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## LOBBYING 101 AND EFFECTIVE ADVOCACY

# The Legislative Process

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- The General Assembly has two chambers:
  - House of Delegates
  - Senate
  
- Virginia's Legislative Session
  - Always begins on the second Wednesday in January
  - 60 day sessions in even years and adjourns in March
  - 45 day sessions in odd years and adjourns in February
  - Shortest legislative session in the country

# Virginia House of Delegates

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Consists of 100 members referred to as “Delegates”:

- Each Delegate represents 80,000 citizens.
- Delegates are elected for two year terms.
- There are no term limits.
- The Speaker of the House is the presiding officer.
- Annual salary is \$17,640.
- 55 Democrats
- 45 Republicans

# Senate of Virginia

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Consists of 40 members referred to as “Senators”:

- Each Senator represents 200,000 citizens.
- Senators serve four year terms.
- There are no term limits.
- The Lieutenant Governor is the presiding officer.
- Annual salary is \$18,000.
- 21 Democrats
- 19 Republicans
- The Lieutenant Governor votes only in the case of a tie.
  - But not always.

# The Committee Structure

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## What is the purpose of a Committee?

- Committees are broken down by subject matter.
  - Example: Health, Welfare, and Institutions (HWI) in the House of Delegates
    - Bills dealing with hospitals, public health, mental health, and the provision of health care generally will be assigned to HWI.
- What is the purpose of Sub-Committees?
  - Most committees are further broken down into sub-committees.
  - Most bills begin the legislative process in a sub-committee.
  - The purpose of the sub-committee is to further refine the subject area of the parent committee.

# The Committee Structure, cont'd.

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Let's use Education and Health in the Senate as an example.

- Ed and Health is broken down into four sub-committees.
  - Health
  - Health Professions
  - Higher Education
  - Public Education
- The committee Chair assigns bills to the proper sub-committee
- To be successful, a bill must first pass sub-committee before it is heard in the full committee.

# How a Bill Becomes a Law

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Bills start as ideas from legislators, constituents, special interest groups, etc.

- Bill introduction
- Committee process
  - Assigned to sub-committee
  - Hearing in sub, then full committee
  - Many ways to “kill” a bill
    - Tabled, passed by indefinitely, continued to next session, defeated, stricken, no hearing
- Floor vote
- “Crossover”
- Governor’s Action
- Veto Session

# Tracking Legislation

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How does a bill get on VLSSE's bill list?

- Some bills became publically available very early.
  - For the 2021 session the first bill hit the system on July 22, 2020.
  - VLSSE tracked around 50 pieces of legislation during the 2021 Session.
    - This was down substantially from 2020 due to COVID restrictions.
  - Once bills begin appearing on the system we check for bills every day.
  - As soon as a bill is identified as being “of interest” it is sent to the Chair of the Legislative Committee for review.
  - The bill is then sent to the appropriate content committee for an in-depth review.
  - If the content committee verifies that it is indeed “of interest” then a position is developed (if necessary) and the bill is added to the bill list.



# Types of Positions

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There are three basic positions on bills.

- Support
- Oppose
- Monitor

# Types of Positions, cont'd

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What do these positions really mean?

- Support

- Active Support (we will expend political capital to help the bill pass)
- Passive Support (we support the concept of the bill but its passage isn't deemed critical to VLSSE)

- Oppose

- Active Opposition (we will expend political capital to defeat the bill)
- Passive Opposition (we oppose the concept of the bill but its defeat isn't deemed critical to VLSSE)

- Monitor

- The bill is of interest and could possibly impact VLSSE
  - Legislation is often fluid.
  - Amendments to the bill could cause VLSSE to oppose.

# Political Capital

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## What is political capital?

- Political capital is best thought of as a resource an organization builds up over time.
  - There are many things that go into building political capital.
    - Trust
      - Does the legislator believe that you are a reliable source of information?
    - Reasonable positions
      - Are you willing to work out differences?
    - A logical nexus between the advocates and the issue
      - Legislators expect groups to advocate on issues that truly impact them.
    - Working relationships with legislators
      - Does the legislator know you?
    - Legislative courtesy
      - Have you come to the legislator to discuss issues prior to bills being heard in committee?
- **ALL** public positions on legislation expend political capital to some degree.
  - Because of this passive public support or opposition should be considered carefully.

# Effective Advocacy

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When does advocacy begin?

- Once a bill is identified as one we will actively support or oppose advocacy should begin immediately.
  - This is critical for bills we oppose.
    - The legislator should be contacted immediately to discuss our concerns.
    - Groups behind the legislation (if any) should also be contacted.
    - You can often negate concerns or kill a bill before the General Assembly has even convened.
- We should ALWAYS try to fix a bill when possible.
  - Legislators appreciate this a great deal. Especially when the subject matter is important to them.

# Effective Advocacy, cont'd.

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If you are going to expend political capital do it right.

- All members of a sub-committee and its full committee should be briefed on our position and our desired outcome prior to the legislation being heard.
  - 95% of the time a bill's fate is decided before it is ever publicly heard.
  - This is why prompt positions on legislation are critical.
- This is time consuming but necessary. Therefore active support and opposition to bills should be considered carefully.
- Committee testimony is necessary but also, by itself, the least effective form of advocacy.
  - If you haven't taken the time to speak to the legislators prior to the bill's hearing you are wasting capital and often upsetting legislators.
  - The goal is to always have the outcome decided before the bill is heard in committee.

# Effective Advocacy, cont'd.

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What **NOT TO DO** in committee testimony.

- Shaming legislators is a popular tactic among some organizations but should be avoided at all cost.
- Having multiple people from the same group testify on a single issue.
  - Legislators really hate this.
- Overly emotional testimony.
- Opposing a bill late in the process is a cardinal sin and should be avoided at all costs.

# Building the Relationship

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Get to know your legislator.

- Building a relationship is worth its weight in gold.
- During session is not the best time to do this.
- Legislators love having someone with area expertise they can call on.

Your legislators can (and should) be your biggest advocates.

- Invite them to your offices.
- Explain your issues.
- Offer to be a resource.

# Building the Relationship, cont'd.

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Knowledge is power; online resources:

- [Who's my legislator?](#) (Use the link on the GA main page)
- [General Assembly main page](http://legis.virginia.gov) (http://legis.virginia.gov)
- [All the information you could ever want](http://leg1.state.va.us) (http://leg1.state.va.us)



# 2021 Legislation of Interest

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HB 1805 Aging services; economic and social needs.

Introduced by: [Dawn M. Adams](#)

- Requires the Department for Aging and Rehabilitative Services to use available resources to provide services to older persons with the greatest economic or social needs.
- Defines "economic need" as need resulting from an income level at or below the poverty line.
- Defines "social need" as need caused by noneconomic factors, including **(i)** physical and mental disabilities **(ii)** language barriers; and **(iii)** cultural, social, or geographic isolation, including that which is related to a history of discrimination for factors such as racial or ethnic status, gender identity, gender expression, or sexual orientation.

# 2021 Legislation of Interest

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HB 1820 SNAP benefits program; eligibility for benefits, postsecondary education.

Introduced by: [Dan I. Helmer](#)

- Adds participation in educational activities that lead to a post-secondary credential from an accredited institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia to the list of activities to which a participant in the Virginia Initiative for Education and Work may be enrolled.
- Directs the Board of Social Services to amend the SNAP benefits program to (i) establish broad-based categorical eligibility, (ii) set the gross income eligibility standard at 200 percent of the federal poverty guidelines, (iii) not impose an asset limit for eligibility, and (iv) increase opportunities for self-sufficiency through postsecondary education.

# 2021 Legislation of Interest

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HB 1848 Virginia Human Rights Acts; adds discrimination on the basis of disability.

Introduced by: **Mark D. Sickles**

- Adds discrimination on the basis of disability as an unlawful discriminatory practice under the Virginia Human Rights Act.
- The bill also requires employers, defined in the bill, to make reasonable accommodation to the known physical and mental impairments of an otherwise qualified person with a disability, if necessary to assist such person in performing a particular job, unless the employer can demonstrate that the accommodation would impose an undue hardship on the employer.
- The bill also prohibits employers from taking any adverse action against an employee who requests or uses a reasonable accommodation.

# 2021 Legislation of Interest

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HB 1912 Child support payments; juvenile in custody of or committed to the Department of Juvenile Justice.

Introduced by: [Patrick A. Hope](#)

- Provides that the Department of Juvenile Justice is no longer required to apply for child support from, and the parent of a juvenile is no longer responsible to pay child support to, the Department of Social Services for a juvenile who is in the temporary custody of or committed to the Department of Juvenile Justice.

# 2021 Legislation of Interest

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HB 1932 Child-placing agencies; conscience clause.

Introduced by: [Mark H. Levine](#)

- Repeals provisions that allow child-placing agencies to refuse to perform, assist with, counsel, recommend, consent to, refer, or participate in any child placements when the proposed placement violates the agency's written religious or moral convictions or policies.
- The bill provides that any child-placing agency that operates pursuant to the provisions of the conscience clause prior to February 1, 2021, may continue to do so until January 1, 2022, but only with regard to placements made prior to February 1, 2022.
- Failed to pass.

# Questions?

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