

Part 5

Lobby Like a Pro...or Hire One

What Does a Lobbyist Do?

A lobbyist is someone who is paid to represent the interests of particular constituents for the purpose of influencing and/or affecting legislation or regulations. Under the law, political party officials, news media and elected government officials (while performing the duties of office) are **not** considered lobbyists.

Much like an attorney might represent an individual or group in court, or a PR practitioner would represent a client to the media, a lobbyist represents organizations, associations or business groups to legislators and regulatory agencies at the state and federal level. On issues of licensing, taxes, regulation, corporate incentives, environmental mitigation and much more, a lobbyist, or lobbying group, understands the policies, legislation and process of how a bill becomes law and how to influence bills *before* they become law. In addition, successful lobbyists have skills and government contacts they have nurtured over the years that can lead to productive relationships for their clients.

Why Do You Need a Lobbyist?

Irrigation Association Director of State Relations, Richard Ali, has this to say about the importance of hiring a lobbyist:

“Every day of the year, someone is making a decision or debating an issue that could have profound impact on the way you do business. Your state legislature enacts new laws—or changes existing ones—to the tune of several hundred each year. These hundreds of laws are the result of sifting through several thousand newly introduced bills in a given year. Whether or not a proposal among these several thousand ever reaches the governor’s desk depends on the degree of support or opposition that is generated by those who will be affected.”

“That’s exactly why lobbying is so very important. Elected officials don’t know the green industry, and they are poorly informed of the impact their decisions have on the industry as a whole. Whether lobbying individually or as a group, the point is that your lobbying efforts are meant to inform as well as to persuade on an issue of importance to you and the successful operation of your business.”

“No legislator can possibly understand every facet of every industry. It’s practically guaranteed that very few legislators have a firm grasp on the issues important to the green industry. The solution is clear—to have a real say on important issues, then we must have a presence in state capitals around the country. Hiring and using lobbyists just may be the most effective way to do that.”

Additional Resources:

Web Sites

— “Effective Lobbying at the Grassroots Level.” Institute of Electric and Electronics (IEEE-USA). (www.ieeeusa.org/forum/guide/grassroots.html)

- “What Clients Wish Their Lobbyists Knew and What Lobbyists Wish Their Clients Knew.” Stateside Associates. (www.stateside.com/publications/sgr/clientandlobbyist.shtml)
- “Directory of Local Officials by Region.” U.S. Environmental Protection Agency (EPA). (www.epa.gov)
- “State, Country and City Government Web Sites.” Library of Congress. (lcdweb.loc.gov/global/state/stategov.html)
- “Online Updates of Legislative Issues in the Green Industry.” *Lawn and Landscape*. (www.lawnandlandscape.com)
- “Look Up Your Elected Officials.” ANLA Legislative Center. (capwiz.com/anla/dbq/officials)

Hiring a Lobbyist

If your coalition decides that it’s necessary to hire a lobbyist, you will want to do your homework before contracting with a lobbyist or lobbying group. Here are some tips to help you start your selection process:

- Most states include a list of registered lobbyists on their state government Web sites. Lobbyists usually are required by law to register with the state in which they serve and represent clients. There is no single categorical listing for lobbyists, but many lobbying groups are listed with the state Ethics Commission.
- Another place to check is your state house or local Chambers of Commerce. They may be able to furnish a list of lobbying firms and the issues and companies they represent.
- The fee structure for retaining a lobbyist depends on the size of the market, the size of the lobbying firm, the number of people who will represent a cause within a firm and many other factors. Be prepared to pool resources, however, as hiring a lobbyist will be an investment in your future.

Note: The U. S. Chamber of Commerce, which represents more than three million businesses of every size, sector and region, reported that in the last six months of 2002, it spent \$11.3 million on lobbying-related activities.

Additional Resources:

Books

- *Guide to State Legislative Lobbying*, by Robert L. Guyer and Laura K. Guyer
Paperback: 223 pages
Publisher: Engineering THE LAW, Inc. (November 30, 1999)
ISBN: 0967724201
- *The Citizen's Guide to Lobbying Congress*, by Donald E. Dekieffer
Paperback: 232 pages
Publisher: Chicago Review Press; (January 1997)
ISBN: 1556521944

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Lobbyists: Why, When, How?

In an interview, Michael Canning, Sr. of Manis-Canning and Associates, a governmental affairs specialist and senior lobbyist in Annapolis, Md., and Washington, D.C., (www.maniscanning.com) stated that organizations at the grassroots level should pool their resources and be represented by a lobbying organization.

“In Maryland,” said Canning, “the green industry came together to work on public policy as it related to the drought issue.” Canning said that the green industry and other representative businesses and organizations united to give weight and credibility to the drought issue that plagued Maryland in late 2001 through the summer of 2002.

He recommends that grassroots, green industry businesses everywhere do the same, regardless of geography. “The key is to speak with one voice,” said Canning. “You must look in the area of shared common interests and begin your work under one umbrella.”

Canning recommends being inclusive and calling on related industries in your area to bring together anyone and everyone who has an interest in drought-related and environmental/water conservation issues.

These businesses can include the following:

- landscape contractors
- commercial property owners
- real estate management companies
- turf growers
- seed retailers
- nurserymen
- landscape architects
- irrigation designers and contractors
- and many more.

Canning also notes that product manufacturers, such as fertilizer companies, might already have a contract with a lobbyist in the region who can bring that expertise to a coalition. Tapping into existing resources is key to maximizing both budgetary and legislative concerns.

What to Expect

“It isn’t necessary for a lobbying group to be ‘green’ to represent the best interests of the green community. Having that experience is a bonus,” said Canning, “but it isn’t a requirement.” Canning said a good lobbyist will have connections and access to people working on a particular issue. “It’s more about who you know and how to get the job done.”

Working with a lobbyist involves much more than hiring someone and then just walking away. Canning cautions that good lobbyists work alongside their clients every step of the way—and vice versa—which can translate into some legwork for the client.

“The client,” said Canning “is responsible for writing what we call a ‘position paper.’ It may only be three paragraphs from the client’s expert opinion about the coalition’s stance on a particular issue, but it’s not something you want to leave up to a lobbyist. Your lobbyist’s expertise comes in the form of government contacts and how to position your statement with elected officials—not in deciding what position is most advantageous to your industry.”

Each industry has its experts—lobbyists don’t claim to be industry-specific authorities (although some may be) and their role is not to argue with a client about a particular position. Their role is to move that position forward through the halls of a state house or Congress.

Getting the most out of your lobbying dollars will probably come from working with a firm that deals with many issues, not a single, focused one. Lobbyists tend to talk to elected officials on a regular basis about a variety of things. If you choose a firm that also represents other industries, it’s likely that your issue will be talked about more frequently and to a wider audience.

12 Tips for Better Lobbying

Courtesy Manis, Canning & Associates

- **Get the facts:** Fully understand what the legislative or regulatory proposal does and how it will impact you and what you do.
- **Know your legislator:** Gain an understanding of where a legislator stands on an issue, and why, before discussing the matter with him or her. Never ask lawmakers to do something you know they can't do.
- **Keep it simple:** Develop a brief, concise message that explains why you support or oppose the proposal, and stick to it.
- **Give examples:** Prepare a number of solid examples to illustrate how the proposal will affect various constituencies for good or ill.
- **Know your opponent:** Review the opposing arguments and be prepared to provide sound rebuttals.
- **Don't overdo it:** Make your points in a businesslike manner. Being overly argumentative can hurt your cause.
- **Never burn a bridge:** In politics, today's opponent may very likely be tomorrow's proponent. Always leave the door open to working together in the future.
- **Choose your players wisely:** Sometimes keeping a lawmaker with no real stake in an issue out of the fray can be a real plus. If you can't get a "yes" vote, ask the lawmaker not to do anything that will hurt your position.
- **Deliver the message:** A face-to-face meeting with elected officials offers the best opportunity to make your point. It can be held in a home or capital office. Backing up the message delivered by a professional lobbyist with a constituent visit is often the most effective communication.
- **Stay in touch:** Don't just show up when you need something. Be a regular. Try dropping by or writing a note just to say "good job" on any issue you think was handled well.
- **Get involved:** Increase your activity in local and national associations and coalitions. Help in an election or reelection campaign. Volunteer to distribute campaign materials or join a phone bank. Do whatever you can. There is no better way to make a legislative friend.
- **Get organized:** Join a trade association or grassroots group where you work. Organizations like these can help maximize the effectiveness of your voice and your vote.