the names, phone numbers, and addresses of all legislators, as well as the official legislative calendar. Get a copy and make a list of legislators you want to visit. Explain why.

Legislative Exercise

points out the Committee’s: Hearing date (#1), Name (#2), Chairperson (#3), Hearing time and room location (#4), and a complete list of the bills slated to be heard on that day (#5).

① MONDAY, APRIL 17, 2006 Continued	
② BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT	
③ FIGUEROA, Chair	
④ 2:30 p.m. of upon adjournment of session — Room 3191 (Please note time change)	
S.D. No. 1397	Lowenthal. Athletic trainers: registration.
S.B. No. 1436	Figueroa. Small business: state agency information.
S.B. No. 1438	Figueroa. Healing arts: reporting requirements.
S.B. No. 1473	Figueroa. Education: private postsecondary and vocational education.
⑤ S.B. No. 1490	Ducheny. Cemetery Regulation.
S.B. No. 1513	Romero. Business, Transportation and Housing Agency: trade and investment.
S.B. No. 1525	Murray. International trade and investment office: Johannesburg, Republic of South Africa.
S.D. No. 1529	Murray. International trade and investment office: Seoul.
S.B. No. 1541	Ducheny. Registered dental assistants: licensure.
S.B. No. 1550	Figueroa. Professional Fiduciaries Act.
S.B. No. 1638	Figueroa. Midwives: advisory council: annual report.
S.B. No. 1662	Lowenthal. Board of Psychology.
S.B. No. 1670	Ancestad. Radiologic technology.
S.D. No. 1698	Ashburn. Military and aerospace enterprise development.
S.B. No. 1737	Figueroa. Consumer rebates.

DAILY JOURNALS

The **Daily Journals** contain the actions and proceedings of the House represented by the publication. Those proceedings include: The title of each

Most legislative bodies have public notification laws - before something can be heard, it has to be ‘publically noticed.’ For most states, that’s 72 hours.

Legislative Tip

measure considered and the vote on, Governor's messages and Committee and agency reports (as required by law), and the contents of petitions, memorials, or other papers presented to and authorized by the legislative body.

WEEKLY HISTORIES

The **Weekly History** is also must read publication. This publication summarizes what happened to bills during the previous week (procedural motions, amendments & votes). The document is easy reading - and all submitted numerically. The publication gives you the following information:

- 1) The bill number and subject matter;
- 2) The day of introduction;
- 3) When the bill was sent to committee;
- 4) When the bill will be heard;
- 5) What happened in committee (& vote on);
- 6) When the bill was passed by the 1st house and then sent to the other house;
- 7) When it was heard in the other house's committee;
- 8) When the measure signed or vetoed by the Governor;
- 9) The date It was enrolled by the Secretary of State.

LEGISLATIVE INDEX

The Legislative Index helps you research possible legislation either by subject matter or code section affected. This document is usually published once or twice a year.

Call your legislator's office & ask to speak to the chief of staff. Explain what you're doing & ask them questions about how their staff is structured.

Legislative Exercise

HEARINGS AND PUBLICATIONS EXERCISES

1) Call your legislator and request a copy of each publication that your state produces, as outlined in this section (Or better yet, go to your Capitol's Bill Room and ask for them yourself). Depending on where you live, this information and documents might also be online.

2) When you receive the documents, call the office back and have someone walk you through each of the publications. The focus should be on publications that help find or track legislation. Also have them help you find the committee schedule.

3) Select one Bill of interest listed in any of the documents outlined in this chapter, as introduced in the current or previous legislative session. Then take some time and compile the Bill's complete history, including the votes in every committee and current status.

4) Find the Bill's actual language, any available analysis, as well as its official history, and write a short analysis designed to help the reader compare, review and understand the proposed legislation. Write two analysis, one should be as neutral as possible, while the other should be how you feel about the idea. If you want a challenge, pick a company who would be impacted by the idea, and write what you think their analysis will be.

5) Track the bill as it moves through the process, including visiting your capitol when the bill is heard.

For a video on how to make an appointment with a legislator, visit: lobbyist.org/appointment

Legislative Tip



LEGISLATOR & STAFF RAPPORT

Friends, Enemies & Politics

Thanks to a variety of theories and strategies penned by prominent authors on the subjects of inter and intra office interaction(s), I'm not going to select a theory and analyze how it might work in the legislature. Why? To do so would be crazy, and impossible. Why? On one hand, its because politics is the ultimate soap opera, complete with daily updates on the news, making it hard to accurately analyze, because most of its fake.

On the other, when combined with the fact that everyone has an agenda, it means that you'll run into a variety of colorful personalities. Many are there for a dual set of reasons: they have an agenda and the skills to pull off that agenda. And the basics behind the agenda are clear: to either spend someone else's money, or save it. As such, everyone plays a piece in the big picture, and it's important to know whom they are and what role they play - remember, its not what you know, its whom.

This chapter is designed to provide you with some insight into how to approach, deal and work with legislators and their staff.

MAKING AN APPOINTMENT

Being recognized in the capitol is an important step in making a name for yourself. After being in the news and testifying before committees, the 3rd best way to accomplish this is to make appointments with legislators and discuss your issues. This helps

There are so many people involved in the legislative process, its hard to not to become friends with them.

Legislative Tip

establish important personal relationships based on the theory that "you'll get to know each other and talk about other things besides business". This builds friendships, and is why appointments setting skills are vitally important for a lobbyist.

But before you make your appointment, make sure that you have any written material you plan to share with the legislator ready to go, as well as a private, one page game plan outlining what you and your client plan to accomplish at the meeting.

For many, making an appointment is scary, yet as easy as 1, 2, 3. To find out how simple it is, just pick up the phone, dial your legislator's number and ask for the Appointment Secretary. While on hold, it's vital to remember this: the most important person in the office is the Secretary. Why? Because if they don't like you, you won't be able to navigate the office, let alone make an appointment. This principle applies to all secretaries, in all fields. They are the gate-keepers. Respect them.

After a short wait, you'll soon be speaking with the Appointment Secretary. If you want an appointment, they'll ask you to do the following 2 actions: First, Fax or email over a letter requesting an appointment, complete with the time, date and reason (or subject)of the meeting. Second, send over any material that you plan to discuss with the legislator, including reports, evidence and position statements. You may also be asked if you are you a constituent, What issue (or bill) do you want to talk about, What committee is the bill in, When's the hearing date, and How much time is needed? The 2nd way to make an appointment is to walk into the office and ask the Appointment Secretary for one. Generally, a walk in visit follows

Be a straight shooter - don't lie - when you do, it puts your credibility and reputation are on the line!

Legislative Insight

the same submission process, but it's friendlier, faster and more productive to see each other face to face.

At this point, there are 3 things to remember: First, an appointment often requires their approval. Second, appointment requests book up fast, so don't wait until the last minute. Finally, if you're a constituent and traveling from the district, mention that and see what happens!

MEETING PREPARATIONS

Once your appointment is scheduled, remember to provide staff with copies of any information that you wish to convey to the legislator. Deliver them no later than 2 or 3 days before your appointment. This gives them a chance to review the material in advance and (hopefully) be prepared to discuss your issues intelligently. This is effective for 2 reasons: 1) it uses time best, and 2) you're putting them on notice that you'll be talking to them about it, so they need to read it!



On meeting day, call the office to make sure that your appointment is still scheduled, and even though you delivered your material in advance, bring copies because it shows preparedness. Finally, arrive EARLY, let them be late, and expect to wait 10 or 15 minutes past the appointed time. When you finally meet, please remember that 1) you should be able to get your points across in 3 minutes or less - with a 5 minute max, and 2) your interaction should be professional, friendly and non argumentative - even if you're on op-

Don't be afraid to interact with district office staff, especially if your client has economic interests in the legislator's district.

Legislative Insight

posite sides of the issue. In fact, when approaching the office, remember that legislators and lobbyists respect each others right to disagree, speak full sentences and express complete thoughts. That means good manners and hand shakes entering and leaving the office are important - after all, in the legislative process, one day you're friends and the next, well, you're foes! For example, about 15 years ago my client's took positions on three Bills introduced by the same legislator. Two of the bills were supported, while the third was opposed. As a rule, Bills are set for hearings on different dates, yet all were set for hearings in the same committee, on the same day. When the first Bill was heard, we oppose it and it died. When the second Bill was heard, we supported it, and it passed. When the final Bill was heard, I got up to testify the legislator asked, "Mike, I forgot, what position are you on this one? With that, the everyone in the room chuckled - but the point is crystal clear: today's friends could be tomorrow's enemies.

RULES FOR MEETING WITH LEGISLATORS & STAFF:

- Be on Time & Dress for Success;
- Be Prepared - know your material inside out;
- Don't argue, especially with the legislator;
- No swearing, even if they do it first;
- Judge your success by the length of the time you spend with the official (The longer, the better).
- Don't lie, because your credibility is on the line

As the above box states, there are a few rules to follow when meeting with a legislator, with the largest being: **DON'T LIE, YOUR CREDIBILITY IS ON THE LINE.** Be honest. If you're asked a question and don't have an answer, first ask the presenter to

Make an appointment with a staff person or assistant to talk about one issue that you select. Prepare all necessary documents. Attend the appointment. When done, analyze that visit. What did you notice or learn?

Legislative Exercise


repeat the question. If after hearing it again, and you still don't have an answer, don't make up a poor one, simply say, "that's a good question, I don't the answer and I'll get back to you with one in a couple of days." People respect this answer, and it helps you establish trust and friendship with the legislator.

Afterwards, courtesy dictates that you shake hands and smile. Additionally, ask for one of their cards while thanking them for their time. Why? Because after the meeting you'll be sending them a thank you note for the visit. You will also reference your conversation, while adding that additional material is pending.

WORKING WITH STAFF

Working with political staffs is challenging. Generally speaking, Lobbyists work and treat legislative staff respectfully, professionally and friendly because they have to deal with them regularly, especially when its understood that they will carry information to and from the legislator, making them a natural conduit. Theoretically, relationships are cultivated over years and are highlighted when staff considers, treats and uses you as a resource for ideas, history and support /opposition.

To achieve this, the seasoned Advocate understands legislative staff organization. Most don't realize it, but Legislators have 2 sets of staffs - the District Office that helps constituents with district related problems and the Capitol staff who handles the legislator's political agenda. This makes staff a precious resource & valuable tool for advocates, especially since many staffers hold their positions for years and wind up constructing their own power bases. In the era of term limits, a connection with staff is priceless.



Remember, if your legislative proposal is not the legislator's "cup of tea," ask the office to send your request to the bill drafting service anyway (It's a routine courtesy).

Legislative Tip

As a constituent, the concept usually is as follows: if your problem a community problem, then the district office handles it, with assistance from the Capitol staff. If the problem has anything to do with positions and language on legislation, then it's handled by the Capitol office. The cross over occurs when you're writing about a legislator's district oriented agenda. No matter what, staff will get you to the right spot.

No matter whom you use, both staffs are valuable because they carry messages to their boss, often saving you a ton of time. That means with regular contact, you'll establish a friendship with the staffer that could lead to a cultivated legislative partnership. For example, I believe that my success stems from the fact that I have worked in California's Legislature for 35 years, and like others, have worked my way up through the system. As such, I call many staffers friends. In fact, I've had the pleasure of trading baseball cards with several, while seeing others socially. Because of Sacramento's design, I also have lived and "garage saled" in an area of town where my neighbors are Capitol employees. I also have attended my share of events with them, including playing softball and basketball with them.

At this point, instinct again comes into play. This time it will be used to read and understand what staff is telling you. Often staff is entrusted to "educate and inform" the legislator about certain public policy areas. Those areas are usually based on a Legislator's committee appointments. As a result, remember that staff is a great sounding board - if they like you and what you say, they'll help you get to the right spot, including the boss. If they don't, you'll know; They'll just thank you and place your material in the official round file.



Go online & find 5 bills that were introduced that are of interest to you. Spend some time and review and analyze them. (You should pretend that you are doing this for clients).

Legislative Exercise

Knowing that this is a possibility, while passing in the hall or shaking hands in committee, you have the right to ask the legislator what they thought of your material, idea or legislative position. The best way to judge their response is summed up with one thought: How much time did you spend in the meeting? As I said earlier, you should be able to get your thoughts across in 3 minutes or less, and any presentation should take less than 8 minutes. If at the end, you can judge your success by the amount of time you spent doing various things. If you feel that it wasn't enough time, then that's a problem. But if you feel that it was enough time and you got the job done, then you probably did good a good job lobbying! Either way, be friendly, don't overstay your welcome, and leave on a positive note, with a handshake and smile.

LEGISLATOR & STAFF EXERCISES

- 1) Call your legislator's office and find out the address and phone number to their district office, as well as the district office's chief of staff.
- 2) Make an appointment with a staff representative and actually go down to the office and not only ask questions, but "observe" how the office operates.
- 3) Write a 1,500 word essay about what you thought about their operations and include what you liked, what you had questions about, and what you thought or think should be fixed.

The most important bill analysis done, is the one you for your clients. This not only warns them of pending action, but lays the foundation for the creation of an effective political strategy.

Legislative Tip

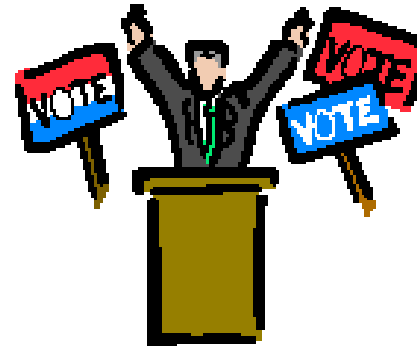
CHAPTER 10



LEGISLATIVE POSITIONS

Supporting and Opposing Legislation

Now that we have an idea about how a bill is packaged for possible introduction and the process it goes through, the question



becomes, what about bills that are already introduced that you either support, oppose or have some interest in?

Write letters? Make phone calls? Show up in committee? Forget about them? Where do you start? If you're unsure about what to do next,

then this section is for you.

Starting with the basics, there are 3 Bill positions: Support, Oppose and Neutral, and they all have variations. But what do they mean? Support and Oppose are simple, but Neutral?

A Neutral position means that you're following or monitoring the Bill because it might impact your client(s) or that you had a position (usually oppose) and it changed with amendments, conversation or political reality.

OK, now that we know that, how do we decide which bills to support, oppose or be neutral on?

In the appendix you will find a sample bill analysis. Find a bill in your legislature & follow the format and produce your own.

Legislative Exercise

BILL REVIEWS

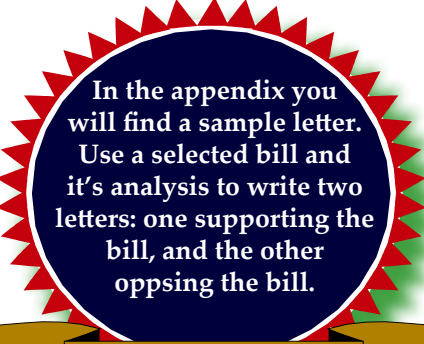
Thousands of proposed laws are introduced around the country yearly. Since you can't get into the game without a reason, I suggest that you either read every word of every bill in your legislature or subscribe to a bill tracking service that helps sort information based on established parameters. Thanks to the internet, many legislative websites help you do this free of charge. As you review bills, remember to look for subjects, information & language that affects your client's interests and presents you with opportunities to make a career for yourself.

As you review bills, make a list of proposals that you believe are of interest to your clients and alert them by providing them with copies, as well as educate them by providing them with any documents that you might have collected on the bill. Once found, track the measure and keep your clients updated about the bill's activity, especially amendments and the latest language, so they can review them and take accurate positions.

TRACKING BILLS

Sadly, bill tracking is a time consuming and boring job. But, as a lobbyist, it's your job is to know what's been introduced and where any bill is when you're asked. To track a bill, you need to:

- 1) Review all introduced Bills to find Bill(s) of interest.
- 2) When found, visit the legislator's office and discuss the issues with them or their staff.
- 3) Notify your clients.
- 4) Develop position papers and notify legislators.
- 6) Create spread sheet with 12 columns. As the Bill moves through the process, track its journey and update the list regularly (a good Friday job).
- 9) Update your client when actions occur.



In the appendix you will find a sample letter. Use a selected bill and it's analysis to write two letters: one supporting the bill, and the other oppsing the bill.

Legislative Exercise

ANALYZE THE BILLS

There are 2 routes to analyzing bills - Route one is public - and is usually the government's analyses. The second is private , and its usually done by the affected industry.

WHAT'S IN AN ANALYSIS?

Once the bill is sent to a Policy Committee, the committee consultant writes an official analysis. This analysis reflects information gathered or presented to them by the support/opposition and often includes everything from A to Z. Prepared before the bill's hearing, they are considered public documents - available to anyone who wants to read them. Normally the first analysis reflects the creation of public policy, while a bill that affects the budget, has a Fiscal Committee analysis that focuses how the bill impacts the state or program it's related to.

PRIVATE ANALYSIS & FACT SHEETS

Most of your clients will create both a Fact Sheet and Bill Analysis. These documents highlight the bill's impact on their operations and industry. They should be updated when the bill is heard or amended. This is the most important analysis because it not only brings their attention to the measure, but lays a foundation for getting your client(s) involved. Additionally, it clearly provides them with an avenue to support or oppose the bill, as well as an analysis that suggests client actions or positions.

This analysis includes a copy of the bill's positive and negative language; author's information; what it attempts to do; when and where it will be heard; Who the Sponsors are, and why it was introduced. You should also in-



Find a list of registered lobbyists in your state. Review the list & mark all that you think would support/oppose your ideas.

Legislative Exercise

clude affected code sections, and your views should reflect this bias: does this bill enhance or diminish your client's ability to do business? If it enhances, then you'll probably support it. If it diminishes, then they will probably oppose it.

Fact Sheets are quick, one page summaries of your analysis, laid out in an easy to read format that educates anyone in 1 minute or less. For more Fact Sheet information, please see page 83.

THE UNPUBLIC ANALYSIS


As I said earlier, an analysis is written at each hearing stage. What's important about these documents is this: the minority party also produces one, meaning that both political parties write an analysis, and their analysis reflects their party planks.

WRITING LETTERS

Writing a letter is an Advocate's most effective tool and should be undertaken in a structured and organized way. The reason why is simple - when written correctly, they save TIME and speak volumes about you and your clients. For information on how to write political letters that get responses, please see chapter 13 or visit www.TheLetterDepot.com.

WRITING REPORTS (WHITE PAPERS)

For many, writing reports is impossible, while for others, it's an art form that's as easy as writing letters (just more time consuming). As such, there's a lot that can be covered here. I'm going to focus the discussion by saying that this is not an English manual. If you need help, I suggest that you take a college English class or read



Writing Industry
White Papers makes you
an expert in a field you
know about - they are
easy to produce and are
very powerful
promotional tools.


Legislative Exercise

the "*Elements of Style*" by Strunk & White. Both are worth the time because of how important the proper use of English and writing are to your job (it's so important, every semester I took an English classes & English wasn't my Major).

Reports for legislative use are usually called **WHITE PAPERS**. These documents usually outline the industry's ins and outs and are designed to be used as an issue base and grow yearly, similar in nature to a party platform. White Papers are usually produced in an effort to either support or defeat a Bill, Issue or to call the legislature's attention to a specific subject/problem that's growing and affecting their constituents and voters. Although it can be presented to them individually, it's usually made part of the public record by testifying before a committee. Reports should include all elements of letter writing, plus:

- Make sure you provide copies of the report to all legislators and policy committee staff;
- Include a history of previous legislative or historical actions taken by the Legislature or regulatory department;
- Include press clippings, reports and presentations that support your position (or hurt the other guy);
- Include footnotes & a bibliography when proper;
- Make sure that you also release the report to the media, most likely at a press conference;
- Update the report regularly (at least yearly)

White papers are designed to grow with time, especially as the issue grows. They are great to hand out on Legislative Lobbying Days.



Don't expect your
supporters to come
running to you - its sad,
but you often have to go out
& find them & ask them
to support your work
& positions.

Legislative Tip

CONTACTING OTHERS

Once Bills are introduced and organizations start taking positions, what do you do? You need to find other organizations to network with, but how, when and where do you start?

My first suggestion is to start by talking to the staff person who is handling the bill on the Legislator's behalf and simply ask

them. Usually they'll tell you whom is supporting or opposing the bill, and do so for several reasons, with the 2 largest being that they want unified and organized support for their proposal. Second, if someone is opposed to your position, then you might be able to help remove their opposition.



Another good tool is your state's Lobbyist Directory. The plus here is that everyone who might have an interest is here, registered and probably aware of the bill and preparing to take a position, just like you.

The negative here is this: because of the way they are organized, you might have to know the name of the organization to find and contact them. In the long run, a little leg work will help you overcome this because you will be creating your own list of contacts that you can use to cultivate future to support and work, and whom can become future clients.

Over time, you will get to know your legislative supporters and opposition, as well as people who play in your subject area, making it easy to work with them.

Because cultivate support is often difficult, I

Media sells messages - the key is to select or match the right message and event with the correct media.

Legislative Exercise

suggest that you start to gain support by sending letters, taking positions and testifying at hearings. This is where you will meet, talk and share communalities and interests.

Another networking tool is Press Conferences. Used when a substantive issue arises, press conferences organize, educate and ultimately help attract others to your message, position and Bill (it should attract both support and the loyal opposition). For instance, a few years ago I worked on a Bill that reduced the minimum tax on companies who both held and "showed their wares" at trade shows in California. On the face of it, it appeared that all of the people who do "collectibles or trade shows" would support it, but no one else. Boy were we wrong about that. After our press story was distributed, the Governor's Office of Tourism, as well as the hotel/motel industry joined us in supporting the Bill. Combined, we worked as a team, and the Bill skated through the process and was signed by the Governor.



MEDIA CAMPAIGNS

Creating and working with the media is something that professionals earn a lot of money doing. It's also the subject of college courses. As such, I'm going to share some insight and tips with you on how you can garner support with their help.

Conducting Press Conferences and media events is not easy, especially since media professionals have thousands

There are many online services looking for news. To find many of them, visit Lobbyist.org/newssources.

Legislative Tip

of theories about conducting and rating their success. These theories range from how to stage one and the definition of 'news', to establishing a theme and ensuring that there's coffee at the conference. Since every conference is different thanks to the group, message, and staging, teams are often used to split the responsibilities.

No matter who conducts your campaign, the following are professional PR program commonalities: 1) They project a unified message and theme; 2) They use all forms of media; 3) Creativity "helps the press find, pick and play you;" 4) Be aggressive, go to the Press - don't wait for them to come to you.



SHOE STRING MEDIA

Even though any PR person can help you create a quality press program, with just a little practice, you can do it yourself for practically nothing. Just:

- 1) Develop a plan/strategy, just like a business plan;
- 2) Create a letterhead.
- 3) Create a budget, and release material.
- 4) Line up participants.
- 5) Have someone review the material.
- 6) Implement the plan.

RESPONDING

An effective media campaign can be compared to a verbal jousting match or debate. In fact, just

Always be polite and do the right thing - let the other guy be the bad guy - that means don't be late, don't swear and don't talk behind someone's back.

Legislative Insight

when you think you're winning, the other side retorts, and dumps arguments on you, putting you in a corner. Do you respond? If so, how and when? The majority of the time, it's important to comment on the other sides responses, and do so timely. This is done in a variety of ways, but unfortunately it's not the subject of this booklet. Here's what's important: theory goes that if you don't respond, the public (and policy professionals), will remember the last thing heard, swaying both public opinion and legislative votes. Not responding will give a "W" to your opponents no matter what is said, because it's the last thing remembered. For example, if the opposition publishes a Letter to the Editor outlining four reasons to oppose your position, you should write a response that includes four direct responses to their claims and at least one additional point that they didn't mention or cover. This not only expands the discussion, but clarifies your position, and provides you with free publicity, while putting them on the defensive.

LEGISLATIVE POSITIONS EXERCISES

- 1) Find a list of news source and outlets where you live and create a media list. The list should include their name and media type, as well as contact info like email's and fax numbers.
- 2) Make a list of the top 20 news sources you'd like to appear in (like Time, the Washington Post or People Magazine) and find out how to submit a potential news article and press releases to them. You may need to do that by calling or doing an internet search.
- 3) Using one of your selected issues, design a sample media campaign, including letter heard, budget and sample material for distribution (go on, be creative!).

The U.S. Constitution supports citizenry involvement in legislative affairs, including taking positions on bills and issues of importance. It's as American as Apple Pie

Legislative Insight



COMMITTEES & TESTIFYING

For me, because of the Legislature's circus atmosphere, there are two scary capitol experiences: testifying before committees and making cold calls to sell your ideas to legislative offices. Philosophically, everyone has the fundamental rights to participate in the political process, make the rounds under the dome and testify before legislative committees on issues of importance to them. For lobbyists, this is where the rubber hits the road, and clearly the most important part of the legislative process. That is because if you can't address your issues with the measure business behind closed doors, then you need to address them in public, before the committee.



For example, a few years ago I opposed a Bill that required parental consent for kids who wanted body piercings. Simple enough, especially since the opposition was based on the fact that the Bill made the person who did the piercing (as well as the person who got the piercing), a "criminal" thanks to poor language drafting. For many girls, that meant that if a friend pierced her ears without parental consent, they were committing a misdemeanor. The female legislator really didn't care - she wanted both regulation, and to professionalize the in-

Learn the
Legislative
Calendar - it's the
heart and soul
of legislative
operations.

Legislative Tip

dustry. After airing my concerns to her in private, she still didn't care what I said. As such, I was left with only one option - to air them in committee and let the committee decide. Once I did, they agreed, accepted my arguments and drafted amendments exempting ear piercing and eliminated the punishment. Since testifying before committees is so important, this chapter is dedicated to making this process, easier.

TESTIFYING

What is a Committee hearing? Committee hearings are where legislators educate themselves about subjects (problems) and then vote on proposed solutions. When properly used, they can force other politicians and groups to take positions on bills they may or may not like so the vote or position can be used against them in an upcoming campaign.



As I mentioned previously, after you send in your position statement to legislator and committee staff, staff usually reviews the Bill and your comments and writes the official committee analysis.

The analysis is created in a variety of ways, with using information gleaned from support and opposition letters the committee has received. Additionally, staff talks to the legislator and when they can, con-

Successful
advocates need to be
able to speak in public.
The best way to get better at
public speaking is to actually
speak in public - for experi-
ence, join a group like
Toastmasters or practice
in front of a mirror.

Legislative Insight

ducts issue research. In an effort to make the bill better, they also often suggest amendments that create good public policy.

Additionally, as the hearing date nears, activity on the bill increases and quite often, the substantive problems the bill analysis points out are negotiated & ironed out. Because of its importance, its vital that you get your letter into the person creating the analysis so that position can be reflected in it.



BEFORE THE HEARING

Republicans and Democrats are the major-party parties in the United States. As such, these two parties make up most of the members on all committees. Committee membership is often based on the percentage that party has in the legislative body and political pull. For example, if

the Democrats are in charge, then the committees will always have more Democratic members.

Because committee chairs have the luxury of hiring their own staff, committee consultants are usually chosen for three reasons: they are partisan, have experience in the area and have their own supporters. Consultants are partisan because legislator's usually want the consultant to reflect their morals, beliefs and positions, as well as know what they're doing (experience wise). That means that a Democrat will hire a Democrat, and a Republican will hire a republican.

As mentioned earlier, for your position to be recorded, you need to contact the Bill's author and the committee consultants and let them know

When you give a speech, don't read it, let it flow naturally - practice it just enough to remember it with just a couple of words or notes written on 1 or 2 index cards.

Legislative Insight

your position. This should be done in writing (see chapter 13 for examples) to the member, committee members and the committee consultant. At the same time, it's probably a good idea to make appointments with legislators and staff to discuss the Bill and your position. Without understating the obvious, Democrats and Republicans view things differently and have their own consultants analyze Bills in an effort to reflect party politics. This helps them raise money, support and publicity.

FOLLOW-UPS

A couple of days after delivery of your letter and a few days before the Bill is heard in committee, contact the office(s) you delivered letters to make sure they received the letter, and offer to answer any questions they may have. You should also ask if things have changed (like amendments are waiting).

FACT SHEET PREPARATION

If not, you can still attract last minute support by distributing a fact sheet. A fact sheet is a handy tool because it gets your message across quickly, succinctly and effectively by providing the reader with the Bill's main points in a bulleted fashion.

Similar in nature to an inhouse analysis, this one page document outlines your position on the Bill, explains what you believe the Bill does (as you understand it) and why the committee member should vote your way. Acceptable distribution forms include mail, faxes and email, with personal delivery being the best.

All fact sheets should be on letterhead and include the following:

- The Bill number
- Your position
- Sections affected

Print your documents on easy for the eye paper, yet stands out! Most use white in an effort to not offend - soft colors makes your work stand out and is more likely to be read!

Legislative Tip

- Whom to call for more information.
- A summary of the Bill (2 or 3 Sentences)
- Committee status and hearing date
- Provide short, complete examples
- A suggested “vote”

COMMITTEE OPERATIONS

While distributing your letter and fact sheet and drumming up support for your position(s), the committee is busy preparing to release their analysis, and that is done usually 72 hours before the hearing. When released, you should read the analysis for accuracy, and then tailor your fact/sheet/testimony/speech to discuss the points that the analysis misses, omits or errors on.

As expected, the Committee Chair, with committee support, establishes the operational rules. Based on the rules, the Committees schedule regular Bill hearings. In most states, by law, the hearing’s agenda must be made public and posted a few days before the hearing (most are at least 3 days).

When the committee hearing starts, legislators sign in and wait to be called by the chair to present their Bill(s). When called, the author opens with a short speech about what the Bill does. It’s followed by the proponents who testify as to why the Bill should be become public policy and law. After the proponents, the measure’s opponents get their chance to explain why the Bill should not become law. This process could take anywhere from 1 minute to several hours, depending on the subject, author, mood of the committee, number of bills and time of the year. Usually, after the presentation and discussion(s) have taken place, the

Go to any committee office & ask them for a copy of the committee’s official rules and read them. Write a 1,000 word essay on the need for committee rules, & how they help or hurt lobbyists.

Legislative Tip

committee votes based on a motion. There are dozen of types of motions and votes, and they fall into a variety of categories - ranging from good, bad and ugly.

After voting, the Chair announces the results, and one of two things can happen - the bill passes and moves to the next committee, or, there’s not enough votes in the room to pass the Bill, and it either dies, or as a courtesy, the committee chair makes a motion to either place it “On Call” so others can vote on it while the committee is still meeting (this is where intense lobbying often happens to get a legislator to vote or change their vote).

MAKING TESTIFYING EASIER

As I mentioned at the start of this chapter, because of the Legislature’s atmosphere, testifying is often the scariest part of the legislative process because you’re under the microscope for the whole world to see.

As with everything else, there are ways to make it easier. First, no matter what position you take, stop by the legislator’s office & drop off a copy of all of the material you have so that the legislator or responsible staff can review it (This provides you with a friendly face and often relieves tension).

Second, the Committee Consultant responsible for producing the official committee analysis. As I said earlier, this person holds this position because they are respected for their expertise, insight and political muscle.

Third, before you testify, spend some time sitting in the room you are going to testify in, and watch how things are handled. This is the best way to get comfortable with your surroundings.

Testifying takes time, practice & patience - yet all start with a well drafted letter. Start writing letters by taking easy “support” positions & work your way up to heavy opposition.

Legislative Insight

Fourth, remember:

- Everyone in the room is as nervous as you
- Everyone else is worrying about their own testimony, so they may not be listening to you.
- Legislators give leeway to newcomers and constituents.

Fifth, pay attention to what you say and not what's going on around you.

Sixth, come across as a real genuine person (not just a lobbyist), who is interested in the issues and process you're discussing.

TESTIFYING EXERCISES

1) Write a sample letter of support or opposition regarding any Bill you select that's currently active in your state legislature. Once you do that, create a sample Fact Sheet that you would use to support your position(s).

2) Pick the committee that the Bill is in (or that you believe it will go to) and in a series of short essays:

- Write an analysis
- Analyze the votes. You should include why any legislator could, should or would vote any special way (and provide proof - if possible). If you need to call the Legislator's office to ask them a question, please do so (that is the reason for the exercise).

3) Make appointments with staff/legislator to discuss the Bill and your position.

Write a short speech opposing any bill and present it to one or more of your friends. Ask them to critique it and your skills for: content, presentation style, voice and argument.

Legislative Exercise

CHAPTER 12



CREATING PACs

PAC's - America's 21st Century Alter Ego

Thanks to the US Constitution, American citizens with like beliefs, interests, ideas and goals are able to organize and create a PAC, just as long as they play by the rules. This raises a great question - although we've heard about them, just exactly what is a PAC? Better yet, what rules do they follow? This chapter provides the reader with the bare bones basics needed to create and operate your own PAC.



The acronym PAC stands for Political Action Committee. A PAC is a group of people who pool political, ideological, economic and business resources to accomplish common goals. PACs range in size from small and specific (like Citizens Opposed to AB 123) to expansive (like the National Rifle

Ass'n - NRA). The NRA is one of the nation's most active and effective PACs - they educate, involve and organize members with like concerns to fight for a common cause: Gun owners Rights. they defend those rights in legislatures and courts around the country, and raise a large amounts of money to do so.

There's nothing wrong with combining capitalism & politics, it happens every day. What is wrong is when you pervert the system and use capitalism to harm people.


Legislative Insight

PACs - THE BASICS

Political Action Committees are organized in a variety of ways, depending on what their goals and objectives are. That means you can find PACs that organize and operate as everything from small businesses to large not for profit, educational organizations. Raising lots of money annually, large PACs (also called independent expenditure committees) usually help fund the development of an issue, often from top to bottom. This is often done in a variety of ways: Legislative, the courts and media. A great example of a PAC that operates this way is the one that developed the issue of Gay Marriage. Not only did they organize their community, but they fundraise and educated the public by using the media. Then, when needed, they went to court to fight for their right to marry. And look what happened? They spent millions, and went to the US Supreme Court and won not just their case, but the right to marry.

REQUIREMENTS

As with the term Legislative Advocate or Lobbyist, all state's have a definition of the term PAC. Thanks to Federal Law and court rulings, they are similar around the country, just like they are with this book. What's important to remember is this: all PACs are required to register if they influence political actions or spend money on politics. PACs operate under a charter or written set of beliefs. Those beliefs usually correspond with a set of issues that the group is interested in. Those beliefs, are then filed with a department - usually the Secretary of State. To find out your state's requirements are, just do a Google search for your state's requirements. Please use this book as a guide, and not the final word on your state's requirements.



Depending on your view, Political Action Committees either pervert politics or enhance and protect your rights.

Legislative Insight

ESTABLISHING A "PAPER TRAIL"

As I said earlier with Lobbyists, the basic purpose for registering a PAC is so that the government (on people's behalf) can keep track of political actions dealing with legislation, as well as the flow of money to and from candidates. To protect yourself, you should have a game plan that outlines a variety of ways that you will establish the PAC and paper trail. This trail should include how authorized expenses and receipts will be approved, recorded and dispersed, and the system should be strictly enforced. In fact it's so important that some lobbyist's do not allow for the use of personal cash in their offices - to keep track of everything, they use a credit card or a check. This makes it easy to create an expense register, and makes the bookkeeper's job much easier.

BANK ACCOUNTS

Nowadays, bank accounts are important in the establishment of a paper trail because they automatically keep track of your income and expenses, especially if you use online banking. Again, this helps when you need to give documents to your accountant to do the regularly scheduled state filings.

REPORTABLE EXPENSES

That brings up a question, what kind of expenses do you have to report? Reportable expenses are expenses that are used to help further a political goal and range from salaries and rents to lunch with politicians. It also includes everything from printing and publishing multi-media presentations to bringing experts to testify before a committees. it also includes campaign donations, lobbyists salaries and 3 martini lunches.



Political campaigns & politicians always need volunteers - if you want practical political experience - volunteer!

Legislative Insight

FUND-RAISING SERVICES

Jessie Unruh, a former Assembly Speaker in California once said that "Donations are the mother's milk of politics." For many, that's true. And as such, most politicians, PACs and Lobbyists have their own fund-raising service - either in house, hired or a combination of both. Fundraising is such a major subject, that here again, there are schools, courses and professionals that do it so you won't have to. As such, I am not going to cover fundraising in this book.

CREATING PACs EXERCISES

- 1) Call your Secretary of State's office and order 3 sets of PAC Registration Forms (you can also find them online).
- 2) Create a PAC name (be creative).
- 3) Fill out one form, as a sample.
- 4) Write a list of goals for this proposed acronym PAC.
- 5) Design stationary for use by the PAC.
- 6) Write a sample 'charter' and membership letter.

NOTES:

To help you decide on the correct business model for your PAC, consult with your Secretary of State's Office, an attorney and your bank!

Legislative Insight

CHAPTER 13



WRITING POLITICAL LETTERS

"The trick is to make the hand write what the brain thinks"

I'm lucky because my political career takes me all over the country, and allows me to meet with politicians, industry leaders, stars, consumers and citizens, alone, in legislative sessions and at a variety of events. The events range from board meetings to antique shows and sporting events. During the inevitable question and answer period that I get when



people find out what I do, 9 times out of 10, I'm asked "what's the advocate's most effective tool?"

Knowing that their question is designed to either trap me so they can ask other questions (money questions) or simply make me look

bad because they don't like "my type,"

I ask them to guess. The majority yell out "money," while others say votes, ideas, or publicity.

With a sly smile, I reply "In this day and age of short attention spans, intense philosophical competition, time shortages, massive amounts of information, and good old term limits, it's an age old favorite: snail mail - better known as the letter. Why?"

The letter is important for 2 reasons. First, businesses and politicians

A well written letter speaks volumes - practice your writing - **CONTINUALLY** - it will pay off in the long run.

Legislative Insight

have a ratio of those who write vs. those who stand by and watch. It was pointed out to me at a recent seminar that when a consumer complains to a business, the business evaluates the letter by saying something like: we expect 1 letter per 250 individuals that use our product(s) or visit our store(s). Unfortunately, in politics, the ratio is closer to 1 letter per 8,520 people.

Second, and just as important, most people don't know how to write an educated, informative, action oriented letter to a business, business executive or government official that gets results. As such, when they need to, they get flustered, and just don't write. That means that when a well written letter is received by business or politicians, its taken seriously!



On that note, this chapter of the **Dummy's Guide To Legislative Advocacy**, will provide readers with step by step instructions on how to write an effective letter that gets responses (Note: to help you write the letter you need, you can find sample letters in the Appendix. You can also visit our sister sites: www.TheLetterDepot.com and www.Lobbyist.org.

www.TheLetterDepot.com and www.Lobbyist.org.

Additionally, this handbook section addresses the above two problems and I hope that in just a few minutes you will learn how to design, write and send an effective, hard hitting letter that makes you look good and - get answers from elected officials and business.

Creating a style that's supported by letter templates, makes it easy to write letters.

Legislative Tip

SPECIFICS

Most don't realize it, but to make letters effective, they must meet a specific format, a format that is designed to meet the needs of the person to whom you are sending the letter to. As such, there are many types of letters, and I find that they fall into the following categories: 1) Business, 2) Political 3) Candidate, 4) Letters To The Editor, 5) Legal and 6) Personal.

Organized properly, your letter, no matter what type you're writing, not only represents you and impacts your image, but also helps you establish a working relationship with the reader. In politics, the letter helps you frame issues, arguments and positions. In business, it might state your complaint, ask for a sample product, or ask for help with a project or event. What most people don't know is this: a properly structured letter is important because it also saves time and money - something that both politicians and business leaders respect.



Structured properly, your letter will do one of three things. First, upon arrival, the letter will be immediately routed to the right staff person for action. Second, the letter will go to the boss and they'll rout it to the right person themselves for action. Finally, The boss might direct the letter to someone with a request that they take action and report back to them.

With respect to sending letters to committee consultants with the hopes of being part of the analysis, you need to use a

Having a great vocabulary helps you lobby. Pump up your vocabulary - do word games & crossword puzzles.

Legislative Insight

very specific structure format that will ensure that your letter (if received in time) will become part of the official analysis.

THE SALUTATION: START AT THE TOP

Every letter sent, should be professionally written and presented. For letters, that professionalism starts with the letterhead and works its way down the page. And thanks to computers and page layout programs, anyone can make up their own stationary. All you need to do is:

- 1) Create your own letterhead, and provide an address, phone number and email contact information.
- 2) Address your letter professionally: A letter to a legislator is addressed as follows: by professional title and name such as: Dear "Senator, Congressperson, or Assemblyperson" Smith.
- 3) Use the correct address: White House, Senate Heart Building or State Capitol, City, State, Zip Code".

Your salutation should look like this:

**Dear Congressman Jones
United States Capitol
Washington DC. Zip**

After the salutation, state exactly what bill you are writing about, centered on the next line directly under the initial salutation (See sample letters in the appendix). Additionally, it should be centered on the page and look like this:

**If in doubt
- write your letters
using "AP" style - its the
officially recognized way
to ensure the correct use
of English grammar in
the media &
politics.**

Legislative Tip

Re: Bill number _____ - SUPPORT/OPPOSE

This type of heading is used to quickly outline why you are writing, namely to support or oppose a bill. When you use this type of header, you'll be ensuring the letter's prompt delivery and routing to the right staff person.



With that specific person in mind, you can speed up your letter's delivery and response by taking the bull by the horns and call the office you are writing to before you send the letter. This not only helps you establish whom to direct the letter to, but more importantly, puts them on notice that a letter from you, is coming to their boss, and that you understand that it is their job to deliver it for you. This clearly shows that you mean business and expect both an answer and action.

THE BODY

As a lobbyist, the body of your letter is the meat and potatoes of your client's business, as well as yours. The best type of letter to use is the basic 5 paragraph letter. The letter's body should possess the following concepts: In the first paragraph - which is actually a sentence, state your need and position. The best opening sentences I can think of are: I am writing today in support/opposition to _____, or I'm writing today about _____.

**At either
www.lobbyist.org/letters
or www.TheLetterDepot.
com you will find a variety
of sample letters that will
help you write your own
and take positions.**

In the 2nd paragraph, state your reasons for taking this position in

Legislative Insight

short, bullet oriented points, not long boring, hard to read or follow paragraphs. To ensure that your letter is as professional as possible and that your argument comes across clearly, follow a logical and uniform thinking and presentation pattern. You also need to provide at least one example for each point.

In the 3rd paragraph, tell the person what you want them to do, and then state why. If several reasons are used, each one should be in its own paragraph, and be fully explained.

In the closing paragraph, you should provide a strong, provoking and effective conclusion that “closes your support/oppose sales pitch.” If at all possible, this paragraph should summarize the entire letter, “with a psychological twist” that leaves the reader thinking;



To sign the letter, use your full name and official title. Directly under your name, include your phone number and/or email address so the receiver can contact you about your position(s);

If you are sending out copies, using the CC format, use the letter’s bottom to let others know you are sending out copies.

With what to include out of the way, what should be excluded? Innuendos are acceptable and at times urged, but not profanity, insults or questionable language of any type. If you do, your letter will end up in the round file.

The main job of a legislative intern is to answer phones, write constituent letters and learn how the system works.

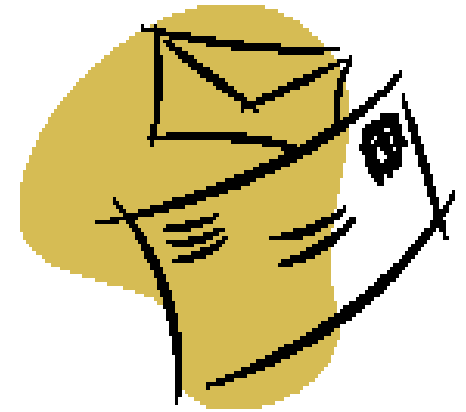
Legislative Tip

In an effort to send a tight letter that makes positive sparks fly:

- Provide copies of the letter/document to all legislators who are on that policy committee AND policy committee staff;
- When possible, provide the reader with a legislative history that outlines previous actions on the issue you are writing about, which instantly makes you a historian and resource;
- If newsworthy, release copies of to the press.

FOLLOW UP

After the letter is sent, don’t be shy. Staff handles a literal blizzard of paper, so if they don’t call you, you should call them, and Friday is the best day to do so (That’s because its usually slow and staff has more time). As a rule, you should wait 3 or 4 business days if you send it by mail, and 2 or 3 days if sent by fax. If you send it by email, you should call within 24 hours.



The last tip I want to leave you with has to do with getting a response to your letter. Most letters written to Legislators are designed to be responded to (and good legislators do respond), but don’t for a variety of reasons.

Therefore, if you want or expect a response, let them know it by saying the following: “I eagerly await a response,” or, “as a voting constituent, I look forward to your immediate response” in the last or closing paragraph.

Congratulations, if you made it this far, you should have a wealth of experience, experience that most consumers/citizens/voters never achieve. In my opinion, that makes you a lobbyist.

Legislative Insight

EXAMPLES

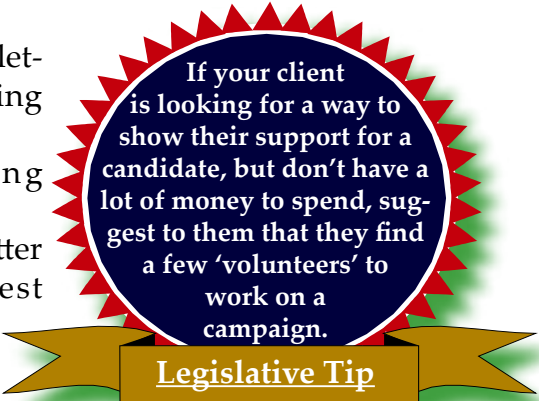
You can find letter samples online at www.Lobbyist.org or on our sister site, www.TheLetterDepot.com

As you review the letters, you will notice that they all share the same quality: they walk the reader through a set short and direct format that provides the reader with a clear philosophy of how their business will be impacted.

From a political stand point, how important is letter writing, and how does it work? I have 2 examples. First, in January 1998, I helped defeat a bill in Florida with less than 80 consumer letters. On the other hand, in 1982, California enacted the nation's first Lemon Automobile Bill on the strength of less than 120 total letters (all of which generated news stories).

WRITING LETTERS EXERCISES

- 1) Find an issue of interest, and using the letters in the appendix or at www.TheLetterDepot.com, compose a letter of support and opposition.
- 2) Find a Bill that's been introduced and write a letter of support or opposition for that Bill. (It's best to pretend that you are a constituent and use your legislator's "Bill load").
- 3) After writing those letters, write the following types of letters:
 - a) Letter suggesting amendment(s)
 - b) An appointment Letter
 - c) Information request letter.



If your client is looking for a way to show their support for a candidate, but don't have a lot of money to spend, suggest to them that they find a few 'volunteers' to work on a campaign.

Legislative Tip

Appendix

www.lobbyist.org/appendix

SAMPLE LETTER OF SUPPORT

Assemblyperson _____
State Capital
Sacramento, CA. 95815

3/20/06

RE: AB 770 as amended 1/23/06 - Support

Dear Assemblyperson _____ ;


The California Alliance For Consumer Protection would like to go on record as supporting your SB 770 – as amended 1/23/06.

We support your measure for a variety of reasons, with the largest being that this is a common sense approach to a growing problem – and we believe that the ombudsperson will save Common Interest Development property owners, time, energy and money while ensuring that the boards that oversee the operations of the properties do not run helter-skelter over property owner rights.

In closing, we look forward to working with you on this measure as it winds its way through the 2006 legislative session.

Sincerely;

Michael Ross
Consumer Advocate



When you master the concepts outlined in this booklet for letters, you'll be able to write both political and business letters, as well as effective consumer complaints.

Legislative Insight

SAMPLE LETTER OF OPPOSITION

Assemblyperson _____
State Capital
Sacramento, CA. 95815

3/21/06

RE: AB 1884 – as introduced – opposition

Dear Assemblyperson _____ ;

The California Alliance For Consumer Protection would like to go on record as opposing your AB 1884 – as introduced.

We oppose your measure for a very specific reason: namely, the bill provides an across the board benefit to locked-out workers. For the normal worker, this is understandable, but there are workers that this is NOT understandable – specifically sports and entertainment stars who make millions on guaranteed contracts that pay them if the ‘activity’ is undertaken or not. Additionally, your bill does not address ‘outside income’ from commercial endorsements that also brings in millions of dollars, even while they are on strike.

In an effort to alleviate our opposition to your measure, we would like to suggest the following amendment:

- 1) Make your bill applicable to everyone who:
 - a. Does not have a guaranteed contract that earns them a minimum salary that is in excess of \$500,000 (five hundred thousand);
 - b. Does not have additional commercial endorsements that are related to their current career; and

In closing, we look forward to working with you on this measure as it winds its way through the 2006 legislative session.

Sincerely;

Michael Ross
Consumer Advocate



Many legislatures broadcast their hearings over the internet. Visit your legislature’s homepage to find out if they do.

Legislative Tip

AN IN-DEPTH LETTER OF SUPPORT

Senator _____
State Capital
Sacramento, CA. 95815

4/11/06

RE: SB 1737, as introduced - Support

Dear Senator _____ ;


The California Alliance For Consumer Protection would like to go on record as supporting your SB 1737 – as introduced.

We whole-heartedly support your measure for a variety of reasons, with the largest being the simple fact that even though many companies advertise a “rebate”, its clear that they don’t actually provide them. This is followed up by the fact that when they do, it sometimes takes years to actually get the rebate. Finally, the hassle that consumers have to go through to actually follow-up on the rebate and then collect it, quite often far outweighs the amount that is collected.

We believe that this occurs for the following reasons:

- 1) Many companies that advertise rebates never deliver the rebates for a variety of reasons - either the company never had the intention of supplying the rebate or the company never put the money in the bank to allow the fulfillment house to send the consumers a check.
- 2) The company offered rebates to more people, on more products, than they budgeted for.
- 3) The company never provided stores/consumers with the proper forms necessary to actually file their rebate claim.

For example, about 4 years ago I applied for a rebate on some blank CD media I purchased at Fry’s from a major company. When I cashed the check that



Many legislatures vote electronically - especially in the lower house. Usually, the red light means no, while the green light means yes. A yellow light means the legislator has yet to vote.

Legislative Insight

was sent to me (it took about 14 months to receive it), and to make matters worse, when I tried to cash the check, it bounced due to "insufficient funds". Then when I tried to collect the money directly from the company, the company never replied to my letters, never returned my phone calls, and when they finally did, they told me I had no proof that I was owed a rebate (even though I had the check in my hands). Then, when I finally got a PR person to talk to me, I was told that there was nothing they could do about it – it was my fault for purchasing the product and relying on the rebate. The total for the check you might ask? It was for less than \$3. Needless to say I have never purchased a product from that company again.

With our steadfast support in mind, we would like to make the following suggestions to strengthen the bill and eliminate the problems caused by rebates:

- 1) That those who offer rebates must purchase a bond that guarantees that the rebate will actually be delivered to the consumer.
- 2) Require that manufacturers inform consumers in advance what the total dollar amount that the company will accept (For instance, instead of saying that there are millions of dollars worth of rebates, they should be saying that the first \$3 million worth of rebates will be accepted/cashed).
- 3) A determination of the tax status of the 'rebate' should be undertaken - for instance, if someone purchases a computer for business worth \$1,000 and there is a \$100 rebate, does the businessperson get to write off a computer worth \$1,000 or \$900? Additionally, is the \$100 income?
- 4) Conversely, there should be a determination made with respect to the overall tax status of the rebates as they affect the company. For instance, are the rebates tax deductible as a business expense or as an advertising expense? If so, is the tax applicable to the full amount advertised or the actual amount returned to consumers? (For instance, if a company advertises that there are \$5 million in rebates and only \$4 million worth of rebates are received, what is the status of the other \$1 million?)
- 5) Rebates should not be advertised or offered in any fashion without rebate forms actually being made available in stores that offer the rebates.
- 6) The state should either allow for the establishment of, or help set up a 'rebate bank' that is specifically designed to help consumers cash their rebates.

In closing, we look forward to working with you on this measure as it winds its way through the 2006 legislative session.

Sincerely;
Michael Ross, Consumer Advocate

AN IN-DEPTH LETTER OF OPPOSITION

Senator _____
State Capital
Sacramento, CA. 95815

4/11/06

RE: SB 1613, as introduced - Oppose

Dear Senator _____ ;

The California Alliance For Consumer Protection (CACP) would like to go on record as opposing your SB 1613, as introduced.

We understand the need for your measure (saving lives), but believe that there are other avenues to use to accomplish this goal and hope that our proposed amendments show those avenues.

At this point in time, the CACP believes two basic things:

First, this bill is not needed because the problems the bill addresses are not problems caused by cell phones, rather driving problems are caused by inattentive drivers who are not trained to drive with a cell phone.

Second, we believe that this bill is not fiscally prudent as the following scenario suggests:

1) Although the exact figure is unknown, it is estimated that there are at least 8,500,000 cell phones in operation in California (Verizon estimated that there were over 10 million). Based on California's need and growth, we expect this base to continue to grow at a minimum rate of 10 - 15% per year for the next 10 years until a minimum of 1/3rd of those with phones in California have a cell phone.

2) If 55% of the 8,500,000 phones belong to drivers, then there are between 4,500,000 and 5,000,000 cell phones in use that would be affected by this legislation.

3) Of that, we conservatively estimate that at least 70% of the phones are used by businesspersons during the normal course of business. As such, the phones and equipment to support their use are considered business expenses. If this law is enacted, these units will become an additional business expense, again costing the State money. Currently the items cost between \$20 and \$50 each, depending on the quality, maker and style. Using these conservative figures, we estimate that it will cost the state between \$90,000,000

and 225,000,000 a year.

4) For the record, it doesn't matter who pays for the hands free device (the phone company as a promotion or a businessperson), because the actions taken with respect to this item will affect the laws of supply and demand. As such, when supply dwindles, prices will increase, costing California additional monies.

5) We also want to point out that the figure will naturally adjust itself over time. The figures we used are based on first year purchase and use. It should be pointed out that because of the fragile nature of the devices (not to mention loss by users), they will be replaced often and will become an additional cost to the state. Is this budgeted for?

At this time, we realize that there are other options that can be used to enhance safety on the road that won't cost California a penny. Those concepts should be amended into the bill. They are:

- 1) California should base the use of cell phones in cars on driver education, training and licensing. In other words, like with licenses for motorcycles, trucks and other vehicles, we should require drivers to become "trained and licensed" before they can use the phone in the car. This will not only create schools and training that is taxable by the State, but will not cost the State money because those who want the license will get trained and then pay for it.
- 2) Require that those who obtain these licenses to also acquire special insurance to cover them while using the phone in the car.
- 3) Require that all cars sold after a certain date should come equipped as a standard safety element, locations in the car for the placement of microphones and dialing pads that allow for hands free use while driving.

In closing, we look forward to working with you on this measure as it winds its way through the 2006 legislative session.

Sincerely;
Michael
Michael Ross, Consumer Advocate

LETTER REQUESTING AN APPOINTMENT

Senator
State Capital
Sacramento, CA. 95814

March 6, 2006

Re: Appointment

Dear Senator _____ ;

I am writing today on behalf of Moller International Inc. , a California corporation involved in designing, developing, manufacturing and marketing new transportation products, specifically a 4-passenger Vertical Take-off and Landing ("VTOL") aircraft that combines the high-speed cruise performance of an airplane with the runway-independent access capabilities of a helicopter.

The aircraft is designated the "M400 Skycar®."

The concepts surrounding the Skycar are simple: designed as a personal transportation vehicle, this VTOL aircraft is fast, practical and affordable, and could replace many of the miles traveled in both by automobile and in private or commercial airplanes, making it destined to become the preferred the consumer's transportation choice of the future,

With that in mind, and the potential of seeing these vehicles in the market within five years in California, we would like to meet with you personally at your earliest opportunity to:

- 1) Discuss the growing industry of Personal Flying Vehicles;
- 2) Discuss the Governor's transportation proposals and its affects on our industry;
- 3) Discuss legislative proposals that affect Moller International and the Flying Vehicle Industry;
- 4) What's needed from the California Legislature before this product can profitably be brought to market.

With those concepts in mind, our initial presentation/meeting is designed to last between twenty and thirty minutes.

NOTE: ONE OF THE FOLLOWING WILL BE USED:

- 1) As per my conversation with your appointment secretary, _____, I am confirming with you the appointment slated for _____ at _____ — AM.

Or

- 2) Currently, we are scheduling appointments with California Legislators on the following dates:

Wednesday March 8 – anytime between 9:30 and noon
Monday , March 13 – anytime between 9:30 and noon
Tuesday March 14 – anytime between 9:30 and noon
Wednesday March 15 – anytime between 9:30 and noon
Monday March 20 – anytime between 9:30 and noon
Tuesday March 21 – anytime between 9:30 and noon
Wednesday March 22 – anytime between 9:30 and noon

Thank you very much. We look forward to meeting with you.

Sincerely;

Michael Ross, Legislative Advocate for Moller International. Inc.
(916) 923-2215

LETTER OF INTRODUCTION

Name
Address
City
Re: Letter of Introduction and Attached Proposal

Dear _____

I know your time is valuable, so I will get right to the point. I am writing on behalf of a new organization that I am creating tentatively entitled the **Personal Flying Vehicle Advisory Board (PFVAB)**. As an identified member of this community, I hope that this is an area of interest for you. Additionally, I hope that this letter will serve as a preliminary Letter of Introduction.

Like the industry itself, the **PFVAB** is in its formative organizational stages. The coalition's initial goals are simple and straightforward:

- 1) Support the industry's economic and scientific growth; and
- 2) Work with members to educate everyone about the industry/products; and
- 3) Enhance industry competition, communications and community.

With those concepts in mind, I would like to talk to you about participating in our program(s). In an effort to do so, I would like to call your attention to the attached short outline that expands on our mission statement, goals and provides a couple of suggestions on how we might be able to work together to make the **PFVAB** a reality.

In closing, I look forward to talking to you at your earliest convenience.

Happy New Year!
Sincerely;

Michael C. Ross
Flying Vehicle Advocate

Please Note

This book has been published yearly since July 1, 2006. The book, its contents, and copyright is owned by Michael C. Ross, currently of 37 Seville Way, San Mateo, CA. 94402.