



TISL

Tennessee Intercollegiate
State Legislature

LOBBYING HANDBOOK 2024

How A Bill Becomes A Law	2
Overview	3
FAQs Of Lobbying At TISL	3
Lobbying Techniques	4
Standards of Conduct	6
New Changes	7

LOBBYING LEADERSHIP

Lobbying Director

**Assistant Lobbying Director &
Tennessee Teachers CEO**

Dustin Kidd, East Tennessee State University

David Murray, University of Memphis

Firms

Firm Hewitt, Lamb, and Associates
Firm Rheinfrank and Shanks LLP

CEOs

Kelsey Hewitt & Olivia Lamb
Hunter Rheinfrank & Caroline Shank

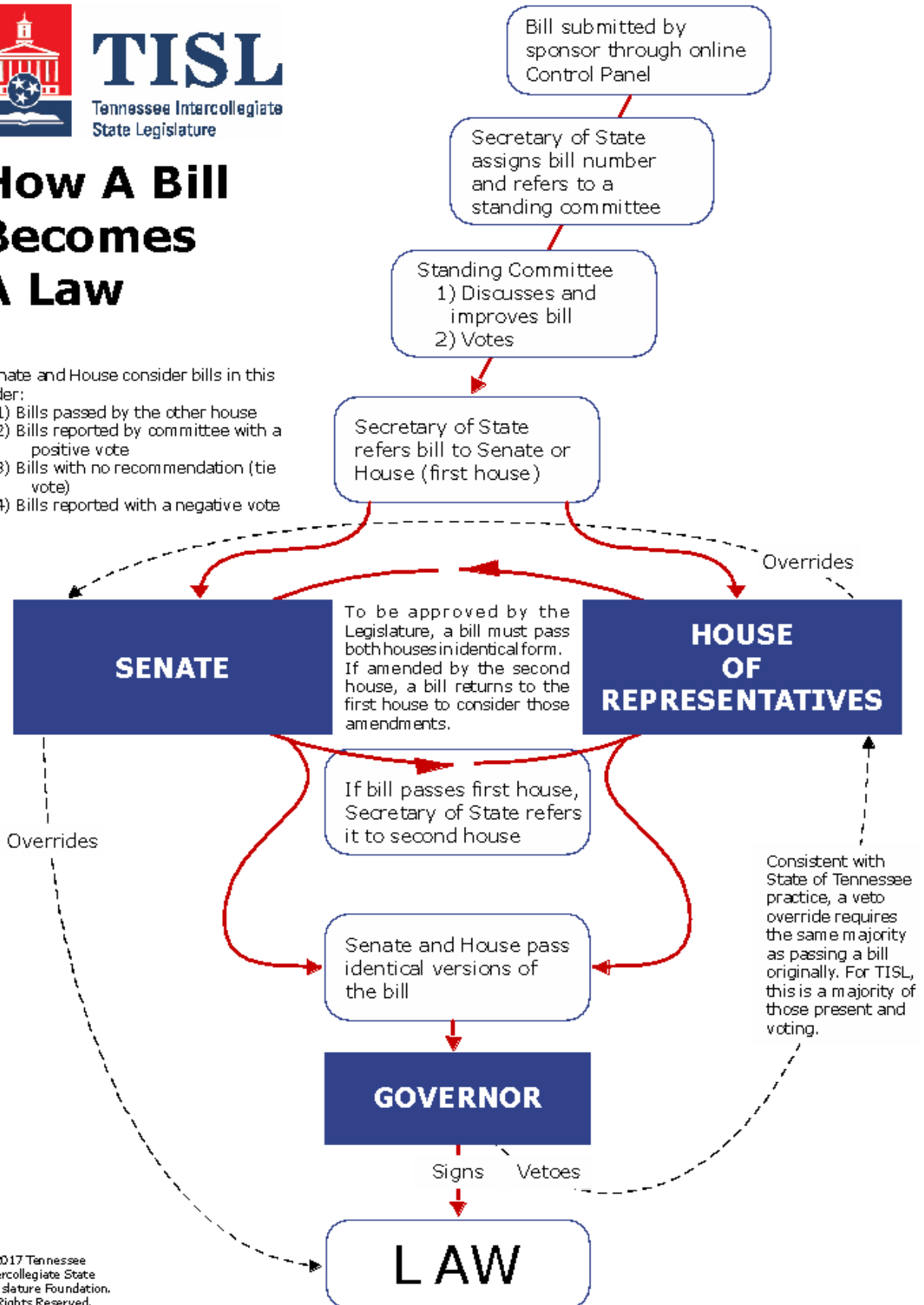


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How A Bill Becomes A Law

Senate and House consider bills in this order:

- 1) Bills passed by the other house
- 2) Bills reported by committee with a positive vote
- 3) Bills with no recommendation (tie vote)
- 4) Bills reported with a negative vote



OVERVIEW

www.TISLonline.org/lobbying

Lobbyists represent clients who want to persuade the legislature to pass, modify or defeat legislation. They contact individual legislators, testify before committees, provide information and help to form strategy.

The lobbying program is a popular and successful part of TISL.

The firm will define the firm's mission and conceive a bill for the firm to research, write and pass. The firm will also identify bills written by others to support, oppose or attempt to change.

Firms will begin their work before the General Assembly through conference calls and will have their first in-person meeting on Thursday when the General Assembly convenes.

Lobbyists will conduct themselves in accordance with the Standards of Conduct of the Tennessee Lobbyists Association, located at the end of this document. Lobbyists may not provide food, drink, or any personal benefit to legislators, judges, or any TISL officers. They may not provide gifts.

Techniques for lobbyists:

- Talk to legislators one-on-one at the Capitol or after hours.
- Testify before standing committees when a bill is considered.
- Draft amendments for friendly legislators to propose.
- Perform research to help pass or defeat bills.
- Write talking points for or against bills for legislators to use in debate.
- Write information papers to distribute to legislators.

To make it easier for lobbyists to contact legislators, a limited number of floor passes will be available for lobbyists when the Senate and House of Representatives are in session. Each Lobbying CEO will have one floor pass for each chamber each day.

FAQ: LOBBYING AT TISL

By James Matthew Wyatt
Union University, Jackson

Where Can I Lobby?

Lobbying at TISL occurs in a multitude of places. The majority will take place in the Committee hearings.

However, lobbying can take place anywhere! You can lobby a senator or representative outside the chambers, inside the chambers (with a floor pass), over a meal, or in the hotel.

How Do I Lobby?

Lobbying at TISL can be as frustrating as it is enjoyable.

Because you are not a professional lobbyist doing this for a career and payment, lobbying is slightly different. Remember: you are still trying to convince and persuade senators and representatives to come to your side. Therefore, you must present facts and well-planned arguments.

Be prepared before approaching a politician or speaking in front of them. Have all the facts straight and simple for them to understand.

Who Do I Lobby?

You may lobby any senator or representative at the General Assembly. A good strategy is to choose one legislator, or more than one, who will speak on your behalf in the chambers to the other Senators; find a legislator who genuinely supports you and wants your bill to succeed or fail, depending on your stance. You are not allowed to speak at the well, but a legislator can speak for you!

What Is My Utmost Goal When Lobbying?

You are trying to convince senators or representatives to understand why your firm approves or disapproves of a bill. Facts and personal testimony are your best weapon! The goal is not to take a strong stance on a position; the goal is to pass or kill a bill.

What Do I Do In Committee Hearings?

- Arrive early so you can speak with the chairman and let him or her know that you are a lobbyist, not a senator or representative.
- Ask politely if you may speak on behalf of your firm about bills that will be discussed in the committee. You may only speak if you are called upon by the chairman.
- Be concise and respectful. You are not the center of attention in the committee. You are there to present relevant information regarding bills and your firm.
- *You represent your entire firm when speaking.* Always be respectful. Senators and representatives will not take you seriously if you are not respectful.

What Do I Do In The Chambers?

- Before entering the chambers, you **MUST** have a valid floor pass. Floor passes are the property of your CEO.
- You may not approach or speak at the well. You may only approach legislators who are sitting at their desks. You are allowed to quietly whisper to them or ask to have a conversation with them outside the chambers.
- Your presence in the chamber is the discretion of the Speaker. If you are asked to leave, please do so. If there is an issue, speak with your CEO, who will then report to the Lobbying Director.
- Lobbying in the chambers is difficult, but possible. Once legislators are in the chambers, they will not be focusing on lobbyists as much when compared to committee hearings.
- Fact sheets, a page of information relevant to the firm's platform and stances, will be created by CEOs. The usage of fact sheets are strongly encouraged and proper use will be taught at orientation.

Where Is The Lobbying Director?

The Lobbying Director will primarily be at his/her desk outside of the House Chamber. However, the Director does have other duties during the General Assembly. If the situation arises that you need the Lobbying Director and he/she is not at the desk, reach out to your CEO.

LOBBYING TECHNIQUES

“Politics is of the heart as well as of the mind. Many people don't care how much you know until they know how much you care.”

– Morton Blackwell

By Elliot Young

Rhodes College, Memphis

Don't fire all of your ammunition at once

When lobbying for or against a bill, whether speaking in a committee or individually to legislators, don't throw down all your research at once.

Pick two of your best arguments, and lay those out clearly and concisely. If you can get your audience to appreciate and thoroughly understand your two most powerful arguments, your more peripheral points, when presented later, will be much clearer. They can be the last nail in the coffin to sway legislators on the margin.

One big reason is better than many little reasons.

Don't make the perfect the enemy of the good

Nobody is perfect. No bill is perfect. No legislator is perfect. You will get nowhere if you cannot accept anything less than perfect.

An incremental gain is still a gain. When presented with an opportunity to compromise, take it. Get the bill author(s) and those proposing a change together, find common ground, and mediate a compromise amendment that makes both sides happy, while keeping the goal of the bill in sight. Often, even a small shift in the right direction will pave the way for future success toward your policy goal. Don't let the effort to create that bill be in vain.

Never miss a political meeting if you think there's the slightest chance you'll wish you'd been there

Lobbyists should take every opportunity to hear bills presented or talk with legislators about bills.

It is in the committee meetings that the final fate of most bills is decided; most legislators will have their first and most powerful opinions on bills formed after these meetings.

Don't let the other side frame the debate. Get in first, define the issue your way, and you'll have the advantage.

Lobbyists should jump on these as opportunities to catch legislators with fresh ears, to get the first word in on bills they are supporting or opposing, and present arguments in more depth than might be possible in the hallway or chambers.

The mind can absorb no more than the seat can endure

Know when your words are being wasted. When you've made your case, and made it well, and when legislators have asked all their questions, and you've given them the right answers, be certain that your arguments are clear to everyone in the room, and then **stop**.



If legislators have questions, take the time to answer them, clearly articulating why your side is right.

Know when you've hit a wall with a legislator. Time is valuable, and there's little point in wasting time trying to convince someone who would no more agree with you than a scorpion would with a turtle.

Political technology determines political success

Personnel is policy. You can't beat a plan with no plan.

This isn't technology in the way we normally think of it.

Political technology is having more effective lobbyists than the other side. It is having a game plan before any of the meetings. It is knowing your firm's weaknesses and knowing that the other side has problems too. It is having lobbyists who take the initiative to talk with legislators and get the first word in.

Lobbyists who know the facts like the back of their hand and who are confident in their presentation are more effective than any fact sheet or charismatic speech.

Tips for 'Working the Room'

1. **Be transparent** about your interests: Legislators will see a lack of transparency as a lack of honesty and a lack of tact.

2. Remember that **your audience isn't just the room you're addressing**: Legislators talk. If you spark an interest in them, they'll talk with colleagues about you, your firm, and the ideas

you presented. Again, transparency is key here; if you project a dishonest persona, your ideas will be seen and related as such.

3. **Timing is everything**: Get in early, give them the pitch, and follow your issues through to the end of the process. Enter the meeting too late, and you will miss your chance to frame the debate. Getting your argument in early allows you to frame the debate to your advantage, limiting the directions from which the other side can attack.

4. **Think politically**: Find the focus of the political argument, the values and interests involved, and lay out a plan for your issue that appeals to and directly addresses those values and interests, as well as a plan for compromise. Remember that moral outrage is the most powerful motivating force in politics: use it to your advantage.

5. Mobilize people to act. Both your personnel, and legislators: **Seek out allies in legislators or other firms, and form coalitions where possible**. Legislators will appreciate getting input from different sides of the issue, because if disparate parties can agree on some bill, it gives the legislator more certainty that he/she is taking the proper action. Forming coalitions with other firms or legislators makes the lobbying process much less arduous for everyone involved: many hands make light work. The more lobbyists or legislators you can get talking about an issue or bill the way you've framed it, the easier your job at convincing undecideds will be.

6. **Make your presentation creative, and above all, memorable**. Whether it's your fact sheets or your oral arguments, you want legislators to remember your name or your firm when someone brings up the issue you lobbied them on. In oral arguments, keep it clear and concise. Think of it like "elevator persuasion." You have exactly as long as it takes from when the elevator doors close to when they open again to get your argument across to the legislator. Economy of words, clearness of message, and confidence of presentation are the keys to lobbying success. To ensure this,

prior preparation is paramount! Remember, in moments of crisis, the initiative passes to those who are best prepared. Often just getting to the legislator before another firm is the deciding factor in whether they support your issue or not.

STANDARDS OF CONDUCT

These standards are the same used by the Tennessee Lobbyist's Association's Standards of Conduct.

1. The lobbyist should provide accurate, current, and factual information, whether it is being reported to the employer or client, government officials, or colleagues, and will not engage in misrepresentation of any nature. The lobbyist has a responsibility to inform any public official of material changes in information they provide, should such changes make previously provided information inaccurate.
2. The lobbyist should comply with the laws governing lobbying and should respect the standards of conduct applying to officials and staff of the General Assembly and the Executive Branch. The professional lobbyist should not knowingly participate in any activity that could place a public official in violation of any law or policy governing their conduct.
3. The lobbyist should conduct lobbying activities in a fair and professional manner, treating others, both allies and adversaries, with respect and civility.
4. The lobbyist should seek to avoid conflicts of interest and should not continue or undertake representations that may create conflicts of interest without the informed consent of the client or potential client involved.
5. The lobbyist should vigorously and diligently advance and advocate the client's or employer's interests. The lobbyist should exercise loyalty to the client's or employer's interests through due diligence and best efforts towards their goals.
6. The lobbyist should respect the confidential communications of the client or employer.
7. The lobbyist should exhibit proper respect for the public officials and public institutions before which the lobbyist appears.
8. The lobbyist should attempt to ensure better understanding and appreciation of the right of citizens to petition their government and for the redress of their grievances.
9. The lobbyist should support and promote the profession of lobbying.

LOBBYING 2024 CHANGES

By Dustin Kidd

East Tennessee State University

Summary:

We are introducing a two-firm system to consolidate and diversify the bills firms will take on. Each firm will have two CEOs. A bill draft will be held after the release of the bill book.

Bill Draft:

The Lobbying Director (LD) and Assistant LD will meet with the CEOs for a bill draft to determine which bills firms will be lobbying for the General Assembly (GA). The draft will begin with a coin toss, called by the CEOs, to decide the pick order. The CEOs will then select from the bills in the bill book until every bill has been assigned to a firm. Firms are encouraged to hold strategic meetings prior to the draft to prepare a pick order. These meetings will have the clients wants and focus in mind.

Two-firm system:

There will be a new two-firm system which will include two firms with four CEOs. Lobbyists will be allowed to choose which firm they would like to join with a little bit of flexibility moving to either one of the firms to ensure equally sized firms. This is to allow firms to remain competitive throughout the entire GA and allow lobbyists to be as specialized or as broad in their approach to lobby as they would like to be.

