



LOBBYING 101 AND EFFECTIVE ADVOCACY

The Legislative Process Simplified

- The General Assembly has two chambers.
 - House of Delegates
 - Senate
- Most bills follow a standard path.
 - Sub-Committee
 - Committee
 - Floor of the chamber of origin
 - Repeat the above in the second chamber after crossover

Virginia House of Delegates

Consists of 100 members referred to as “Delegates”:

- Each Delegate represents 80,000 citizens.
- Delegates are elected for two year terms.
- There are no term limits.
- The Speaker of the House is the presiding officer.
- Annual salary is \$17,640.
- 66 Republicans
- 34 Democrats

Senate of Virginia

Consists of 40 members referred to as “Senators”:

- Each Senator represents 200,000 citizens.
- Senators serve four year terms.
- There are no term limits.
- The Lieutenant Governor is the presiding officer.
- Annual salary is \$18,000.
- 19 Democrats
- 21 Republicans
- The Lieutenant Governor votes only in the case of a tie.
 - But not always.

The Committee Structure

What is the purpose of a Committee?

- Committees are broken down by subject matter.
 - Let's use Health, Welfare, and Institutions as an example.
 - In the House of Delegates bills dealing with providers, hospitals, public health, mental health, and the provision of health care (among other related items) generally will be assigned to HWI.
- What is the purpose of Sub-Committees?
 - Most committees are further broken down into sub-committees.
 - Most bills will begin the legislative process in a sub-committee.
 - The purpose of the sub-committee is to further refine the subject area of the parent committee.

The Committee Structure, cont'd.

Let's use Education and Health in the Senate as an example.

- Ed and Health is broken down into five sub-committees.
 - Health
 - Health Professions
 - Higher Education
 - Public Education
- The committee Chair decides what bills go to sub-committee and which sub-committee they go to.
- Members of the sub-committees are also members of the full committee.
- To be successful, a bill must pass sub-committee.

Tracking Legislation

How does a bill get on VLSSE's bill list?

- Pre-filing of bills will begin on Nov. 20th.
 - Last year the first bill hit the system on July 18th.
 - Once bills begin appearing on the system we check for bills every day.
 - As soon as a bill is identified as being “of interest” it is sent to the Chair of the Legislative Committee for review.
 - The bill is then sent to the appropriate content committee for an in-depth review.
 - If the content committee verifies that it is indeed “of interest” then a position is developed (if necessary) and the bill is added to the bill list.

Types of Positions

There are three basic positions on bills.

- Support
- Oppose
- Monitor

Types of Positions, cont'd

What do these positions really mean?

- Support

- Active Support (we will expend political capital to help the bill pass)
- Passive Support (we support the concept of the bill but its passage isn't deemed critical to VLSSE)

- Oppose

- Active Opposition (we will expend political capital to defeat the bill)
- Passive Opposition (we oppose the concept of the bill but its defeat isn't deemed critical to VLSSE)

- Monitor

- The bill is of interest and could possibly impact VLSSE
 - Legislation is often fluid.
 - Amendments to the bill could cause VLSSE to oppose.

Political Capital

What is political capital?

- Political capital is best thought of as a resource an organization builds up over time.
 - There are many things that go into building political capital.
 - Trust
 - Does the legislator believe that you are a reliable source of information?
 - Reasonable positions
 - Are you willing to work out differences?
 - A logical nexus between the advocates and the issue
 - Legislators expect groups to advocate on issues that truly impact them.
 - Working relationships with legislators
 - Does the legislator know you?
 - Legislative courtesy
 - Have you come to the legislator to discuss issues prior to bills being heard in committee?
- **ALL** public positions on legislation expend political capital to some degree.
 - Because of this passive public support or opposition should be considered carefully.

Effective Advocacy

When does advocacy begin?

- Once a bill is identified as one we will actively support or oppose advocacy should begin immediately.
 - This is critical for bills we oppose.
 - The legislator should be contacted immediately to discuss our concerns.
 - Groups behind the legislation (if any) should also be contacted.
 - You can often negate concerns or kill a bill before the General Assembly has even convened.
- We should ALWAYS try to fix a bill when possible.
 - Legislators appreciate this a great deal. Especially when the subject matter is important to them.

Effective Advocacy, cont'd.

If you are going to expend political capital do it right.

- All members of a sub-committee and its full committee should be briefed on our position and our desired outcome prior to the legislation being heard.
 - 95% of the time a bill's fate is decided before it is ever publicly heard.
 - This is why prompt positions on legislation are critical.
- This is time consuming but necessary. Therefore active support and opposition to bills should be considered carefully.
- Committee testimony is necessary but also, by itself, the least effective form of advocacy.
 - If you haven't taken the time to speak to the legislators prior to the bill's hearing you are wasting capital and often upsetting legislators.
 - The goal is to always have the outcome decided before the bill is heard in committee.

Effective Advocacy, cont'd.

Dos and don'ts of committee testimony.

- We should always be able to draw a logical nexus between VLSSE and the issue.
- Shaming legislators is a popular tactic among some organizations but should be avoided at all cost.
- Having multiple people from the same group testify on a single issue.
 - Legislators really hate this.
- Overly emotional testimony.
- Opposing a bill late in the process is a cardinal sin and should be avoided at all costs.

Building the Relationship

Get to know your legislator.

- Building a relationship is worth its weight in gold.
- During session is not the best time to do this.
- Legislators love having someone with area expertise they can call on.

Your legislators can (and should) be your biggest advocates.

- Invite them to your offices.
- Explain your issues.
- Offer to be a resource.

Building the Relationship, cont'd.

Building the relationship

- In office visits after session.
- Invite legislators to your workplace.
- Invite legislators to your professional meetings.

Knowledge is power; online resources:

- [Who's my legislator?](#) (Use the link on the GA main page)
- [General Assembly main page](http://legis.virginia.gov) (http://legis.virginia.gov)
- [All the information you could ever want](http://leg1.state.va.us) (http://leg1.state.va.us)

2017 Session Overview

VLSSE tracked 95 bills during the 2017 session including the budget.

HB 1435 - Head – VIEW; pilot program for substance abuse screening and assessment.

- VLSSE Opposed
- Requires that the Department of Social Services (the Department) shall develop a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare (VIEW) program for use of illegal substances.
- Requires the local director of social services to screen each participant in the VIEW program to determine whether probable cause exists to believe such participant is engaged in the use of illegal substances.
- If a screening indicates that there is reason to believe that the VIEW participant is engaged in the use of illegal substances, require drug testing to be performed by a company competitively procured by the Department to provide drug testing services.
- The bill was left in Appropriations.

2017 Session Overview

HB 1580 - Campbell – Possession of child pornography by employees of the Department of Social Services.

- VLSSE Supported
- Provides that an employee of the Department of Social Services or a local department of social services may, in the course of conducting his or her professional duties, lawfully possess child pornography for a bone fide purpose.
- The bill passed and was signed by the Governor.

2017 Session Overview

HB 1604 – Bell, Richard – Foster care; definitions, reasonable efforts to prevent removal of child.

- VLSSE supported
- Allows a local board of social services to take a child into immediate custody pursuant to an emergency order, in cases where the child is alleged to have been abused or neglected and allows the court to issue certain orders in these cases, without requiring that reasonable efforts be made to prevent the removal of the child from the home if it meets certain conditions.
- The bill provides that the court shall consult with the child, unless the court finds such consultation is not in the child's best interests.
- The bill brings Virginia in law with federal requirements.
- The bill passed and was signed by the Governor.

2017 Session Overview

HB 1795 – Bell, Richard – Adoptive and foster care placements; Mutual Family Assessment home study.

- Requires that home studies conducted by local boards of social services to determine the appropriateness of an adoptive/foster placement comply with the Mutual Family Assessment home study template.
- The bill passed and was signed by the Governor.

2017 Session Overview

HB 1922 – Bell, Robert – Financial exploitation of adults; reporting to local law enforcement and State Police.

- Clarifies that all cases involving suspected financial exploitation of an adult shall be immediately referred to a local law-enforcement agency for investigation.
- The bill directs local law-enforcement agencies to provide a preferred point of contact for referrals.
- The bill passed and was signed by the Governor.

2017 Session Overview

HB 2077 - Wilt – Emergency Services and Disaster Law of 2000; reference to firearms, emergency shelter.

- VLSSE opposed.
- The bill would have removed the authority of a governmental entity under the Emergency Services and Disaster Law of 2000 to limit lawful possession, carrying, transportation, sale, or transfer of firearms in any place or facility used by the governmental entity as an emergency shelter.
- The bill was vetoed by the Governor; House of Delegates sustained the veto.

2017 Session Overview

HB 2092- LaRock – Application for public assistance; eligibility, review of records.

- VLSSE opposed
- This bill would have required entities processing applications for medical assistance and other public assistance to conduct a review of death records, incarceration status records, employment status, and the applicant's income and to review the records of the Virginia Lottery to determine whether any winnings may affect the applicant's income eligibility.
- The bill was vetoed by the Governor; House of Delegates sustained the veto.

2017 Session Overview

HB 2207- Robinson – Food stamp program; requests for replacement of electronic benefit transfer card.

- This bill would have required the Department of Social Services to monitor all requests for replacement of electronic benefit transfer cards issued to food stamp program recipients.
- A request for a replacement EBT card would have been deemed excessive if a recipient or member of his household had made four such requests within 12 months prior to the request. A fifth request would have resulted in a replacement EBT card being withheld until the household could provide an explanation for the high volume of replacement requests.
- The bill was vetoed by the Governor; House of Delegates sustained the veto.

2017 Session Overview

HB 2213- O'Bannon – TANF; time limit on the receipt of financial assistance.

- VLSSE opposed
- Reduces the total lifetime limit on TANF financial assistance to 24 months
- Reduces the number of consecutive months a person may receive TANF before a period of ineligibility from 24 to 12 consecutive months.
- Reduces the time period of ineligibility from 24 months to 12 consecutive months.
- The bill was left in Appropriations.

2017 Session Overview

HB 2237- Cline – State Inspector General, Office of the; “state agency” includes any local dept. of social services.

- This bill extends the jurisdiction of the Office of the State Inspector General by amending the definition of “state agency” to include any local department of social services.
- The bill passed and was signed by the Governor.

2017 Session Overview

SB 868- Favola – Child protective services; investigation of complaints of child abuse or neglect.

- Requires the State Board of Social Services to promulgate regulations that require local departments of social services to respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of two within 24 hours of receiving such reports or complaints.
- This was an administration bill.
- The bill passed and was signed by the Governor.

2017 Session Overview

SB 1086- Wexton – In utero exposure to a controlled substance; departments of social services to collect information.

- VLSSE supported
- Requires local departments of social services to collect information during a family assessment to determine whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth.
- Requires mandated reporters of suspected child abuse/neglect to make a report if a finding is made by a health care provider:
 - Within six weeks of birth that the child was born affected by substance abuse.
 - Within four years of birth that the child has an illness attributable to maternal abuse of a controlled substance during pregnancy.
 - Within four years of birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol.
- Provides that if a local department receives a report or complaint of suspected child abuse/neglect on the basis of the above factors, the local department shall conduct a family assessment and develop a plan of safe care in accordance with federal law.
- This was an administration bill.
- The bill passed and was signed by the Governor.

2017 Session Overview

SB 1122- McPike – Applicants for public assistance; contact information.

- Requires local departments of social services to collect alternative contact information from every applicant for public assistance, such as e-mail address, cell phone number, preferred method of contact (direct mail, email, text, call)
- The bill was passed and signed by the Governor.

2017 Session Overview

SB 1164- Reeves – Child-protective services; complaints involving members of the United States Armed Forces.

- Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the United States Armed Forces to family advocacy representatives of the United States Armed Forces.
- This bill includes unfounded complaints.
- This was an administration bill.
- The bill was passed and signed by the Governor.

Budget

Budget Background

- We approached session with a projected 1.5 billion dollar shortfall in the budget.
- The numbers looked better when session began, but everyone was braced for cuts.
- The legislature made it clear that they would take the “last one in, first one out” approach
- The House and Senate Republicans’ number one priority was reinstating state employee raises.

Budget

Budget Highlights

- **Increased TANF Benefits by 2.5 Percent**
 - Provides an additional \$2 million from the TANF block grant to increase the benefit payment by 2.5 percent for families participating in TANF.
- **Reformed Locality Groupings for TANF**
 - Provides an additional \$90,000 from the general fund and \$2.5 million from the TANF block grant to reorganize the three locality groupings for TANF cash assistance into only two.
 - This results in a modest increase in TANF cash assistance payments.
- **TANF for Community Eligibility Employment and Training Programs**
 - Provides an additional \$7.5 million from the TANF block grant for community employment and training programs.
 - \$2 million of this will be directed at grants to Employment Services Organizations.
- **Salary Raise**
 - Includes a two percent raise for state-supported local employees.

Elections: Governor's Race



Winner: ED Gillespie (R)

State Wide Primary Results:

Gillespie: 43.74% (160,003)

Stewart: 42.50% (155,466)

Wagner: 13.75% (50,313)

Total Votes Cast: 365,782

Elections: Governor's Race



Winner: Ralph Northam (D)

State Wide Primary Results:

Northam: 55.92% (303,531)

Perriello: 44.08% (239,285)

Total Votes Cast: 542,816

Elections: Lt. Governor's Race



Winner: Justin Fairfax (D)

State Wide Primary Results:

Fairfax: 49.22% (252,226)

Platt: 39.15% (200,606)

Rossi: 11.63% (59,616)

Total Votes Cast: 512,448

Elections: Lt. Governor's Race



Winner: Jill Vogel (R)

State Wide Primary Results:

Vogel: 42.81% (151,880)

Reeves: 39.99% (141,888)

Davis: 17.19% (60,998)

Total Votes Cast: 354,766

Elections: Attorney General's Race



Mark Herring (D)

No Primary

Current Attorney General



John Adams (R)

No Primary

Practicing Attorney

Elections: House of Delegates

2017 is an Election year for the House of Delegates also.

- 100 Seats in the House of Delegates
 - Republicans hold 66.
 - Democrats hold 34.
- Of the 66 Republican seats Democrats are challenging in 52.
 - 78% of seats being challenged.
- Of the 34 seats held by Democrats, Republicans are challenging in 6.
 - 17% of seats being challenged.
- 2015 House of Delegates election had only 39 contested races.

Questions?
