

## *Jim's Perspective...*

### The Legislature and Lobbying

I have been a registered lobbyist in the Nebraska Legislature since 1981. My, how time flies! My, how things have changed! The impact of the pandemic on the lobbying process in the Legislature prompted me to reflect on how it worked many years ago. Below are some of the most significant changes from the 1980's to 2021.

- **Computers/technology.** In 1981, everything that transpired in the Legislature was memorialized on a sheet of paper. Each lobbyist had a "box number" in the "bill room." Each day, the lobbyist went to the bill room located near the west entrance to the Capitol and collected all of the written material produced from the previous day which was stored in his or her box. There were shelves behind a counter in the bill room which housed all of the boxes. You entered the bill room and stood at the counter until a bill room worker arrived at the counter and asked for your box number. The worker then went to your box and retrieved the contents and placed it on the counter in front of you. Newly introduced bills, plus bills on Final Reading were all in your box. The agenda for the day was in your box along with other sheets of paper such as the Summary Sheet, Worksheet and Daily Journal. There was no electronic process to watch or read things from your office while sitting at a computer or watching on TV. As I collected legislative bills each day, I placed them in binders stored on a shelf. I initialed each bill after I read it. This had to be done so that I knew it had been reviewed because it was initialed. That was the only way to keep track of what I had read. Each day during the Legislative Session, most lobbyists stood in the Rotunda outside the entrance to the legislative chamber, or sat upstairs in the galleries for spectators and watched what was going on. There was no live television of floor debate or hearings in 1981. In the Rotunda there were some benches, but most lobbyists didn't sit on them. They were, by custom and tradition, reserved for the older lobbyists such as Jim Ryan or Bob Skochdopole. In 1981 the whole legislative process was very personal and very social. It had to be. There was no other way to know what was happening on the floor or in a committee hearing, other than to be present in the Capitol, and visiting with others. One nice thing about the lack of computer generated word documents was that there were not very many excessively long multi-page bills. Some of these long bills were referred to as "clean-up bills" prepared by the Revisor of Statutes. No one wanted to have to type all of the clean-up bills and print all of it on paper, and proof-read everything. Most bills were much shorter than what you see today.
- **Women in the Legislature.** In 1981, there were five women who won election or reelection to the Legislature: Karen Kilgarin, Marge Higgins, Shirley Marsh, Bernise Labedz and Carol Pirsch. In 2021, we have 13, one less than the record of 14 for the 2019 session. The first woman in the Unicameral, Neil Krause, joined 48 men in the Legislature in 1946. It took 21 more years to get three women in the Legislature and then it was up to six in 1981. As I previously mentioned, there were three women first elected to the two-house Legislature in 1924. Although it is moving in the right direction, hopefully the Legislature will see a larger number of women as state senators in the future.

- **Demographics.** In 1900, 67% of Nebraskans lived in nonmetropolitan counties. Today, 65% live in metropolitan counties. In 1980, there were thirteen senators from Omaha and five in Lincoln which constituted 18 metro area senators. Today there are roughly 27 metro area senators and only 22 senators from rural counties. Of course, the problem is that rural Nebraska citizens feel like they have little or no say in the legislative process today. It was not that way at all in 1981. Also, this illustrates one of the flaws of a unicameral system. As I previously mentioned, when the people voted for a unicameral in 1934, Lincoln and Omaha residents voted against it because they knew they would be in the minority.
- **Term Limits.** Over about the past ten years, there have been roughly 100 new senators elected to the Legislature. In the 1980's there were many senators who had been in office for 10 to 15 years. This tended to make things more predictable. You knew where many senators stood on many issues, and many controversial issues did not constantly come up year after year for another hearing because everyone already knew how many of the senators might vote. This is not so true today. Currently, there are eight new senators and twenty senators with only two years experience, although newly elected Senators, Rich Pahls, Ray Aguilar and Mike Flood obviously have plenty of experience. The more constant turnover in senators means more time and effort by lobbyists to educate senators about various legislative issues. There were six senators term-limited in 2020 and there will be twelve term-limited in 2022.

### Political Power Pyramid

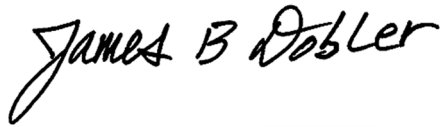
Michael E. Dunn & Associates, Inc, a public affairs and media solutions company based in Arlington, Va, developed the “political power pyramid” to demonstrate the various levels of constituent political influence in congressional districts. There are nine levels of political power in this pyramid and they are set forth below starting at the top of the pyramid which represents the highest and most effective level of political power. As you can see, it's not in the form of a pyramid, but I think you will get the idea! I couldn't figure out a way to insert a pyramid and label it with the items shown below.

- Get others to volunteer and campaign on behalf of a candidate. (peak of the pyramid)
- Get others to contribute to a candidate.
- Volunteer to help with a campaign.
- Contribute to a campaign.
- Vote for the winning candidate.
- 48% vote for the losing candidate.
- 19% don't vote.
- 25% not registered to vote.
- 26% not eligible to vote.

The bottom three percentages (70%) involve people in a Nebraska legislative district that don't or can't vote. A Nebraska legislative district consists of roughly 37,000 people. That leaves only 30% (11,100 people) who vote, and out of this group 48% vote for the loser (5,328). This brings those remaining in the top five categories down to 5,772 voters which means that about 15% to

16% of the 37,000 people in a legislative district ultimately have some form of political power or influence in a legislative district race. Out of this group there is, of course, an even smaller number who actually contribute to, or help in, the campaign. That is where “political power” resides. If you are at the top of the political power pyramid, that is, within the top four items listed above, you have much more opportunity to have your point of view or your concerns heard by an elected representative.

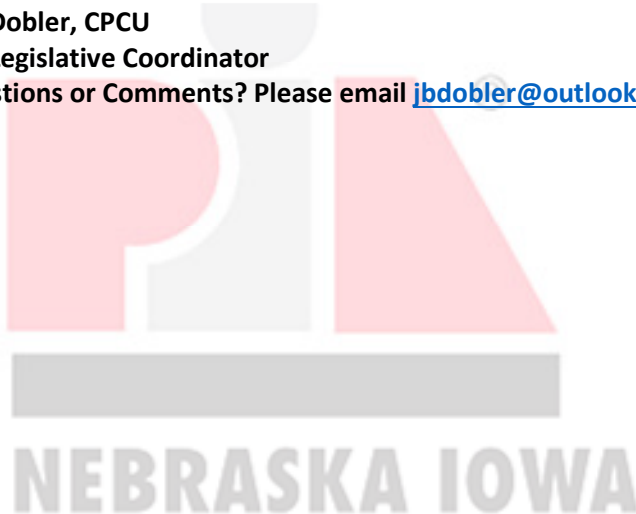
I appreciate that all of us understand that some folks don’t vote and children can’t vote, but I have always thought the Michael Dunn pyramid idea of constituent influence in Congress was kind of a neat way to look at it. Although the percentages listed above were developed from research in federal congressional districts, I think a Nebraska legislative district would experience similar percentages. The process of building constituent political influence is the same today as it was in 1981!



Jim Dobler, CPCU

PIA Legislative Coordinator

Questions or Comments? Please email [jbdobler@outlook.com](mailto:jbdobler@outlook.com)



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