



Association of State Wetland Managers Wetland Regulatory Capacity Building Series

Working with State Legislatures to Build Support for Wetland Regulatory Programs

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As a state develops its regulatory capacity for protecting aquatic resources, one or more state agencies will likely have to work closely with their legislature to construct policy that advances the regulatory work of your state agency. It is important to dedicate time to building relationships within the legislature which will ensure that priority legislation passes into law. In some states, aquatic protections will be prioritized and in others there may be more resistance, making the tasks to support this work different based on context and timing. State legislators rely on staff, researchers, lobbyists, and experts to help them gather and process information about topics they are addressing at any point in time. As an expert on your state's aquatic resource regulatory processes, you have an important role as an educator. Given the multiyear schedule of most legislatures, the inability to secure legislation at one point in time often means that an agency will have to wait several years before legislation can be resubmitted for consideration.

This ASWM information sheet provides several considerations as a state plans how to work effectively with their state legislative liaison and/or with the legislature. This resource provides suggestions for building and maintaining relationships with legislators, developing effective messaging and supports for those messages, and tips on navigating the legislative process. The information sheet ends with suggested questions to ask yourself as you embark on work with legislators and links to several useful resources that can provide additional information.

Building Relationships that Support Legislative Connections

- **Determine the Appropriate Contact Path:** State agencies differ in their ability to unilaterally communicate with legislators. Many states require (or at least encourage) agency staff to work through a state legislative liaison. The first step, consequently, is to understand what your state suggests or requires in terms of contact.
- **Network with legislators:** The start of the legislative session is extraordinarily busy for legislators, some of whom are freshmen and trying to figure out their new responsibilities. It is important to work with your legislative liaison to be prepared well before the session begins to identify which legislators the state will need to work with and plan how to build a relationship with them. It is important to get new legislators up to speed or update one that

you have been working with on what has happened since they last met state staff. If you can, tips include meeting over coffee with committee chairs, talking with leaders from both parties about shared priorities, connecting with the legislative office of your state's governor. The more people who know who you are, the qualifications of your agency and the key points of what you are seeking to accomplish, the better. Suggestions for improving relationships with legislators include:

- Be well prepared for your discussions.
 - Provide a written statement with all verbal presentations.
 - Make letters and e-mails formal, specific, and concise.
 - Do not berate or argue with your legislator when you disagree.
 - Thank the member for the time spent with you and express a desire for further discussion.
- **Build trust with staff:** One of the best ways to connect with legislators is through their staff. Staffers are often gatekeepers for individual members and may have been in the legislature for longer than the representative. Veteran staffers often understand the levers of power better than freshmen lawmakers and can help you navigate the system.
 - **Develop a strong working relationship with your legislative liaison:** Staff may not be aware that your state has a legislative liaison. Connect with your liaison and make them aware of your agency's work and plans. If the liaison is willing, work with them to assist you in developing and delivering agency messages and connecting you with the legislators and subcommittees from whom you are seeking support.
 - **Network with nonprofits:** Science-based nonprofits often have shared interests and priorities with state agencies. To the extent that these nonprofits know your message, they may be able to repeat your message when they engage their members as well as the legislature.
 - **Discuss with stakeholder groups:** If you are working with stakeholder groups, provide them with consistent messaging for legislators with whom they may interact.
 - **Work to Manage Perceptions:** Carefully craft your message to address the range of viewpoints and avoid any potential or known misperceptions. It is also important to manage the image of your agency to ensure your agency is perceived as nonpartisan and science-based.

Connecting with a Legislator

There are many useful resources available on how to connect with a legislator. The following information has been adapted from Washington State's [Citizen Guide to Effective Participation](#):

- **Arrange a personal visit.** The most effective way to connect with a legislator is to meet in person. Call the legislator's office, introduce yourself, tell the legislator or the legislative assistant what you would like to discuss, and make an appointment for a visit. If you plan a visit, be prepared for your discussion. Know what you want to say, be factual, and make your comments as brief and specific as you can. If you do not know something, be willing to

admit it and offer to follow up with more information later, which is also an avenue for further discussion. Be certain that you have the support of your Governor or corresponding tribal executive.

- **Write a letter:** Express your views and request the member's attention through the mail. Make your letters brief, to the point, clear, and formal. Include your mailing address and phone number so the legislator knows where to respond.
- **Send an e-mail:** Like letters, e-mails should be brief, to the point, clear, and formal. Include your name and mailing address, as well as your e-mail address, and let the legislator know how you would prefer to be contacted.
- **Testify before a committee:** Make your views and positions known by testifying before a committee that is having public hearings on an issue or bill.

Developing Messages that Connect with Legislators

- **Have a clear ask:** When communicating with legislators, their staff, allied nonprofits, the governor's office, and the press make sure you use simple, clear language that leaves little room for confusion. Effective messaging will leave all involved parties with a clear understanding of what you want and why you want it. If you are hoping for a budget increase, be ready to explain what the funds will be used for and if this investment from the state will allow your agency to leverage federal funds. If you are avoiding budget cuts, have talking points prepared explaining how your agency will have difficulty meeting its mission without those critical funds.
- **Keep It Simple:** Legislators have very busy schedules and have little time to focus on any one issue or concern. Spend time developing a 1 - 3-page brief with the key points that you want them to understand – the problem that needs to be addressed, who is affected, the impacts (and if possible, the financial implications of inaction), the potential solutions and the one you advocate. For the advocated action, include the key elements, what is required to implement it and the costs and benefits of adopting it.
- **Find a Way to Help the Legislator have a "Win":** Legislators often like to be seen as heroes for a good cause and a cause that can win. Provide legislators with the messaging and tools (maps, pictures, etc.) that will help them win for this good cause on the senate or house floor and in the eyes of their constituents.
- **Share unifying messages:** While some environmental or social messages may be at the crux of your reasons for building regulatory capacity for your aquatic resource program, it is important to identify unifying messages that support your proposals. One of the most often overlooked preparations is around economic analysis. Common "carrots" that appeal to a variety of legislators regardless of political perspectives are justifications that focus on economic benefits and efficiency. Make sure you know what your opposition's points are and be ready to counter them. If you can demonstrate that a new bill will lead to a regulatory system that will be less expensive and create more efficient permitting, these points may go farther in getting your proposal approved than an environmental message alone, no matter how compelling.

- **Give your messaging a narrative arc:** A fact sheet or list of bullet points about a specific program is helpful but telling a story and providing examples about the work you do can be much more memorable for lawmakers and their staff. Storytelling is a key technique employed by legislative members as they make their points during floor speeches. Additionally, make sure you explain the benefits to people and communities, not only the environment in your messaging.
- **Practice your pitch:** If you or your staff are planning to conduct a meeting or testify, practice the pitch you are planning to make. The more polished your presentation is, the more you will feel comfortable adapting it to the situation or making it shorter or longer depending on the time and interests of the legislator or their staff. In addition to writing an outline and pulling together key facts and justifications, if you are new to this kind of outreach, practice your pitch with colleagues or in front of a mirror. The more comfortable you are, the more polished you will come across and the more effective you will be sharing your message(s).
- **Have a 1-2 minute “elevator speech” ready to go:** You never know when you might have the opportunity to meet with someone who can help your legislative work. This might be the legislator, a staffer, a community leader, or someone else that has influence on the legislative process. Having a brief, well-rehearsed speech about the issue, its impacts, why it needs to be addressed and the solution you are proposing can make a chance encounter a strategic asset. Keep the talk simple and memorable, because you may be speaking with someone who cannot take notes. You want your takeaways to be compelling and memorable.
- **Find the right messenger for your message:** Sometimes an agency’s legislative liaison is the best person to talk to legislators. Alternatively, it may be more effective to have a legislator who is especially strong and knowledgeable about wetlands to lobby their colleagues. Another option is having a high-ranking member of the governor’s office who can make calls on your agency’s behalf. Making sure that legislators are hearing your message from more than one place will help to emphasize its importance and raise it on your state’s policy agenda.
- **Maintain regular communication:** Make sure that your communications with legislators are both *responsive* to complaints or information requests and *proactive* (for example, laying the groundwork for future legislation or providing information that shows a planned approach may be damaging to resource protection). Keep an eye out for ways to share information and contacts with the legislator that are helpful to them, even if they are not specific to your legislative requests. Ideally, by nurturing your relationship, you may become their “go to” on your topic.
- **Document your outreach:** Keep a file of all communications and track interactions with individuals and offices, including dates and names. Include in your notes, what messages were communicated, what materials were provided, and any questions or commitments that were shared. This will serve as both a useful record for your agency, but also help in the process of assessing where future efforts should focus.

Educating Legislators on Critical Issues

- **Education is important:** Many state legislators are policy generalists and need to be educated about the basics of wetland policy. This can mean meeting with committee chairs and their staff to explain how various programs work or leaning on friendly legislators to help teach their colleagues about the importance of wetland conservation.
- **Host a field trip:** Work to bring legislators into the field so they can see for themselves how your agency works to protect and conserve wetlands. Engaging lawmakers and staff in the field can be an eye-opening experience for them and will be much more memorable than two pages of bullet points. Be sure to point out how regulations are working to protect the lawmaker's constituents from pollution, flooding, etc. Highlight the wetland benefits, and what may be lost because of inaction.
- **Host policy briefings:** Policy briefings at the capital can be a good way to engage legislators on a large scale. Make sure to market the briefing to legislators and their staff as a good way for them to meet agency officials and key staff in your office. Briefings are often best attended if lunch is provided, allowing busy lawmakers to skip the trip to the cafeteria.

Navigating Legislative Systems

- **Understand the structure, systems, and processes of your state legislature:** State legislatures each have their own technical elements. It is important to learn the general responsibilities, structures, and processes of state legislatures, but there will be some elements that are specific to your state. At the end of this document are some general resources to help you in this process. However, you will need to identify specifics for your own state legislature. Check on your state government website for specifics, as most provide guides.
- **Understand the legislative calendar:** Every state legislature has a series of critical dates by which proposals must be received and approved. There are specific processes and deadlines that must be met to be considered. Identifying these will be critical to providing the information and supports necessary to get a bill passed.
- **Learn legislative lingo:** As with most specialized issues, working with the legislature comes with an entire vocabulary that is important to understand. Become familiar with terms and acronyms, so that you are up to speed during discussions and reading technical documents. The Oregon State Legislature provides a [legislative glossary](#) that is useful. Identify information from your own state and become conversant in your state's legislative terms and their definitions.
- **Identify the legislative subcommittees with whom you can/will work:** Conduct research and relationship building to understand what both the subcommittee and its legislator members' interests and priorities are, as they can have mixed interests and specific goals for their work. Being able to tailor messaging and justifications to their specific needs will increase the likelihood of being supported. Make sure to identify their points of contact and keep that information up to date.

- **Understand all the parts.** As you begin to learn about the process, understand that many bills include a fiscal note that is attached to the bill (note: bills that are just rule changes do not have fiscal notes). Attorneys must sign off on this fiscal note. Understanding the financial elements is important as you move forward in the process.
- **Prepare for presentations.** You may be asked to give presentations on pending bills or outline the justifications for budgets or elements of a proposed bill. Learn the expectations around presenting – timing, style, language, etc. Keep things simple, both in the language used and complexity. Be clear about why you are in support or against something, using justifications that will resonate with your audience.
- **Understand those impacted:** Do not just focus on getting supporters. If what you are proposing impacts a certain group or groups of people, make sure to understand their concerns and values, so that you can communicate about issues with their senators and representatives effectively. Providing information and opportunities for discussion with those representatives who might be against the proposed legislation, if well crafted, can help reduce opposition.
- **Work with those impacted to understand and address changes:** When a rule changes, work with a technical advisory group to help guide them and ensure that a balance of interests is represented and adequate, accurate information is provided to guide decision-making.

Some Initial Guiding Questions

As you embark on working with legislators and proposing legislation, the following list of questions will assist you in exploring the landscape and options you have for conducting this work. While the list could be pages long, these questions represent an important starting point.

- What limitations does your agency have when working with legislators?
- Does your agency have a legislative liaison? If so, what is your working relationship with them?
- What relationships does your state already have with legislators and which do you need to develop to support your needs? Are there any new legislators that you should connect with?
- Are there restrictions at the state level about who can contact legislators and what requests are made? If so, what is the process for getting permission to contact them and for getting messages approved?
- Which legislative committees and subcommittees should you be approaching with your concerns/messages?
- Who is impacted by the legislative actions you are seeking? Who represents their interests in the legislature?
- What is your state's legislative calendar? When can legislation be introduced? What needs to happen before that and by what date?

- What messages do you want to share? Do you have people familiar with the legislative process and/or the legislators that you will be approaching to assist you with crafting your messages?
- What are the justifications that you will be making to promote the actions you want taken by the legislature? Do they meet the needs of a range of perspectives (e.g., economic, social, environmental)?
- What specific data or information are you missing to make your case? Who can assist you in getting this information and on what timeline? Can you get what you need by deadlines required by the legislative calendar?
- What systems do you have in place to track communications and interactions with legislative contacts? If you do not have any, how can they be created?

Additional Resources:

- [Tips for Working with State Legislators](#)
- [A Student's Guide to the Legislative Process in Michigan](#)
- [A Citizen's Guide to Effective Legislative Participation](#)
- [Oregon State Legislature – Legislative Glossary](#)

For more information, contact:

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