

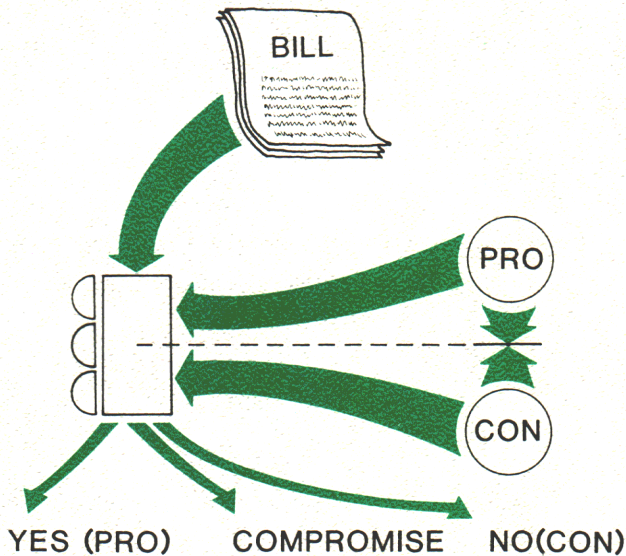
In December, the House passed the wetlands bill. Because the House and Senate versions of SB-3 differed "as amended," it went to a conference committee composed of key legislators from both chambers to negotiate acceptable compromises. By late December, both chambers gave final approval to the wetlands protection bill and it was sent to the governor, who signed it on the last possible day before it would automatically become law. On January 3, 1980, SB-3 became Public Act 203 of 1979. The governor did praise the bill in press releases, saying it was:

a forward-looking and workable wetlands control bill. While it is not the perfect solution, it represents a major step forward in protecting Michigan's resources and native beauty. It also will allow the state to take over from the (federal) Environmental Protection Agency and the Corps of Engineers a number of wetlands use permit programs — giving us greater control over our own destiny.[7]

RESTRICTIONS ON WETLANDS PRESERVATION

Some opposing legislators still claim that they in truth won the wetlands fight by "gutting" the legislation with the provision that it immediately apply only to counties of 100,000 or more population (temporarily exempting 66 of Michigan's 83 counties)* and specifying that it will not affect the rest of the state until a statewide inventory of wetlands is completed.

ADVOCACY LEGISLATION



*The 17 counties immediately affected by the Wetlands Protection Act do contain 80 percent of Michigan's population, but less than 20 percent of the state's land area.

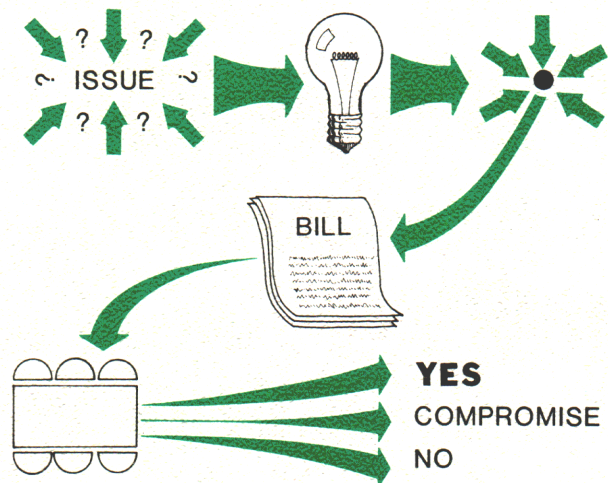
ADVOCACY AND CONSENSUS APPROACHES

The Wetlands Protection Act is an excellent example of a long, hard fight. Its history should bring some reality to citizens hoping to quickly influence legislation. The length of the wetlands fight, however, was due mostly to the way it was developed in its very early stages. A good idea was specified in bill form, introduced and legislators quickly lined up on opposing sides to debate its many details. Eventually, after twelve years, a passable compromise was reached. We call this the "advocacy approach." It always takes time, since it is far easier to kill an idea than it is to hammer out an acceptable compromise in a hostile setting.

Some bills, in contrast, are real "quickies." Such a bill may be introduced, referred to committee (where it is hardly touched before being reported out favorably), and passed in floor debate with many legislators standing up simply to praise the bill. Then it whisks through the other chamber with the same speed and lack of amendments. This kind of bill is a recent development in the governmental process and is a product of everybody and anybody concerned with the idea joining a "task force" to study the question before the bill is drafted. Sometimes legislators, university professors, and lobbyists for industries, the environment, and consumers get together to hammer out the intent of a bill and then develop its exact wording. Next, they all agree not to fight the bill they helped prepare while it travels through the legislative mill. Consequently, it races through like lightning. We call this the "consensus approach" to legislative change.

The land inventory bill (SB-443 of the 1979-80 session) is an example of the consensus approach. It proposed to inventory existing and potential land use throughout the state. The wetlands bill, you will recall, defined wetlands and established measures for their protection; the land inventory bill would apply the definition by mapping the land-use patterns and establishing boundaries for each of the wetlands areas (as well as 300+ other land uses). Since, for most of the state, the

CONSENSUS LEGISLATION



key provisions of the Wetlands Protection Act would go into effect only after the land inventory survey was completed, the two bills were linked together.

As an example of the advocacy approach, the Wetlands Protection Act took 12 years to pass; the land inventory bill, fashioned by consensus, took less than 18 months. Consensus legislation can move fast and, therefore, it deserves special attention. Obviously, it is important to establish an open consensus process or one can get quick bills worked out in those notorious smoke-filled back rooms by a small group of insiders. Speed and efficiency are not always in the public interest.

THE LEGISLATIVE PERSONALITY

Personalities make the governing process what it is in actuality — people like the chairman of an environmental committee refusing to consider major environmental protection proposals; sponsors persisting doggedly for years on pet issues; young, ambitious legislators possibly expressing their greater political (or other) ambitions through “Johnny-come-lately” bill sponsorship. All these personality traits and many more make politics political. Therefore, to operate knowledgeably, personality differences must be recognized.

People come to politics from a wide variety of backgrounds (see the box “Facts About the Legislature” on p. 9). However, freshmen legislators often share an initial idealism; they want to serve and “make a difference.” As one political leader put it, his initial goal was to “win the

world for improvement.” Eventually it became “win one or two improvements,” and now his aim is to “try not to lose too many.”[8]

Despite the disillusionment of experienced politicians, the public’s image of the elected representative is of the Ideal Leader, Just Lawmaker, Tireless Worker, Wise Problem Solver, and even All-Knowing Parent. Trying to measure up to these expectations is one of the stresses of the job. Nonetheless, there are rewards that encourage many to seek re-election. First of all, legislators earn an adequate living; they are paid a competitive salary (currently Michigan legislators receive \$27,000 per year, plus up to \$5,200 in expenses) and are not limited in making additional income. Politicians also receive their share of recognition from the press and the general public. Third, most enjoy the tasks of talking to constituents, staff, lobbyists and other legislators and the power associated with being on the inside shaping public policy.

Some lawmakers are very involved in proposing legislation, while others play a more passive role. Political scientist James David Barber has made a study of legislative personality types. Barber used two criteria to distinguish freshmen legislators: 1) a willingness to return to the political arena and 2) the degree of political activity, such as introducing bills and fighting for their passage. He found four legislative personality types: the *Spectator*, the *Reluctant* representative, the *Advertiser*, and the *Lawmaker*. [9] These labels should give you some hint of the differences, but what would a letter in response to your frog farming proposal sound like from each of the personality types?

LEGISLATORS ARE PEOPLE, TOO

(James Barber)

	Active ?	Return ?
RELUCTANTS	No	No
ADVERTISERS	Yes	No
SPECTATORS	No	Yes
LAWMAKERS	Yes	Yes

FACTS ABOUT THE LEGISLATURE

The current Michigan Legislature tends to be a young lot, dominated by men with either business, education or law as their major pre-lawmaking experience. More than half of the senators are in their first or second term of office; in the House, ten representatives are under 30 years of age.

There are 38 Michigan senators: currently 24 are Democrats and 14 are Republicans; all are male. They range in age from 28 to 62; the average is 44.3 years old. Their term is four years long, and more senators are serving their first term than any other term. Half of the senators have served for 1.3 terms or less (5.2 years). Two senators, however, are presently in their tenth terms, which will mean 40 years of service when completed.

The Michigan House has 110 representatives each serving a two-year term. Again the Democrats hold a significant majority of seats (64 D to 46 R), and although there are 16 female representatives, that still leaves 94 males. The average age is 44 years old, but individuals range from 24 to 64 with 10 representatives who have not yet turned 30. Half of the representatives have served 3.1 terms (or 6.2 years); there are two, however, in their 14th terms which, when completed, will equal 28 years of service each.

Over one-third of our legislators come from either business or education (20% and 17% of the total respectively). Also law (about 11%), farming (8%), medicine and dentistry (8%) and religion (2%) contribute significantly to the legislative ranks. Many of our state lawmakers, however, have either been in office long enough (usually 4 or more terms), were elected just after graduating from college, or had no paying job previously so they identify themselves professionally as "politicians" (this being the major or most recent work experience they bring to their legislative jobs). This group of politicians makes up 34% of the incumbent legislators.

If the response suggests that the legislature is not moving toward relaxed frog farming regulations because there are worse problems to be solved first, you may be dealing with a *Spectator* type. The *Spectator* loves the drama and color of the legislature but his/her typical strategy is submission to others. This type will not take up your cause unless the legislature is already heading in that direction.

If you receive a response full of moral indignation, but no practical support, you may be dealing with a *Reluctant* representative. This legislator is usually a hometown reliable with lots of friends who is bewildered by the exotic people and rapid pace of the legislature. His or her election may have been a form of recognition for past contributions to the community. Paradoxically, despite feeling ill-at-ease in the State House and exhibiting a low level of political activity, many *Reluctants* are pushed back into office and can eventually rise to power-

ful positions. If you can appeal to his/her strong moral sense of social responsibility, this legislator might prove to be a useful ally in government.

The *Advertiser's* response would show interest, but he/she would want to know whether any powerful people in your community support the proposed frog farming operation. The *Advertiser* is primarily interested in making contacts and enhancing his/her non-legislative career reputation.

Finally, if you get an open-minded, businesslike letter asking specific questions, you may be working with the fourth and most effective type. The *Lawmaker* feels most rewarded by the opportunity to introduce significant legislation desired by his/her constituents. *Lawmakers* have a strong sense of individuality and stress rationality. If you can make a strong case for your proposal, this legislator will go all the way for you.

Being aware of the various types of personalities involved in the legislative process can be a significant asset. If you can identify the type you are working with, you can tailor your demands to his/her values or approach. You may also realize that a different type of legislator would probably be more useful. Do not give up because your own representative may be ineffective—any legislator can be your representative. Find one who will accomplish the job you want to get done.

STRENGTH IN NUMBERS

Since legislators are always concerned about their image and support among voters, they are more likely to work hard to accommodate a group of people than to please a single individual. Consequently, as a concerned citizen, one of your first tasks should be to mobilize a group.

While organizing a group of people to influence legislation sounds difficult, it is far simpler than you might think and, in the long run, far less demanding than trying to do all the tasks alone. Remember, we are not talking about organizing hundreds or thousands of people. As Representative Hollister contends, and we agree, a committed core of a half dozen or less is the key. In fact, you may not have to organize a new group at all: you may be able to persuade members of one of the organizations you already belong to. Your church group, trade union, business association or fraternal organization is probably composed of members who share certain values; it is likely, too, that they will share your legislative concerns.

If the particular public policy issue you want to influence would be of interest to other community groups as well, you can approach their leadership and arrange an informational meeting. Once you are intimately familiar with the bill, you may be able to show how passage of the law will affect the group's self-interest and, of course, it is self-interest that motivates people to get involved.

In some cases, you may find that there are no existing groups who are prepared to work on the issue. Many may express support for your position, but they may be over-extended on other matters and have no time to devote to another issue. They may be useful in future coalitions when their brief input is needed. Meanwhile, you will need to organize that small core group that Representa-

**"Go out and organize . . .
Make me do it ."**

John F. Kennedy
To Civil Rights
Workers in 1961

tive Hollister mentioned. As few as two or three people (or Hollister's "half dozen") may be able to perform many critical tasks. Too large a group can present communication and organizational problems. Don't be discouraged by small turnouts for organizational meetings—the core is what is important and they can keep the other, less devoted supporters informed by sending out a newsletter or minutes of meetings. The key to success is not the size of the group, but rather how many people it can mobilize to write a letter or attend a committee hearing at the crucial moment. Professional expertise is less important than personal experience.

There are two principles that are essential to effective action:

1) *Clearly define the goal.* An explicit goal is vital for people to form a group or for groups to join a coalition. The goal may be either the passage or the prevention of a local ordinance or a state law. Whatever the goal, it needs to be clearly stated and understood by all.

2) *Establish a strategy.* Once the goal has been identified, the means to accomplish it should be clarified. Try to list three or four steps that your group can accomplish that lead toward the goal.

A FINAL WORD

Making your views known is essential to our form of government. Beyond voting and keeping abreast of issues you, as a citizen, can play a useful role in shaping policy in the legislative process. This does not require extensive educational or professional training; ordinary people play key roles in many areas of government decision making. In the courts, for example, guilt or innocence is determined by a jury made up of 12 ordinary people—not selected "technical experts" or highly trained jurists or even elected officials. Politics is too important to be left to the experts.

As this bulletin has indicated, there are many ways in which you and groups of like-minded ordinary people can affect the legislative process: you can suggest ideas for legislation to your representative; you can propose that he/she introduce amendments; you can testify before committees; you can lobby legislators by letter, telephone, or in person; you can communicate the concerns of your group or community to the legislature and inform those interested on the progress of legislation; and finally you can provide information on the probable impact of pending bills. To emphasize your effectiveness, keep in mind the steps we have outlined in this bulletin:

1) Know your issue thoroughly; anticipate what the opposition will be and formulate persuasive arguments to

win their agreement. Be prepared with the technical information that the committee will find useful.

2) Identify a "core group" of committed and effective workers who will lead a coalition of interested groups and individuals who can be called upon to write letters, lobby, or publicize an issue.

3) Locate a lawmaker who is sympathetic to your issue and likely to be effective in advancing the cause (Barber's legislative personalities can be useful here) and continue to work with him/her for the duration of the process.

4) Be familiar with the formal legislative structure and the procedural steps a bill must take as it becomes a law.

5) Spend as much time as possible at the capitol, both to be able to answer legislators' questions and to be in a position to intervene effectively at the critical moment, offering advice or information before decisions have been made.

As the history of the Wetlands Protection Act suggests, the successful emergence of a law from the legislative mill is sometimes a very lengthy process. Many bills never become law — most die in committee. Nonetheless, you should not be discouraged. Some bills do move through quickly and some bills even emerge from the adversary process stronger and more acceptable to both sides than when first drafted. Yet, everyone involved in the legislative process may at times feel despair with the pace of progress. As the philosopher, Alfred North Whitehead, once said: "The art of progress is to preserve order amid change and to preserve change amid order." We encourage you to pursue those changes you believe will bring progress and to pursue them with vigor and within the order that our government provides.

TIPS FOR LOBBYING

- 1 KNOW YOUR ISSUE
- 2 ORGANIZE A "HALF DOZEN"
- 3 KNOW THE FORMAL PROCESS
- 4 FIND A COMPATIBLE "LAW MAKER"
- 5 "HANG OUT"
 - (a) SENSE OF TIMING FOR BILLS, BUDGETS AND BUREAUCRACIES
 - (b) VISIBILITY AND AVAILABILITY ON YOUR ISSUE