California State Assembly

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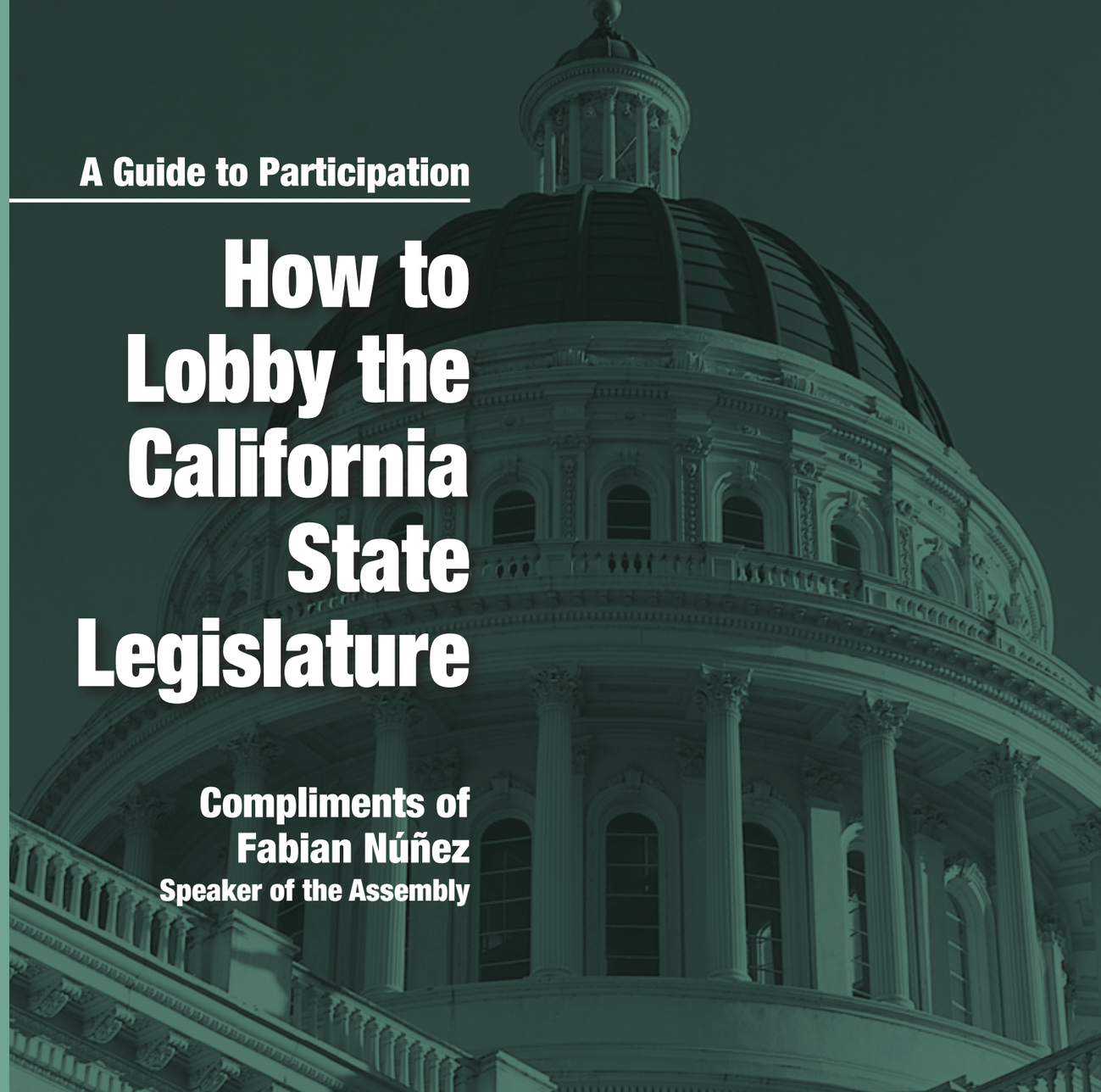


A Guide to Participation

How to Lobby the California State Legislature

Compliments of
Fabian Núñez
Speaker of the Assembly

HOW TO LOBBY THE CALIFORNIA STATE LEGISLATURE

A GUIDE TO PARTICIPATION

California State Assembly

Fabian Núñez

SPEAKER OF THE CALIFORNIA STATE ASSEMBLY

Dear Friend:

In order to truly serve the people they were elected to represent, legislators need to hear from their constituents about important issues affecting their lives. Personally contacting your elected representatives is one of the most effective ways to get involved in the political process.

This activity, commonly known as "lobbying," is all too often associated with paid professionals or Capitol "insiders." The most common form of lobbying, however, is undertaken by average citizens.

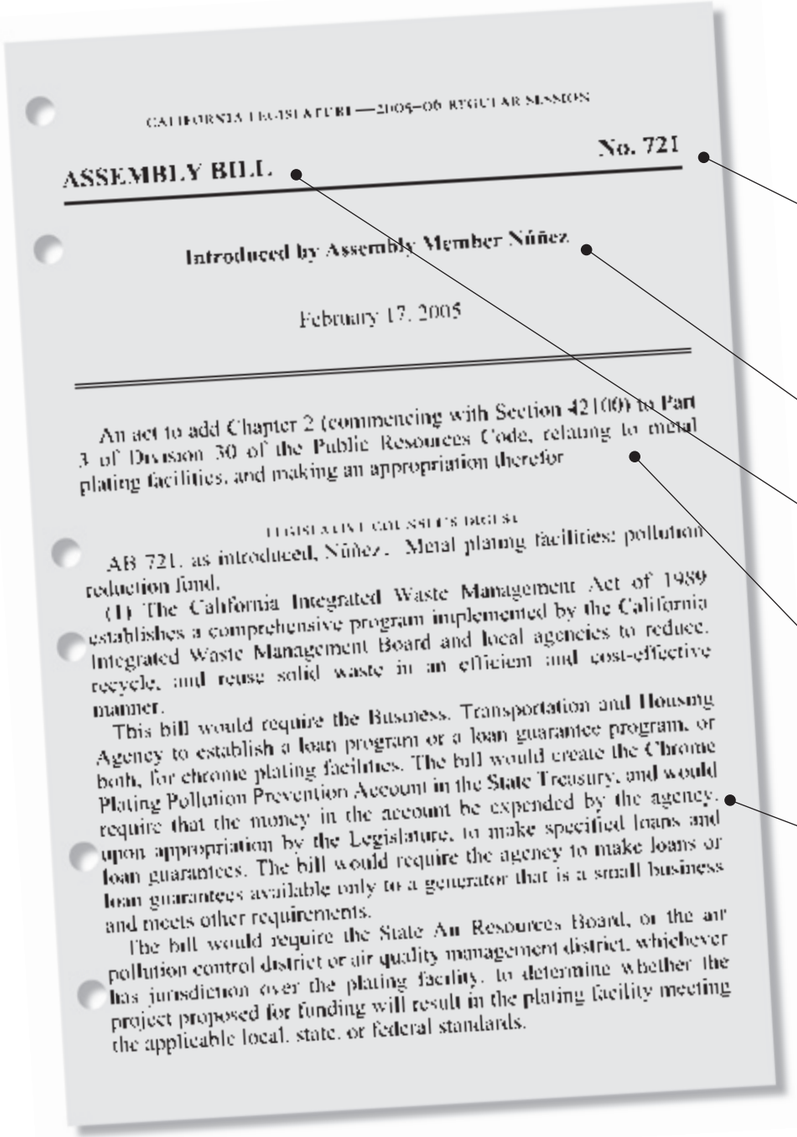
This booklet explains how to read a bill so that you are better able to understand legislation that may affect you and your family. By following these basic tips, you can make your communications more effective and help guarantee a more persuasive lobbying effort.

Please call or write me if you have any questions or concerns about a state matter. I look forward to hearing from you.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

READING AN ASSEMBLY BILL



CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL No. 721

Introduced by Assembly Member Núñez

February 17, 2005

An act to add Chapter 2 (commencing with Section 42100) to Part 3 of Division 30 of the Public Resources Code, relating to metal plating facilities, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 721, as introduced, Núñez. Metal plating facilities: pollution reduction fund.

(1) The California Integrated Waste Management Act of 1989 establishes a comprehensive program implemented by the California Integrated Waste Management Board and local agencies to reduce, recycle, and reuse solid waste in an efficient and cost-effective manner.

This bill would require the Business, Transportation and Housing Agency to establish a loan program or a loan guarantee program, or both, for chrome plating facilities. The bill would create the Chrome Plating Pollution Prevention Account in the State Treasury, and would require that the money in the account be expended by the agency, upon appropriation by the Legislature, to make specified loans and loan guarantees. The bill would require the agency to make loans or loan guarantees available only to a generator that is a small business and meets other requirements.

The bill would require the State Air Resources Board, or the air pollution control district or air quality management district, whichever has jurisdiction over the plating facility, to determine whether the project proposed for funding will result in the plating facility meeting the applicable local, state, or federal standards.

BILLS ARE NUMBERED SEQUENTIALLY IN EACH HOUSE OVER THE TWO-YEAR LEGISLATIVE SESSION

AUTHOR AND CO-AUTHORS OF THE BILL

INDICATES HOUSE OF ORIGIN

CALIFORNIA CODE SECTIONS AFFECTED

LEGISLATIVE COUNSEL'S SUMMARY OF THE MEASURE, FOLLOWED BY THE TEXT OF THE BILL

IDENTIFYING TYPES OF STATE LEGISLATION

DIFFERENT TYPES OF LEGISLATION REQUIRE DIFFERENT VOTE MAJORITIES TO PASS.

ASSEMBLY OR SENATE BILL

An Assembly Bill (AB) or Senate Bill (SB), the most common type of legislation, proposes changes to current laws or enacts new ones. These bills require a majority vote (41 in the Assembly, 21 in the Senate) to pass unless they have a fiscal impact or contain an urgency clause. Bills that have a fiscal impact on the state or urgency measures require a two-thirds vote for passage (54 in the Assembly, 27 in the Senate). All bills that amend the Political Reform Act also require a two-thirds vote.

All bills passed by the Legislature and signed by the Governor take effect on January 1st of the following year, unless the measure contains an urgency clause, in which case the measure takes effect immediately upon receiving the Governor's signature.

ASSEMBLY OR SENATE CONSTITUTIONAL AMENDMENT

An Assembly Constitutional Amendment (ACA) or Senate Constitutional Amendment (SCA) proposes a change to the State Constitution. All constitutional amendments require a two-thirds vote of the Legislature; they are then placed on the ballot of the next statewide election where they must receive a majority vote of the people before they are enacted into law. ACAs and SCAs do not require the signature of the Governor.

ASSEMBLY OR SENATE CONCURRENT RESOLUTION

An Assembly Concurrent Resolution (ACR) or Senate Concurrent Resolution (SCR) is used to adopt joint rules, create joint committees or direct executive departments of state government to provide information to the Legislature. A majority vote of both houses is required. Resolutions do not require the signature of the Governor.

ASSEMBLY OR SENATE JOINT RESOLUTION

An Assembly Joint Resolution (AJR) or Senate Joint Resolution (SJR) is used to convey the position of the Legislature on a particular issue. A majority vote of both houses is required. The signature of the Governor is not required.

HOUSE RESOLUTION

A House Resolution (HR) amends the rules of the Legislature, requests the creation of committees or requires that a particular action be taken by a committee. A majority vote of both houses is required.

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HOW TO LOBBY THE CALIFORNIA STATE LEGISLATURE

WRITING A LETTER TO YOUR LEGISLATOR

ALTHOUGH MANY ISSUES ARE COMPLEX, A SINGLE PAGE WRITTEN IN A CLEAR, CONCISE MANNER IS PREFERRED AND WELCOMED BY MOST LEGISLATORS.

A PERSONAL letter is the most common way of contacting a legislator. Just one letter with either a new perspective or a clear, persuasive argument can often influence a legislator's approach to an issue. A legislator may pay more attention to a legislative matter on which he or she has received a large amount of mail.

TIPS FOR WRITING TO AN ELECTED OFFICIAL

ADDRESS THE LETTER PROPERLY: Know your legislator's full name, correct spelling and title. If you are uncertain, call the legislator's office to get the correct information or look it up online at **www.assembly.ca.gov.**

ALWAYS INCLUDE YOUR LAST NAME AND YOUR ADDRESS: A letter cannot be answered if there is no return address or if the signature is not legible.

USE YOUR OWN WORDS: Avoid form letters and petitions. This kind of correspondence tends to be identified as an organized campaign and is often answered with a standard reply. A thoughtful and factual letter carries more weight than a form letter or printed post card. However, petitions are still useful to let legislators know that an issue is important to a large group of individuals.

TIME THE ARRIVAL OF YOUR LETTER: Write to your legislator and the chairperson of the committee dealing with the bill in which you are interested while the bill is still in committee. This will ensure there is still time to take effective action.

BE CLEAR ABOUT THE TOPIC OF YOUR LETTER: Identify the bill or your issue of concern to you by referring to the bill's number or its popular title.

BE BRIEF AND CONSTRUCTIVE: If you disagree with the approach of a bill, explain what you believe to be the correct approach.

GIVE THE REASONS FOR YOUR OPINION: Explain how an issue would affect you, your family, community, business or profession. Concrete, expert arguments for or against a bill can often influence a legislator's opinion. You may also want to include articles, editorials or other supporting materials to help make your point.

CLICK HERE ▼ TO GET THIS INFORMATION ON THE ASSEMBLY HOMEPAGE ▼

LEGISLATION — Provides the text of bills, resolutions and constitutional amendments. Also shows bill status, history, votes, analyses and vetoes. Search by bill number, keyword or author to create a personal bill "Subscription List."

FIND MY DISTRICT — Enter your home address and find out who your representative is in the State Assembly. A map locating your home in relationship to your Assemblymember's office is displayed.

MEMBER DIRECTORY — Contains a listing of all Assemblymembers, with photographs and links to their individual homepages, where you will find:
- Capitol and district addresses, phone numbers and e-mail listings.
- Biographies, personal bill lists, committees and links to each district.

COMMITTEE DIRECTORY — Lists all legislative committees, memberships and functions. Policy committee hearings provide the best opportunity for public comment.

LEGISLATIVE DEADLINES — Has an annual calendar which shows constitutional timeline requirements, legislative deadlines, session recesses and adjournments.

CHIEF CLERK'S OFFICE — Allows access to the Daily File — the Legislature's daily agenda indicating which bills are being heard and at what time. Links to other publications include California Codes, State Constitution and the Rules of the Assembly.

DEMOCRATIC CAUCUS — Provides partisan policy issues, members, leadership, biographies, press communications, photos and district maps. Links to the Republican, Black, Asian Pacific Islander, LGBT, Rural, Smart Growth, Women's and Latino Caucuses are also included on the Assembly webpage.

OTHER LINKS — Provides a link to various state government websites, including agencies such as the Department of Motor Vehicles and the Franchise Tax Board.

KID'S STUFF — Helps children learn how bills become laws by playing the game "Your Idea Becomes a Law." A good place for "big kids" to start if they are unfamiliar with the legislative process.

CAPITOL MUSEUM — Provides date, time and location of upcoming events and exhibits offered by the California State Capitol Museum.

The Assembly web site also has links to information about the Assembly Sergeant at Arms, accredited media representatives, the Assembly Fellowship Program, available Assembly positions and the organization of the Legislature.

ACCESSING THE LEGISLATURE THROUGH THE INTERNET

WITH A COMPUTER AND MODEM, YOU CAN COMMUNICATE DIRECTLY WITH YOUR LEGISLATOR AND LET YOUR VIEWS BE KNOWN.

ONE of the most efficient and convenient methods of contacting your legislator is by using your on-line computer to access the California State Assembly Webpage at **www.assembly.ca.gov/**. At this site you will find a wealth of information about your State Legislature, its day-to-day activities, legislation and your representative. Additionally, you can:

- Communicate with your Assemblymember by e-mail;
- Get information about past and present bills;
- Create a personal "Subscribe List" and automatically receive free bill updates via e-mail;
- Create a personalized page that reflects issues and information sources that are important to you;
- Meet and discuss issues with other Californians in special forums that focus on important and timely subjects.

KEEP UP-TO-DATE AUTOMATICALLY

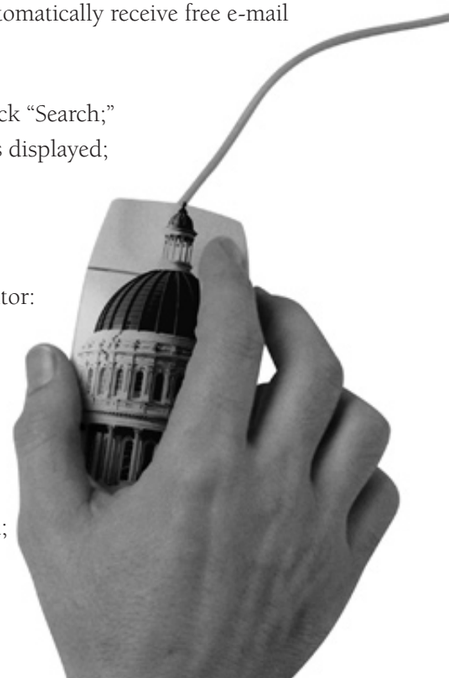
If you're interested in keeping track of specific legislation, here's an easy way to create a personal "Subscription List" and automatically receive free e-mail updates on bill changes:

- Click "Legislation" button;
- Type in bill author, number or subject; click "Search;"
- Click "Subscribe" when bill information is displayed;
- Enter your e-mail address; click OK.

LET YOUR VIEWS BE KNOWN

If you want to send an e-mail to your legislator:

- Locate your legislator's e-mail address in the "Member's Directory;"
- Write a short letter (one page if possible) in a clear and concise manner;
- Identify measures by bill number and indicate your opposition or support;
- Close with a request for more information;
- Always include your full name, home address and telephone number.



March 22, 1998

The Honorable Terry Smith
State Capitol
P. O. Box 942849
Sacramento, CA 94249-0001

Dear Assemblymember Smith:

I am writing to you in support of Assembly Bill 5231, which will be heard in the Assembly Health Committee next month.

This bill will have the following effect on our community:

- Increase job opportunities
- Provide after-school programs for kids
- Reduce crime

Thank you for taking the time to consider my concerns regarding this measure. Please keep me informed on the progress of this bill.

Sincerely,

Chris Anderson

Chris Anderson
4321 Oak View Circle
Springfield, CA 99002
(415) 555-1212

FOLLOWING SAMPLE LETTER GUIDELINES

INDICATE THE PROPER NAME, TITLE AND ADDRESS OF THE LEGISLATOR.

IDENTIFY THE BILL BY NUMBER AND STATE WHETHER YOU ARE IN OPPOSITION OR SUPPORT.

LIST THE EFFECTS THE BILL COULD HAVE ON YOU OR YOUR COMMUNITY.

CLOSE WITH A REQUEST FOR MORE INFORMATION.

ALWAYS INCLUDE YOUR NAME, HOME ADDRESS AND TELEPHONE NUMBER.

VISITING YOUR LEGISLATOR IN PERSON

ATTENDING HEARINGS, WORKSHOPS, AND DISTRICT EVENTS PROVIDE OPPORTUNITIES TO MEET PERSONALLY WITH YOUR LEGISLATOR.

A PERSONAL visit with your legislator is usually the most effective way to communicate your viewpoint; however, it can also be one of the hardest to arrange. Personal visits allow both of you to connect names with faces and allow you to establish yourself as a concerned constituent.

WHEN MEETING WITH ELECTED OFFICIALS

SCHEDULE A MEETING IN ADVANCE: Call ahead to make an appointment — do not unexpectedly show up. Let the legislator's aide know what you want to discuss. Be as specific as possible so that your legislator and his or her staff can prepare materials which they may want to provide you.

IF YOU ARE REPRESENTING A GROUP, LET THE LEGISLATOR KNOW: When you introduce yourself make it clear who you are and what organization, if any, you are working with.

DON'T FEEL SLIGHTED IF YOU END UP MEETING WITH A STAFF MEMBER: A legislator will often have you meet with trusted staff members who attend meetings and conduct other duties on behalf of the legislator. You should provide the same information to the staff member as you would the legislator.

DO YOUR HOMEWORK AND BE PREPARED: You should expect to take no more than 15 minutes of a legislator's time to discuss a particular issue or legislation. Try to anticipate direct and challenging questions, and prepare your answers before the meeting.

BRING MATERIALS THAT HELP MAKE YOUR POINT: If you have statistical information or studies to back up your views, bring copies to give to your legislator.

DON'T BE DEMANDING: Let legislators explain their views without interruption. They often have input from many sources, such as fiscal agencies, state departments or other groups with expertise on the issue.

FOLLOW UP IS IMPORTANT: Several days after meeting with your legislator, give him or her a call or follow-up with a thank-you note.

ALTHOUGH communicating directly with your elected officials is one of the most effective methods of lobbying, there are other indirect ways to raise their awareness of issues that are important to you. One of the most commonly used techniques is writing an op-ed (guest editorial) or letter to the editor of your local newspaper.

HOW TO WRITE AN EDITORIAL OR LETTER TO THE EDITOR

GET TO THE POINT: Your first paragraph should summarize concisely the main point of your letter.

ESTABLISH YOUR CREDIBILITY AND WRITE ABOUT WHAT YOU KNOW: Your letter or op-ed should speak with some authority. This authority is established by stating your expertise or personal experience with the issue. Your education, years of work experience, affiliations or official position are important facts that should be included in your letter to help establish your credibility.

BE BRIEF: A letter to the editor should be less than 300 words, and an op-ed no more than 600 - 700 words.

LOOK FOR A "HOOK": Editors are more likely to publish your letter or op-ed if you refer to an issue currently in the news. If you have read or seen a story in the news, mention it in your article.

TAKE A POSITION: Your goal is to present a particular position and not simply to "report" on an issue. Provide evidence that supports your position.

TRY TO MAKE PERSONAL CONTACT: Call the paper and ask for the name of the person who reviews letters and op-eds from the public. Call that person a few days after you send your letter or article and ask whether the paper will print it.

LOBBYING BY INDIRECT MEANS

EDITORS OFTEN APPRECIATE RECEIVING WELL-WRITTEN OPINION PIECES. LEGISLATORS AND THEIR STAFFS PAY ATTENTION TO THESE PIECES, ESPECIALLY ONES WHICH APPEAR IN THEIR LOCAL NEWSPAPERS.

STAYING CURRENT ON THE STATUS OF BILLS

KEEPING CURRENT ON THE STATUS OF A BILL IS ESSENTIAL TO AN INFORMED LOBBYING EFFORT.

EACH bill is generally heard (debated) and voted on at least four times before passing the Legislature—first by the policy committees and then by the full membership of each house. Each committee and floor vote provides an opportunity to present your input through a letter, phone call or meeting, but it is also an opportunity for bills to be amended. Therefore, it is important that you stay current on the bill's status.

Newsletters and the media are very helpful sources for keeping current on a particular piece of legislation. There are also official legislative publications which can be obtained in public libraries, legislators' offices, the Capitol Bill Room and on the Internet.

SOURCES OF LEGISLATIVE INFORMATION

ASSEMBLY (OR SENATE) DAILY FILE: Printed each day the Legislature is in session, the Daily File includes a listing of bills set for hearing in committee and bills to be voted on by the full Assembly or Senate.

ASSEMBLY (OR SENATE) WEEKLY HISTORY: The Weekly Histories indicate the status of each piece of legislation.

ASSEMBLY (OR SENATE) DAILY JOURNAL: The Daily Journal is the official record of proceedings on the Assembly or Senate Floor.

LEGISLATIVE INDEX: The Index contains a complete listing, by subject matter, of all bills introduced. You may also want to contact your legislator's district office to receive an update on the status of legislation.

ASSEMBLY HOMEPAGE ON THE INTERNET: All of the above and more can be found on the Assembly Homepage. "Subscribe" to your choice of bills and automatically receive free e-mail updates on legislation, including amendments, analyses, and committee and floor votes. The Assembly's webpage address is: **www.assembly.ca.gov/**
(For more information on the Assembly Homepage, see pages 10-11.)

PHONING YOUR LEGISLATOR

TELEPHONE CALLS TO A LEGISLATOR ARE MOST USEFUL WHEN A VOTE WILL QUICKLY BE TAKEN AND THERE IS LITTLE TIME TO WRITE OR VISIT A LEGISLATOR'S OFFICE.

TELEPHONING a legislator is another important way to make personal contact. Elected officials often keep track of and count the number of phone calls in favor of or against an issue. Abusive, threatening calls or callers who ramble on are counter-productive and are usually disregarded.

WHEN TELEPHONING AN ELECTED OFFICIAL

DON'T EXPECT TO TALK DIRECTLY TO A LEGISLATOR ON YOUR FIRST CALL: A call to a legislator's office is usually answered by staff who will note your request or your position on a bill. This information will be passed on to the legislator. If you're calling to request information about a legislator's position or to discuss a particular issue, your call may be transferred to the staff person responsible for that particular issue area.

INTRODUCE YOURSELF CLEARLY: Be sure to provide the staff member with your name and address. This will help ensure that you will receive follow-up information.

TRY TO COVER ONLY ONE SUBJECT PER CALL: If there is a pending vote on a bill, your phone call should be simple and to the point. The information will be recorded and forwarded to the appropriate staff person. It is also a good idea to write out your statement in advance. That way, your call will go smoothly.

KEEP YOUR COMMENTS BRIEF: Be prepared to state your position, what you want the legislator to do, and be ready to support your position with at least two well thought-out arguments.

THANK LEGISLATORS FOR THEIR RESPONSE: If a legislator or his or her staff does not have an immediate response to your request, ask when you can expect an answer. When you receive a reply, be sure to thank the legislator for getting back to you, even if the legislator's position is not the same as yours.

KNOWING THE LEGISLATIVE PROCESS WILL HELP YOUR MESSAGE BE HEARD

THE COMMITTEE CHAIRMAN AND MEMBERS SHOULD BE CONTACTED PRIOR TO A HEARING ON AN ISSUE WHICH YOU INTEND TO INFLUENCE.

TIMING is important in the legislative process. A phone call or letter has more significance if it is close to the time a vote is to be taken. In order to make the best use of your lobbying efforts, it is important that you know the steps in the legislative process. Once you are familiar with this process, you should map out a plan or strategy to increase your effectiveness.

THE CALIFORNIA STATE LEGISLATURE

California has a bicameral (two-house) Legislature composed of the Assembly and the Senate. The Assembly has 80 members who serve two-year terms; the Senate has 40 members who serve four-year terms. Every California resident is represented by one Assemblymember and one Senator.

HOW A BILL BECOMES A LAW

Ideas for legislation come from a variety of sources, including an individual or group who will ask a legislator to author a bill. The individual or group then becomes the sponsor of the bill.

The proposal or idea must first go to the Legislative Counsel who prepares it in the form of a bill draft. After the author reviews the bill draft, it is taken to the Chief Clerk's desk if the author is an Assemblymember, or the Secretary of the Senate's desk if the author is a Senator. The bill is assigned a number, introduced and read a first time.

The bill is then assigned to the Rules Committee of the appropriate house (Senate or Assembly), which refers the measure to the appropriate policy committee for a public hearing to discuss the merits of the bill and to vote on whether or not to "pass" the bill. The Legislature does most of its work in committees. Each committee has responsibility for a specific area of policy.

If the bill passes policy committee, it then goes to the Assembly or Senate floor (depending on the bill's house of origin) where it is voted on by all the members of that house. However, bills that have a financial impact on the state must also be reviewed and passed by a fiscal committee before moving to the floor. After a bill is approved on the floor, it must go through the same process in the other house.

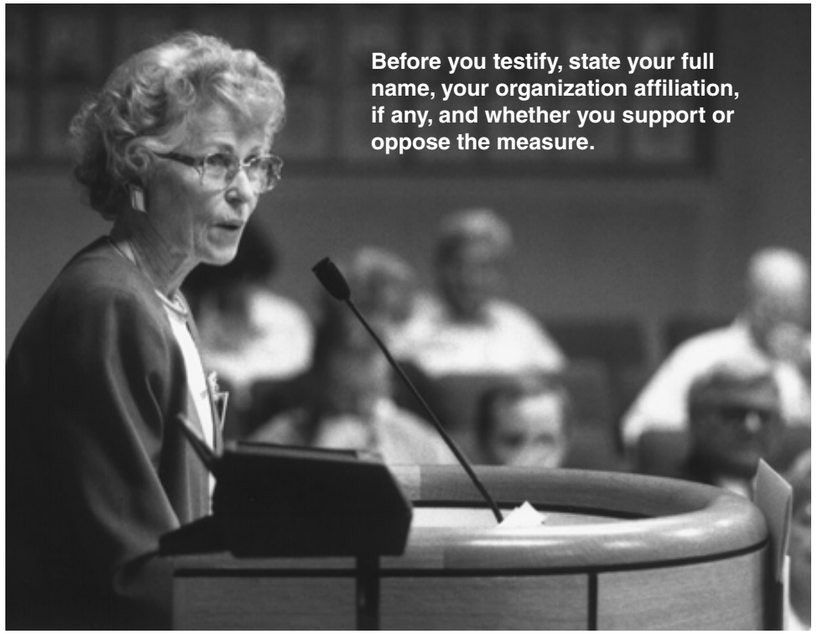
Opportunities to influence the outcome of a bill are provided at each point in the legislative process.

TESTIFYING IN SUPPORT OF OR IN OPPOSITION TO A BILL

BE PREPARED TO ANSWER QUESTIONS ON THE BILL FROM COMMITTEE MEMBERS, ESPECIALLY FROM THOSE MEMBERS WHO HAVE AN OPPOSING VIEWPOINT.

YOU may also testify in committees in support of, or against, a legislative proposal. It is best to contact the author of the bill and let him or her know you would like to testify. If you are in opposition to the bill, make sure you let the author's office know your position well in advance so the legislator or staff can contact you before the hearing to discuss the bill. The author may agree to amend the bill before it is heard in committee.

WHEN TESTIFYING IN COMMITTEE

Coordinate your testimony with others testifying on the bill to ensure that statements before the committee will be to the point and not redundant. If there are many witnesses speaking on a measure or if the committee has a long agenda, the committee chair may decide to place a time limit on your testimony.

After your testimony, be sure to thank the chair of the committee and the committee members for the opportunity to express your views.