

Volume

1

LEGISLATIVE TESTIMONIALS

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Protocols, Techniques & Organization

Guide for Advocates

LEGISLATIVE TESTIMONIALS

# Guide for Advocates

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## Pyramids of Power

### *How Committees are Organized and Governed*

The Legislature must process hundreds of bills (proposed laws) in short Sessions of either 30 days (odd years) or 60 days (even years). The sheer volume of bills and incredible array of topics require a structure to keep pace. The heart and soul of the legislature is the committee process. This is the working arm, the factory floor, where all legislation is considered, debated, approved, amended or killed. Hence, citizen advocates must know how committees function.

The Structure of the legislative process is founded on five basic committee designs.

**Standing Committees**

**Interim Joint Committees**

**Statutory Committees**

**Special Committees**

**The Legislative Research Commission**

Page 2 Adapted in large part from the Legislative Research Commission  
“Organization & Administration” [www.lrc.state.ky.us](http://www.lrc.state.ky.us)

# Legislative Committees

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## STANDING COMMITTEES

The General Assembly meets in regular session 60 days in even-numbered years, and 30 days in odd-numbered years. To provide an efficient way of deliberating the many issues under consideration, each chamber is organized into standing committees that concentrate on specific topics, such as Education or Human Services. The jurisdiction of each committee is detailed in Senate Rules and House Rules, respectively, which are adopted at the beginning of each session. Standing committees, which usually number between 12 and 15 for each chamber, meet only during a session, and all proposed legislation must move through them.

**Chamber**: *either the House or the Senate.*

**Jurisdiction**: *scope & nature of issues that a committee has authority to consider.*

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## INTERIM JOINT COMMITTEES

To provide a continuity of study and action between sessions, interim joint committees are formed from the standing committees of both houses. For instance, the Health & Welfare Committee of the Senate and the Health & Welfare Committee of the House become the **Interim Joint Committee on Health & Welfare** after the session.

Interim committees, besides discussing and studying issues in-depth, draft and approve bills for pre-filing for the next session. This enables bills to be introduced at the beginning of the session and standing committees to become active immediately. All interim committees, which are actually subcommittees of the Legislative Research Commission (LRC), are open to the public and the press so the people have an opportunity to express views on areas the proposed legislation will affect.

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## STATUTORY COMMITTEES

In addition to interim joint committees, there are other committees that are authorized by the Kentucky Revised Statutes or function as subcommittees of the Legislative Research Commission (LRC). Some of these include:

- Administrative Regulation Review Subcommittee
- Medicaid Managed Care Oversight Committee
- Program Review and Investigations Committee

The Legislative Research Commission is commonly viewed as the totality of committee staff, attorneys, administrators, analysts, bill drafters, secretaries, etc. available to legislators and the public. Indeed, the term LRC is used most often to refer to this large body of legislative assistants; however, the Commission is actually a committee formed by the leadership of both the House and Senate. Traditionally, it is chaired by the Senate President and the House Speaker and staffed by the Executive Director of the LRC.

Statutory Committees, and **Special Committees** are actually sub-committees of the LRC. Special Committees are appointed by the LRC and include: Task Forces and Commissions. They function mainly to study particular topics in-depth during the interim (period between sessions) and can make recommendations to the General Assembly and the LRC. They may also pre-file bills. Issues that may be particularly complex (e.g. health insurance) or controversial (taxation) often are referred to Special Committees for consideration.

Further, issues that aren't quite ready for legislative action but have achieved some momentum and attention will often be referred to a task force or commission. Disability advocates will note that issues that are "coming into their own" often will be assigned to a task force and the interim recommendations will (with enough advocacy) become law (or an appropriation of funds) in the next regular session.



**Sample Task Forces:**

Acquired Brain Injury Services & Support Task Force

Task Force on Senior & Military Affairs

Commissions that are created by statute (a bill enacted into law) are not usually under the jurisdiction of LRC, but rather report to the Governor and the Legislature. These commissions usually include key advocacy groups, industry representatives, state employees and legislators. They are essentially large interim committees in practice (not fact) that meet to identify problems, make recommendations with regard to policy and funding needs. They are important vehicles for drafting and promoting legislation that has broad public policy implications.

**The Commission on Services & Supports for People with Mental Retardation & Other Developmental Disabilities** is one example.

# Role of Standing Committees

\*Adapted from [www.lrc.state.ky.us](http://www.lrc.state.ky.us) “Organization & Administration”

## Role in the legislative process

- Standing committees consider more than 1,000 bills and resolutions each regular session.
- Standing committees decide which bills should advance to the full House or Senate.

## Committee on Committees

- In each chamber the Committee on Committees, made up of legislative leaders, assigns bills to one of several standing committees.
- Assignment of a bill is determined by the subject of each bill. Committee jurisdictions are found in the House and Senate Rules adopted each session.

*\*controversial matters, will of leadership, lobbyist pressures etc. can impact bill assignments. Advocates need to know why a bill was referred to a committee with questionable jurisdiction. For ex., a human services bill is referred to Transportation or Appropriations without any prior hearings. This can signal Leadership’s intention to kill the bill or, less frequently, the desire to move a bill quickly through the process.*

- The Committee on Committees also selects the chair, vice chair, and members of each standing committee. Legislators usually serve on two or three standing committees.

## Meetings of Standing Committees

- The chair of each committee decides in what order bills will be considered. And whether a bill will be considered at all.
- Supporters and opponents of particular bills are invited to address a committee.
- Committees may send bills to the full House or Senate with favorable or unfavorable reports or, in the Senate, without recommendation.
- Committees also may propose amendments to bills or decline to return them to the full House or Senate.

***Approximately half the bills introduced each session never get out of committee.*** Unless a bill has a favorable report, its chances of passing are slim. And barely one third of all bills introduced are ever enacted into law.

*\*Advocates note: often bills are resurrected in the form of riders (amendments) to bills that have momentum and are primed for passage. Crafting and inserting amendments is an essential tool for all advocates & lobbyists. An intimate knowledge of the committee process is required.*



## The Chairman

The role of the chairman, esp. in the KY Legislature, can hardly be overstated. In Kentucky, the Chairman controls the fate of bills while they are in her committee's jurisdiction. Leadership can trump the chair's power by removing a bill from his committee, but this rarely happens without the chairman's approval. Again, the chair determines which bills are heard and when. Also, the chair determines who can speak for and against a bill and for how long. Without the Chairman's support (or neutrality), an advocate will have a very difficult time passing a bill out of committee. A reluctant Chair can be persuaded to hear a bill, if an advocate manages to secure the support of key committee members. Here are some good rules of thumb:

- **Start with the Chair**

Determine her stance on your bill, this will guide your strategic plan.

- **Start Early**

Educate committee members at home and secure a hearing during the Interim. Familiarity breeds consent. Legislators need time to digest new ideas and new appeals...time to gauge their political impact and your credibility.

- **Choose People & Words Carefully**

## **TACT FACT & ACT**

Who testifies matters as much, often more, than the issue at hand. Choose a spokesperson who is prepared, articulate and disciplined. Articulate does not mean professorial, but effective communication. A person who has lived the problem being addressed by your bill can be an excellent source, provided they are prepared. Emotional appeals are effective to a point. They must be bolstered by tact and carefully chosen facts. Belligerent speakers who badger or threaten legislators will doom your bill. Diplomatic people who hold firm to deeply felt, defensible principles are ideal.

Defend your credibility at all costs. If you don't have your facts straight, or your testimony appears misleading, then your cause is permanently harmed.

Timeliness and political momentum are vital components. Choose your spokesperson and craft your words to reflect current perceptions among legislators and the media. For example, if the economy is struggling try to emphasize the cost effectiveness of your proposal. But be prepared to prove it. Everyone claims to save money, while simultaneously asking for more!

ACT: Create positive pressure using advocates back home who can make phone calls and write post cards prior to an important hearing or vote. Garnering the tacit support of the media (esp. large newspapers) can create political momentum. And bring supporters to meet directly with legislators and to fill the hearing room.

- **Sincerity Trumps Knowledge**

I can't tell you how many PhDs have offered statistic-laden testimony with mind-numbing jargon, slick handouts and slideshows only to be greeted with suspicion and even hostility by legislators. Above all, you want to be BELIEVED. A sincere, homespun advocate who speaks from the heart and who is obviously prepared will win over the committee. Again, an emotional appeal bolstered by carefully chosen (brief) statistics is the best mix. Let your lobbyist (the point person) sit with the spokesperson to answer any highly technical or problematic questions.

If you don't know the answer, for goodness sakes say so! Offer to find the answer and deliver on your promises.

# LEADERSHIP AND STANDING COMMITTEES

As of March 29, 2005

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**Whip:** Sen. Dan Seum

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**Whip:** Sen. Joey Pendleton

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Sen. Dan Kelly (R)  
Sen. Alice Kerr (R)  
Sen. Bob Leeper (I)  
Sen. Vernie McGaha (R)  
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Sen. Tim Shaughnessy (D)  
Sen. Robert Stivers (R)  
Sen. Gary Tapp (R)  
Sen. Elizabeth Tori (R)  
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Sen. Alice Kerr (R)  
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Rep. Mary Lou Marzian (D)  
Rep. Jon David Reinhardt (R)  
Rep. Kathy Stein (D)

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Rep. Bob DeWeese (R), Vice Chair  
Rep. Stephen Nunn (R), Vice Chair  
Rep. Kathy Stein (D), Vice Chair  
Rep. John Arnold Jr. (D)  
Rep. Scott Brinkman (R)  
Rep. James Comer (R)  
Rep. Robert Damron (D)  
Rep. David Floyd (R)  
Rep. Joni Jenkins (D)  
Rep. Mary Lou Marzian (D)  
Rep. Darryl Owens (D)

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Rep. Ruth Ann Palumbo (D)  
Rep. Jon David Reinhardt (R)  
Rep. Ancel Smith (D)  
Rep. Susan Westrom (D)  
Rep. Addia Wuchner (R)

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### **Judiciary (H)**

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Rep. John Vincent (R), Vice Chair  
Rep. Rob Wilkey (D), Vice Chair  
Rep. Brent Yonts (D), Vice Chair  
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Rep. Perry Clark (D)  
Rep. Jesse Crenshaw (D)  
Rep. Joseph Fischer (R)  
Rep. Jeffrey Hoover (R)  
Rep. Stan Lee (R)  
Rep. Frank Rasche (D)  
Rep. Steven Rudy (R)  
Rep. Arnold Simpson (D)  
Rep. Kathy Stein (D)  
Rep. Robin L. Webb (D)

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Rep. Jim Stewart (R), Vice Chair  
Rep. John Arnold Jr. (D)

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Rep. Joe Bowen (R)  
Rep. Denver Butler (D)  
Rep. C.B. Embry, Jr. (R)  
Rep. Bill Farmer (R)  
Rep. Dennis Horlander (D)  
Rep. Tom Kerr (R)  
Rep. Charles Miller (D)  
Rep. Russ Mobley (R)  
Rep. Brent Yonts (D)

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Rep. Charles Miller (D), Vice Chair  
Rep. Jon David Reinhardt (R), Vice Chair  
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Rep. Ron Crimm (R)  
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Rep. Jon Draud (R)  
Rep. Dennis Horlander (D)  
Rep. Joni Jenkins (D)  
Rep. Dennis Keene (D)  
Rep. Stan Lee (R)  
Rep. Paul Marcotte (R)  
Rep. Ruth Ann Palumbo (D)

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### **Local Government (H)**

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Rep. Ron Crimm (R), Vice Chair

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Rep. Mike Denham (D), Vice Chair

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Rep. Adrian Arnold (D)

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Rep. Teddy Edmonds (D)

Rep. David Floyd (R)

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Rep. Stan Lee (R)

Rep. Reginald Meeks (D)

Rep. Tom McKee (D)

Rep. Brad Montell (R)

Rep. Terry Shelton (R)

Rep. Arnold Simpson (D)

Rep. Ancel Smith (D)

Rep. Ken Upchurch (R)

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### **Natural Resources and Environment (H)**

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Rep. Terry Shelton (R)

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Rep. Jim Stewart (R)

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**Seniors, Military Affairs and Public Safety (H)**

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Rep. Carolyn Belcher (D)

Rep. Tom Burch (D)

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Rep. Fred Nesler (D)

Rep. Steve Riggs (D)

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Rep. Steven Rudy (R)

Rep. Charles Siler (R)

Rep. Ancel Smith (D)

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**State Government (H)**

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Rep. James Bruce (D), Vice Chair

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Rep. Tanya Pullin (D)  
Rep. Jon David Reinhardt (R)  
Rep. Tom Riner (D)  
Rep. John Will Stacy (D)  
Rep. Tommy Thompson (D)  
Rep. Jim Wayne (D)  
Rep. Mike Weaver (D)  
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### **Tourism Development and Energy (H)**

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Rep. Mike Harmon (R)  
Rep. Mary Harper (R)  
Rep. Thomas Kerr (R)  
Rep. Tom McKee (D)

Rep. Brad Montell (R)  
Rep. Ancel Smith (D)  
Rep. Robin L. Webb (D)

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### **Transportation (H)**

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Rep. Rick Rand (D), Vice Chair  
Rep. Ancel Smith (D), Vice Chair  
Rep. John Arnold Jr. (D)  
Rep. Eddie Ballard (D)  
Rep. Carolyn Belcher (D)  
Rep. Denver Butler (D)  
Rep. Howard Cornett (R)  
Rep. Jim DeCesare (R)  
Rep. J.R. Gray (D)  
Rep. Keith Hall (D)  
Rep. Melvin Henley (R)  
Rep. Jimmie Lee (D)  
Rep. Paul Marcotte (R)  
Rep. Charles Miller (D)  
Rep. Russ Mobley (R)  
Rep. Lonnie Napier (R)  
Rep. Rick Nelson (D)  
Rep. Jim Stewart (R)  
Rep. Tommy Turner (R)  
Rep. John Vincent (R)  
Rep. Mike Weaver (D)

\* Committees of Particular Importance to Disability Advocates are highlighted in blue and w/ an asterisk.