

## Effectively Lobbying State Legislatures

By: [Keiffer Mitchell](#)

Each new year brings celebrations, renewed hope, resolutions, new diets, new commitments to exercise routines, and the opening of state legislative sessions around the country. There are 99 state legislatures (Nebraska is unicameral) and 7,383 legislators in the United States. Lobbyists will gather in state capitals to advocate for clients on various issues – budget appropriations, public safety, economic development, housing, education, and other state and local issues. There are several keys to effectively lobbying state legislatures – understanding the landscape and the legislative process, developing relationships with legislators and staff, and respecting the legislative institution.

### **Get Familiar with the Legislative Landscape**

To paraphrase the military strategist and general Sun Tzu, it is best to understand and be familiar with the terrain before a lobbyist engages the legislature. In our political parlance, we often describe states as red, blue, and in some cases, purple. For a successful lobbyist to advocate on behalf of a client or issue, there must be a good understanding of state politics and issues. What are the top issues facing the legislature? What political party is driving these issues? A successful lobbying strategy and message will depend on the political makeup of the state and the balance of power in each chamber of the legislature. A good plan needs to consider the following: political party control, the key players in each chamber other than the presiding officers, and who makes up the power structure power to get legislation passed. No state legislature is the same – they all have their own issues and dynamics. A lobbyist who understands the legislative terrain, like Sun Tzu, will have much success.

### **Ignorance of the Process is No Excuse**

We have all heard the legal adage – “Ignorance of the law is no excuse.” The same can be said of the legislative process. You don’t need to be an expert on Mason’s Manual of Legislative Procedure; however, a lobbyist needs a thorough understanding of how bills are introduced, the rules regarding 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> reader, the procedures for committee and floor amendments, and the difference between a legislative day and calendar day. Most state legislatures meet for a specific period – 30, 90, or 120 days. Only a handful of state legislatures meet year-round. Therefore, the speed at which bills are introduced, passed, or killed is lightning-quick. A poor bill’s shelf life can be one day before it is quickly killed in committee. Some bills can languish in the committee chair’s desk drawer for weeks and then suddenly be brought out for a hearing, committee vote, and 2<sup>nd</sup> and 3<sup>rd</sup> reader passage. Staying on top of the legislative process takes time and patience.

### **Staff Relationships Matter – Legislator Relationships Matter More**

Developing a good working relationship with legislative staff is essential to getting things done in the legislature. Staff serve a crucial role to legislators. They handle constituent issues, help draft legislation, monitor key legislative developments, serve as advisors, and act as gatekeepers

for the legislator. The staff also provides helpful information to the legislator on bills under consideration and provides trusted advice regarding support or opposition to legislation. Legislators are the only people who have a vote, so how a legislator is lobbied matters. Speak to legislators positively and develop mutual trust and respect for each other. Heavy-handed lobbying is a huge turn-off – be respectful and a trusted source of information. Legislators are quick to figure out who the excellent lobbyists are – they are professional, credible, competent, provide an accurate source of objective and timely information, and are visible. BGR’s founder Governor Haley Barbour says – “Get invited back.”

### **Respect The Institution**

The legislative branch is one of 3 institutions that hold our republic together. State legislatures are designed to have citizen legislators. The legislature is part-time, and the pay for legislators is low. Legislators are woven into our community as lawyers, educators, doctors, small business owners, little league coaches, social workers, police officers, retirees, and generations Y and Z. They serve as public servants to make a difference. Burning bridges is never a good idea when things do go as planned. Remember, your enemy today is a vote tomorrow.