



Lobby Handbook



A Project of

The Delaware
Office of Women's Advancement & Advocacy
and the League of Women Voters of Delaware

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INTRODUCTION

Democracy is a participatory form of government, with the right to cast a vote to elect our leaders being the most familiar method of participation. **However, citizen participation need not end at the voting booth.** After the election, the opportunity exists for citizens to continue to have an impact on the decisions and policies that affect their lives by lobbying governmental officials. In addition to face to face discussions, letters, phone calls or electronic communications, we can drive to our capital to observe our legislature in action from anywhere in the state in less than 90 minutes! This book has been written to give you a “short course” on the legislative process in Delaware and to offer practical information about influencing it. We encourage you to take advantage of our state's small size and to become knowledgeable about and involved in your government.

The Lobby Handbook is intended to be a viable and useable publication for individuals, groups and organizations seeking to expand their knowledge of the Delaware Legislature.

Sources of information contained in the Handbook include: *Tell It to Washington* (League of Women Voters of the United States); *Delaware Government* (League of Women Voters of Delaware), and the State of Delaware Division of Research.

PREFACE

In 1920, with the ratification of the 19th Amendment to the U.S. Constitution, women acquired, along with the right to vote, the right to formally participate in the governmental process. However, many of them did not know how. The League of Women Voters of the United States, newly formed by members of the suffrage movement, encouraged these newly enfranchised citizens by helping them to register to vote, learn about the issues and candidates, and to use their new power at the ballot box.

Now, nearly 100 years later, women's involvement has increased greatly, from running for office and heading cabinet departments, to lobbying for or against proposed legislation. Many, however, still feel uncomfortable about their ability to get involved because they think they don't have enough knowledge about how "the system" works and where the voices of citizens can affect the process.

In 1990 Barbara E. Corrozi and Sally Knox, of the Office of the Commission for Women, and Ruth Helm and Joann Hasse, of the League of Women Voters of Delaware, met to address this situation. The organizations' collaborative effort for a common objective – to encourage informed and active participation of citizens, particularly women, in the governmental process – resulted in this comprehensive, practical and informative guide to the legislative process in Delaware. The Lobby Handbook has been updated several times since its original compilation in 1990 to reflect changes in governmental structure and practices.

Office of Women's Advancement and Advocacy

The original Delaware Commission for Women which, with the League of Women Voters, began this project, was dissolved in 2017. An Office of Women's Advancement and Advocacy has been created within the newly created Department of Human Resources and this project will exist under the sponsorship of the new unit. A new Commission for Women has been formed also.

From the synopsis of the legislation creating the new Department of Human Resources: "... This bill sets forth that the Office of Women's Advancement and Advocacy will be a unit of the Department of Human Resources. The purpose of this Office is to promote the equality of women in all areas of society. Functions of the Office include fostering and facilitating collaborations between all facets of government and private businesses to eliminate gender-based bias and discriminatory practices, study and report on the status of women in the State, compile and analyze statistics, advise executive and legislative bodies on the effect of proposed legislation, make specific legislative proposals and submit a report to the Governor, Secretary of the Department of Human Resources and the General Assembly at the beginning of every General Assembly of the Office's activities and recommendations. The bill establishes that the governing body of the Office is the Commission for Women comprised of 9 members...."

Introducing the League of Women Voters

The purposes of the League of Women Voters of Delaware are to promote political responsibility through informed and active participation in government and to act on selected government issues.

The League of Women Voters is the “daughter” of the women’s suffrage movement. In early 1920, when it became likely the 19th amendment would be ratified by enough states to become part of the Constitution, many of the leaders of the movement formed the League of Women Voters in order take organized action on the issues for which they had been fighting.

One of their early decisions was that their new organization would be nonpartisan because they felt this was the best way to accomplish their goals. They were activists so, of course, they always intended to take positions on issues. This continues today with active advocacy on a wide range of issues which the League has studied and on which members have come to agreement (e.g. health care, justice system, environment, social policy). Members, except those serving on the Board or as lobbyists, are free to participate in partisan politics, but the League as an organization remains nonpartisan and never supports or opposes candidates or parties.

Early League members realized that newly enfranchised women needed help in becoming registered to vote and to receive nonpartisan information about issues and candidates – thus was born Voter Services and Citizen Education, efforts which continue to this day. The Lobby Handbook is part of this education effort. It is hoped that it will answer questions about the Delaware General Assembly specifically, and lobbying generally, and make citizens more comfortable about asking questions and advocating about issues important to them.

Delaware truly is unique in that we have a small population and a small land area so we have much more access to our political officials than do most U.S. citizens. Many governmental functions which are performed at the local level in larger states are organized at the state level in Delaware (i.e. Social Services, Corrections, Courts, Transportation) so our state legislature plays a more immediate role in our lives than in many places. This book is written to enable and encourage citizens to get involved!

Although originally an organization of women citizens of voting age, membership has been open to men since 1974. The age of eligibility was dropped from 21 to 18 when the voting age changed nationally. The most recent change occurred in 2016 when it was decided that anyone age 16 and older who subscribes to the purpose and policy of the League may become a voting member.

ORGANIZATION OF DELAWARE GOVERNMENT

The government of the State of Delaware is divided into three branches: *Executive, Judicial* and *Legislative*.

The Executive Branch

The *Governor* is the Chief Executive Officer. He/she appoints the *Cabinet Secretaries*, with the consent of the Senate, and approves appointment of *Division Directors*. The sixteen (16) departments within State Government are:

- | | | |
|-------------------------------------|--|--|
| ⦿ Dept. of Agriculture | ⦿ Delaware State Housing Authority | ⦿ Dept. of Safety & Homeland Security |
| ⦿ Dept. of Correction | ⦿ Dept. of Labor | ⦿ Dept. of Services for Children, Youth and Their Families |
| ⦿ Dept. of Education | ⦿ Office of Management & Budget | ⦿ Dept. of State |
| ⦿ Dept. of Finance | ⦿ Delaware National Guard | ⦿ Dept. of Technology & Information |
| ⦿ Dept. of Health & Social Services | ⦿ Dept. of Natural Resources and Environmental Control | ⦿ Dept. of Transportation |
| ⦿ Dept. of Human Resources | | |

The Governor also appoints citizens to numerous boards, councils and commissions and he/she is accountable for State finances. **The Governor is important to a lobbying effort since it is in his/her power to veto or sign into law bills that have been passed by the General Assembly.**

The *Lieutenant Governor* is also elected but, unlike many states, is elected separately from the Governor. If both are of the same party, the Lieutenant Governor will often stand in for the Governor ceremonially. The main duties of the office are to preside over the Senate (where he/she is empowered to cast a tie breaking vote if necessary) and to serve as a member of the Board of Pardons.

The Judicial Branch

The Judicial system is composed of courts and related agencies. These courts include the *Court of Chancery, Court of Common Pleas, Family Court, Justice of the Peace Court, Superior Court*, and the *Supreme Court*. The *Administrative Office of the Courts*, the administrative arm of the Supreme Court, provides operational support to all of Delaware's courts.

Delaware's Courts are nonpolitical, so they do not play a part in lobbying efforts, but can be a source of information that may have bearing on an issue. Services include Opinions and Orders, Civil Case Search, Pay Traffic Tickets, Trade Names and other services. The Governor appoints all members of the State Judiciary, with the consent of the Senate.

The Legislative Branch

The Legislature, also called the *General Assembly*, is where most lobbying efforts will take place. Our Legislature is bicameral, meaning there are two separate chambers, the House of Representatives and the Senate. Each chamber establishes its own governing Rules through a simple resolution. It is important to understand these Rules when trying to guide or follow a bill through the system. A comprehensive description of the organization and function of the Legislature follows in a later section.

There are four elected Officers within State government who are autonomous. They are the *Attorney General*, *State Auditor*, *Insurance Commissioner* and *State Treasurer*.

THE DELAWARE LEGISLATURE

The Building

Delaware's Legislative Hall is a red brick colonial style building erected in 1933, as pictured on the cover of this document. Except for a limited number of State officials who may use other doors, entry and exit are allowed only through the Legislative Avenue entrance where one must pass through a security checkpoint, and those without a permanent pass will receive a one-day visitor's pass. Proof of Identity is required.



The basics: As one enters Legislative Hall, the Senate chamber and offices are on the right, the House chamber and offices are on the left. In addition, the first floor contains offices for majority party legislators of both chambers. The second floor houses the Governor's Ceremonial Office, the House and Senate visitors'

galleries, and the offices of the remainder of the majority party Representatives, the minority party Senators and the Lieutenant Governor's office. Offices of the minority party Representatives are in the basement level.

Also housed in the basement level are the offices of the Division of Research (frequently but erroneously referred to as Legislative Council), the Office of the Controller General, the Joint Finance Committee hearing room, the Legislative Library, the media room, the print shop, and a small cafeteria which is open to the public. Restrooms are found on all levels, the most convenient being those behind the stairs on the first floor.

Composition

The Legislature, also called the General Assembly, consists of a 21-member Senate and a 41-member House of Representatives. Both chambers are apportioned by population. The conformation of the House and Senate districts changes every 10 years when redistricting is done by the Legislature after each U.S. Census.

All members of the House of Representatives stand for election every two years. Senators are elected to four-year staggered terms. (After each redistricting, all senate seats are up for election, and the term staggering resets with ten districts starting with two-year terms). If a vacancy occurs in either chamber, a special election is held in the district to select a

successor to fill out the rest of the term. Legislators serve on a part-time basis. Many also have other jobs.

Legislative Sessions

Following each general election, a new General Assembly comes into being for the following biennium (specified two years). Each is numbered consecutively from the time the State was formed. For instance, the General Assembly which came into being after the 2016 election is the 149th General Assembly; the General Assembly after the 2018 election will be the 150th. Legislation introduced, but not passed by both chambers during the first year of the biennium is carried over to the second year. If a bill does not pass both chambers by the conclusion of the second year of a General Assembly, it is dead but can be reintroduced in a future General Assembly. Bill numbers start at “1” at the beginning of each biennium. (e.g. House Bill 1 of the 149th General Assembly)

Although the term of office of legislators actually begins immediately upon election, under the State Constitution the **Legislature convenes annually on the second Tuesday in January. It adjourns at midnight on June 30**, when it usually immediately goes into “special session” for at least a few hours. This is done so either chamber may be called back into session by its presiding officer, in addition to the Governor who may always do so for either chamber. (i.e. Midnight, June 30 doesn’t become “final” adjournment.)

All sessions are open and must be held in Legislative Hall. Seating for the public in the galleries of both chambers is accessed from the second floor. Doors to the chambers are closed when the houses are meeting, but anyone can go onto the “floor” to talk with legislators before or after the sessions or during breaks when doors are open.

A quorum of a simple majority is necessary to conduct business, but it should be noted that all members are expected to be in attendance each day. The vote for passage of legislation is based on the number of those elected to each chamber, not the number present and voting (i.e. 11 in the Senate and 21 in the House -- higher when a super majority is required).

By House and Senate Rules, both chambers meet on Tuesday, Wednesday and Thursday afternoons. The agenda of bills to be considered each day is posted in Legislative Hall and is available on the General Assembly’s website: <http://legis.delaware.gov>.

While the usual stated starting times are 2:00 p.m. in each chamber, the actual starting times are sometimes delayed. Bells announce the call to session: one bell for the Senate and two for the House. The order of business is a part of each chamber’s respective Rules. Sometime during each daily session there is usually a break for party caucuses, which can

be lengthy (and are not open to the public). On Wednesdays, the House goes into session briefly and then recesses for several hours of committee meetings to review bills. The Senate has set aside time on Wednesdays when standing committees may meet and then usually goes into session late in the afternoon. Committee meeting times are posted on the legislative website and on various bulletin boards in Legislative Hall.

Both houses recess in February and early March while the *Joint Finance Committee* (JFC) conducts hearings and studies the Governor's proposed operating budget. Additional and late-night sessions are common when the press of business is urgent, particularly near the end of the session when much legislation is considered.

Legislative Organization

Each chamber of the Legislature is organized by Democratic and Republican party affiliation. The party with the most members in either chamber is known as the majority party and the other as the minority party. They sit on opposite sides of the Senate and House chambers, and by tradition, the majority gets the window side. Meetings of the legislators of each party are referred to as the party caucus. Unlike sessions of the Assembly itself, these meetings are not open to the public.

Technically, both houses organize on the first day of a new General Assembly. Rules, or at least temporary rules, are adopted by simple resolution. The House elects one of its members to serve as Speaker. In the Senate, the Lt. Governor serves as the presiding officer, but a President Pro Tempore (often simply referred to as the "Pro Tem") is elected and often presides during sessions. While the President Pro Tempore and the Speaker are elected by their respective chambers, other leadership positions, the Majority and Minority Leaders and Whips, are elected by each party. Their primary duty is to guide legislation through to either passage or defeat as determined desirable by their respective caucuses. The five people serving in these positions in each house are generally referred to collectively as "the Leadership".

Each house has standing committees consisting of members of both parties. The chair of each committee is always a member of the majority party. Committee assignments are made by the Pro Tem or Speaker in consultation with the majority and minority leadership. The committees review legislation as assigned to them by their presiding officers and take up any other related matters that they deem appropriate. **Lists of committees and their membership can be obtained from the Division of Research and are available on the legislative website:** <http://legis.delaware.gov>.

There are also several joint committees in which the chair alternates between the chambers. The Joint Finance Committee (JFC) consists of members of the *House*

Appropriations Committee and the *Senate Finance Committee*. This committee reviews, holds hearings on, and modifies the Governor's recommended operating budget (the GRB). (See the "Budget Process" section starting on page 17.)

The *Capital Improvements Committee* (frequently referred to as the Bond Bill Committee), whose members are appointed from both House and Senate, reviews, holds hearings and modifies the Governor's proposed Capital Improvements Program. (See the section on Budget Process.)

The *Joint Legislative Oversight and Sunset Committee* consists of the Sunset Committees of both chambers. Its function is to provide periodic review of the performance and activities of the various state boards, commissions and other agencies to determine whether or not there is a genuine need for the agency under review and if so, to determine if the agency is adequately meeting the need. The committee recommends continuance, termination or changes for agencies reviewed.

House and Senate Staff

A *Secretary of the Senate* and a *Chief Clerk of the House*, whose main functions are custody of bills and maintenance of the agenda, are elected by their respective chambers. They are not members of either house.

Each house also hires its own staff consisting of attorneys, administrative assistants, research personnel, sergeants-at-arms, secretaries, pages, etc. These appointments are based on party affiliation and many persons holding the positions work only while the Legislature is in session. In recent years Legislative Fellows from the University of Delaware's Institute for Public Affairs, as well as some Fellows from Delaware State University and Wesley College, have augmented the staffs.

Legislative Council, Division of Research, Office of Controller General

The term Legislative Council is frequently used to refer to the physical location in the basement level of Legislative Hall where the Division of Research is located (e.g. "Copies of bill may be obtained from Legislative Council") but this is a misuse of the name. *Legislative Council* is actually the policy making body composed of the Leadership of both chambers of the General Assembly (President Pro Tem, Speaker and Majority and Minority Leaders and Whips).

The Director and Deputy Director of the *Division of Research* are appointed by the Legislative Council with the consent of a majority of the legislators.

The Division serves as a nonpartisan and confidential reference bureau for the General Assembly, providing a wide range of services, including legislative and legal research, bill drafting and committee staffing, as well as the development, production and distribution of public information concerning the General Assembly. The Division is also responsible for the overall supervision of the facility, scheduling building events, and the use of the conference rooms on the first floor of the Tatnall Building.

The Division is home to Legal and Research Analysis, Joint Legislative and Sunset Committee support, Legislative Information Office (Bill Room), Legislative Library, Office of the Registrar of Regulations, and the Legislative Print Shop.

The Division prepares the Delaware Legislative Drafting Manual. The Manual is intended to serve as a resource for those who regularly prepare or review legislation and is aimed at assisting the occasional and veteran drafter in the creation of an accurate, clear, and uniform legislative product.

The Division may be reached by phone at 1-800-282-8545 (toll-free, in-state only) or at 302-744-4114 or by email at LC_Reception@state.de.us.

**A wealth of legislative information is available on the legislative website:
<http://legis.delaware.gov>.**

The *Office of the Controller General* provides analyses of operating and capital budgets to the Joint Finance Committee and the Joint Legislative Committee on the Capital Improvements Program. Additionally, the Office prepares fiscal notes on legislation, participates on the *Delaware Economic and Financial Advisory Committee* (DEFAC), provides staff for legislative standing committees and represents the General Assembly on numerous ad hoc committees and task forces. The Controller General reports directly to Legislative Council. The Office also operates the Legislative Information System which contains information on all legislation, including daily Agendas and Ready lists.

The Office of the Controller General is part of the Legislative Branch and should not be confused with the *Office of Management and Budget* which is part of the Executive Branch.



DECEMBER 7, 1787

BILLS

A *Bill* is a proposed law presented to the legislature but not yet enacted. After it has passed both houses and received the approval of the Governor, it becomes law and is called an *Act* or *Statute*.

Bills are designated SB if they originate in the Senate, HB if they originate in the House. They are numbered consecutively as they are introduced (SB 1, SB 2, HB 1, HB 2, etc.) The date that a bill is introduced is stamped on the face of the bill.

The legislators under whose names the bill is being introduced are called sponsors. Their names appear in the upper right-hand corner of the bill. The originator of the bill is referred to as the *prime sponsor*; prime sponsors are listed first. Following a semi-colon, the names of any other legislators who have "signed on" as *co-prime sponsors* or *co-sponsors*, usually at the request of the prime sponsors, follow. Sponsors are grouped based on these tiers and are listed alphabetically. **Signing on as a co-sponsor is sometimes done at a preliminary stage and does not always signify the signer's eventual "yes" vote.**

Bills that would result in an expenditure should be sent to the Controller General's office for a cost estimate called a *fiscal note*. If this is done, the notes are available from the Controller General's office but are not given out routinely with a copy of the bill.

Bills and amendments are available on the legislative website: <http://legis.delaware.gov>.

Types of Bills

A *general bill* is a bill having uniform application to all persons or entities in the same category (a bill regarding counties must apply to all counties, etc.).

A *special bill* relates to particular persons or things rather than to a whole class (used to cover a pension situation for one specific person, granting a charter change or the right to do something for a specific municipality, etc.).

An *amendment* is a separate piece of legislation which has the limited objective of changing a bill which has not yet been enacted into law. **Unlike the U.S Congress, in Delaware amendments must be germane to the title of the bill.** Amendments are also numbered consecutively and are designated, for example, as HA 1 to SB 155.

A *substitute bill* is the replacement for a bill, but with some changes. It is frequently used when adjustments and compromises resulting from committee or public hearings or discussion have produced so many changes in the original bill that it is easier to re-write

the bill than to make major changes via amendments. It retains the number of the original bill and is designated, for example, as HS 1 for HB 222. It may still be amended in which case the amendment might be called HA 1 to HS 1 for HB 222.

An *appropriations bill* is a type of special bill which earmarks certain sums of money for specified purposes. In Delaware only bills appropriating money for public purposes may cover more than one subject. This is different than the U.S. Congress in which amendments on totally different subjects can be attached to bills.

Resolutions

A *resolution* is a formal expression of opinion. **Joint resolutions must be signed by the Governor to go into effect.** Simple and concurrent resolutions do not require the Governor's signature.

Simple resolutions (SR, HR) deal with the internal affairs of either house (organizing, rules of business, etc.) or express the opinion of that house; frequently used for birthday greetings or to send congratulations to some person in the state for some honor received. They are only required to be passed by the originating house. The content contained in a simple resolution expires at the end of a General Assembly.

Concurrent resolutions (SCR, HCR) deal with the internal affairs or opinion of the entire General Assembly; initiated by either house, concurred (passed) by the other; they are most frequently used to formally recognize someone or establish temporary ad hoc committees or task forces. The content contained in a concurrent resolution expires at the end of a General Assembly.

Joint resolutions (SJR, HJR) are used to provide for temporary measures and have the force of law when in effect; frequently used to set up committees for special purposes such as to study a problem and recommend solutions to the General Assembly.

Voting Procedures

Usually all bills and substantive resolutions are voted on individually by roll call in both chambers. The House of Representatives may utilize a "Consent Agenda" by which several uncontested or uncontroversial bills are voted on as a unit, usually at the end of the legislative session when time is precious. The Senate does not use "Consent Agendas" for bills. Both houses also use a "Consent Calendar" for voting on most simple or concurrent resolutions.

Most bills and resolutions require a simple majority vote of all members elected to each house, i.e., 11 votes in the Senate, 21 votes in the House.

Major and/or Common Exceptions are:

Two-thirds majority required: Amending a municipal charter; adding to the jurisdiction of lower courts on criminal matters; changing the state Constitution (Constitutional changes also must pass two consecutive terms of the General Assembly but do not require the Governor's signature).

Three-fifths majority required: Overriding a veto; raising taxes or license fees or imposing new ones.

Three-quarters majority required: The *Grants-In-Aid bill*, which makes grants of money to public and private agencies; the *Bond bill*, which appropriates money and authorizes the sale of bonds to finance the state's capital expenditures

Committee Review of Bills

The steps that legislation must follow from introduction to passage are set forth in the House and Senate Rules adopted for each biennium. Normally all legislation is assigned for review by a standing committee in its chamber of origin. Any bill which authorizes expenditures not previously authorized within the annual budget for the fiscal year in which the expenditure is to be incurred includes a three-year fiscal projection, called a "*fiscal note*," prepared by the Controller General's office.

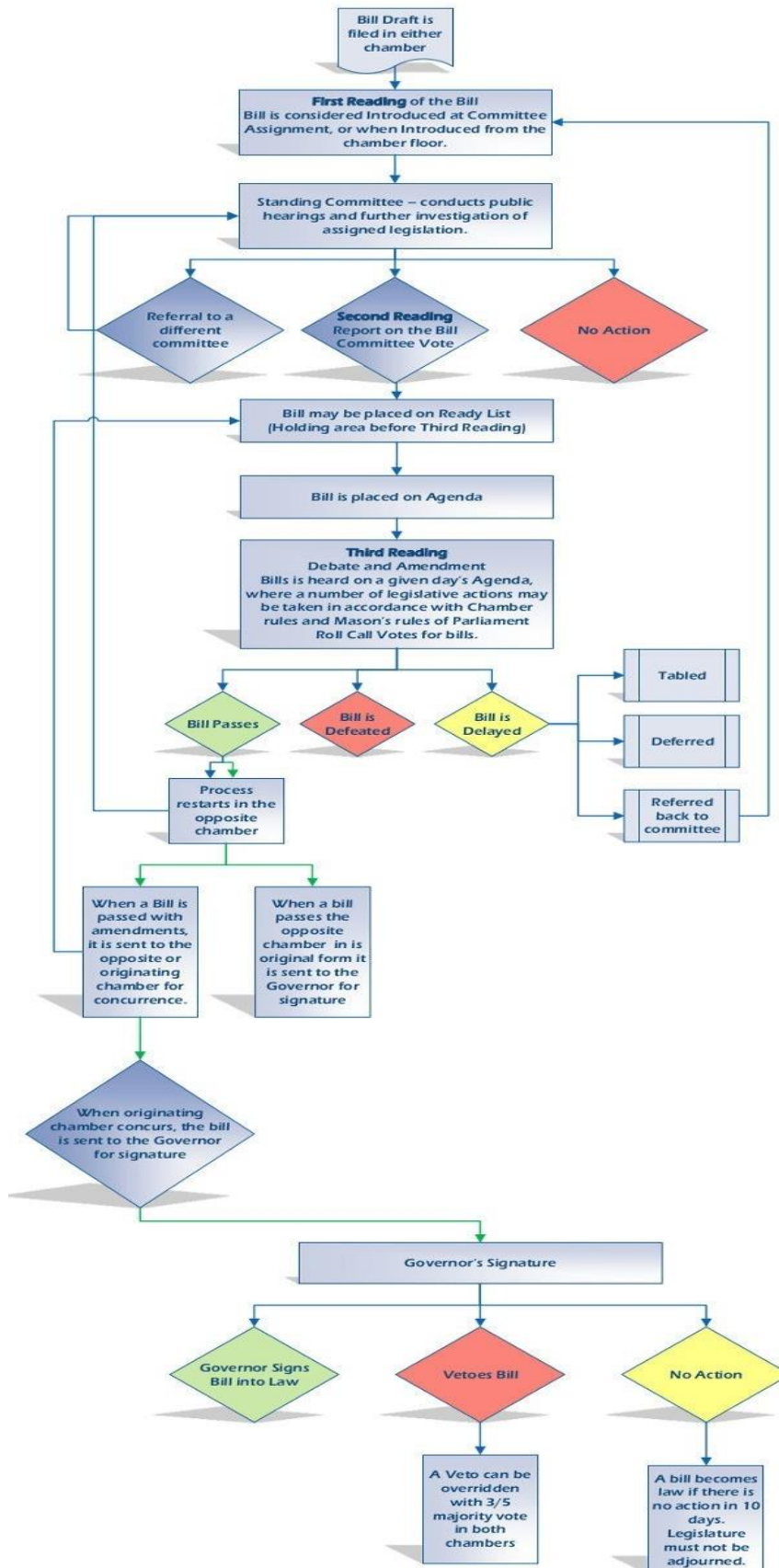
The time and place of most committee meetings is announced in advance and posted in Legislative Hall. They also appear on the General Assembly's web page <http://legis.delaware.gov>. This posting includes a listing of bills and other matters to be considered. The public may attend committee meetings and normally has an opportunity to testify after the bill has been discussed by the committee members. If a bill has a great deal of public interest, widely publicized hearings may be held.

1. After a bill has been reviewed, the committee votes whether or not to release it for consideration by the full chamber. Some committees may announce their votes, and some may simply have members sign the bill backer. Votes are reported as favorable (F), unfavorable (U) or "on its merits" (M). Voting in any of these three manners is a vote to release the bill from committee. If a legislator does not wish to release a bill from committee, he/she should not sign the bill backer
2. After the bill is released or "reported out" by a vote of the majority of the members of the committee (indicated by their signing of the bill's "backer"), it is placed on the "*Ready List*." The daily agenda of bills to be considered by the entire membership of the House or Senate is developed from this list.

3. If the majority of committee members do not agree to release the bill, it remains in committee. It cannot be considered by the full chamber except by a vote to suspend rules, or by a little used procedure known as "*petitioning*" which requires a simple majority of signatures of all members of the chamber. Rules in both houses state that bills and resolutions must be acted on in committee (i.e. publicly reviewed and voted upon by the committee to which they were assigned) within 12 legislative days. A legislative day is one on which the legislature is in session. Twelve legislative days does NOT mean 12 calendar days.
4. When a bill reaches the full House or Senate for debate, any amendments that have been introduced are considered first and voted upon. Then the bill as amended is debated and voted by roll call. Bills which have been passed are delivered to the other chamber where they follow the same procedure. If a bill is amended in the non-originating chamber, it must be returned to the originating chamber for a vote on the bill as amended. **Both houses must pass the same version before the bill is sent to the governor for signature or veto.**

How A Bill Becomes Law

(from legis.delaware.gov/LawsOfDE/LegislativeProcess)



BUDGET PROCESS

The fiscal year runs from July 1 to June 30 but preparation of the State budget is a continuous process. A fiscal year is denoted by the year in which it ends (i.e. FY'18 ends on June 30, 2018 and FY'19 will start on July 1, 2018.) Shortly after the ink is dry on the budget for the current fiscal year and often before, the various departments and agencies begin preparing their requests for the next one. General parameters regarding budgetary goals are communicated from the *Office of Management and Budget* (OMB), in the Executive Branch. This is the time for the public to start to influence the budget, the time to convince the appropriate agency or department that a particular cause for which funds are needed should be included in its request.

The next step occurs in the fall, usually late in October or November, when the Administration, through OMB, holds hearings. (The hearing schedule is available from OMB at 302-672-5240 or the Governor's Office in Wilmington, 302-577-3210.) At this time, each agency presents its request for both operating and capital funds. Members of the public may also speak and statements are often made in support of certain items, requesting additional amounts or other changes.

Following the hearings, operating and capital budgets are developed by the Administration. The Governor releases the "Governor's Recommended Budget" to the General Assembly sometime late in January. The operating portion is introduced as a bill and is assigned to the JFC for review. The Capital Budget becomes the Bond bill.

In February and early March, the JFC conducts extensive hearings. (The hearing schedule is available from the Controller General's Office, 302-744-4200). The Department heads again explain their financial needs but the focus is on the budget agreed upon with the Administration. This budget does not necessarily mirror the original requests. Again, the public has the opportunity to speak, and pleas are made for more funds, for changes, etc.

The hearings completed, the JFC schedules various "mark-up" sessions, usually in late May and/or early June in which it develops the operating budget which will be presented to the entire General Assembly for adoption. Following legislation passed in 2009, the "mark-up" sessions are open to the public.

During the entire budget writing process, attention is paid to estimates presented by the *Delaware Economic and Financial Advisory Council* (DEFAC). This is a high-level Council with members from the Legislature, Administration, business and economists from the University of Delaware. It is their duty to prepare estimates of General Fund revenues and

expenses for the current and next fiscal years and to submit reports no later than the 25th of September, December, March, April and May, and the 20th of June. The Governor submits these reports to the Legislature. The June 20th report, made official by Resolution of the General Assembly, becomes the basis for the final budget which must be adopted by June 30.

Bond Bill

Long term Capital Improvements Program projects are authorized in the Bond Bill, so named because it authorizes the sale of general obligation and revenue bonds. This provides the largest portion of the required funds, although some general funds and other special funds are also used. While the original proposal is presented by the Governor, the bill that is finally sent to the General Assembly is the result of work by a joint House/Senate Bond Bill Committee, usually after intense negotiation with the Governor's Office. The Bond Bill Committee meets after the JFC has completed most of its deliberations. It also may meet briefly to consider small scale capital requests, often referred to as the "Mini Bond Bill." Contact the Office of the Controller General (302-744-4200) for a schedule.

Grants-In-Aid

During the budget process, some money is also set aside for grants to support specific projects that the Legislature considers of value to the State. A formula is used to set aside portions for senior centers, fire companies and veterans' groups, but usually about half the total is allocated to social service and cultural organizations. Agencies are required to submit detailed applications and financial data. They also are subject to performance audits by the Controller General's Office. Forms and information on deadlines for applications may be obtained from the Controller General's Office (302-744-4200).

LOBBYING

Lobbying is the act of influencing the outcome of legislation. Persuasion, the most important tool of the citizen lobbyist, may be accomplished by providing facts and figures, informing legislators of positive or negative outcomes likely to result and/or presenting information about similar legislation in other states.

Those who lobby on behalf of an organization must register with the Delaware Public Integrity Commission. Contact the Public Integrity Commission at (302) 739-2399 for information on this procedure.

Lobbying Techniques

- **Know the legislative process.** Once you know how a bill becomes law, who the key players are, and the role of the legislative leadership, you will be less likely to waste time and effort, and your actions will be right on target.
- **Know your facts.** Information is important to legislators. Your credibility is a valuable asset, now and in your future lobbying efforts. Be sure to express facts and figures accurately and positively, citing sources whenever possible. Leave concise, easy-to-read, single-page summaries of facts and arguments. **When errors do occur, correct them immediately.**
- **Know the legislators' parties and whether or not their party is in the majority or minority.** This may not be important to you but it is to them!
- Plan your lobbying contacts carefully. **Know key legislators' stance on your issue.** Be aware of the role they will play. Know the status of the bill and what options might be possible.
- Keep the interview (call, letter, email) short. Legislators represent a lot of people. You are more likely to get their attention if your communication is brief and to the point. Additionally, don't be afraid to engage legislative staff.
- Follow up on lobbying contacts if important decisions or plans were agreed upon. **Send a brief letter summarizing your understanding of the conversation.** Keep careful notes about meetings and conversations.
- Build support for your issue. Whenever possible, work in coalition with other individuals and organizations that share your commitment to the issues. Agree on mutual goals and strategies. Do not demand that your allies agree with you on other issues.

- Remember, the name of this game is persuasion, not war. Listen to your legislator's concerns and try to answer them. Commend her/him for the things you find commendable. Avoid being arrogant, condescending or threatening. Above all, do not argue or back your legislator into an opposing position from which it will be difficult for her/him to retreat.
- Keep your sense of humor. Lobbying is serious business, but try not to take yourself too seriously. **Do not take criticism or rebuttal personally.** If you do not win today, there is always another time.

Building Support

In all probability, it will be necessary to bring together a group of citizens to organize the lobbying effort for or against a bill. The size of this effort will be determined by the intensity of the issue.

Look for support among organizations that can identify with the issue. Supporters may be found among businesses, voluntary community organizations, legislators and individuals. Some organizations may not join the effort, but might provide information to their members so that they can act as individuals.

The issue must be clearly stated so that there will be no misunderstanding of the goals of the lobbying effort. It is important to:

- Clearly define the issue
- Identify supporters
- Develop facts and support information
- Offer a plan for action

A Plan For Action – Initiating a Bill

The following will be a helpful guide:

I. *Initiating a bill*

1. Determine if a similar bill has already been written by a legislator, an allied group or in another state.
2. If no bill is available, you can write one but it is usually better to identify a potential sponsor, give him/her an outline of provisions you want to have included and ask him/her to get a staff attorney to put it into proper bill language.

3. Check with those who will be affected (e.g. local governments, school boards, state agencies, farmers, retailers or unions.) This step is vital for disclosing potential problems, disarming critics and arranging compromises.
4. Build cooperation with the Governor and interested legislators. Cultivate it throughout the process.

II. *Bill Sponsorship*

1. Bipartisan co-sponsorship in both houses can smooth the path through party caucuses, where the bill will ultimately be considered. The ideal sponsors for your bill are the majority and minority leaders of both houses.
2. More realistic and also desirable as prime sponsors are enthusiastic and articulate chairpersons of the House and Senate committees to which the bill is likely to be assigned. They will be of the majority party. It is an unfortunate fact of political life that minority sponsorship is less persuasive.

III. *Introduction and Committee Assignment*

1. Do not wait until the waning days of the session to introduce a bill. Many bills get lost as the workload increases.
2. The presiding officer makes committee assignments. In some cases, there is more than one "appropriate" committee. At this point, persuasion may be helpful in getting the bill into a committee with a friendly chairperson. If the chairperson opposes the bill, it can be troublesome.
3. Standing committees meet regularly to consider bills, usually on Wednesdays.
4. Any legislator can introduce amendments to a bill. **The amendment must be germane to the title of the bill.** Check the legislative website <http://legis.delaware.gov> frequently to keep up-to-date.

IV. *While the bill is in committee*

1. Keep checking with the prime sponsor on the bill's progress.
2. Offer help to the sponsor in lobbying committee members. Remember, a bill needs a majority to be reported out of committee so that it can be voted on by the full chamber.
3. **Attend committee meetings at which the bill is to be considered.** The public is invited to make comments after the committee members have finished their questions and discussion of the bill under consideration. Written statements are also accepted.

4. If all else fails, a bill can be petitioned out of committee by a majority of the whole chamber but this process is rarely used.

V. *Public Hearings / Committee Meetings*

A committee chairperson or the Bill sponsor may arrange for one or more public hearings but these are relatively rare. Public Hearings are more formal than the regular legislative committee meetings.

1. This is an opportunity to raise public consciousness and gather support. Contact allied groups to appear at the hearing. They might be the basis of an informal coalition effort. Keep them informed. Ask if you may use their names as supporting organizations. Do not overlook groups opposing you on other issues if they are with you on a specific issue.
2. Statements before committees
 - a) Statements should be typed with enough copies available to hand to legislators and to media representatives.
 - b) It might be useful to get copies of statements from other testifying groups for use in later lobbying.
 - c) Statements may be entered into the record without being read aloud.
 - d) Statements should be concise, factual and should counter objections raised by opponents.
 - e) You may be questioned. If so, answer honestly about the bill and issue. **If you do not know the answer, say so, and then get the answer for the legislators as soon as possible.**
3. A large show of interest at a hearing will help get a bill out of committee, even if the chairperson is reluctant to release it.

VI. *Bill on the Agenda:*

(Time for a major lobbying effort. Stay in close touch with the prime sponsor.)

1. Materials for legislators and the media (to include paper, radio, TV, etc.)
 - a) One-page synopsis of the bill, preferably in outline form.
 - b) One-page fact sheet about the issue and need for the bill.
 - c) List of other supporters (organizations and individuals.)
2. Visibility is important for some issues. Seek cooperation of allied groups to keep their members informed and to help build groundswell support via:
 - a) Letters to the editor columns.

- b) Op-Ed Page columns.
 - c) Radio spots and call-in shows.
 - d) Petitions and surveys.
3. Personally contact each legislator to determine his or her stance. Keep a tally. A majority is needed to pass most bills, some need more. Bond bills or those affecting local charters, for example, require more than a majority.
- a) Who are certain allies?
 - b) Who are certain opponents?
 - c) Who needs more information? This group needs particular attention from those familiar enough with the bill and the issue to supply data.
4. Find out from the prime sponsor when the bill will most likely reach the floor for debate. Be prepared for delays, since the agenda is often unpredictable.
5. Just before the bill is due for floor debate is the time for constituent lobbying showing support for the bill. Try to ensure that each lawmaker will be contacted. Be sure that someone is coordinating the effort. Check the tally and see that additional information is delivered when needed.
6. On the floor:
- a) Have supporters present if possible.
 - b) Let the prime sponsor and your own legislator know you're there and why.
 - c) If there is going to be outside testimony given on the floor, the expert should:
 - know the bill and the issues thoroughly
 - **be able to explain it clearly**
 - know its impact on Delaware
 - have a friendly, open demeanor
- VII The **PROCESS IS REPEATED** through the other house.
- VIII. **BILL GOES TO THE GOVERNOR.** Presumably, he/she is familiar with it and will not block it.
- IX. Now all you've got to do is **MAKE SURE THE LAW IS ENFORCED** and is working as intended.
- X. On to the **NEXT ISSUE.**

Supporting A Bill That Has Been Introduced

It is more likely that you will not be initiating a bill, but will be supporting a bill that has already been introduced. In that case, begin the process with III above, and continue through.

Defeating A Bill

If your intent is to defeat a bill, you can take action by intervening at any point in the process, beginning with the drafting and introduction of the bill. You can:

1. Urge the committee not to release the bill.
2. Urge the majority leader not to bring the bill up in his/her caucus or not to put it on the agenda.
3. Urge the sponsor not to push the bill in the other house.
4. Contact the Governor's office and let them know why the bill should not become law.

Knowing Your Legislators

If you do not know who your legislators are, check the legislative website, contact your county Department of Elections or the League. The roster of legislators, listed by Senate and House district number is available on the legislative website or from the LWV office. **It is also important to learn the Party designation of your Senator and Representative and to know whether their Party is the majority or minority Party in their respective chambers if trying to contact them at their legislative offices.**

Department of Elections (all area code 302)

Kent County 739-4498

New Castle County 577-3464

Sussex County 856-5367

Lobbying By Phone

When a trip to Legislative Hall is not practical or possible, a phone call to your legislator can provide the opportunity to discuss an issue. For persons who do not feel comfortable speaking to their legislators directly, messages of support or opposition to bills may be left with the receptionist who answers the phones at legislative offices. It is important to know your legislator's party affiliation. All phone numbers are area code 302.

Senate Offices		House of Representative Offices	
Dover:	302-744-4286 (Dems) 302-744-4048 (Rep.)	Dover:	302-744-4351 (Dems) 302-744-4171 (Rep.)
Wilmington:	302-577-8744 (Dems) 302-577-8714 (Rep.)	Wilmington:	302-577-8476 (Dems) 302-577-8723 (Rep.)
Georgetown:	302-856-5108 (shared)		

Lobbying By Mail

The letter is a widely used form of communication with legislators.¹ It can be an effective way to lobby when it is impossible to talk to him/her in person or by phone. When writing, make the letter friendly and personal. Form letters and petitions do not carry the same weight because they may be signed by people who have little interest or commitment to the issue.

Write to the legislator from your district. If you write to a committee member who is from another district, send a copy to your legislator.

Lobbying By E-Mail

Almost all state legislators now have e-mail addresses to which messages may be sent. Some legislators read their own e-mails; others rely on their assistants.

However You Lobby

Public officials hear most often from constituents who oppose their actions or who need assistance. They need positive reinforcement occasionally. Communicate with them also to say you approve, praise some actions that has been taken or to say that he/she is doing a good job. This could open an ongoing line of communication.

Fundamental Do's and Don'ts of Letter Writing

DO spell your legislator's name correctly and address him/her correctly.

DO send a typed personal letter if possible. Handwritten letters are fine if legible.

DO identify yourself. Include your name and address. Explain any family, business or political connections you have that are related to the issue.

¹ Due to heightened security in the U.S. capital, mail service to the Washington, D.C. offices of Delaware's three congressmen may be delayed. It is best to send letters to a local office. To send e-mail, do so from their websites since they require a Delaware address and respond to Delaware residents only.

DO be brief and to the point. Discuss only one issue in each letter. Quality is more important than quantity.

DO coordinate your letter writing with the progress of the bill. Write when the bill is in committee, or write just before the bill comes to the floor for debate and vote.

DO write a follow-up letter to thank your legislator for his/her support of your position, especially if the vote on the bill is in your favor.

DON'T be rude or threatening.

DON'T begin on the righteous note of "As a citizen and a taxpayer..."

DON'T apologize for taking his/her time.

DON'T attempt to bribe or pretend to possess political influence. (Criminal offense)

Addresses and Salutations

President

The President
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Mr./Ms. President:
Dear Mr./Ms. President:
Dear Sir or Madam:

U.S. Senator

The Honorable John Doe
Use Delaware office address
(see Footnote 1 on p.25)

Dear Sir or Madam:
Dear Senator Doe:

U.S. Representative

The Honorable John Doe
Use Delaware office address
(see Footnote 1 on p.25)

Dear Sir or Madam:
Dear Representative:

State Senator

The Honorable Jane Doe
Legislative Hall
Dover, DE 19903

Dear Sir or Madam:
Dear Senator Doe:
Dear Sir or Madam:

State Representative

The Honorable Jane Doe
Legislative Hall
Dover, Delaware 19903

Dear Sir or Madam:
Dear Representative:

Governor

The Honorable Jane Doe
Carvel State Office Building
820 N. French Street, 12th Floor
Wilmington, DE 19801

Dear Sir or Madam:
Dear Governor Doe:

County Executive

The Honorable Jane Doe
City/County Building
800 N. French St.
Wilmington, DE 19801

Dear Sir or Madam:
Dear County Executive:

Mayor

The Honorable Jane Doe
Mayor of the City of Wilmington
City/County Building
800 N. French St.
Wilmington, DE 19801

Dear Mayor:

Closings

Respectfully yours,
Very truly yours,

Sincerely yours,
Faithfully yours,

SOURCES OF INFORMATION

Internet

The General Assembly's website <http://legis.delaware.gov> is an invaluable source of information in any advocacy effort.

Many State offices/departments have their own websites.

Most of the materials listed below under Legislative Council are available on and can be downloaded from the legislative website.

Legislative Council - 800-282-8545

Free single copies of bills and amendments may be picked up in person or requested by toll free phone.

Copies of daily House and Senate agenda

House and Senate Rules, which are adopted every two years by Resolution at the beginning of each new General Assembly.

Committee lists, chamber seating arrangement (so one can tell who is who from the gallery), lists of General Assembly members with Legislative Hall offices and phone numbers

Information on status of bills, committee meetings and public hearings.

Controller General's Office - 302-744-4200: Schedule of budget hearings, fiscal notes.

Legislative Hall Library

House and Senate calendars, which are updated daily, are available to look at and give current status of all bills and resolutions which have been introduced--includes listing of sponsors, which committee bill is assigned to, votes of committee, floor votes, amendments added, etc.

Delaware Code

The Delaware Code has 31 titles bound in several volumes; available at local libraries and at Legislative Hall. Frequently one must refer to the Code to determine what current law is in order to understand what a bill would change. The Code is available online at <http://delcode.delaware.gov/index.shtml>.

Newspapers

The State's two daily papers, the *News Journal* and the *Delaware State News*, have extensive coverage of the General Assembly.

League of Women Voters

"*They Represent You*" brochure is published every two years after general elections and lists names, addresses, phone numbers of elected officials from President on down. Free: 302-571-8948, or lvvdelaware.org/Government.html.

State Chamber of Commerce

A booklet published every two years early in new General Assembly sessions contains names, addresses, pictures, phone numbers, brief bios and committee assignments of each legislator. The Legislative Roster can be downloaded from or browsed online at www.dscc.com/roster.html, or purchased in hard-copy from the Chamber. The purse size is valuable when trying to learn faces.

Not to Be Overlooked As Sources of Information

Attending Budget Hearings -- see budget process on p. 17.

Attending House and Senate Committee Meetings and Public Hearings open to public. Meeting notices are posted on bulletin boards in the hall near Legislative Council and on doors of House offices and on the legislative website. Announcements of public hearings sometimes appear in newspapers. Regular committee meetings are usually scheduled on Wednesdays when the General Assembly is in session.

[illegible]