

Getting the Most Out of Contract Lobbyists

Today's Speakers



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M U L T I S T A T E



Presentation Outline

Prior to Hiring: Assessing Needs + Options

- When to Hire Lobbyists (Ben)
- Choosing the Right Representation (MR)
- Some Additional Tips on Selection (Ben)
- Managing Expectations (MR)
- Navigating Coalitions (Liz)
- Contract Negotiations + How to Pay (Ben)

Once They're On Board: Managing

- Be Clear Up-Front + Communicate Often (MR)
- Integration and Value Maximization (Ben)

Retain/Renew or Release? Best Practices

- Sometimes It Doesn't Work (Ben)
- Retaining Your Representation (MR)
- Releasing Your Representation (MR)

Case Studies

Prior to Hiring

Assessing Needs and Options



When to Hire Lobbyists

Budget and Deliverables

- Finding an internal client to pay for it.
- Equalization across markets — making apples to apples comparison.
- Do a cost benefit analysis.

When is hiring a lobbyist justified?

- Is industry aligned or are you differentiating yourself from a competitor?
- Can you leverage an existing relationship?
- Can you join/sponsor a local group?
- Can you share formally or informally with others?

Choosing the Right Representation (Pt. 1)

Step #1: What's your scope? Do you need...

- A lobbyist in just one state, or representation in several?
- Someone to work advance a key action in one issue area?
- Someone to block detrimental activity?
- Someone to represent you/you organization/industry on all issues (be “your face” in the Capitol)?
- Someone to monitor but not advance anything?

Know the landscape. Determine priority states/localities by considering:

- Footprint
- Relationship with officials
- Threat to your business/organization
- Opportunity for your business/organization
- Also consider what deliverable you are trying to accomplish: procurement, legislation, regulation?

Choosing the Right Representation (Pt. 2)

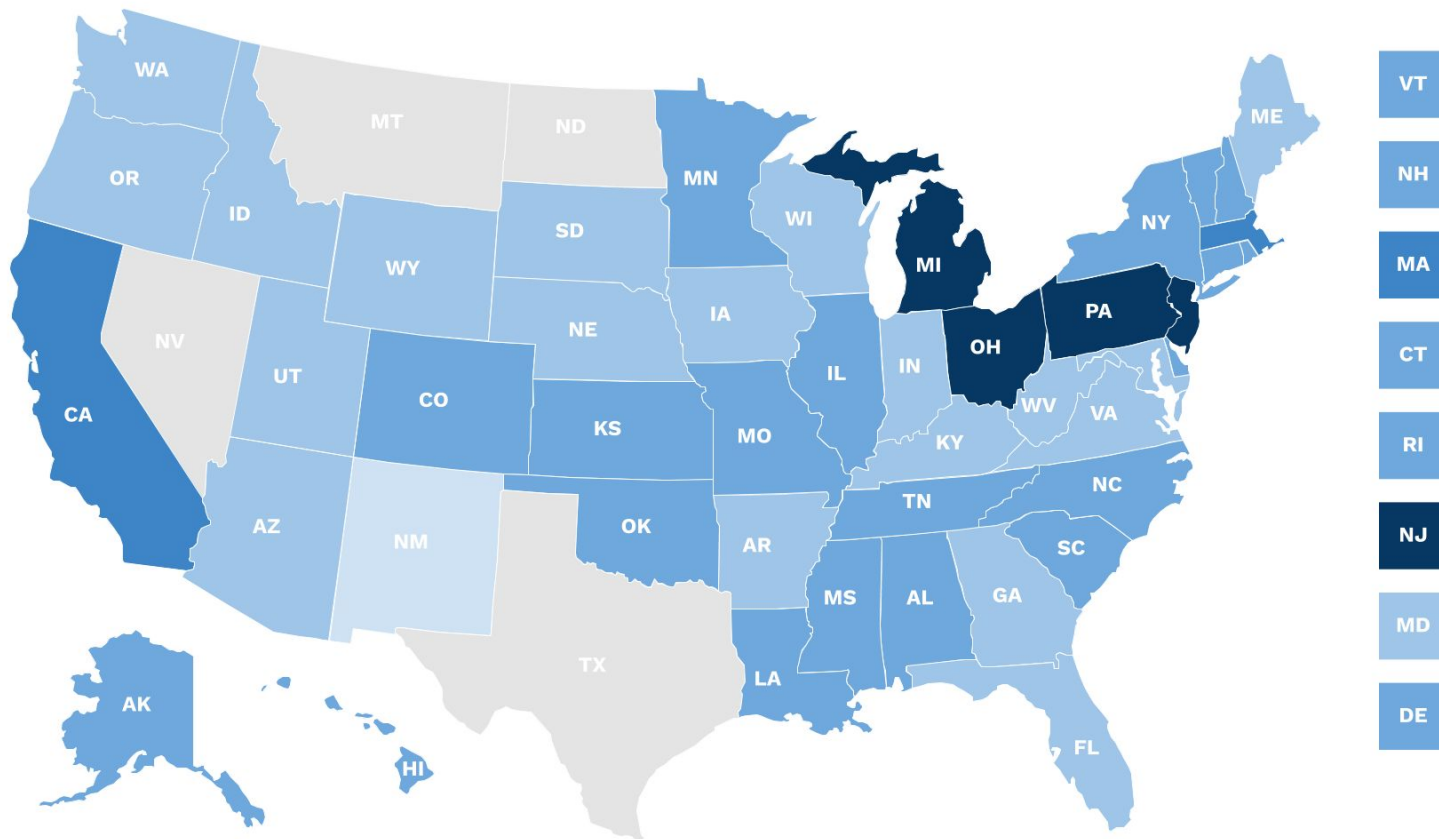
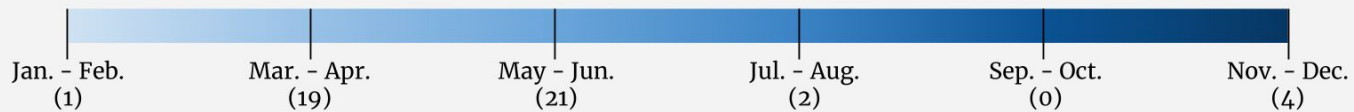
State Government Relations = High Speed. State sessions move quickly.

- Most states are adjourned by June.
- Only a few full-year legislatures.
- (See map on next slide.)

Big leagues (Congress) v. Minor Leagues (states) isn't true.

- States have the ability to drive national policy (ex: *Wayfair*).

When do state legislatures adjourn in 2020?



Choosing the Right Representation (Pt. 3)

Know your style!

- Big firm/small firm - pros and cons
- What kind of personality/style do you work best with?

Know your budget!

Be realistic about your time commitment.

- How much time can you dedicate?
- Can you be on the ground?

Understanding the Mission/Level of Effort

Some Additional Tips on Selection

Sourcing and Vetting

- I hired who I liked to work with as a staffer.
- People who made it easy for me to hire them.
- Sources for referrals: your patron, competitors lobbyists, neighboring state lobbyists.
- Working style and fit, just as important as connections and technical expertise.
- Unfair generalization: the bigger the name, the less work.

Managing Expectations

Targeted issue or broader based?

- Again, back to scope - make sure it's well-defined and reiterated.

Making sure the lobbyist is integrated into your team.

- Regular meetings/calls.
- All Lobbyist meetings/calls - gauge effectiveness.

If managing multiple states, share successful collateral material.

- If it worked in another state, offer it to lobbyists in your other states.
- If helpful, create a “landing page” to coordinate all your lobbyists, messaging, and state work (can be internal or external).

Navigating Coalitions

When you might want to consider hiring a contract lobbyist:

- You're not fully informed about the political dynamics surrounding your goal, and you don't have the time or bandwidth to learn it yourself or coordinate info from the whole group.
- You want to give your issue a unique "face."
- You need to leverage specific relationships (ex: you need to hire someone with a specific network or contact).
- You're short on time.

Overcoming Challenges with Managing

- Outline decision making rights up front.
- Keeping members informed is important, even if they aren't "deciders."

Contract Negotiations + How to Pay

Best Practices:

- Be clear and set expectations up front
- How long is the contract? 30 day out?
- Who pays expenses?
- Who files compliance paperwork?

Once They're On Board

Managing Lobbyists



Be Clear Up-Front + Communicate Often

Rules of Thumb:

- Must begin by having clear objectives and scope up front.
- Define “success” before you begin so you have something to measure against (even when there isn’t a concrete action like passing or stopping a bill).
- Effective and frequent communication = no surprises

How has the political environment changed?

- Change in party control: Virginia elections last week
- Change in leadership: New Maryland Senate President for first time since 1987.

Integration and Value Maximization (Pt. 1)

OKRs and KPIs

- Objective, Key Result; Key Performance Indicator.
- Mechanism for providing clear guidance on priorities and how they will be evaluated.
- Come with ideas, but arrive on final product together.

Written Reports

- Can be valuable, but no busy work!
- They've got to write them, and you've got to read them.
- Be a good client.

Integration and Value Maximization (Pt. 2)

Evaluation

- Evaluate on some regular cadence.
- Give honest and frank feedback.
- Communicate the process, can help soften the blow if things don't work out.

Retain/Renew or Release?

Some Best Practices



Sometimes It Doesn't Work

Hiring, Firing, Pausing, Rehiring

- It doesn't always work out, and that is OK. You are all professionals. Pull off the bandaid and move on.
- Ongoing “annuity” contracts are different than short term “sniper” contracts. You will probably get one “pause” before your retainer will be adjusted accordingly.

Retaining (Renewing) Your Representation

Rules of Thumb:

- Give it ample time. When renewing a state-level lobbyist, bills can be filed starting the October/November before the following year session.
- Remember that procurements do not necessarily follow political calendar
- Understand what was done right, what needs improvement/focus by revisiting the objective and scope you defined up front.
- Evaluate the new political climate and adapt to it.

Releasing Your Representation

When should you release your contract lobbyist?

- Issue has concluded! (However, even if you have won, make sure that there are not underlying outstanding threats that could reverse your progress in the future.)
- You're moving on to other states. (Make sure to leave on good terms, in case you need to retain again in the future.)
- Personality issues
- Political changes

Case Studies

Putting Tips into Practice



State Case Study

Colorado

- Scott Chase, Political Works
- 2019 Strategy Document
- Cosponsors, Timeline, Third party groups
- Gives you a guideline, and reevaluate if not going according to plan.
- Opportunity to hold lobbyists accountable, by holding them to their own plan.

Federal Case Study

Pension Reform

- Kent Mason, Davis and Harman
- Highly technical issue, with a diverse coalition of supporters.
- Short term plus up, split among several companies.
- Quick Success

Coalition Case Study

Technical Tax Issue at State Level

- Technical issue impacting one industry.
- Lobbyist helps navigate the on-the-ground politics and personalities.
- Requires coordination among 8-10 states.
- Keys to success are streamlined and frequent communication (internal and external) and coalition branding.

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