INSIDERS TALK

HOW TO SUCCESSFULLY LOBBY STATE LEGISLATURES


Samples
Table of Contents
Chapter 2. Assessing Your Chances of Lobbying Success
Endnotes
Index

ROBERT L. GUYER

LOBBY SCHOOL
This guide is dedicated to advancing a government of the people and for all the people by fostering the skills individuals and organizations need to influence their state legislatures.
How to Successfully Lobby State Legislatures—Overview

Identify Problem

Legislature Can Fix

NO

Assess Strength

Do Not Lobby, Find Other Solution

YES

Establish Infrastructure & Draft Bill

NO

Enough

YES

Review Legislative Procedure

Internal & External Negotiations

YES

Hire Lobbyist

NO

Bill is Defeated, Amend Concept to Another Bill, Override Veto

NOT FOUND

Sponsor

FOUND

Introduce Bill

CRs Take Up

YES

Lobby Legislature

Comment: CRs = Committees of Referral

DEFEAT

PASS

Governor

APPROVES

Bill Becomes Law
# Table of Contents

Foreword: Russell J. Sarazen, Senior Director, State Legislative Affairs, T-Mobile US ............................ xiii
Welcome ........................................................................................................... xv
Acknowledgments .............................................................................................. xvii

**PART I. PREPARING TO MEET THE LEGISLATURE – BUILDING YOUR LOBBYING CAMPAIGN**

**CHAPTER 1: OVERVIEW OF LOBBYING**

Laying the Foundation – Constitutional Structure of U.S. Federal and State Governments .................. 3
Lobbying and Citizens’ Rights ............................................................................. 5
Lobbying in Today’s United States ...................................................................... 7
Differences Between Federal and State Lobbying ............................................ 8
Kinds of Lobbyists ............................................................................................... 11
Key Players in State Legislation ......................................................................... 12
Legislative Caucuses ........................................................................................... 13
Special Interests and Associations .................................................................... 15
Local Government .............................................................................................. 17
Lobbying Administrative Agencies ................................................................... 18
Five Keys to Effective Lobbying ........................................................................ 20
Self-Interest Is the Engine of Government ....................................................... 21
Summary Chapter 1 ............................................................................................ 22

**CHAPTER 2: ASSESSING YOUR CHANCES OF LOBBYING SUCCESS**

Four Questions to Estimate Chances of Lobbying Success ............................... 24
Assessing Political Strength ............................................................................... 26
Tax-Exempt Organizations .................................................................................. 36
CHAPTER 5: NEGOTIATING WITH SPECIAL INTERESTS

Why Negotiate? 106
With Whom Will I Negotiate? 107
Will I Negotiate with Agencies or Lawmakers? 110
When to Negotiate? 111
Building Momentum Through Negotiation 111
Negotiating Styles 112
Selecting Your Negotiator 115
Increasing Your Relative Strength as a Negotiator 116
Determining Alternative Positions 118
Preparing for the Negotiating Session 119
Nobody Is Your Friend 121
The Negotiating Session 122
Negotiating Tricks and Techniques to Counter Them 124
Let’s Meet Halfway 127
What If You and Your Opponents Cannot Agree? 128
Summary Chapter 5 129

CHAPTER 6: NAVIGATING LEGISLATIVE PROCEDURE

Formal Legislative Procedure 133
Personnel Structure 135
Joint, Chamber, and Committee Rules 138
Supplemental Legislative Procedures 139
Legislative Language 139
Critical Dates 140
How a Bill Becomes Law – a Generic Model 141
Who Will Change Your Bill? – Amendments 150
Technical Considerations of Amendments 151
Variations of Terminology and Sequence Among States 152
PART II. MEETING THE LEGISLATURE — IMPLEMENTING YOUR LOBBYING CAMPAIGN

CHAPTER 7: MAKING SUCCESSFUL LOBBYING VISITS (STEPS 1 – 6)

Am I Going to Be Lobbying? 162
I Am Lobbying. Must I Register as a Lobbyist? 162
Lobbying Legislative Staffs 164
Lobbying to Find the Lead Sponsor 166
Lobbying for Co-sponsors 170
Lobbying Other Legislators 170
Why Will Lawmakers Listen to Me? 171
Whom to Visit? 172
When to Visit? 174
Where to Visit? 175
Making Appointments 176
Choosing Your Representatives 177
Your Formal Presentation 178
Getting into the Right Frame of Mind for Your Lobbying Visit 183
The Lobbying Visit 185
Follow-up Visits 186
Dos and Don’ts 188
Summary Chapter 7 191
# Chapter 8: Working with Legislative Committees (Steps 7 – 9)

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee Structure</td>
<td>193</td>
</tr>
<tr>
<td>Committee Staffs</td>
<td>194</td>
</tr>
<tr>
<td>How Bills Are Referred to Committees and Committees’ Scopes of Review</td>
<td>195</td>
</tr>
<tr>
<td>Will the Chair Take Up My Bill?</td>
<td>196</td>
</tr>
<tr>
<td>Public Hearing</td>
<td>197</td>
</tr>
<tr>
<td>Notice of Committee Hearing</td>
<td>198</td>
</tr>
<tr>
<td>Preparing for the Committee Meeting and Hearing</td>
<td>199</td>
</tr>
<tr>
<td>Most Committee Meetings Are Just Theatre</td>
<td>203</td>
</tr>
<tr>
<td>Selecting Your Representatives</td>
<td>204</td>
</tr>
<tr>
<td>Count the Votes Beforehand</td>
<td>205</td>
</tr>
<tr>
<td>Decorum Starts Before You Begin</td>
<td>205</td>
</tr>
<tr>
<td>Committee Meeting and Public Hearing</td>
<td>206</td>
</tr>
<tr>
<td>Dealing with Proposed Committee Amendments</td>
<td>210</td>
</tr>
<tr>
<td>Committee Action</td>
<td>212</td>
</tr>
<tr>
<td>The Committee Report and Second Reading</td>
<td>214</td>
</tr>
<tr>
<td>Summary Chapter 8</td>
<td>214</td>
</tr>
</tbody>
</table>

# Chapter 9: Post-CFR and Post-Session Follow-Through (Steps 10 – 25)

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does Enough Time Remain to Reach the Governor’s Desk?</td>
<td>218</td>
</tr>
<tr>
<td>Post-CFR Activities</td>
<td>223</td>
</tr>
<tr>
<td>The Wholly Unexpected</td>
<td>224</td>
</tr>
<tr>
<td>You Have to Be There</td>
<td>225</td>
</tr>
<tr>
<td>Post-Session Actions</td>
<td>226</td>
</tr>
<tr>
<td>Just Because Your Bill Didn’t Pass Doesn’t Mean You Failed</td>
<td>228</td>
</tr>
<tr>
<td>Evaluations</td>
<td>229</td>
</tr>
<tr>
<td>Executive Agency Rulemaking</td>
<td>231</td>
</tr>
<tr>
<td>Section</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Summary Chapter 9</td>
<td>233</td>
</tr>
<tr>
<td>Appendix 1. IRS Lobbying Guidance to 501(c)(3), IRC Organizations</td>
<td>235</td>
</tr>
<tr>
<td>Appendix 2. Suggested Lobbying Visit Leave-Behind</td>
<td>239</td>
</tr>
<tr>
<td>About the Author</td>
<td>241</td>
</tr>
<tr>
<td>Endnotes</td>
<td>243</td>
</tr>
<tr>
<td>Index</td>
<td>265</td>
</tr>
</tbody>
</table>
PART I. PREPARING TO MEET THE LEGISLATURE – BUILDING YOUR LOBBYING CAMPAIGN
Chapter 2: Assessing Your Chances of Lobbying Success

Chapter 1

Identify Your Problem

Solvable w/o Legislation?

YES

Use Alternative Solution

NO

Legislature Authorized to Solve?

YES

Assess Political Strength: Internal Resources v. External Factors

NO

Sufficient Political Strength?

YES

Increase Political Strength

NO

Develop Lobbying Campaign

STOP

Chapter 3
Assessing Your Chances of Lobbying Success

Before embarking on your lobbying project, you should assess your chances of success. If you have sufficient resources to overcome normal obstacles to legislative enactments, then you will lobby. If you don’t have a reasonable chance of success, then you may be better off staying home. If you nevertheless proceed with insufficient political power, you may find yourself worse off than if you never went to the legislature at all. So how do you know if you have sufficient political strength to proceed? You start by answering four questions.

Four Questions to Estimate Chances of Lobbying Success

The first steps in determining your chances of success and, therefore, whether you should lobby, are answering the following questions:

1. What is my problem?
2. Can my problem be solved without the state legislature?
3. Does the state legislature have the authority to solve my problem?
4. Will the state legislature solve my problem for me?

First, “What is my problem?” You must identify and explain your problem clearly so those who know little about you or your issue can under-
stand it quickly. As you think through your problem, you may find you have more than one. If this is the case, consider each one separately.

Second, “Can my problem be solved without the state legislature?” Some issues, by nature, lie beyond the scope of what the law considers to be appropriate for state intervention. The legislature cannot solve every societal problem nor is it designed to redress every wrong. Before investing time and money to lobby, research possible non-legal solutions. Could a private or other public institution be better able to help you? For example, you may seek certification by a private professional organization rather than ask the legislature to enact a licensure law. By citizen initiative, you may create a law. You may find a better solution in federal or state court, administrative agency rulemaking, or declaratory order.

Third, “Does the state legislature have the legal authority to solve my problem?” The power of state legislatures is limited by the federal and state constitutions. Further, the Federal government sometimes takes legislative jurisdiction away from states when it decides to “occupy the field” in an area of law. When the Federal government occupies the field, it deprives the states of regulatory authority in a particular matter.

Several resources can help you answer the second and third questions. Contact professional, industry, trade, or labor organizations specializing in your issue. Speak to local legislators; conduct a library or Internet search (next chapter). Contact the administrative agency that would regulate your activity, and contact an attorney or a contract lobbyist. Because contract lobbyists are so involved with the legislature and because they can help you with every aspect of your legislative challenge, Chapter 4 discusses them in detail.

You must complete the homework related to your problem before proceeding to the legislature. By clearly identifying your problem and its possible solutions before lobbying, you can optimize your expenditures of money, time, relationships, and political capital.

When your answers to the first three questions show you have a clearly defined problem which the legislature can solve, then you are ready to
consider the fourth question, “Will the state legislature solve my problem for me?” The answer to this question will be determined, in large part, by your political strength.

**Assessing Political Strength**

Political strength is the difference between the strength of your internal resources and the strength of external factors. You must identify as many internal resources and external factors as possible; then estimate the relative strength or weight of each one. If you go to the legislature without sufficient political strength, you can end up far worse than if you never went there at all, a fate which we touch upon later in this book.

Because a dynamic synergism exists among the internal and external elements, the strength of one can compensate for the weakness of another. Consequently, the presence or absence of a single resource or factor cannot be used to determine absolute political strength or weakness.

**Internal Resources – What You Have to Work With**

An association derives political strength from its members. You can assess the internal strength of your association by considering:

1. Intra-association member consensus
2. Member motivation
3. Relationships
4. Places where members live and work
5. Shared characteristics with legislators
6. Membership size and geographic distribution
7. Reputation
8. Technical, lobbying, and negotiating skills
9. Ability to form alliances and coalitions
10. Money
1. *Intra-association member consensus.* This is the bedrock upon which to build your legislative effort because consensus translates into cohesiveness leading to member motivation. Consensus building begins when the leaders of each sub-group within the association reach agreement on the nature of the problem and its legislative solution. Then, as a unified body, they explain the problem, offer a solution to the general membership, and ask for member support. Once member support has formed, the association formally adopts goals and a proposed legislative solution and communicates them to the entire membership.

At the conceptualization stage, member consensus usually runs high. As time passes during the process of developing a series of concrete actions to be taken, consensus may weaken. You must work to maintain it, and two of the most effective tools are communication and member involvement.

The association must maintain ongoing and candid communication with its members. Early and ongoing member awareness of the association’s activities will help curtail misunderstanding and avoidable disagreements. Effective communication, for example, will help to prevent an uninformed association member from contacting his or her legislator to object to the bill the association is lobbying. An apparent intra-association conflict burdens the bill with unnecessary controversy and reduces the likelihood of accomplishing your goals. Lawmakers don’t want to get involved in family feuds, but your opponents will seize upon them.

Member participation in the lobbying effort leads to member “ownership” which builds cohesiveness, maintains consensus, and willingness to contribute resources including labor, political capital, and money. Involve as many members in lobbying activities as possible. Ask less participatory members to become more involved by writing a letter, visiting a legislator with whom they have a constituent relationship, or accompanying one of your association lobbyists on a lobbying visit.

The consensus you build must be real, that is, more than mere acquiescence to the association’s legislative goals. To be useful and productive, consensus must lead to member motivation.
2. **Member motivation.** Members must be motivated to work to accomplish your association’s goals. In permanent associations, motivation to work on a single issue is often more difficult to achieve and maintain because members have so many other issues in which to become involved. On the other hand, in temporary or *ad hoc* associations formed in response to an immediate and specific concern, members are usually highly motivated and focused to work on their common single issue.

Motivation is difficult to measure. However, you can estimate the degree of motivation by testing the willingness of members to contribute their resources to support the lobbying effort.

Develop a checklist clearly identifying types and amounts of resources members must contribute to implement a successful lobbying campaign. Determine how many and which members should participate in the project. Estimate the time requirements and amount of money members will need to contribute. Will members encourage other individuals, associations, and legislators whom they know to take action on behalf of the association’s goals? Once you have completed the checklist, ask your members to commit the necessary resources. Then, determine whether your needs will be met.

Achieving consensus is only the first step in initiating your lobbying effort. Consensus must manifest itself clearly as member motivation. If you find your members actively support and will contribute resources to the association’s effort, you can proceed to assess other internal resources. Throughout the lobbying campaign, you will need to nurture consensus and motivation and answer complaints and doubts. Once your association reaches consensus and you are satisfied your members are sufficiently invested, you can then evaluate the following remaining resources.

3. **Relationships.** Those who influence legislators have established positive personal relationships with them. Because they are members of a community, legislators develop relationships with family, friends, acquaintances, neighbors, political allies including fellow legislators and lobbyists, co-workers, clients, employees, members of their places of worship and social clubs, and colleagues in professional societies and
labor unions. Each relationship provides an opportunity to influence a legislator. As you estimate the political strength of your association, carefully determine the number, type, and depth of relationships each association member has with different legislators.

If your members don’t have relationships with their districts’ lawmakers, then they have to build them. Encourage each member to ask itself this question, “Is my lawmaker my friend, and if not, then why not, and what am I going to do to build the relationship?” Building relationships is easy and can be fun. Chapter 7, section Why Will Lawmakers Listen to Me? lists seven reasons why their districts’ lawmakers are inclined to talk to them. Get each member to set up a 10-minute face-to-face appointment with the lawmaker or staff to introduce themselves and to say why they are interested in the lawmaker, district, and state government. In time they will visit with a completed Appendix 2, Suggested Lobbying Visit Leave Behind.

4. Places where members live and work. A lawmaker’s first concern is for the people who live and work in his or her electoral district. In order of importance these are:

1. Supporters
2. Lawmaker’s voters
3. Voters who could become supporters
4. In-district employers
5. People who just happen to reside in the district
6. In-district non-voters
7. Opponent’s supporters and voters

Legislators, who hold their offices at the pleasure of their districts’ voters, respond attentively to the concerns of those who put and keep them in office. Thus, they are more inclined to support your message when championed by 1 through 4 above; and 1 through 3 because they vote. In-district employers, 4, are important because they directly impact the overall wellbeing of the district, are potential sources of campaign donations, and because their employees will vote to keep their jobs. Least influential are 5 and 6. Group 7, aka “the enemy,” may harm your lobbying effort.
5. **Shared characteristics with legislators.** An association member who shares characteristics with a lawmaker can be a more effective lobbyist for that legislator. Shared political party, political or social views, occupation, race, ethnicity, gender and many other characteristics can favorably predispose a legislator toward your association member and, therefore, your issue. Shared characteristics are at the foundation of successful *affinity marketing*. Constituency is the most basic shared characteristic.

6. **Membership size and geographic distribution.** In general, the greater the number of members in your association, then the greater will be its influence. In part this is because legislators seek to do the most good for the state overall which approximates to benefitting the greatest number of people; thus, they often place greater significance on issues belonging to associations with large memberships. Realizing this, you can increase your political strength by making your association as large as possible such as joining with other associations in a coalition.

Further, political strength expands when your members reside in a number of different electoral districts. However, some districts will be very important for one issue, but unimportant for another. Only 10 to 20 percent of lawmakers matter for any bill. This is because districts that matter are represented by lawmakers sitting on committee(s) considering your bill.

7. **Reputation.** Reputation directly affects how much attention you will receive in the capital and degree of respect and trust you can leverage. Assess your group’s reputation by asking these questions:

- Do legislators respect my association or its members?
- What opinions do they have about us?
- Is my association or its members seen as influential or are they unpopular?
- If unpopular, how can we remediate our reputation?
- Do we want to remediate our reputation?

The reputation of your members directly affects the power of your association and its political influence. Respected community and organiza-
tion leaders publicly supporting your association add their public images and goodwill to your organization and issue thereby making both more attractive to others. On the other hand, if your association, lobbyist, or members are considered hostile to the particular lawmakers you want to influence, then you may ask a more acceptable ally to take the lead on making particular contacts.

If your group is unpopular with lawmakers do you want to fix their perception? Some organizations refuse to talk civilly, much less find common ground, with lawmakers whose principles or party they find offensive. Rather than achieving pragmatic “half-of-the-pie” legislative goals, they believe their members prefer to see them opposing a foul philosophy as an end in and of itself.

However, unless an incurable animosity exists between you and a particular lawmaker, most will work with opponents sharing common interests, even if momentary. Dislike is no reason to stop a mutually beneficial deal and lawmakers are dealmakers. Phillip Stanhope, First Earl of Chesterfield, observed, “Politicians neither love nor hate. Interest, not sentiment, directs them.” If your organization can help the lawmaker achieve what he or she wants, you may effectively work together on that topic at least. This is the foundation of coalitions which are mentioned throughout this book.

8. Technical, lobbying, and negotiating skills. Legislators place greater confidence in the statements made by persons with specialized training or experience. When association members have highly specialized, professional, or technical credentials, especially in the subject matter of the proposed legislation, you will have added political strength. For example, a farmer with a master’s degree in entomology will be more persuasive than a “weekend gardener” when speaking about the impacts of pesticides on agriculture. Because executive agencies’ professional staffs are for all practical purposes technical staff to the legislature, your expert speaking to and being respected by the agency expert can influence the agency to recommend favorably your position to the legislature.
You will have increased political strength if some of your members have previously participated in lobbying or legislative negotiations. You should explore how the skills and relationships of your members can be used to advance your issue. Use the negotiating experience of your members to help the association make good decisions. Encourage those with lobbying experience to teach other members to become more effective lobbyists. The *Lobby School* also provides this training. Chapter 5 discusses negotiation skills development.

9. *Ability to form alliances and coalitions.* Your members are likely to hold memberships in other associations. Ascertaining their ability and willingness to leverage these relationships to help you build alliances with other associations. However, don’t be surprised if some members resist “cheapening” for political advocacy their professional relationships, that is, “professional” in the purest traditional sense of the word.35

A coalition dedicated to a single issue can be most effective. However, while coalitions multiply influence, they exist for advantage, not love, loyalty or debt. They are filled with intrigue and side-bar deals. Everyone who understands how coalitions work is regularly doing their own cost-benefit calculations about remaining in the coalition or throwing another partner “under the bus” to achieve their own ends. A major-league Mid-Atlantic lobbyist, however, qualifies this observation, “Working with and building coalitions in the effort of passing, or killing, a bill was a very different experience during my ten years as an in-house lobbyist versus my subsequent years as a contract lobbyist. Overall my experience in-house for a large energy company delivered favorable results with fair weather friend coalition building. In the world of contract lobbying, I did not find that to be the case.36

10. *Money.* Money is power; not the only kind of power, or even the most influential form of power. However, lobbying costs money, contract lobbyists cost money, operating even an *ad hoc* association costs money, compliance with state lobbying ethics requirements costs money, and so much more. While “sweat equity” can accomplish much, money can mitigate somewhat deficiencies in the above. And donations are a direct indicator of each member’s true commitment to the lobbying campaign.
EXTERNAL FACTORS – WHAT YOU HAVE TO GET PAST

Once you have evaluated internal resources, you evaluate external factors that support and oppose your bill, within and external to the legislature. These factors are largely beyond your control and include:

1. How broadly compelling is your issue?
2. How little change you can accept?
3. Who are potential winners and losers?
4. Does the partisan composition of the legislature help or hurt?
5. Will the session’s legislative theme advance or impede my bill?
6. What does the gross rate of bill passage portend?

1. **How broadly compelling is your issue?** Begin your external assessment by estimating the amount of support organically existing for your issue and the amount of support to be cultivated. Lawmakers often hesitate to support controversial bills or bills benefitting a few at the expense of many. Therefore, make your bill as non-controversial and widely beneficial to others, as possible. If you can honestly associate your issue with commonly supported causes or beliefs such as children, health, environment, or better jobs, then the goodwill associated with these topics may broaden your support.

2. **How little change can you accept?** The less you ask for, the more likely you will get it, but do not ask for less than you need. This isn’t like buying a car or house, employing a negotiating technique intending to ask for more and settle for less. During the legislative session, and especially the closer to sine die, (i.e., the last day of the session) there is too little time and too much to do to play games. Ask for what you want. Once the legislature has given your issue attention, it may not want to address it again for years.

3. **Who are potential winners and losers?** Every law has winners and losers; and most lobbying is a zero-sum game. One side wins at the expense of the other because state resources are limited and the pie isn’t going to get any bigger.
When evaluating external factors, determine who might support or oppose your bill. Besides your association’s membership, who else will benefit if your bill becomes law? Who will lose? Assess the significance of the impact of the win or the loss on other persons, as this will predict the magnitude of their support or opposition to your proposed legislation. Consider the political risks for each of those who support you. Will supporting your bill, for example, result in a lawmaker losing the support of other legislators or interest groups for bills he or she considers important? Will opposing you diminish another interest group’s ability to work on more important issues before the legislature?

4. Does the partisan composition of the legislature help or hurt? The degree of partisanship within each chamber and in the legislature can greatly affect the likelihood of your success. In solidly one-party controlled legislatures, the likely outcome of many bills can be immediately estimated. Liberals who lobby a conservative legislature or conservatives who lobby a liberal legislature should know they face opposition before they mention their issue. On the other hand, partisans who lobby fellow partisans do better.

If your association usually supports one political viewpoint, you must consider the popularity of that view within the current legislature. Unless your organization is so partisan you refuse to even talk to the opposing party, there is no reason you can’t have a civil understanding such that given the right conditions, you can work together on a different bill.

On the other hand, there are issues transcending partisanship and concerns on which all parties largely agree. For example, stopping human trafficking and sex slavery are largely non-partisan and bills put forward by the Polaris Project (https://polarisproject.org/) sail through legislatures. Although not quite as universal in bipartisan support, The Campaign for the Fair Sentencing of Youth (https://www.fairsentencingofyouth.org/) seeks to end juvenile life without parole for youthful offenders. Other points of agreement, such as reducing poverty, differ not as to philosophy but on mechanism.

5. Will the session’s legislative theme advance or impede my bill? The legislature and the Governor set goals well before each legislative session


3 “When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.” “Modern History Sourcebook: Montesquieu: The Spirit of the Laws, 1748,” Fordham University (accessed November 7, 2018) https://sourcebooks.fordham.edu/mod/montesquieu-spirit.asp.


369 (1931), 1.


7 Lane, 4.

8 Lane, 4.

9 Lane, 8.

10 Lane, 179.


12 Davies, 5.

13 The Senate average includes Nebraska’s entire 49-member legislature. The House average excludes New Hampshire’s 400 House members.


15 “The 50 State Project,” *CQ Roll Call* (March 2015), 5.

16 Mid-Atlantic lobbyist, email communication with author, July 10, 2019.

17 Doug Mann of Littlejohn and Mann, Tallahassee, Florida delineated these classes of lobbyists during his 2002 guest lecture to my graduate class at Florida State University.


Suzanne Weiss.


acceptable change, external factor, 33
active support in momentum building, 111
ad hoc associations, 28
administrative agencies, 18–20
administrators of lobbying contracts, 11
advocates (lobbyists), 11
affinity marketing, 30
agencies
administrative (regulatory), 7, 13, 18–20
in-house lobbyists and, 50–51
interests of, 51–52
lobbying plan and, 48, 49–52
negotiation with, 110
power of, 233, 262n150
special interests and, 49–50
vetoes and, 50
agendas
committee, 201, 206–207
negotiating, 120
Alabama, 42
alliances (coalitions), 32, 38
“all-or-none” as negotiating technique, 119
alternative negotiation positions, 118–119
amendments to bills, 150–152, 210–212, 222–223, 255n99
appreciation, post-session to supporters, 226–228, 229, 231
associations
ad hoc, 28
consensus within, 27
lobbying plan and, 47–49
member-driven, 41
membership size, 30
nonprofits, 36–37
overview, 15–17
permanent versus ad hoc, 28
attire for advocates, 177, 206
Auer v. Robbins, 519 U.S. 452 (1997), 262n150
by request (BR), 168, 220
second reading, 147
supporting information, 73–74
taking up, 196–197
third reading, 147
tracking, 143
versions of, 156, 255n104
withdrawing, 259n130, 260n131
black caucuses, 14
bluffs, as negotiation technique, 126
bonuses to lobbyists, 226
bribery, unintentional, 101

B
Bacon, Francis, 65
Ballotpedia, 68
benefits (and costs), 52
Bill Drafting Office (BDO), 142
black caucuses, 14
bluffs, as negotiation technique, 126
bonuses to lobbyists, 226
bribery, unintentional, 101

C
calendar, 153–154
campaign contributions, 10
The Campaign for the Fair Sentencing of Youth, 34
campaign(s)
contract lobbyists, 103
contributions, 10, 53–54, 100, 101
defined, 20
development of, 40
drafting the conceptual bill, 68–73
infrastructure, 43–46
lobbying plan. See lobbying plan
research and, 65–68
social media, 56–65
teams in, 41
Caplan, David, 60
carry over, 233, 263n151
caucuses, 13–15, 144, 203, 255n102
black, 13
Hispanic, 14
legislative, 13–15
staff, 165, 196
caucus staff, 165, 195
chairs, committee, 136–137
chambers, legislative, 135
chamber staffs, 258n121
charitable organizations, 501(c)(3), IRC, 36–37, 235–237
Chevron USA v. Natural Resources Defense Council, 467 U.S. 837 (1984), 233, 262n149
Christmas tree bills, 150–151
citizen committee comment, 198, 201, 209
citizen participation, 4–5
citizens’ rights, 5–7
clerk of the house, 137
clients (principals), 11–12, 78–102
coalitions, 32
collaborative negotiating style, 113, 122
Colorado, 101
comity, 149, 226, 256n107
committee(s)
agendas, 206–207
amendments, 210–212
bill referrals, 195–196
bills, 169
chairs, committee, 136–137
citizen committee comment, 198, 201, 209
committee action, 212–214
committee discussion, 210
committee report, 214
council, 148
free, 222, 261n139
councils of, 201
decorum, 205–206, 209
definitions, 143, 144, 167, 254n95
fiscal, 146
flow chart, 192
formal presentations, 178–183
formal public hearing, 197
gatekeeper, 146
of jurisdiction, 143–144
meetings and public hearings, 206–210
notice of hearing, 198–199
preparation for meetings, 199–203
presentations to, 200, 201, 208
of referral, 9, 48, 143, 145–146, 195–196, 221, 254n95
reports (action), 214
representatives to, 204–205
scope of review, 195–196
second bill reading, 214
staff, 138, 165
staffs, 194–195
structure of, 193–194
subcommittees, 207
of subject matter jurisdiction, 143
testimony, formal, 198, 200,