

CAPITOL IDEAS!

California's Athletic Trainers
Take Their Message to Sacramento

October, 2005

CAPITOL IDEAS!

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GRASSROOTS LOBBYING

“Politics ought to be the part-time profession of every citizen who would protect the rights and privileges of free people and who would preserve what is good and fruitful in our national heritage.”
Dwight D. Eisenhower

One person *can* influence legislation. Think of Mothers Against Drunk Drivers (MADD). An irate and grieving mother formed a potent political organization to strengthen California’s drunk driving laws. Her efforts resulted in much stronger laws in her own state, and sparked a national movement.

If one person can make a difference, imagine how much a network of people can accomplish. Speaking with one voice, dozens or hundreds of people can have a profound political impact. The purpose of this training is to organize athletic trainers into an effective political force.

Becoming a Key Contact

“All politics is local.”

Tip O’Neill, Former Speaker, U. S. Congress

The most precious commodity of lobbying is access – the ability to see or talk to or influence a key person at the right time. From a constituent viewpoint, access can be gained by establishing a strong relationship with your elected representative before you need their vote on a bill. Even if you weren’t your state representative’s roommate in college and don’t drive his kids in the soccer carpool, there are many ways to get to know your legislator on a personal basis.

- Making sure that you and the members of your family are registered to vote is your first and most important step to political awareness.
- Make an appointment just to introduce yourself. This is best done in the district office when the legislature is not in session. Legislators are more difficult to meet during the session. Mention your professional affiliation, especially if it is with a high-profile organization such as a university or pro sports team.
- Before meeting with the member find out a little bit about his or her background. School attended? Church? How many kids? When were they first elected? What committees do they sit on? Conservative or liberal? Voting record on key issues?
- In your introductory visit, talk to them about athletic training in general terms. Let the elected official know that you are interested in them and their positions on issues, that you are an “informed” and voting constituent, that you are active in the state association. If you are involved in other civic or community organizations, mention that as well.
- Leave something behind – a business card, association fact sheet, or an NATA brochure on athletic training.
- Find something that will make it easy to keep your name in front of the legislators, such as leaving with the promise to do something. A facility tour, for example, is a perfect reason to establish on-going contact.

- You are trying to become a familiar face to the politician. Find reasons to see them. Check the newspapers for events where your legislator is likely to be – ribbon-cutting ceremonies, high school football games, parades.
- Respect their privacy. Don't lobby legislators in church or at their home.
- Ask to be added to your legislators' constituent mailing list. Volunteer to help the district office with a project.
- Invite your legislator to participate in programs where they will be positively received – your monthly school board meeting, your neighborhood group, your church or synagogue, etc.
- If you serve on a civic or community group, offer to be the liaison with the representative's office to keep the legislator and his/her staff informed of your group's events or local issues.
- Invite the legislator to your facility for a tour. Everyone loves to see behind-the-scenes, and if they go home with a cap or jersey, so much the better!
- If your legislator does something with which you agree – like votes your way on an issue, wins a "Best Legislator" award, or heads a new committee on drug abuse – write a note acknowledging the accomplishment.
- Organize other athletic trainers in the district to meet with the legislator. It need not be expensive -- meet at a local café that will accommodate a crowd in a back room, or meet informally with a small group around a table. Caution: Know your state's limitation and disclosure requirements for gifts to legislators (in some states a dinner will qualify). The athletic trainer can pay for his or her own meal and you can host the legislator.
- Don't forget to meet the legislator's district and capitol staff. They funnel information to the member and control which calls and letters get through.
- Work for the legislator in the next election. For information about how to be a volunteer in a political campaign, contact NATA's Government Affairs office at ext. 103.

Following these steps will create a relationship with your legislator. She will recognize your name and your face. He will think of you when issues affecting athletic trainers arise. You will have become a Key Contact.

Now that you've established a relationship, you are ready to lobby your legislator on specific matters.

Personal Visits

"Trying to get a legislator's attention is like trying to argue to a jury that's wandering around Disneyland."
Kirby Hendee, Former Wisconsin Lobbyist

Face-to-face meetings are one of the most effective ways to lobby. Most legislators have offices within their districts and have regular office hours. Although it is impressive to meet with your representative in their state capitol office ("You came all the way here!"), the schedule is usually HECTIC!

The goal in a personal visit is two-fold - to establish or continue an on-going dialogue with your elected representative and to discuss a specific issue. Listed below are some points to make your visit successful.

- Make an appointment. Be punctual and keep the delegation small (three is optimal). Expect to wait – legislators are always busy because they are often called to unscheduled sessions, committee votes, etc.
- Know the legislator’s background. Get a bio from the district office or from the website; look for common interests, hobbies, education, etc. Look on the walls of the office for clues to interests which may provide a friendly opening to the conversation, or alert you to areas of potential conflict.
- In advance, huddle with the “team” who will be making the visit, to assure a common goal and message. Decide who will lead off and who is best suited to make each point.
- The actual time spent with your legislator is likely to be short (15 minutes or less). Have your thoughts well organized; make the most important points first. Stick to the topic at hand. Broader issues can be discussed if time permits. Be mindful of their schedule.
- In your discussion, discuss the impact of the proposed legislation on you and your patients. Legislators are more likely to remember a phrase such as “This bill will result in reduced access to care for patients” or “athletes are less likely to get needed treatment”.
- Address the legislator respectfully and by their correct title, i.e., Mr. Speaker, Representative Porter, Senator Smith.
- If meeting with a legislative aide, speak just as if you were talking to the member. They often have a great deal of influence and know more about the subject than the legislator.
- Present your arguments to anticipate and diffuse the opposition. It serves two purposes to say “You may hear from the opposition that this bill will hurt them, but the reverse is true because....” First, it gives the legislator an answer when the opposition comes to lobby him. Second, no one likes to like be blindsided. Legislators know there are two sides to every story, and withholding the opposing view is akin to lying.
- Ask for your legislator’s views on the issue. Be polite but direct. Do not let them avoid the issue.
- Encourage questions and look for opportunities that will allow you to make another contact with the legislator either by mail or in person. “I don’t know the answer to that question, but I’ll get that information for you,” is a great way to keep you and your issue out in front.
- Listen carefully. Legislators pick their words with precision. “I sympathize” does not mean “I support you.”
- If asked about possible compromises, simply say that the state president or the lobbyist will get back to them. (If you are the state president, tell him you have to run it by the executive committee.) Discussing alternatives can be dangerous in the thick of battle and is best left to the people in the association who know how your legislator fits into the overall strategy.

- Never discuss a campaign contribution while you are discussing an issue.
- Thank the legislator (or aide) for their time and let them know that you are available for additional questions and that you will be following up with them.
- Leave written information and your business card. Often a document will help direct the conversation. It will remind them of you afterward.
- Follow up with a note which includes the date you met, the bill number (if applicable), a restatement of your position and your understanding of the member's position. If you met with an aide, address the letter to the Representative and mention the aide by name. You can be persistent without being a nuisance.
- Let your state association know about your meeting and what was said, including sending them copies of any correspondence you send.

Letter Writing

"I have come to the conclusion that politics are too serious a matter to be left to the politicians."
Charles de Gaulle, President of France

Letter writing can be an effective lobbying tool, especially when it comes from a constituent. Many constituents are reluctant to contact their representatives because they don't believe one person can make a difference or they aren't sure what to say.

The following tips will assist in getting your written message across effectively.

- Use the correct salutation. A person's name is very important and they appreciate your diligence in getting titles right, too.
- Write legibly, preferably typing the letter. Use your own stationery or include your home address as your return address so they know you are a voting constituent. If you are a member of a committee or the Board of your association, include the fact. Anonymous or illegible letters don't make it past the receptionist.
- If writing about a specific piece of legislation, include the bill number or bill title in the beginning of the letter.
- If you know your legislator, even in the vaguest sense, make sure to include the fact in the first paragraph. For example, "I really enjoyed your speech at Kiwanis last week," or "Although I haven't talked with you since the campaign" – something that personalizes your letter and separates it from the hundreds of letters received each week.
- You are the expert. Legislators consider hundreds of bills and they need and want your help in telling them how these bills will affect the people of their district.
- **VERY IMPORTANT:** Use your own words and write an original letter. Tell how the issue affects you, your business, and your patients. Don't be afraid to mention facts like cost, if

pertinent and correct. Your own personal experience is the best supporting evidence. Avoiding jargon or technical terms makes your position more understandable.

- Be courteous and reasonable. It's not necessary to indicate whether you did or did not vote for this individual, and you should never threaten to withhold a vote in the future based on the outcome of this issue. Remember, we will live to fight another battle on another day.
- Succinctly state your position and what you would like the legislator to do. Limit the letter to one page. Be specific.
- Be careful when using statistics unless you are sure they are correct; you may be asked to document them.
- Timing is important. If the letter is too early, it will get lost in the shuffle. But, it should be sent before the vote is taken so that you are on record with your position. Look to the association to give you the appropriate time for mailing.
- If writing about a bill, it is better to use the State Capitol address when sending correspondence. District offices during session do not always forward everything to the legislator on a daily basis.
- Send a copy of your correspondence to the state association along with any reply you receive. It is important for your state association to be kept informed of the message their members are sending, as well as the positions taken by legislators.
- **DO NOT:** criticize, condemn, complain, threaten, demand or remind the legislator that you are a taxpayer.
- Do not send a letter to a state representative and then copy other legislators. Mailing individualized letters is far more effective.
- After the vote, regardless of whether your legislator voted with you or not, be sure to send a note thanking them for considering your position. Much of the mail received by legislators is from unhappy constituents. Set yourself apart.

The correct form of address is:

The Honorable _____
Member of the (House, Senate/Assembly, etc.)
State Capitol
Sacramento, CA 95814

Dear Representative/Senator/Assembly Member/Congress(wo)man _____:

See Attachments 1 and 2 for samples of letters.

Communicating by Phone

"In a global village, the perception of news shapes the reality of the news." Marshall McLuhan

Calling your representative can sometimes be more effective than writing a letter, provided your message is concise. This method is important to use when the deadline for a vote is near. Look to your state association about when a phone call on a particular bill is needed.

The following points will help you in making your call:

- Immediately identify yourself to the receptionist by name, profession and whether you live or practice in the district. Let the receptionist know the bill number you are calling about – many offices keep tallies.
- Identify the bill by name and number (e.g., "I'm calling about the athletic trainer licensing bill, S. 14.").
- Tell the legislator the status of the bill (i.e., "S. 14 is scheduled for vote on the floor this afternoon.").
- **Briefly** state your position and explain how you want the member to vote.
- Ask the legislator for their position on the bill and how they intend to vote. Unless the bill is highly controversial or has had a lot of press, the member will probably not have a public position. Politely but firmly indicate that you will call after the vote to see what happened.
- If speaking to an aide, specifically request that your message be relayed to the member.
- If your legislator requires further information, get it to them fast (FAXing is best). Once bills are up for votes, the legislative cycle often moves very quickly. Legislative offices are flooded with e-mail and they are often left unread. If they ask you to e-mail them something, ask for the address (they may have a separate, less public address).
- Be sure and thank the member for their time.
- If you do not know your legislator's phone or FAX number, call directory assistance or look on the legislature's website. Most state legislatures can be reached with a URL of [www.\(2 letter initial\).gov](http://www.(2 letter initial).gov)
- Call only during business hours **and** to their office.

**WRONG
WAY**

Rep. Robert Jones
House of Representatives
Anytown, USA 12345

Dear Bobby,

Maybe in the capitol you don't have to work for a living, but as an athletic trainer, I have a real profession that provides a useful service. I work 18 hours a day to give my patients the care they need, and I think it's time your "do-nothing" House recognized our value.

There's a bill that would do just that, if only you'd vote for it. My patients should be able to seek my care or choose from a good mix of athletic trainers as they see fit.

If the House doesn't do something about this, my career will be ruined. If that happens, you'll be the next to be ruined, because I'll have a lot of time to get my friends to eliminate you in the next election.

I didn't vote for you last time. As a matter of fact, I haven't voted for anyone since Nixon. If you don't vote to recognize athletic training, it only goes to prove I was right.

What are you going to do about it?

Sincerely,

Harry Tuffguy

RIGHT WAY

Today's Date

The Honorable Randy Jackson
Member of the House of Representatives
State Capitol, Room 300
Anytown, USA 12345

Dear Representative Jackson,

You will soon be voting on HB 492 (Smith) in the House Health and Human Services Committee. I urge you to vote "Yes" on this important measure.

HB 492 would require every school to have a certified athletic trainer available during sports practice and games. I believe the presence of an athletic trainer certified in the domains identified by the national Board of Certification would go a long way toward protecting our athletes. At this time, we want to encourage youngsters to be as active physically as possible, but we want to make sure they are safe. Injuries, incorrectly treated, can result in a lifetime of pain or physical limitation.

I urge your "Aye" vote on HB 492. I would like a response from you regarding your position on this important legislation.

Sincerely,

Jane J. Doe, ATC
111 Main Street
Anytown, USA 12345

LEGISLATIVE PROCESS

“In a global village, the perception of news shapes the reality of the news.” Marshall McLuhan

Laws begin as ideas: the ideas come from a member of the legislature; from the governor; from the legislative body itself; and from citizens. Legislators often introduce legislation in an attempt to fix problems identified by the media – scandals, negligence, or incompetence – or made evident by major events such as natural disasters or high-profile legal decisions.

Bill Introduction

“Politics is the art of looking for trouble, finding it everywhere, diagnosing it incorrectly and applying the wrong remedies.” Groucho Marx

The first formal step in the legislative process is for the bill to be introduced by its legislative sponsor (author). Then the clerk or secretary of the author’s chamber (House or Senate) will “read” the bill and assign it a number. The bill is then referred to the committee(s) with jurisdiction over the subject matter. This is referred to as “First Reading.”

This step, however, takes place after a long period of preparation by the person with the idea. The bill will have been written in statutory language suitable to the state’s Code of Laws (usually by the Legislative Counsel), and it will have been reviewed by various interested parties. Bills usually have “sponsors” in the private sector – the vaunted special interest groups we hear so much about, or that private citizen noted above. It may have been vetted by a state agency in order to get their buy-in, and it may have been discussed with opposing interest groups in an attempt to allay controversy and opposition.

If the bill did not originate within the legislature, then the external sponsor will have sought an author among legislators. The proponents usually look for a legislator with some clout, and likely one who serves on the committee to which the bill will be referred. Finding a legislative sponsor who is committed to the idea, who will stand up to opposition, and who can serve as an advocate for the bill is essential. If votes on the measure will be close, the author may have to persuade his or her colleagues by a horse trade on other legislation, or due to party or caucus loyalty.

Committee Referral

‘Everybody is ignorant. Only on different subjects.’

Will Rogers, Humorist

The committee system facilitates the legislature’s need to divide up the work and develop expertise in particular subjects. Each committee has jurisdiction over particular topics.

There are generally four types of committees:

Standing committees – permanent, organized by policy area, may be divided into subcommittees

Select committees – usually temporary and organized to study particular issues

Joint committees – comprised of members from both chambers.

Conference committees -- temporary, organized to resolve chambers’ differences over specific legislation.

Depending on the particular rules or customs of a state’s legislature, committee chairs may be the most senior member of the committee or may be appointed by the majority leader (Speaker or President Pro Tem). The ranking member (or vice chair) is usually a minority party member.

Hearings

“Politics is not the art of the possible. It consists in choosing between the disastrous and the unpalatable.” John Kenneth Galbraith

Committees have the power to:

- 1) Hold hearings on the legislation, consider it and report it out;
- 2) Rewrite (amend) the legislation;
- 3) Reject it;
- 4) Refuse to consider it.

Committees conduct legislative hearings to obtain information, test public opinion, build support for the legislation, allow those opposing the legislation to be heard, and to investigate. There are policy committees (Health, Insurance, Professional Regulation), to which almost all legislation is referred, and fiscal committees, to which bills with financial implication for the state are sent. The decision to hold a hearing may be in the hands of the chair alone. Often, legislative staff prepares a committee analysis that includes, among other information, support and opposition for the bill.

Hearings can be conducted in one afternoon or last for weeks (such as budget hearings). Most hearings are open to the public, depending on subject matter. Committees are required to make some type of public announcement of hearing schedules.

One of the hardest aspects of the legislative process for the lay person to understand is the “hurry up and wait” atmosphere that pervades the Capitol. Some people are bustling around while dozens of others appear to be idling in the halls. Committee meetings may not start on time, or they may be cancelled at the last minute. It’s frustrating to have cancelled appointments and traveled for two hours to be present in the Capitol for a hearing, only to be told it’s going to start at 5:00 p.m. rather than 1:00 p.m. – or it’s postponed until next week.

Witnesses should prepare complete written statements of their remarks for the committee and it is recommended that these statements be provided to committee members prior to the hearing. Back-up materials such as newspaper articles or photographs should be supplied at this time, too. Check with your lobbyist or the committee staff director about rules (format, timing) for submitting materials. Committees often have rules governing the length of comments, format, photocopying and distribution. A witness’ oral presentation should be a summary of the statement submitted of the printed record. **DO NOT READ YOUR STATEMENT.**

It is difficult to predict the outcome of a committee hearing. A good lobbyist will have counted the votes ahead, but even then a member may be persuaded by testimony or other factors and change his or her vote. Until the roll is called, the vote taken, and the result announced, it’s best not to leave the room.

Amendments

“Mud sometimes gives the illusion of depth.”

Marshall McLuhan

Legislators like to say “Yes.” Therefore, they may seek to amend a bill to make it palatable to both sides of the question and to eliminate opposition. Unfortunately, amendments move the bill away from what the proponents want, and never seem to move it close enough to what the opponents want. Nonetheless, this is a typical action of a committee.

Also, committee members may propose amendments to solve related problems. Most state legislatures require all provisions of a bill to be germane to its primary topic; Congress does not operate this way, generating many more omnibus types of legislation than you would see in a state legislative action.

When a bill is within the jurisdiction of the committee, the committee can do with the bill what it likes, even over the objection of the author. Authors may reluctantly accept “hostile” amendments in order to move the bill out of the committee and then try a parliamentary maneuver in a later committee to remove those amendments.

Floor Action

“In war, you can only be killed once, but in politics, many times.” *Winston Churchill*

If the committee(s) move the bill forward, it goes to the “floor,” where the full chamber debates and votes on the bill. Many bills have little debate at this point unless there is continued controversy. If the bill passes, it is sent to the other chamber where it must go through the same committee, amendment, and floor process.

If the second house amends the bill, the first must concur with the amendments. If it does not, then a conference committee is assembled to develop language acceptable to both houses.

Enactment

“Politics makes strange bed-fellows.” *Charles Dudley Warner (1829-1900)*

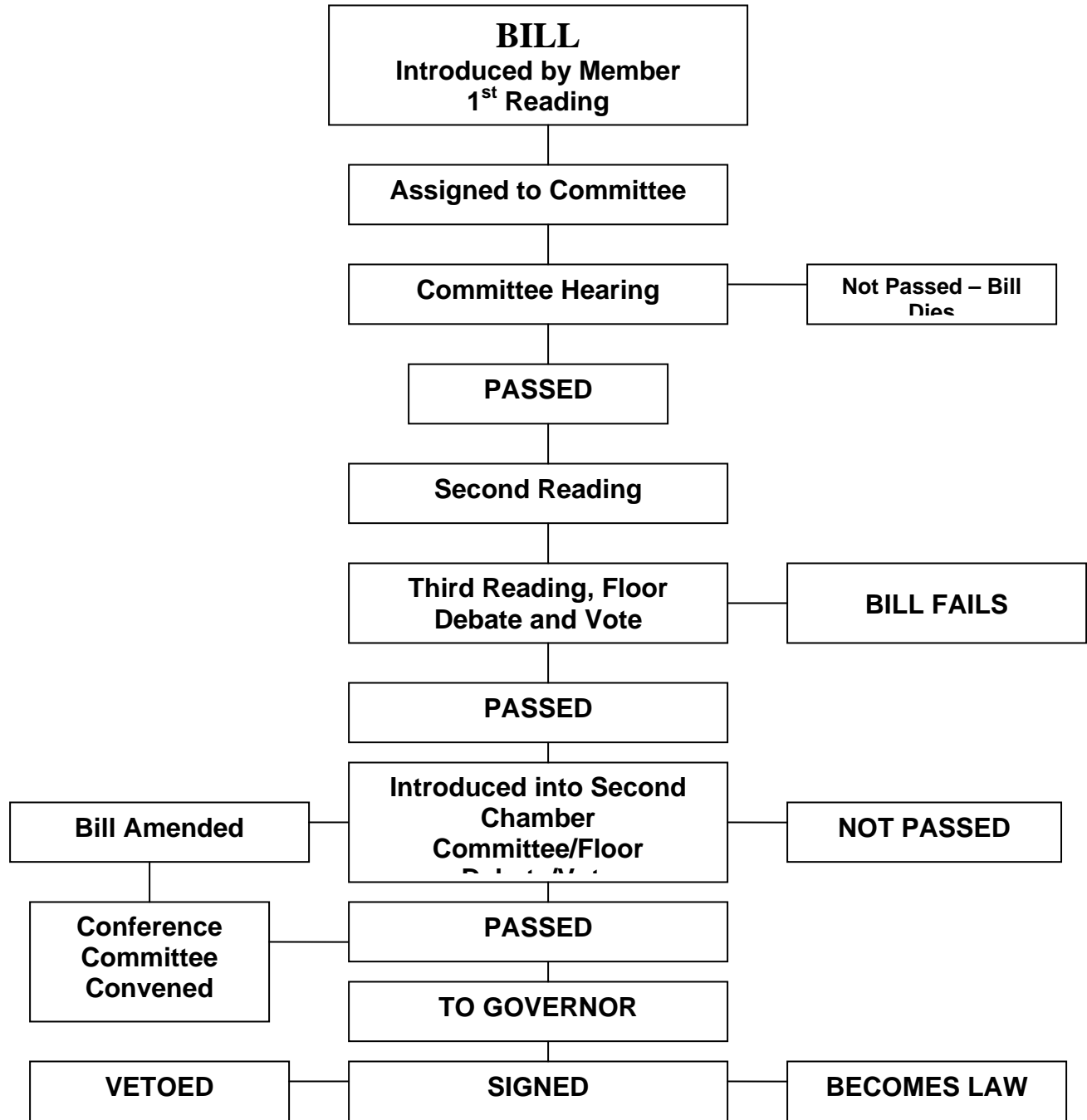
If passed by both houses of the legislature, the bill is sent to the governor for signature. The governor may sign the bill, veto the bill, or take no action, which causes the bill to become law without signature. Check your state’s law to determine when newly enacted statutes become effective.

See the chart on the legislative process on the next page.

HOW A BILL BECOMES LAW

Legislation suggested by citizen, legislator, agency

Legislation drafted by legislative counsel



Sunrise and Sunset Reviews

*“Although He’s regularly asked to do so, God does not take sides in American politics.”
George J. Mitchell, U. S. Senator*

A discussion of the legislative process as it affects athletic trainers would not be complete without a description of what’s known as the sunrise and sunset processes.

Sunrise

Legislation establishing professional regulations or a new regulatory board is often subject to sunrise proceedings. In other words, “should we let the sun rise on a new bureaucracy in our state, and will the public be served in doing so?”

The rules for sunrise proceedings vary by state. The process may be conducted by either the legislature or by an appropriate regulatory agency to determine the necessity of new regulation. The report of a sunrise hearing can effectively kill a bill before it is introduced. The process has evolved to help legislators deal with the proliferation of licensing requests across the board, not just in the health care arena. States may license financial planners, landscapers, auto repair shops, and myriad other personal-service categories.

Prior to a public review, proponents of a new licensure category will have done a great deal of preparation, often filling out forms set out by the state and providing voluminous documentation. This part of the process often takes several months. At the hearing, the committee will ask questions about how creation of a new licensing category will protect the public, how many people will be affected (get a license or lose a job), and how existing licensed occupations might be impacted. They will review the educational standards for the profession and determine how much it will cost the state. The process can be exhaustive and lengthy; preparation is vital.

Sunset

A “sunset” date is often written into the statute when a licensing category is created. The law will stipulate that, unless the Legislature acts to extend it, on a date certain the practice act and the established regulatory board will expire. In the year prior, hearings will be held or a review will be conducted by a state agency to determine if the need for continued regulation exists.

In essence, the sunset process is a new “sunrise” and the board and its proponents will be called to report on their activities and how they serve the people of the state as well as the licensees. The process lays everything on the table and is often the mechanism for resolving disputes between licensed categories over scope of practice or other related issues. Key issues will include numbers of new licensees, disciplinary actions undertaken, and the public’s access to information about those governed by the regulatory board.

In addition to sunset hearings, boards are often scrutinized during the year or biannual budget process or as the result of a scandal involving a licensee. Highly publicized cases of abuse by a health care provider, for example, will raise questions about the effectiveness of the licensing board’s oversight.

LEGISLATIVE STRATEGY

"Politics is war without bloodshed while war is politics with bloodshed." Mao Zedong

The political process is guided by a unique set of rules. Your state association and your lobbyist are your best source of information on the methods for passing and/or defeating legislation, but there are a few time-tested, universal strategies that politically interested members should know.

While legislators are ordinary citizens, they are also people who have experienced the rigors of a campaign and must think about getting re-elected every few years. They put themselves, and their reputation, on the line every time they vote. In most legislatures, that's hundreds of times a year.

As a result, legislators are usually very knowledgeable about current affairs. And, while legislators must think (and vote) globally, they must simultaneously think in a way that protects themselves politically. A good legislative strategy takes into account the balancing act that all legislators must maintain in order to keep their jobs.

Effective strategy also takes into account the fact that legislators cannot be experts on every issue. Most elected officials rely heavily upon the members of their personal or committee staff, if available, to make recommendations about legislative proposals. Very often, these recommendations form the basis of the final bill. If your legislature has little personal staff, information from lobbyists becomes even more crucial.

And finally, a good legislative strategy recognizes that while the legislator and his/her staff are in the experts in the legislative process, you are the expert in your profession. They need your input.

Remember to stay focused. Stay on your main message, using conversation to illustrate your point. A legislator is best served when they are learning the needs of their constituents, while at the same time getting something back in return (potential voters and supporters). This is the implied contract in virtually any legislative contact.

The more information you can provide a legislator about a bill and its impact on the way you conduct business, the better. As the axiom says, "information is power."

Know the Issue

- Almost every legislative issue will be reduced to a few points either by you or by your opponents. Your job is to present the issue simply and persuasively, no matter how complicated the subject matter.
- In the legislature, logic is your weakest argument.

Develop a fact sheet, written in lay language, about the issue. It is also a good idea to develop simple images that will graphically display your position. Legislators find athletic training procedures and terminology as mysterious as you find Capitol intrigue. Paint a picture of what you do, how you do it, and how the bill will affect that.

- When developing arguments, think in short sound bites, just the way the media will, if and when they feature your story. This is also a good way to prepare your arguments for presenting testimony or for lobbying legislators.

Know the Environment

Many great ideas never find their way into the Code books, and many terrible ideas do. The reason is often timing. As Gloria Steinem said, “The art of politics is to be ahead of your time—about six months will do it. Any more than that, and people forget you were there.”

- Assessing the legislative climate is an important step in successful strategy. Regardless of your position on a bill, some of the factors to consider are:
 - What are the legislative and gubernatorial agendas for the session?
 - Is it an election year?
 - Was there just an election?
 - Is there a state budget deficit?
 - How has similar legislation fared?
 - How do your bills fit into this environment?

Know the Impact

- Analyze the issue thoroughly. Determine:
 - Who benefits from this bill?
 - Who will or could get hurt?
 - What other groups in your state will be affected?
- Are your policies consistent? Have you thought through to implementation and enforcement? How will passage/defeat of this bill affect other issues?
- How much will the bill cost the state, other industries, the consumer, and the profession? If there are state costs, will there be offsetting revenue? Are you willing to pay fees? Almost every bill costs the state something, either directly or indirectly, and this alone could kill the bill.
- How are other states handling this issue?

Know The Enemy

- Who will be against this bill? How will they publicly portray their opposition? Knowing how these groups are likely to position themselves is essential. If the bill has several different issues in it, doing the same process for each section is important. The same group that opposes Section I, could be your best ally on other parts of the bill. Is there something (a “carrot”) you can put in the bill which will make it irresistible?

- Before declaring war, analyze whether you can reach an agreement with the opponents on any elements of the bill. Most legislators would rather not choose between two groups. The more you can do to reach consensus or to show a good faith effort towards agreement, the better position you'll be in when the vote finally comes. At some point, a legislator will probably ask you what effort you have made to work with the opposition.
- Why does the opposition have their position?
 - What arguments do they have to use against you?
 - What counter-arguments do you have?
 - How unified is your opposition?
 - Can you split the ranks within your opposition?
 - Can you distract your opponents through press releases or a mailing to their membership?
 - Where do your opponents have to compromise?

Know Your Friends (Building Coalitions)

- During your analysis of the legislation, you should be able to list numerous groups that would share your position. Contact all possible supporters (outside of the legislators themselves) and meet with them to determine:
 - Can a joint letter go out signed by all parties?
 - Do they have lobbyists (without competing interests) who can present a united front to the legislators?
 - In conjunction with your Association, assess who has the best contacts with key legislators.
 - Make sure that the members of your coalition have activated their legislative contact programs.
- Coalition building has become very state-of-the-art. In thinking about coalitions:
 - Consider every aspect of your bill, direct and indirect.
 - Think about the groups in your state that are politically powerful and find a way to get them involved. Will each group help with constituencies where you're weak? Your biggest selling job is getting the right groups actively involved in your issue.
 - Get creative in thinking about potential allies. What will the schools think? Medical groups? The poor? The teachers? Other health professions? The state medical board?

Thomas Hobbes said, "*The reputation of power is power.*" A strong coalition, made up of politically influential groups, will add greatly to your ability to pass a bill by diminishing the clout of your opposition.

Know the Legislature

- An in-depth understanding of the “players” is key to your success. Your lobbyist knows these people well and can determine:
 - Who is the best sponsor? This should preferably be someone with clout on the Committee or in leadership.
- Your sponsor should also be someone:
 - With a good reputation.
 - With whom you can work well.
 - Who is dependable and knowledgeable.
 - Who will not look for a fast compromise.
 - Of the same political party as the leadership or at least someone with good relationships with the leadership.
- Getting the support of leadership is very important because leadership controls the flow of bills. Can you get the help from leadership to either “bottle up” the bill in committee or guarantee votes on the floor?
- If your primary sponsor agrees, try to get as many legislators from the broadest spectrum of districts and interests to co-sponsor the bill. Make sure your primary sponsor agrees to the co-sponsor list before signing others on.
- Be up front about who your supporters (coalition members and legislative colleagues) are as well as the members of the opposition. Legislators do not like to be blind-sided.
- Have a fact sheet on your bill ready for your sponsor and let them know the arguments of the opposition.
- Your sponsor may want you to:
 - Provide a witness for all the public hearings.
 - Be available at all times to answer unexpected questions.
 - Make decisions on acceptable compromise language.
 - Count noses in the committee and on the floor.
 - Have committee members ready with questions for the opponents’ expert witness during the hearing.
 - Have legislators ready with key points to make during floor debate.
 - Draft a “Dear Colleague” letter for his/her signature on the issue.
 - Work very hard to sway undecided votes.
- Win or lose, be sure to thank your primary sponsor, your co-sponsors, legislative staff members, coalition members and anyone who helped you along the way.

Know the Governor

- Once the bill passes in final form, you must continue the battle into the Executive Office. Do you:
 - Have a key contact for the Governor?
 - Know the state agency regulators?
 - Know the Governor's political agenda for the session?
 - Have a letter written to the Governor explaining your position on the issue?

Whew! Legislation is a daunting task. After all you've just read, you know why it is said that it's easier to kill a bill than pass one. But whether you're in support or opposition, the key to success is "be prepared."

FACT SHEETS

“Instant analysis is the occupational disease.” New York Times on Washington, D.C.

There’s an old joke that in politics, when all is said and done, much has been said and little has been done.

On especially busy days, when many committees are meeting, the halls of the legislature will sound like a city park with starlings in every tree. A great deal is being said by a great many people.

In the absence of information, legislators and your opposition will use their own experience, perception and political expediency to create “the facts.” In the presence of facts, inferences and erroneous conclusions will be drawn. This is beyond your control. Your best defense is a good offense: gather your facts and disseminate your facts – again, and again, and again.

This is easier said than done. It takes time and sometimes money to gather information. It may require surveys or research. To minimize the depletion of resources, start with what you know, what you can easily ascertain, and that about which you can make an educated guess.

As a basis, use the NATA’s “FACTS About Certified Athletic Trainers and the National Athletic Trainers’ Association.” Then add your own information. Some information may, of necessity, be anecdotal, and the type of information needed may vary depending on the goal of your legislative effort. The following is a list of (hopefully) easy “factoids” and in parentheses suggested sources for information.

How many athletic trainers are there in your state? (Department of Labor, NATA)

How many athletic trainers belong to your association?

How many athletic trainers in your state are certified? (Board of Certification)

Do all the state colleges and universities have certified athletic trainers on staff?

Estimate of numbers of students/patients served each year.

Examples of athletic trainers working in rural or underserved areas; hospitals; clinics.