

PreventionFIRST!
2020 Coalition Academy



Advocacy 101

Jean-Philippe B. Dorval, RA
Prevention Action Alliance

PreventionFIRST!

2020 Coalition Academy



Housekeeping Notes:

- Continuing education will only be awarded for those who view the live session
- You must attend the entire training to receive continuing education hours
- Post event evaluation surveys are required to receive continuing education
- For Social Work/Mental Health Counselor credits you must provide your license number in the post event evaluation survey
- For CHES credits, you must provide your CHES ID in the post event evaluation survey
- You will receive your certificate for continuing education by email within **30 days** of this training.

Advocacy 101

*Jean-Philippe “JP” Dorval, Advocacy
and Public Policy Liaison*

Prevention
Action Alliance

Lifetime Prevention | Lifetime Wellness



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preventionactionalliance.org

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Introduction

Advocacy and Public Policy Liaison

Former Senior Legislative Aide to
Senator Charleta B. Tavares of the 15th
District



A photograph of the Ohio Statehouse building, a grand neoclassical structure with a prominent portico of columns and a central dome. The building is set against a clear blue sky. A green semi-transparent banner is overlaid on the top left portion of the image, containing the word 'Overview' in white text. The foreground shows a paved walkway leading to the building's steps, flanked by green lawns and small trees.

Overview

Senate

- 33 Members
- Larger Districts/Larger Constituency
- The 16 even-numbered districts out of 33 seats in the Ohio Senate are up for election in 2020
- The 17 odd-numbered districts out of 33 seats in the Ohio Senate are up for election in 2022

Ohio Statehouse 1 Capitol Square,
Columbus, OH 43215



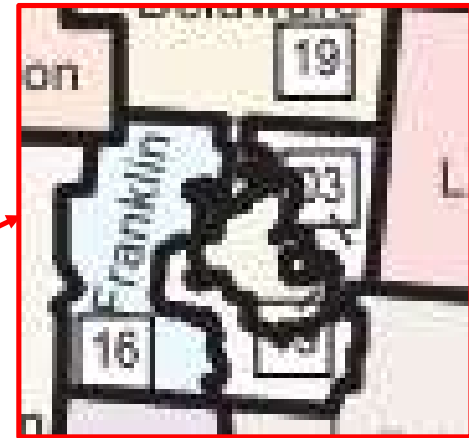
Office Structure

Senate

- 2 Legislative Aides
- 1 Page, 1 Intern, 1 Fellow



OHIO SENATE DISTRICTS 2012-2022
(AS ADOPTED 2012)



For the most up-to-date and detailed information on each district, please contact the local courtv board of elections.

Last Revised 02/2018



Overview

House

- 99 members
- Smaller Districts/Smaller Constituency
- Every even-numbered year, all the seats are up for re-election

Vern Riffe Center 77 S High St, Columbus,
OH 43215

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NK2
NK3

Office Structure

House

- 1 Legislative Aide
- 1 Page 1 Intern, 1 Fellow

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Source: Canfieldcardinal.com

Slide 9

NK2 This slide was custom built so you can change the background image behind the section title and white PAA logo.

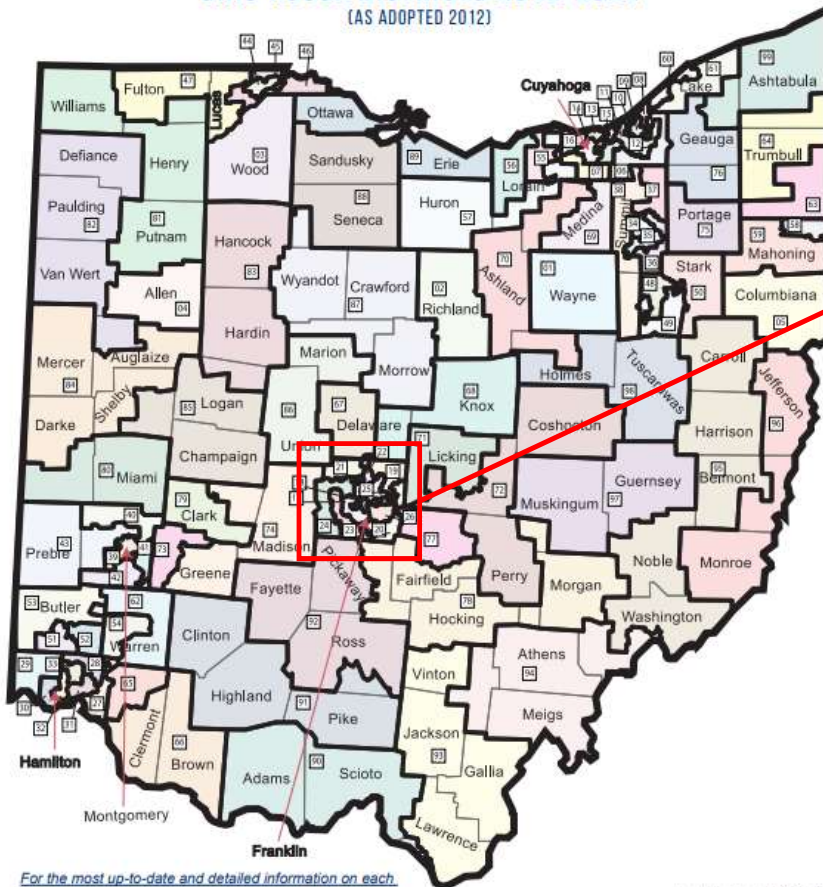
Nathan Kraatz, 3/9/2018

NK3 You have to right click on the image and click change picture.

Nathan Kraatz, 3/9/2018



OHIO HOUSE DISTRICTS 2012-2022
(AS ADOPTED 2012)



For the most up-to-date and detailed information on each district, please contact the local county board of elections.



Office Function

Staff Responsibilities

- Constituent Issues/Constituent Relations
- Ghostwriting and/or Editing/Revision
- Commendation Drafting
- Scheduling
- Legislation Drafting Requests
- Inter-Office Communication
- Caucus Communication
- Stakeholder Communication



General Assembly Life Cycle

- New General Assembly Every 2 years
- Currently near the end of the 133rd General Assembly
- Legislation needs to be reintroduced every General Assembly
- Biennium Budget completed in the spring/summer of 1st year
- Capital Budget typically completed by the start of 2nd year





Advocacy vs. Lobbying

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Source: Canfieldcardinal.com

Advocacy

Prevention
Action Alliance





Lobbying

Prevention
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Office of the Legislative Inspector General

The OLIG is the ethics advisory office to Ohio's legislative branch of government. Through the Joint Legislative Ethics Committee, it provides ethics, conflict of interest, and financial disclosure guidance to members and employees of the general assembly, candidates for the general assembly, and the employees of the state's legislative agencies.





Community Anti-Drug Coalitions of America

Community Anti-Drug Coalitions of America (CADCA) is the leading U.S. substance abuse prevention organization, representing over 5,000 community-based coalitions across the United States.





*Internal Revenue Service (IRS)

The Internal Revenue Service (IRS) administers the federal tax laws that Congress enacts. The IRS performs three main functions—tax return processing, taxpayer service, and enforcement. In addition, the IRS conducts criminal investigations and oversees tax-exempt organizations and qualified retirement plans.





*Internal Revenue Service (IRS)

Total Annual Exempt Purpose Expenditures	Percent that May be Spent on Lobbying	Maximum Lobbying Expense	Maximum Grassroots Lobbying Expense – Limited to 25% of Lobbying Expenses
\$500,000 or less	20%	\$100,000	\$25,000
\$500,000 to \$1 million	\$100,000 + 15% over \$500,000	\$100,000 to \$175,000	\$25,000 to \$43,750
\$1 million to \$1.5 million	\$175,000 + 10% over \$1 million	\$175,000 to \$225,000	\$43,750 to \$56,250
\$1.5 million and over	\$225,000 + 5% over \$1.5 million	\$225,000 to \$1,000,000	\$56,250 to \$250,000






Disclaimer

- The following information regarding lobbying in the state of Ohio is based on information in the Ohio Lobbying Handbook and a presentation from the Ohio Joint Legislative Ethics Committee Office of the Legislative Inspector General.
- This is not legal advice and should not be used by state partners outside of the state.





Advocacy vs. Lobbying

Advocacy (Merriam-Webster Definition)

The act or process of supporting a cause or proposal

Advocacy (CADCA Definition)

Doing whatever you can to educate people on your position

Lobbying (OLIG Definition)

Attempting to influence a lawmaker, executive agency or retirement system decision-maker on a public policy matter

Lobbying (CADCA Definition)

Taking a specific position on a specific piece of legislation



Lobbying

- Compensated to advocate the interests of another
- Lobbyist Categories: legislative agents, executive agency lobbyists, or retirement system lobbyists.
- If attempting to influence legislation, categorized as a legislative agent
- Lobbyists are often both legislative agents and executive agency lobbyists.





Office of the Legislative Inspector General

Lobbying does not include any of the following

- Grassroots efforts.
- Contacts made for the sole purpose of gathering information contained in a public record.
- Appearances before public hearings.
- News, editorial, etc.
- Publications primarily designed for and distributed to members of bona fide associations, or charitable or fraternal nonprofit corporations.





Lobbying Triggers

1. **Compensation:** The lobbyist must receive compensation for conducting lobbying activity





Lobbying Triggers

2. **Direct communication:** The lobbyist must directly communicate with a **reportable person**





Who is a Legislative Reportable Person?

- Any member of the general assembly or controlling board.
- The head of any department or agency listed in Appendix C (Ohio Lobbying Handbook p. 93)
- Any legislative staff listed in Appendix D (Ohio Lobbying Handbook p. 95)
- The Governor
- Any staff of the governor or department listed in Appendix C who is required to file a financial disclosure statement.

Ohio Lobbying Handbook p. 15





Who is a Legislative Reportable Person?

Visit www.ohiolobbying.com for an up-to-date list of legislative staff required to file a financial disclosure statement and the names of the individuals holding each position.





Lobbying Triggers

3. Amount of compensated time lobbying by employer:

- **Legislative Lobbying: 5%**
- **Executive Agency Lobbying: 25%**
- **Retirement System Lobbying: 25%**





Ways to Advocate

- Calling your Representative or Senator
- Emailing your Representative or Senator
- Writing your Representative or Senator
- *Having your community members call, email, or write in
- Giving testimony on a piece of legislation
- *Organizing an Advocacy/Legislative Day
- Invite Senator or Representative to speak, attend or acknowledge a community event through a commendation
- *Write and submit editorials or public statements
- Write and distribute in house publications primarily designed/distributed to members of bona fide associations or charitable/fraternal non-profit corporations





How to find an ally

- Your local Representative or Senator
- Sponsors of bills you support
- Legislators who have a background in your field
- Legislators you've had contact with
- Legislators with an interest in your field





How to tell your story

- Issue Framing
- Party Politics
- First-hand constituent accounts



Is it lobbying?





Scenario #1

Concerned school teacher calls into her state representative's office about House Bill 500 which eliminates the use of recycling bins at public schools. After the end of the school day, the teacher leaves a voicemail asking that her representative vote against House Bill 500 as it will negatively impact the environment. The teacher has called the office many times before about pieces of legislation she cares about.





This is an example of advocacy

Concerned school teacher calls into her state representative's office about House Bill 500 which eliminates the use of recycling bins at public schools. After the end of the school day, the teacher leaves a voicemail asking that her representative vote against House Bill 500 as it will negatively impact the environment. The teacher has called the office many times before about pieces of legislation she cares about.

Compensation

Direct Communication

Time





Scenario #2

Community Relations Manager from the State Plumbers Association calls into a legislative office weekly to check the progress of a bill the association supports. During the calls the discussion ranges from questions about the language within the bill, to questions about strategy. One of the calls was with the representative directly while the rest have been with the legislative aide. All the calls are made over the course of the work day.



This is an example of lobbying

Community Relations Manager from the State Plumbers Association calls into a legislative office weekly to check the progress of a bill the association supports. During the calls the discussion ranges from questions about the language within the bill, to questions about strategy. One of the calls was with the representative directly while the rest have been with the legislative aide. All the calls are made over the course of the work day.

Compensation

Direct Communication

Time





Scenario #3

Physician takes a day off to participate in an advocacy day hosted by the State Association of Physicians. During the day the physician has a meeting with a senator who is sponsoring Senate Bill 700, a bill the association supports. During the meeting, the physician thanks the senator for introducing the bill and asks that the senator does all she can to get the bill passed out of the senate. This is the only time the physician has communicated with the Senator and the legislature about the bill.





This is an example of advocacy

Physician takes a day off to participate in an advocacy day hosted by the State Association of Physicians. During the day the physician has a meeting with a senator who is sponsoring Senate Bill 700, a bill the association supports. During the meeting, the physician thanks the senator for introducing the bill and asks that the senator does all she can to get the bill passed out of the senate. This is the only time the physician has communicated with the Senator and the legislature about the bill.

Compensation

Direct Communication

Time





Scenario #4

Local coalition leader has testified on numerous pieces of legislation over the course of the coalition's fiscal year. Following the testimonies, the coalition has had little to no contact with the legislature as most legislative communication flows through the coalition's state association who they work with.





This is an example of advocacy

Local coalition leader has testified on numerous pieces of legislation over the course of the coalition's fiscal year.

Following the testimonies, the coalition leader has had little to no contact with the legislature as most legislative communication flows through the coalition's state association who they work with.

Compensation

Direct Communication

Time





Lobbying Snapshot: Indiana

- Regulatory Agency: Indiana Lobby Registration Commission (ILRC)
- Lobbyist Defined. Under IC 2-7-1-10, a “lobbyist” is a person who”
 - (1) engages in lobbying; and
 - (2) in any registration year, receives or expends an aggregate of at least five hundred dollars (\$500) in compensation or expenditures reportable under IC 2-7 for lobbying, whether the compensation or expenditure is solely for lobbying or the lobbying is incidental to that person's regular employment.
- “Unless one meets both tests, registration is not required.”





Lobbying Snapshot: Indiana

- Resources
 - Compilation of Informal Advice to Lobbyists
 - ICLEF Training Presentation 2016
 - Indiana Legislative Lobbyist Handbook





Lobbying Snapshot: Kentucky

- Regulatory Agency: Kentucky Legislative Ethics Commission
- Legislative Lobbying – “to promote, advocate, or oppose the passage, modification, defeat, or executive approval or veto of any legislation [or administrative regulations] by direct communication with any member of the General Assembly, the Governor, the secretary of any cabinet listed in KRS 12.250, or any member of the staff of any of the officials listed in this paragraph.” KRS 6.611(26)(a).
- Each calendar year that a person qualifies as a Legislative Agent, the Legislative Agents and his or her employer must register with the KLEC.





Lobbying Snapshot: Kentucky

- Resources

- YouTube - Kentucky Legislative Ethics Training for Lobbyists, Jan. 17, 2020
- Kentucky Legislative Ethics Commission – klec.ky.gov
 - (502) 573-2863
- Bolder Advocacy Program’s Kentucky Lobbying Disclosure PDF





Key Takeaways

- Strategies to avoid issues
 - Avoid compensation
 - Communicate with officials off the clock
 - Talk about issues not bills
 - Work through an association or a firm
 - Testify on legislation to voice complaints
 - Communicate on behalf of yourself as a constituent
 - Do not use federal funds or grant funding





Who to call with questions

- Call the Office of the Legislative Inspector General at 614-728-5100
- Visit their website Ohiolobbying.com
- Look up the Ohio Lobbying Handbook
- Contact your state level association





Who to call with questions

- Prevention Action Alliance
 - JP Dorval
 - jpdorval@preventionactionalliance.org
 - 614-540-9985 ext. 22



Glossary

- **Amendments** - Any alteration made (or proposed to be made) to a bill or clause by adding, deleting, substituting, or omitting.
- **Committee Chair** – Highest position on a committee usually held by a member of the majority party. Sets schedule for committee hearing and decides what bill will be heard.
- **Conference Committee** - Members from both chambers that come together to work out the differences between the House and Senate versions of a bill.
- **Committee Vice Chair** – Supports the Chair, will take over in case of Chair's absence
- **Continued** - hearings on measure will continue
- **Interested Party** - interested only, not in favor nor against
- **Legislative Aide (In House and Senate)** – Aide to a Senator or Representative. Responsible for half or all of the office functions including but not limited to committee functions, stakeholder relations, constituent relations and administrative tasks.
- **Legislative Services Commission** – Legal arm of the legislature. Responsible for writing the official language for all bills, commendations and resolutions. Also responsible for research upon request.
- **Measure** – General term for bill, resolution or memorial.
- **Opponent** - those against
- **Proponent** - those in favor
- **Ranking Member** – Lead committee member for minority party. Responsible for advocating on behalf of the minority party's interests and stances
- **Reported** - Action by a committee on a measure which moves the measure out of the committee. A measure may be reported out with a do pass, do not pass, amend, substitute, refer to another committee, or no recommendation.
- **Senior Legislative Aide (only in Senate)** – Head aide to the Senator mainly responsible for committee functions, stakeholder relations, constituent relations and administrative tasks. Responsibility is shared with the Legislative Aide
- **Substituted** - the substitute replaces the original bill or resolution.

Prevention Action Alliance

Lifetime Prevention | Lifetime Wellness

JP Dorval

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<https://preventionactionalliance.org/>

*Prevention Action Alliance is a 501(c)3 nonprofit based in Ohio
dedicated to leading healthy communities in the prevention of
substance misuse and the promotion of mental health wellness.*

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Questions?

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Post Training Info:

- Please complete the evaluation survey in the post event email.
- The recording and supplemental materials will be available on the PreventionFIRST! website under **TrainingHUB**.

• **STAY CONNECTED:**  [@PreventionFIRST](https://www.facebook.com/PreventionFIRST)

 [@PrevFIRST](https://twitter.com/PrevFIRST)

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