

# WORKING *WITH YOUR* STATE LEGISLATURE

States are laboratories of democracy, and state legislatures serve as an effective avenue for introducing an economy-wide carbon price. In this Climate XChange training factsheet we explore how to begin understanding your legislative process, learn how to engage your lawmakers, and start to develop effective legislative strategies for your carbon pricing bill(s).

## PART 1: UNDERSTANDING THE LEGISLATIVE PROCESS

Overall the general legislative process is similar across states, yet states do have different rules and political realities that shape their specific process. Among them are: **1**| the number of legislative members and staff **2**| specific legislative procedures **3**| political party control **4**| duration of the session **5**| timeline for bills **6**| institutional norms. It's important to have an understanding of all the factors that shape this process, and how they will directly impact the progress of your carbon pricing bill(s).

This part gives an overview of the legislative process, including how a bill becomes law as well as the the actors involved in the process.

### HOW BILLS BECOME LAW

Individual states have their own process for considering and enacting bills, but there are some common structures that all legislatures share. On the surface, most look something like this:

**A CARBON PRICE** is proposed and drafted into a bill, sponsored by one or more legislative champions.

**THE BILL** is formally introduced, then referred to an appropriate legislative committee. For carbon pricing, this committee usually deals with matters relating to energy and/or the environment.

**THE COMMITTEE** usually holds a hearing, and if they find support for the idea of a carbon price, may send it back to the main body (either the House or the Senate).

**THE BILL** is then scheduled for a vote, and if it passes, the process is repeated in the opposite chamber.

**ANY DIFFERENCES** between the two chambers bills are usually ironed out by a special joint committee, before being sent to the Governor for final approval.

If possible, you should work with state agency officials and interested professionals, as even if the carbon price passes, most details of implementation are worked out outside the legislative process.

You should also seek to understand the informal phases of the legislature. There are important formal dates and deadlines, but there are also general phases of a legislative session that are shaped by informal practices and legislative traditions. The best way to learn and understand these is to talk with other advocates, former lawmakers, and legislative staff.

### COMMITTEES

It is important to understand which committees your carbon pricing bill will go to. It is through the committee system that work in both houses are accomplished. The committees analyze the merits of your carbon pricing proposal, hold public hearings for input, and vote on whether it should be advanced for a floor vote in that chamber. Your bill will likely be assigned to a committee that primary works on energy and/or environmental issues.

## HEARINGS

Committees where the bills are referred often get together to have a hearing and collect testimony for your carbon pricing bill. These give you a chance to demonstrate broad support for carbon pricing in your state and attract media attention. Calendars are generally decided on early

## STATEHOUSE LEADERSHIP

Some legislators hold positions of authority within the legislature beyond those of the rank-and-file. These include: the speaker of the House and the president of the Senate (or equivalent positions), the majority and minority leaders and whips, the committee chairs, and other party leaders in the legislature. Knowing the policy priorities of leadership should inform your overall legislative strategy.

## LEGISLATIVE STAFFERS

It's common for legislatures to employ permanent staff and fiscal analysts who play a crucial role in providing nonpartisan policy research on bills. In the 15 states with term limits for their legislators, long term staff serve an important role as keepers of institutional memory. Individual lawmakers also commonly employ their own staff members too. Staff affiliated with individual lawmakers often play a role not only in policy development, but also constituent services.

## TIME IN SESSION

A legislative session is the period of time during which hearings occur, bills are introduced, and votes are taken. Depending on the state, legislators can spend anywhere between all year (New Jersey and Michigan) to only a few months (Florida and Utah) in session. States sometimes also only meet every other year (Texas and Montana). During times when they aren't formally in session lawmakers may spend time in their home districts campaigning or meeting with constituents.

## PARTISANSHIP & ELECTIONS

The political makeup of the state legislature is also a consideration in understanding your legislature

process. The Democratic and Republican parties often times have different starting points for understanding climate change, which can impact how they view your carbon pricing bill(s). Also the relative strength of the parties can make certain steps in the legislative process easier or harder to achieve. It's common for one party to maintain a veto proof supermajority of legislators over multiple sessions, giving legislative party leaders considerable clout over the state's Governor.

After a state election, be aware of how the balance of power, priorities of the Governor, and interpersonal conflicts between legislators evolve. All these factors can change significantly between sessions, and are primarily driven by the outcomes of major elections.

## PART 2: ENGAGING WITH A STATE LAWMAKER

While the legislative process is the same in every state, each lawmaker you interact with will always be unique. In this section we'll discuss the policy making constraints facing legislators, how to craft a biography for a lawmaker, and tips for effectively engaging them.

### FROM THEIR PERSPECTIVE

Lawmakers come from all walks of life and bring with them a broad set of priorities, agendas, alliances, personalities, and biases. When it comes to policy the norm is that legislators are generalists, not experts on specific issues. They have to take a stance on nearly every issue from zoning to public health—and would likely benefit from your perspective on climate change and carbon pricing.

### QUICK TIPS FOR ENGAGING WITH LAWMAKERS

**KEEP IT SIMPLE AND SHORT** Lawmakers and their staff are generally really busy, interactions should be short and get to the point quickly, while still being effective. Always be sure to clarify your support for the carbon price, explain why, and ask for the legislator to support the bill(s).

**MENTION THE BILL NUMBER, TITLE, AND SPONSOR** Make it easier for the lawmaker and their staff to reference the bills quickly, and avoid unnecessary frustration, by making this information clear on all documents and leave behinds.

**BACK UP YOUR OPINIONS** Make sure you aren't simply ranting about why you support a carbon price. Backup your argument using data about the positive impacts on the state's climate, economy, or their individual constituents. But make sure to keep factsheets as short as possible, one page is preferable.

**TELL YOUR STORY** When communicating with lawmakers make sure to include your name, how they can contact you, and a short bio. Maybe mention your career field, where you live, or highlight some shared social connection.

**ALWAYS ATTEMPT AUTHENTICITY** Personalize all written or emailed communications, avoid templated or cookie-cutter emails and letters. Lawmakers are more likely to read and respond to authentic communications.

**CONSTITUENTS ARE KEY** It's always best to have individuals who live in a legislative district contact their specific lawmaker. Oftentimes legislative offices find it rude, and consider it a waste of their time for non-constituents to request meetings with them. Constituents can also better frame the need for and benefits of carbon pricing in the local context.

### CRAFTING A LAWMAKER'S BIO

A useful exercise is to create legislative bios for each lawmaker, especially for key lawmakers, and make them available to members of your state's carbon pricing coalition.

Bio information to consider:

- Towns/neighborhoods they represent
- Applicable leadership positions in their chamber
- Education and professional background

Political history

Social affiliations or organizational memberships

Support for previous climate/energy legislation

Best contact information

List of key staff members

Committees they serve on

Issue(s) championed in political career

Publicly stated political priorities

Top donors

Biggest employers in their districts

Demographics of their constituents

### OTHER STRATEGIES FOR EFFECTIVE COMMUNICATION

Establish yourself as the 'go-to' person for all carbon pricing matters. Contact key legislators, meet with them, and identify yourself as a knowledgeable and dependable resource for all things carbon pricing.

Also in some states, the best way to influence legislators may be by building a relationship with key staffers. Follow up with those you meet by contacting them periodically as a reminder that you are interested in being a resource. A good time to contact them might be right after a newly released report on climate change or carbon emissions.