

TESTIFYING BEFORE THE LEGISLATURE

Procedures and tips for the public

*Special thanks to Youth Alternatives/Advocacy & Prevention Services
for sharing this document with FFTA members*

PUBLIC HEARING PROCEDURES

You have a right to be heard, and to let your opinions be known. You may do this by calling or writing your legislator, or any other legislator who is proposing something you either agree or disagree with, or you have a right to attend any public hearing on any bill.

There are two ways you might testify.

1. Your organization or group may ask you to appear in your official capacity as a member or staff person. If you do, you will testify on work time and identify yourself as a staff person.
2. You may choose to testify on a personal or professional issue as a private citizen. If you do so, you should check to see what your employer's procedure is for taking a personal day off in order to attend a hearing, and you must make it clear that you are testifying as an individual.

Preparing Testimony: Legislators are very interested in knowing all the effects a proposed piece of legislation may have, so it is important that you are clear and concise. In fact, most people provide written testimony. Written testimony also ensures that committee members who are not present have the opportunity to read what was said during the public hearing. Make sure you bring enough copies for the whole committee--usually 20 copies are enough, unless the committee is meeting jointly with another committee (for example, Appropriations often conducts a public hearing on certain bills with originating committee). In the case of a joint session, bring 40 copies. See the section below about formatting testimony.

Speaking Order: At the beginning of each hearing the presiding committee chair will call the public hearing to order and announce the bill to be heard. The sponsor of the bill will formally introduce the bill, and after the sponsor has spoken, the presiding chair will ask if any other sponsors wish to testify.

Once all sponsors have had the opportunity to speak, the presiding chair will then invite members of the public to speak. Generally, the speakers are divided into three categories: those favoring the bill, those against the bill, and those neither for nor against the bill. Some committees ask members of the public to rise or raise their hand if they wish to testify before the committee.

Your Turn At The Podium: When you are invited to testify, stand at the podium to speak and sign your name on the sign-up sheet at the podium. You should begin by addressing both the

Senate and House Chairs by name. (For example, "Senator Smith, Representative Jones and members of the committee.") Introduce yourself and who you represent, indicate whether you support the bill, oppose it or are offering suggestions to improve it, and then explain your reasoning.

If other speakers have already made your point, let the committee know that you agree with the previous remarks of others speakers, but please try to avoid repeating the testimony of previous speakers. When you finish, please remain at the podium for a moment, in case committee members want to ask you questions.

Work Sessions: Work sessions are used by the committee to discuss the merits of a bill and to decide whether to recommend its approval. Any further public participation is left up to the discretion of the presiding committee chair. Usually the public cannot even ask to comment or raise their hands. Sometimes if the committee members know an observer might have relevant information, they will call on them.

Typically if you or your organization decides it is important to attend a work session, you can select one or two people to attend.

Preparing testimony: The written format for testimony is:

1. Print it on letterhead. Make 18 copies if it is for one committee, 36 for a joint session. Hand in the original and 17 (or 35) copies, and keep one for you to read from, and some extras in case anyone in the audience, or the press, wants a copy.

2. The actual text:

Date:

To: Name of

Regarding: LD # and title

Position: Support, Oppose, or "Neither for nor against"

Senator _____, Representative _____, (name the 2 chair people) and members of the _____ Committee, I am (your name) and I am here today to testify on behalf of (the name of your organization, if you have one) in (support, opposition, or neither for nor against) LD # and title. In my capacity at (name of the organization or group, I.....

Thank you for your time.

(signature)

Your name, title,

Name of organization, or program if you are representing another entity

phone number and e-mail address

3. Your turn: When you go to the podium, keep your copy and give the others to the staff person. You will be able to see who that is by observing others.

4. Questions and answers: After you have finished, ask if there are any questions, wait a moment, and sit down. It is really respectful for you to try to be there at the beginning, to hear how the testimony is happening, and not leave immediately after you testify, if at all possible. If you do have to leave, you might want to say you are unable to stay and thank them for listening. If others before you have said similar things, you might want to give them the testimony and say you will not read all of it because you think others have covered your points. If you decide to do that, be sure to still introduce yourself, your title, and who you are there representing.

5. That's it! While it may feel intimidating, some things you should remember about testifying are:
 - Legislators are elected representatives of the public. They work for you, and need the information you have to make good policy.
 - If you are asked a question you don't know the answer for, DON'T GUESS! Just say you are not sure, and that you will find out the answer and pass it on to them via mail or another staff person (usually you can give any additional information to the someone on the committee or a staff person to pass on)
 - If they are asking questions that are beyond your scope (like budgets or evaluation data which you are not responsible for) just say that, and again, assure them you will get the information.
 - Answer the question simply and concisely. Do not give them too much detail, and do not offer information they have not asked for. Too much information might turn out to be a political liability if the legislator asking has a particular agenda or side issue.
 - Always be polite, and if you believe you are getting in to areas you are uncomfortable with, it is OK to just say that, and defer to someone else.

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