

County Commissioners Association
of Pennsylvania

Tool Kit Grassroots Tool Kit



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A note from the Government Relations Staff

The County Commissioners Association of Pennsylvania (CCAP) staff has daily contact with members and staff of the General Assembly, but local county officials and their staff also have an important role to play in CCAP's effectiveness as a lobbying organization. Similar to many other associations representing various interests before the state legislature, grassroots lobbying is an important part of CCAP's policy efforts on behalf of counties. As county commissioners and council members know very well, elected officials are ultimately accountable to their constituents. CCAP lobbyists represent a larger statewide body consisting of the interests of all 67 counties, so when we talk with individual legislators, we are often asked how an issue we are lobbying impacts the legislator's home county. Legislators are primarily concerned with how an issue impacts their particular district, so a message from the local level that reinforces the CCAP message is often what it takes to persuade a legislator to support CCAP's position.

Periodically you receive a "*call to action*" via e-mail or fax asking you to contact your House and/ or Senate members to convey a position on a bill that they will be considering. When those calls to action come, we hope you will consider picking up the phone or sending a note to ask your legislators to take action. But ideally before you need to ask someone for something, you want to have a rapport with the person from whom you need action.

Many county officials already have personal and/or political relationships with their legislators, but newly elected county officials find themselves needing to work with their legislative delegation in a different capacity, or just to build a stronger relationship with their legislators in general. Whatever your situation, this Tool Kit is designed to give you some tips and pointers that will help you improve these relationships for the good of your county and to achieve CCAP's policy objectives.

In addition to this publication, CCAP will begin sending periodic session updates, while continuing our normal publications such as the *Legislative Bulletin*. The session updates will give you a prospective look at key lobbying issues in the coming months. We hope this will be useful to you in your periodic meetings with your legislative delegation. These quarterly updates will be distributed via fax and the pacounties list serve. If you would like to be sure you don't miss these communications, please send your e-mail address to kgoshorn@pacounties.org. The government relations staff is always available to answer member questions or provide assistance as you talk with your legislators about county issues.

Brinda Carroll Penyak
CCAP Deputy Director
Office: 717-232-7554 x3137
Cell: 717-497-2633
bpenyak@pacounties.org

Kristen Goshorn
Government Relations Manager
Office: 717-232-7554 x3113
Cell: 717-448-1663
kgoshorn@pacounties.org

Zachery Ausherman
Government Relations Specialist
Office: 717-232-7554 x3113
Cell: 717-440-4217
zausherman@pacounties.org

Seven Strategies for Communication with your Legislative Delegation

1. **Some forms of communication are more effective than others-** Aside from a face-to-face visit, telephone calls or a personal e-mail or letter are most effective. These are preferred over a communication from an automated system such as the CCAP legislative action center.
2. **Explain the issue as simply and straightforward as you can.** Be sure to include the local impact- how this issue will affect your county, how much money it will cost local taxpayers, etc. Be prepared to provide the legislator with a bill number whenever possible.
3. **Utilize your key county staff as a resource.** If the issue you need to discuss impacts funding of county children and youth programs, consider taking your agency director with you to the meeting. These types of individuals can provide an important perspective as well as technical expertise.
4. **Seize the opportunity to talk to staff as well as legislators.** If a legislator is not available, don't decline an invitation to talk to a member of his or her staff.
5. **Establish yourself as a resource on county issues.** You are the expert on issues impacting your county. Offer to provide any assistance you are able to give your legislator(s) on any county issues that come before the General Assembly.
6. **Meet with your legislator at home in the district.** It is not always necessary to come to Harrisburg to visit your Senator or Representative. CCAP encourages all commissioners to participate in its organized legislative workdays at the Capitol, but visits in the local offices while the legislature is not in session are also effective. When the legislature is not in session, the legislator may be able to afford more time to meet with you locally than would be available at the Capitol in the midst of voting sessions, committee meetings and caucus.
7. **Emphasize the local connection.** You bring the local perspective to any issue, and have a shared constituency with your legislators. The well-being of those constituents is the greatest interest for you as a local elected official, as well as for the state legislator.

Communicating with State Officials

in the Electronic Age

Just like the private sector, public officials are increasingly more connected through electronic communication media such as cell phones and PDAs, but a personal visit or a handwritten letter never go out of style as effective lobbying tools. When choosing your method, consider what you know about the legislator's personal preferences, as well as the speed with which you need to get your message through. The following are a few medium-specific tips for communicating with your legislators.

Visit Your Legislators

- Make an appointment.
- Let them know what issues you want to discuss.
- Prepare to state your position in fifteen minutes or less.
- Ascertain their position.
- Bring materials to leave with them.
- Follow up afterward.

Phone Your Legislators

- Make notes before the call.
- State the issue- be specific.
- Explain your position using three of your most compelling arguments.
- Ask for a position.
- Follow-up where needed.
- If they don't call back, keep calling.

E-mail Your Legislators

- Personalize it, but keep it brief.
- Make sure they know it's coming from a constituent.
- State your position in the beginning.

Write Your Legislators

- Include your return address in the body.
- If you are a constituent, say so.
- State your position in the first paragraph of the letter- be specific.
- Say it in a page or less.
- Ask for a response.

No Matter The Contact Method Or Medium. . .

Focus on a limited number of issues.— Plan three to five key talking points to support your position.— Avoid technical jargon. —Offer to be a resource, and follow-up on your promises. Make the local connection—why is this issue important to their district?

Meeting with your Legislators and the Sunshine Law

The Pennsylvania Right to Know Law dictates when meetings must be open to the public. When commissioners discuss meeting with their legislators as a group, concerns are often raised about whether this becomes a public meeting if a quorum of the county board is attending.

Title 65, beginning with section 701, sets a general standard that all meetings of covered agencies at which agency business is transacted are open to the public, unless closed for some reason specifically stated in the law. This law creates a three part test for determining whether a meeting is subject to the law. All three conditions must be met for the law to apply:

- 1. Prearrangement-** Typically this includes the normal advertised regular or special meetings, but can include other meetings for which the members of the agency received advance notice. It does not include chance encounters, nor does it include other nominally “scheduled” public events such as church services, theater events, and so on.
- 2. Participation by a quorum-** This test is commonly met for most county boards, which consist of three members and thus have a quorum any time two are present.
- 3. Deliberations or official action on agency business-** The definitions of either “deliberations” or “official action” must be met. Deliberations are “the discussion of agency business held for the purpose of making a decision,” and official action includes (1) recommendations made by an agency pursuant to statute, ordinance or executive order; (2) the establishment of policy by an agency; (3) the decisions on agency business made by an agency; or (4) the vote taken by any agency on any motion, proposal, resolution, rule, regulation, ordinance, report or order.

If you are conducting a meeting between your legislators and one or more of your fellow commissioners or a quorum of your council members, the prearrangement and quorum tests have clearly been met. The outstanding question that remains is whether this meeting constitutes deliberations or official action on agency business.

Agency business is defined in the law as “the framing, preparation, making or enactment of laws, policy or regulations, the creation of liability by contract or otherwise, or the adjudication of rights, duties and responsibilities, but not including administrative action.” Case law does not address this issue, but the types of topics you will discuss in this meeting likely dictate whether you are in fact deliberating agency business. For example, a discussion of general policy topics on behalf of CCAP would likely not be considered agency business, but lobbying on a county-specific issue may be considered agency business.

If you are unsure whether the agenda for your legislative visit constitutes agency business, please discuss the circumstances with your solicitor.

Lobbying for County-Related Funding in the Commonwealth Budget

Budget lobbying encompasses a large and intensive portion of the legislative calendar. The Governor’s proposed budget is announced in February and the final Commonwealth budget is not required to be adopted until June 30. The challenges of lobbying the budget are unique from most other policy issues, but grassroots involvement is still very important. Here are a few things of which county officials should be aware:

Budget Challenge: Many important Commonwealth budget decisions are ultimately made by a few people.

Strategy: Counties with contacts to leaders in the House and Senate are necessary in budget lobbying, but contacts to the rank and file are also important. When making funding requests of rank and file members, your challenge is to convince them of the importance of the topic you are discussing, and your “ask” should be that they urge their leaders to support your cause. Counties with contacts to leadership can work directly at educating the leaders and keeping county funding issues on their budget agenda so that the county message is carried to the negotiating table.

Budget Challenge: Thousands of groups and individuals are competing for a larger amount of state funding.

Strategy: This is a prime example of when it helps to have an established relationship with your legislator before you need something from them. During budget season, legislators are inundated with contacts from people they have never met, or only see when they make an annual call to ask for funding. You will have an edge over everyone else. Remember that you serve shared constituencies, so you can appeal to your common interest in joining together to protect the best interest of those constituents. As a local official, you are the most credible source for information on the local impact of budget issues.

Budget Challenge: Human services funding continues to be one of CCAP’s biggest Commonwealth budget fights, but commissioners are often further removed from these issues than their department heads and human services professionals.

Strategy: CCAP encourages commissioners to consider putting the expertise of trusted county staff into use during meetings with your legislators regarding the budget. They may be able to assist you with providing some facts and figures, as well as on the ground examples of how funding cuts to state mandated program “x” have affected your constituents. The following page discusses rules and regulations that apply to county employees who engage in advocacy.

County Employees and Human Services Advocacy

As county, state and federal legislators are charged with making critical budget and policy decisions that affect constituents it is imperative that they are provided with accurate, detailed information to assist them in making informed and responsible choices. CCAP encourages counties to communicate directly with their state and federal legislators to keep them informed. When human services issues are discussed, commissioners and key county human services staff should make joint visits and contacts with their legislators.

County employees covered by the Hatch Act and/or the Civil Service Act are able to assist commissioners in presenting county human services facts and needs to state and federal legislators. The Hatch Act covers state, county and municipal executive agencies in connection with programs financed in whole or in part by loans or grants made by the United States or a federal agency. The Civil Service Act covers all state and county employees that are currently employed under Civil Service status.

What are covered county employees permitted to do?

- Prepare and deliver testimony.
- Educate legislators, in writing or in person, about human services funding and policy issues
- Host and attend legislative events such as human services advocacy day or candidate forums

What are covered county employees not permitted to do?

- Be candidates for public office in a partisan election
- Use official authority or influence to interfere with or affect the results of an election or nomination
- Directly or indirectly coerce contributions from subordinates in support of a political party or candidate

The Hatch Act can be found on the internet at http://www.osc.gov/ha_state.htm. The Civil Service Act is located on the State Civil Service Commission Web site at <http://www.scsc.state.pa.us>.

User Guide To CCAP's Legislative Action Center

CCAP makes available to all members a software tool that allows you to quickly contact your legislators on a given issue. CCAP staff composes the text of the message for you, and by entering the Legislative Action Center you are able to edit this text and send it directly to your legislator. Members are encouraged to personalize the text of these messages, and add facts specific to your county. It is an address-driven system for constituent-to-legislator contacts, so its use is limited in counties that have more than one legislator. However, we would encourage you to use the site, copy the text of the pre-written message, and paste the text in another document or E-mail client so that it can be sent to all legislators in your county.

Step 1

To use the Legislative Action Center, go to the CCAP home page and click on the legislative action center icon, or go directly to the following link: www.capwiz.com/pataxfairness

Step 2

Click on the “Take Action” button that corresponds with the issue you wish to send a message to your legislator about.

Step 3

If you have not been to the site before, you will be asked for your zip code. Enter it and you will be redirected to a page that contains the text of the message. (The text of the message and subject line can both be edited- you may personalize the message.)

Step 4

If you choose to send the message through the electronic system, you will enter your contact information in the “Sender Information” section. (Check the box next to “Remember Me” and you won’t have to do this again when you access the site from the same computer.)

Hint: Printed correspondence- The system is set to automatically send an E-mail correspondence. If you would like to send a printed letter instead, you can select “Printed Letter” which is located just above the subject line of the message.

Hint: Sending to all legislators in your county- The system allows only constituent to legislator contacts. To send the message to all legislators from your county, copy the text of the message and paste it into your E-mail client or a separate document.

Step 5

Click the “Send Message” box.

Pennsylvania's Legislative Process: A Refresher Course in the Basics

The Pennsylvania General Assembly has 253 members- 203 members in the House of Representatives and 50 Senators. Representatives run for re-election every two years, Senators serve four year terms, but Senatorial elections are held every two years, so in any even-numbered year only half of the Senators are up for re-election. A legislative session lasts two years, beginning with the odd-numbered year and ending with the even-numbered year (i.e. 2007-2008 legislative session). At the end of a two year session, all bills die but can be reintroduced in a subsequent session.

General Assembly Consideration Of Legislation

A bill may originate in either chamber. It is assigned an identification number based on the chamber of origin (i.e. House Bill 4, Senate Bill 56). Each bill also has a printer's number- this number changes every time the text of the bill is modified in any way.

After a bill is introduced, it is assigned to a standing committee. Committees may hold hearings on the bill, or simply vote it out without a hearing. A committee chair may also choose not to bring a bill up for a vote.

If a bill makes it out of committee, it must be considered on the floor of the originating chamber on three separate days. Sometime during this time period, both Republican and Democrat caucuses will review the bill. The bill also must be passed through the Appropriations Committee for a fiscal note before final consideration. If the bill is ultimately brought up for a vote, debate only occurs on Day 3 of consideration. If the bill passes, it moves to the other chamber, and the committee review process and three separate considerations must be repeated.

If the second chamber amends the bill, it must return to the chamber of origin for a concurrence vote. **Both chambers have to agree on an identical version of the bill before it moves to the Governor's desk.** This means a bill may be exchanged between chambers several times before a compromise is reached. If both chambers insist on different amendments, the bill moves to conference committee to craft a compromise, and both chambers must approve the conference report before it advances to the Governor.

Governor's Consideration of Legislation

When a piece of legislation arrives on the Governor's desk, he/she has ten days to act. The Governor has several options:

- Sign the legislation as is.
- Not sign the legislation. The bill automatically becomes law if not acted upon.
- Veto the bill. A veto can be overridden by a 2/3 majority vote in both the House and Senate.
- Veto certain portions of budget legislation, known as the line-item veto. Line item vetoes can also be overridden in the same manner as a full veto.

A bill that becomes law is assigned an act number, and will be called Act ## of (year). In other words, there is an Act 1 of 1956, Act 1 of 1922, Act 1 of 2006, etc. The Act will be codified into existing law.



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**17 North Front Street
Harrisburg, Pennsylvania 17101-1624
717-232-7554
FAX: 717-232-2162**