

Introduction

The lawmaking process in Florida involves hundreds of people other than the 40 Senators and 120 House of Representative members. This involvement in the process is a continuing activity and goes on in one form or another all year. Besides the formal session of the Legislature which runs approximately two months each year, many committees meet during the interim, and numerous hearings are held. Professional staff personnel work on a 12-month basis to provide technical assistance to their respective committees or legislators.

All of this allows each individual and/or groups of individuals in the state the opportunity to participate in the democratic process. The following information is a synopsis of the legislative process and identifies strategies which will help the citizens of our state to participate actively and effectively in the legislative process. The major topics covered are what to do in the interim (when the Legislature is not in session), how to attain lobbying objectives, and what is involved in testifying before and influencing action by the Florida Legislature.

How a Bill Becomes a Law

- A. Legislators or other interested parties have an idea which is brought to the attention of the proper individual, i.e., the legislator.
- B. A bill is drafted and filed by either a Senator or a House member. The bill is then assigned to a committee or several committees, depending upon the content of the bill (e.g. Education Committee, Appropriations Committee, Finance and Tax Committee, etc.).
- C. Bills approved at the committee level are reported out to other pertinent committees of reference and then to the floor of the House and Senate for further action. This includes bills with all amendments already made in committee. Further amendments can be made on the floor of either the Senate or the House. A bill should always have a "companion" bill. That is, if a bill is filed in the House, a Senate bill of the same or similar nature is also drafted and filed.

- D. After a bill passes one house of the Legislature, it must proceed to the other, and the process begins all over. Committee hearings are held, amendments are proposed, the bill must be passed by the committee(s), and then the bill must be passed on the floor.
 - E. Once a bill has passed both houses in an identical form it proceeds to the Governor for his signature and thus becomes law. If the Governor vetoes the bill, then it takes a 2/3 majority of both the Senate and the House to override his veto. A bill may also become a law if the Governor does not sign or veto it within 7 days after the bill has been presented to the Governor.
- * However, if the Legislature adjourns sine die or takes a recess for more than 30 days during that 7 day period, the Governor shall have 15 consecutive days from the date of presentation to act on the bill. If the Governor does not sign or veto it within that period, the bill becomes law.

The public or its representatives have an opportunity to provide input on legislation at each of the above stages.

In the Interim

What can be done during the months the Legislature is not in session?

- A. Establish Positions on Issues
 1. Since many general and specific issues may surface, it is well to determine which issues to address and prioritize the list in order to determine which should get the most attention.
 2. Many times it is difficult for the entire group to agree on the concept or total issue. Try to get a consensus position which may mean compromising. Keep in mind that "compromise" is a form of victory.
 3. Do not use all your energy passing "meaning-less" legislation or fighting causes of minor concern. Concentrate your efforts on high priority, important issues.

- B. Utilize the Opportunity for Input During the Interim Period
 1. Get to know your local legislative delegation. Make an appointment at the local level, go see the legislators, explain your position, and offer to work with them during the entire year. Provide them with any information you have and any information they may need to assist with the proposed legislation.
 2. Waiting until the start of the regular session is usually too late. Many times differences, questions and other problems can be resolved during the interim. This will allow going into the session with more unity and thus, more support.
- C. Develop a State-Wide Network
 1. A telephone network or some other formalized system of communication is essential. This should be developed in such a way as to prevent any gaps or breaks in the system and to provide instant communication. This will assure the ability to react quickly to all issues when necessary.
 2. It is also imperative to stay informed during the session on the issues, the mood of the Legislature, and the status of your particular legislation. Emails, newsletters, memos, and phone calls are helpful in this area. When you receive this information, READ IT! If you have a question call and find out the details so that you can be better informed when you talk to your legislators or their aides.
- D. Be Sure All Information Is Factual and Accurate
 1. Research your issues carefully. You can inspire your legislators to have confidence in your information by making certain that all information is fair and accurate. At the same time, brevity is essential. Long, detailed studies simply do not get the attention desired.
 2. Check and double check your facts! The quickest way to have a legislator lose confidence in you, and also to lose a bill, is to present inaccurate information. It makes legislators look bad and it makes you look worse.

Lobbying

What can be done to lobby effectively for legislation?

- A. The Legislative Staff

It is most important to become acquainted with the staff members assigned to legislators, their secretaries, and committee staffs with whom you will work.
- B. Always Identify Yourself on Each Contact

Public officials and staff meet many people. It is impossible for them to remember everyone. Be sure to identify yourself and remind them of your special interest.
- C. Familiarize Yourself with Each Issue

Be aware of the status of each bill that relates to a subject in which you are interested. Update yourself daily so you know where your bill is at all times.

You should know

 - ... In which subcommittee your bill is.
 - ... To which full committee(s) it has been assigned.
 - ... When the full committee is scheduled to hear your bill.
 - ... What amendments have been placed on it.
 - ... When your bill will be heard on the floor.
- D. Know Your local Legislators
 - ... Study their past record on related issues.
 - ... Know you legislators' interests and all of the committees to which all of your legislators are assigned.
 - ... Try to determine the most effective approaches.
 - ... Identify any prior commitment to your cause.
 - ... Encourage legislators to promote support for your issues among their colleagues.

E. Acknowledgment

Commend legislators for a favorable position of action. A phone call or a note is most effective.

Be quick to commend and slow to criticize.

Being critical of positions or actions is seldom beneficial unless done so in a constructive manner. Try to provide alternatives that the legislator might pursue to help you without compromising their position. Remember, the legislator who votes *against* your position today may vote for your position tomorrow.

F. Presentation of Your Case

Be brief with your appeal. Work *with* your legislators, do not confront them.

Remember, they get to vote – you don't! Do not overstay your visit; they are busy people. If you can't see the legislator be sure to meet with the legislator's aide and explain your case to him/her. The legislator will get the information.

Follow up periodically. A reminder to the legislator is appreciated since thousands of bills are considered each session.

Keep literature and information brief. Provide material that is easy to read with main points highlighted.

G. The Negative Legislator

Even if the attitude of a particular legislator appears to be negative, the door must be kept open for the future.

Many times a legislator will change positions after learning more facts and information on a subject.

Remember to talk to your adversaries as well as your advocates. Never take any vote for granted.

If you are going to oppose someone's bill, *go tell them*. Many times a compromise can be worked out that will be of benefit to both parties and, in turn, you have gained a supporter.

H. Employ the Services of Your Professional Lobbyist

Most professional organizations have full-time registered lobbyists. These people are close to the scene and provide an invaluable service and should be involved to a high degree.

Although they do a great amount of work, don't expect them to carry the full load.

Assist them whenever possible and follow their direction with respect to the mechanics, form, and etiquette of "working the hill."

Testifying

What should I know about testifying at committee hearings on legislation of interest?

- A. A major share of legislative action is in committee. One should be aware that many times the decision is made prior to committee meetings through discussion with you and your representative.

Many times committees are used primarily to amend or kill a bill.

When testifying--

- ... Sign up early. Early testimony is effective.
- ... Have written copies of your testimony or position.
- ... Identify who you are and who you represent.
- ... Be sure you have been given the authority to speak on behalf of your organization.
- ... If you are testifying as an individual, point this out.
- ... State your position early in your testimony.
- ... Don't be redundant.
- ... Indicate agreement or disagreement with previous speakers and state why.
- ... Be brief, don't oversell or overkill.
- ... If facts are given, indicate the source.
- ... If in conflict with other witnesses or committee members, always remember there are two sides to every issue.
- ... Always maintain your composure before a committee.
- ... Talk directly to the committee. They vote--the audience does not.
- ... When possible, end on a positive note with the committee.

- B. Once your bill passes out of committee numerous other things can happen to it. It may never be placed on the agenda for the floor, it could be assigned to go to so many committees that time will never permit it to pass, it can be pulled off the floor by a "point of order," it can be amended to say the exact opposite of what you want, it can be given an appropriations figure and die from lack of funds, etc. The list goes on and on and on. Following a bill is difficult and a time consuming process.

Summary

What you have received from this booklet is only a short course in how to prepare and present yourself and your ideas to the Florida Legislature. Every day, every year, rules and regulations change on how things are done in Tallahassee. Your professional organizations are there to notify you and to keep you aware of these changes. Support them--they are your backbone at the state level.

Participation in the democratic process of lawmaking is time consuming, but rewarding. The ability to be part of the process is available to anyone and should be utilized in the public interest.

It is hoped this booklet will remind you of a number of basic points as you do your part in the lawmaking process to make this a better state in which to live.

Your Professional Organization in Tallahassee
Florida School Boards Association (FSBA)

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