

# Safety & Damage Prevention

...Putting it all together

## Stakeholder Advocacy



## Stakeholder Advocacy Committee

**ABSTRACT:** *Considerations for Advocates*

**PURPOSE:** *To provide guidance to lobbyists on how they may support legislative change impacting state one call law requirements, including enforcement.*

### Introduction

The Common Ground Alliance (CGA) is a member-driven association dedicated to ensuring public safety, environmental protection, and the integrity of services by promoting effective damage prevention practices. In recent years, the CGA has established itself as the leading organization in an effort to reduce damages to all underground facilities in North America through shared responsibility among all stakeholders. In 2012, the CGA established the Stakeholder Advocacy Committee to proactively work with local stakeholders to educate state policymakers and other authorities regarding use of CGA best practices and other resources to positively impact state/federal legislation and/or regulations under consideration.

Lobbying activity is regulated by both federal and state law. CGA, its officers, directors and committees are not registered lobbyists. These guidelines are provided for educational purposes and are not intended to advise what is necessary to comply with lobbying laws.

### Advocacy Guidance

When developed and implemented effectively, advocacy campaigns provide stakeholders the opportunity to weigh in and shape legislation as it makes its way through the often mazelike legislative process. In addition to a general evaluation of the state's political landscape, several factors must be considered in order to cultivate a winning strategy.

**I. Basis for Advocacy:** Legislative initiatives are usually a result of a high profile event occurrence or trends over time that generate either media attention and/or change public opinion enough to spur lawmakers to act. Identify what prompted legislative activity related to your state's damage prevention statute (One Call Law):

- Pipeline or other underground facility incident/accident?
- Weak damage prevention law, especially enforcement?
- Increased media attention to statute?
- Other factors, such as potential Federal action?

**II. Identification of Allies and Opponents:** A common mistake made by stakeholders new to the advocacy game is to try to "go it alone." As legislative proposals are developed and vetted, it is critical to identify allies, and who has an interest in blocking your proposal. Establishment of industry and potentially more impactful industry/government coalitions is fundamental to effective advocacy. Are there other organizations with similar goals and if so, are there enough to establish a coalition to advance your position? Who are the other state stakeholders, including state regulators, utility operators, telecommunications companies, construction/excavation companies, and state One Call organizations? Who opposes your position and/or goals? Are there enough such groups to establish an opposing coalition? Are there existing "champions" for state damage prevention? If not, are there known and respected leaders with the political and industry connections who may play this role?

**III. Political Environment:** The likelihood of legislation passing both chambers of the legislature and being signed by the governor depends in large part on which party is in control. This gets more complicated in the case of divided state government. Evaluation of the political landscape is fundamental to developing an effective legislative strategy. Consider which party is in control in the House, Senate, and in the Statehouse. How does the political makeup impact your chances of success?

**IV. Committees of Interest:** Knowing the key players who sit on House and Senate committees with jurisdiction over the legislation is essential. In some cases, multiple committees in each chamber may consider all or part of the bill. Therefore, consider the following:

- What House and Senate committees will have jurisdiction over the legislation?
- What committee members are likely to agree with your position?
- Who on the committee will oppose your position and/or take the side of your opponent(s)?

**V. Political Connections:** For better or worse, political relationships and the “who you know” part of the equation is a critical factor. Having allies with connections in the legislature can go a long way to gain access with important people in the process. Who in your coalition has strong relationships with key state policy-makers (Legislature/Assembly? Governor’s office?) What is the nature of these relationships (Personal friend? Active and vocal constituent/voter? Political contributor)?

**VI. Strategy:** A strong, broad-based stakeholder coalition needs an effective advocacy strategy. Providing a regular and consistent message through phone calls, letters and email communications, and during face to face meetings with legislatures and their staff members is the name of the game. Consider your resources. Who and how many of your allies are willing to actively participate in the advocacy?

**VII. Timing:** The window for legislative activity varies from state to state, so it’s important to develop and implement your legislative strategy accordingly. Some state governments provide hundreds of “legislative days” where bills are considered and brought to a vote. Other states provide a limited number of days to advance legislation. How many legislative days are provided in the House? Senate?

**VIII. Briefing/background Materials:** Use of clear and succinct background materials is an integral part of advocacy. These supporting documents must be brief (usually one-page) and must clearly articulate the issue/problem, what your position is (or legislation you’re supporting), and why the policymaker should agree with you. Examples of these materials are position papers, letters of support from a range of stakeholders, examples that demonstrate precedent (i.e. similar legislation that exists in other states), and media stories that support your position.

## Resources

The CGA Advocacy Committee has developed tools to assist in advocating for stronger One Call laws.