No “Off Season” for Advocacy
National Assembly of State Arts Agencies Web Seminar
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Abridged Transcript

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Jesse Rye, Policy and Program Associate, NASAA

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Tom Birch, Legislative Counsel, NASAA

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INTRODUCTION

Jesse: Good afternoon, everyone. We’re so glad you could join us for today’s Web seminar. We will start by hearing from Tom Birch, who will be discussing year-round advocacy. And then, we will hear arts advocacy perspectives from Tim Deratany, the chair of the Florida Council on Arts and Culture, and Arlynn Fishbaugh, the executive director of the Montana Arts Council. Finally, Tom will share some recommended advocacy resources. We also have two opportunities for questions and answers during today’s session. Please send us a chat message with your questions at any time during the presentations and we’ll answer questions during one of these breaks. It is my pleasure to turn the seminar over to Tom Birch.

YEAR–ROUND ADVOCACY

Tom: Thank you, Jesse. I’d like to add my welcome to all those participating in this NASAA Web seminar on No “Off Season” for Advocacy. As the title suggests, advocacy is a year-round activity. We’d like to spend time with you this afternoon talking about building relationships in the legislature and making connections with elected officials, so that when we need their support they will be there for us.

Whatever power we enjoy in politics depends upon creating relationships with legislators. Getting ahead with your agenda is really a matter of getting to know people who can make it happen for you. Relationships built over time can work to develop political leaders who will take the initiative for you on your issues – not simply those who will vote to support you but who will step out in front and make things happen for you. Our work spent on developing powerful allies in government is ongoing throughout the year. Remember that one-to-one communication is the very basis of successful political alliances. The cultivation of good friends in the legislature takes time and attention. Like all relationships, political connections need to be nurtured over time.
Before I go further, I’d like to talk a bit about the difference between advocacy and lobbying. Advocacy is about the simple act of telling a story, being persuasive, and getting the point across. As an advocate, you are talking about something you know more about than your legislator does. The words advocacy and lobbying are often confused. Advocacy encompasses a wide range of activities, which might not always include lobbying. Lobbying is a small but essential part of advocacy. Arts advocacy means speaking up for what we believe is important. It means talking about the arts with the people who have the power to support our cause.

Advocacy is providing reliable information to legislators. Advocacy is offering a personal perspective where public policy decisions are made. Advocacy is building familiarity and trust between you and your elected officials. Lobbying — that small but essential part of advocacy — is very specific. It’s about contacting a legislator and urging the passage, or defeat, of a specific bill in the legislature.

Almost all important changes in public policy and legislation begin with non-lobbying advocacy and that’s what we are here to talk about today — the relationships we build with our elected officials that become the foundation for our lobbying successes. Your elected officials need to hear from you before there is a crisis, before you have a problem to solve.

Remember these two rules. The most powerful advocacy contacts are made by the constituents, and programs that demonstrate a grass-roots constituency get priority attention. That’s what our friends on Capitol Hill tell us here in Washington.
Here’s what our friends at the National Conference of State Legislatures say: “Programs with proven results fare better.” Explain what the arts do for your community. When legislators are able to see firsthand how the arts serve their constituents, they are better able to understand how the arts are of value to the public.

Always remember that the local point of view counts the most with politicians. It’s the hometown voice that gets the message through in the calls and letters and office visits to legislators.

As arts advocates, we succeed with the stories we tell. Stories about: arts in the schools, rural arts programs and making the arts available to more people, how the arts serve young people, how the arts revitalize dying communities, and how the arts attract businesses and create jobs.

When legislators talk about the issues, their comments inevitably turn into a report on what the constituents are saying. They end up bragging about you – the arts advocates – but first you have to show them what’s happening at home.

Let’s start off at the beginning, with election campaigns. Often, the question, “How did you get to know the speaker of the Assembly or the governor or your senator?” is answered with “I worked on the election campaign” or “I gave a campaign contribution.” Politicians never forget their campaign supporters and contributors. Your first friends in government are those you helped get elected to office.

Getting involved in a visible way with a candidate’s campaign will ensure easier access after the election. Conversations with the candidate about the benefits of public support for the arts in his or her district help to create an awareness of the strength of the arts constituency. Also, when you’re involved in an election campaign, you get to know the candidates’ aides early in the game. The aides often become top policy advisors after the election, working with your new governor or state legislator or city council member.

Make a point to attend campaign events. Stand up at election time and begin educating politicians before they take office. Participate in candidate forums, town meetings and “meet and greet” parties in your neighborhood. Confront the candidates and educate them about the arts in their communities. Ask the candidates where they stand on issues of public arts policy.

You can start even earlier in the electoral process and recruit candidates who share your
interests. Promote the candidacy of community leaders who understand the importance of public support for the arts. That ideal candidate may be the former chair of your state arts council, or a professional artist or an arts administrator. When your candidate gets elected to the legislature, you have a friend and ally in a position of power that understands your issues and can promote your legislative agenda.

After the election, there's work to do. Typically, most newly elected legislators will not have thought much about the arts during the election campaign. Once in office, politicians need to hear from the arts advocates they represent. It is crucial that arts advocates work from the start to educate legislators about the importance of the arts in their communities.

Welcome your newly elected legislators. Write a letter with congratulations on their election victory. Tell them what you do. Send along information about your state arts agency and the arts in your state. Let them know that if there are questions that come up about cultural policy, you would welcome their call.

New legislators need educating on your issues. Position yourself as an expert on arts policy who is willing to be helpful when questions arise. Demonstrate your ability to connect the issues in the arts to the interests of the legislator’s constituency.

The freshman legislator you worked to transform into an arts supporter may turn out to be a major power figure in a few years. As that arts supporter rises through the ranks, continue to provide the material and information necessary to keep abreast of your issues. Ultimately, your friend in the legislature can be a powerful voice for the arts, and you will reap the dividend of that long-term investment in the relationship with your legislator.

Keep in touch with your legislators throughout the year. Create a good excuse to contact your legislators when you are not asking for something. Send them a copy of your annual report, a new guide to your programs, or your calendar of events. Seize the opportunity to show your legislators what you do and to remind them who you are. Through contacts like these you can establish a good base of understanding for that time when you will need something from your legislators.
Meet your elected officials whenever you can. You may find yourselves at social events with politicians. Use those occasions to develop the personal bonds that grease the wheels of politics. Introduce yourself to your legislator and even if the event isn’t about the arts, identify your connection with the arts in your community. If you want to do business with your political leaders, don’t overlook the opportunities to make personal connections. Discover common interests. Success in politics turns on the strength of one-to-one relationships.

Use influential arts leaders to promote relationships with political leaders. Invite legislators to lunches and other special events with people in the arts whom they would like to know. Recognize that the arts world has contacts to offer to politicians just as much as the arts want to connect with the political world.

Invite a legislator to address a conference on the arts or to attend council meetings or to write a column in your newsletter. You’ll offer exposure to that senator or representative and build a stronger advocate at the same time. Putting together some thoughts for a speech or an article about the arts will help that politician become better informed about your work and more aware of your position in the state.

Arts events offer opportunities for advocacy. We don’t have to create these special occasions. With performances, festivals and exhibitions, the nonprofit arts community serves up what every politician wants: the chance to appear before a group of constituents. Arts organizations are well-placed to make the opening night, for example, of every performance or exhibition function as an advocacy event when politicians are invited to attend. Always invite your legislators to these events and let them speak if appropriate, or recognize them from the podium or the stage and thank them for their support. Take pictures and publish them in the newspaper or on your Web site.

One more thought here: Pay personal attention to your legislator’s needs at home with constituents. If you have a facility, offer your theatre space to a politician for a town meeting on nights when the theatre is dark. If the legislator is working to promote public sculpture at home or the local cultural heritage, be available to help with making the project a success and seeing it through to completion. Your ability to open doors for a local arts project can help to open doors for you in the legislature.

Finally, I want to suggest the value of expanding your advocacy agenda by linking the arts to other public policies. Give a larger dimension to your advocacy for the arts. Connect the arts to issues in education, social services and economic and
commercial development. Demonstrate how the arts can address community problems; how the arts improve performance in other academic subjects; and how the arts add to the economy of the state.

Play to a politician’s interests. Look into what your legislators are after and how the arts relate to their own agenda. It may be promoting tourism or improving education or reducing crime. Understand what matters most to that politician and put the arts in the middle of it. If you can prove yourself useful to their legislative objectives, you can gain access to their political influence. When arts advocates can demonstrate that the arts give policymakers the tools for solving problems, public support for the arts becomes a matter of public policy. Government spending on the arts at the federal, state and local levels has increased when legislators understand how the arts can help them address a wide range of civic concerns and advance their own particular policy agendas.

The arts give policymakers the tools for solving problems in creative and cost-effective ways. Advocates can draw on a wealth of research demonstrating the arts’ role in improving student learning and preparing young people for the work force, in developing America’s creative industries, in offering positive alternatives to youth, and in promoting quality of life and healthy well-being for an aging population.

Legislators tell us that art advocates need to build their advocacy around issues that are important to the community. A small investment in the arts can help build the economic strength of a community by promoting tourism, revitalizing the core commercial district and attracting businesses to expand local job opportunities.

The message in all of this should be clear: Public arts funding serves a public purpose. When the arts connect to other public policy issues, funding for the arts turns out to be everyone’s business.

Q & A

That concludes the ideas and suggestions I wanted to share with you this afternoon about the variety of ways we go about making connections with our legislators. Now let’s hear what questions you might have.

Jesse: Thanks Tom. We’ve had a couple of questions come through. The first question is: My council is very active in advocacy and our agency staff is, too. The missing link is our arts
organizations. How can we motivate them to advocate for our state arts budget?

**Tom:** That’s a great question and I know that is a constant challenge. We need to spread the responsibility far and wide to appear as numerous voices to the legislators we are trying to persuade. There are a number of ways that state arts agencies have encouraged their grantees to be in contact with their legislators to let them know that they are grateful that their representatives have been involved in the process that allows funds to go out in grants to organizations around the state. But, we’ve also found in some states great success in frankly doing some missionary work, with the chair of the arts council or other commissioners going around the state and meeting with grantees at their own board meetings; and in talking to the board members of the local arts agency or theater or museum and impressing upon them the responsibility they have as board members of nonprofit arts organizations to be involved in advocacy. We have some great material on the NASAA Web site that provides more information on how state arts agencies can develop more grass-roots support for their own budget. But certainly getting that message out and making yourself more visible as a source to those advocates can help build the forces of advocates that we need in every state.

**Jesse:** Here is another question. Our arts commission is appointed by the governor and confirmed by the legislature. How do we advocate on budget and other issues that conflict with the administration we are part of?

**Tom:** This is a question that often comes up because people feel they have a responsibility to adhere to what the governor’s budget request is all about. In cases like this, we encourage folks to work closely with whatever statewide advocacy organization there is, be in contact with your grantees and let them know what the budget is and what it means for your agency and get the message to them that there may be an opportunity for advocacy on their part. I also personally feel that being appointed by the governor doesn’t always mean you have to agree with them. Part of your responsibility is to be an advocate to the governor for state support for the arts, and there may be an agreement that it is okay for council members to be in touch with legislators. So often, a governor’s budget is a political document and meant to make some points, but with the understanding that the legislature will come in with a different response. People need to look for ways to feel free to be advocates.

**Jesse:** It looks like we have time for one final question. When having a special event do you recommend inviting one or many legislators? Is there an upside to inviting just one to make that particular legislator feel more special?

**Tom:** We really encourage everyone to make every arts event into an advocacy event and you do that by inviting legislators and politicians to be present. Whether one or many depends on the nature of the event. If your state arts agency is presenting a grant to a local museum and you want the representative from that museum’s district to be present, then that’s who gets invited and that’s who gets recognized and thanked. But if it’s a statewide event there is no reason not to invite a wide range of legislators and politicians. And if your event is in the state capital, then you definitely need to invite everyone that you want to be present, who you think will be impressed with what they see there. But, if it is a local event or important to only one region of your state, then you want to invite the representatives from that region. There is no point in inviting others.
Clearly, many of you participating in this Web seminar and other arts advocates around the country have enjoyed success over the years in building relationships with powerful politicians. Those experiences in building political alliances offer us an abundance of useful strategies for gaining access to power so we can see success with our legislative agenda.

ARTS ADVOCACY PERSPECTIVES

I’d like to turn now to our two guests joining us this afternoon. They are here to enlighten us with their own experiences in advocacy and their understanding of the value and necessity of keeping up their contacts with the legislators they need to make things happen for them.

Tim Deratany chairs the Florida Council on Arts and Culture and has brought his considerable advocacy skills and knowledge as an active member of that board. We are especially fortunate to have Tim with us today. He is a former state senator and mayor and his work as a lobbyist brings real hands-on expertise and personal know-how to our discussion.

Arni Fishbaugh, the executive director of the Montana Arts Council, is also an officer and member of the NASAA board of directors. Arni is a native of Montana with a background in theatre and marketing, so she knows the territory and she knows how to present. So welcome to you both and thanks for joining us this afternoon. I’d like to give you each a couple of questions and take our discussion from there.

My first question is a simple one. What is so important about year-round advocacy? Most arts advocates will come to Washington, D.C., on Arts Advocacy Day and many will respond to a legislative alert. But is that sufficient? Is it enough to make contact with legislators when they are getting ready to vote on the state arts budget? Tim?

Tim: No. Building a relationship is the foundation for advocacy and lobbying and that means that you don’t wait until you get to Tallahassee or whatever capital that you are in. You get out and you work on the campaigns and you get involved with people. I remember when I was a senator and there were three or four lobbyists in my waiting room, if there was a person from my home state, a voter, they would always get priority. I would explain that they were a voter and a constituent of mine and I would take a moment and take them in ahead of everyone else. That’s how important people from back home are to legislators, they prefer working with people that they know, people who worked on their
campaigns. Getting legislators acclimated to you is the only way to go.

**Tom:** Those are some great examples. Arni, how about you?

**Arni:** In our current situation, we are doing something brand new. We are accepting the fact that we will be where we are right now with regard to the governor and legislature for the next three years. The legislative session will not be our focus. Instead, our focus will be outside the session. In Montana our legislature meets 90 days out of every two years, so we are almost always out of session. We’ve decided that we are going to build towards something major outside of the session, and our efforts will be strategically targeted to legislative finance committees, gubernatorial candidates and – most of all – people who have influence on those individuals. Here we do have quite a few Libertarians and Constitutionals, but we do not spend a lot of time on those two constituencies. We know our initiative will probably focus on economic development or arts education. Those areas have the greatest political resonance here and we have opportunities all year long to talk about that. Our initiative may be about money or it may instead be about policy. Whatever it is, it is going to be big and produce major resources or benefits in our state.

Our advocacy lobbyist is going to meet with legislators at home, in their home towns, first during the next nine months along with the arts organizations that are our public value partnership groups. And then the advocacy lobbyist is going to use what they learn to shape what this initiative is going to look like. From that we will develop what will look like a political campaign. And I should say that our state advocacy organization is going to be in charge of this. We will develop legislation for three years from now, so we are looking really far out. We will be working with the entire arts field: arts education, arts organizations, and artists, but we are focusing mainly on people who can have influence in the political arena.

The work will be reinforced during the off season by our public value partners, who are operating support grantees. In their annual reports for us, we ask that they meet with their legislators in a team of three. The team of three is the person with the relationship, a person with the facts, and a person with a story. At that meeting with the legislator they discuss the benefit of the work that organization is doing in order to build the relationship. So many times we see them writing letters to their legislators and they are the most boring, useless pieces of paper you’d ever see, so we’ve done away with that. We want them to go visit or have a beer or something. We also ask our grantees to report out to us on what we call the three “r”s of advocacy: relationships, relevance, and return on investment. We ask how our grantees would answer if a legislator asked, “What is the public value of the state funding that we give you?” – in story format, not in a bunch of facts. We want a story from their past season that would make the most persuasive case. And then we use those stories with legislators all year long. One last thing that has helped us is that we have started asking our grantees for more photos than we ever did before – photos of the direct and indirect benefit. So it might be someone going to buy lumber for a theater set, buying groceries for a reception, or printing posters. We’ll use those photos to reinforce the value of that grant with the local legislators during the year.

**Tom:** Those are some really interesting ideas. Obviously you are not only working year-round, you are working day and night in Montana to make the advocates are getting their message across. Tim, what are some of the strategies you’ve used in building relationships with public
officials? We’ve already talked a bit about the value of getting involved with candidates during their political campaigns and being supportive when they are running for office, or getting involved with the governor before the election. What are some other ways you have worked with folks?

**Tim**: The most important thing is being involved with them on a local level and letting them know you are there. When you are with them, instead of just talking about your needs, you need to listen to them and ask them questions. When you do that you find out all kinds of things, like the incoming speaker of Florida’s mother is involved with ballet. One time when I was in with a client and we finished talking about the client’s issues I gave him one of my business cards from the arts council and he said, “Wait a minute, let’s sit back down. I want to talk to you about a funding opportunity we have and I’d like to get your support and perhaps we can get an ongoing line item in the budget for the arts, a dedicated funding source.” I found out that my senator here, in Brevard County, is very interested in the arts. By taking him to lunch I found out that he has an arts background and that he wants to help out. He is the head of the Finance and Tax Committee in the Senate, and he called the other day to talk about whether we could get a dedicated funding source from one of the issues he was working on. So where ever you go and whatever you do, you listen to these people. Invite them to things and give them recognition. Let’s face it, for people who run for office it’s an ego trip, and they want to be recognized. Anybody that says they don’t is lying. So recognize them, and when they do something good don’t just send them a letter, invite them to something, give them a plaque, call the newspapers, and give them all the recognition in the world. This is what makes the whole thing work. It all begins with the grass roots of contacting people and working on their campaign, finding them in the community and becoming socially involved with them.

**Tom**: That’s great advice to listen to what is on their mind and find out what their interests are, then we can find ways in which we can connect and have interests in common.

**Tim**: That is what it is all about. Everyone has someone in their family that has an art background or is involved in some way with the arts. Then you can use that to help with the overall mission.

**Tom**: It’s about paying attention. Arni, what strategies do you have that you would like to add?

**Arni**: A lot of people have heard that we are really hot on using legislators on grant panels, except we’d never use them on a fellowship panel. We just had the most exciting thing happen with Montana’s ARRA (American Recovery and Reinvestment in the Arts) grant panel. We always try to include people in power – legislators – and have had some unexpected advocates on the panel. This time we had the Democrat who is the chair of House appropriations committee and one of our more conservative senators joined. We’ve found that the panel process tends to turn them into even stronger advocates.
Another thing we will try to integrate more fully, though I can’t claim it was our idea, is that one of our grantees had the legislator write their ROI statement for their final grant report. That was incredible. Or they could have the legislator write a letter of support for that organization which they include with their final report. Going back to what Tim, and you Tom, were talking about, one of the things that we’ve found works the very best is that when we meet with legislators during the off season we don’t have anything to sell. All we are doing is building the relationship.

I want to go back for a moment to talk about our lobbyist visit during the off season. A lot of that will be about establishing relationships. The advocacy group in our state is trying to replicate what we used to call the “Montana Power” way of doing things. Montana Power was our power company until everything was deregulated. They had three people on the payroll whose job it was to do nothing except maintain and grow relationships with legislators. We don’t have the people, time or money to do it that much, so we are trying to do it strategically.

Another thing that is working is that our council members have decided that advocacy is really one of their main jobs. They have developed strategies for our annual work plan that relates to the operating blueprint that relate directly to advocacy, and then they report out on their progress every meeting. We also use former council members when we have to. We have gubernatorial appointees, so right now I have all Democrats and it used to be all Republicans. Most of our members are artists, but in the past we have had some deep, deep conservatives and I can call on them when necessary.

Also, I am going to try to be more productive and integrate legislative visits in when I am on the road. If I can do a quarter of the time to try and link up with local arts groups and legislators, we would like to do that.

Tom: That’s great, Arni. Look for opportunities to have a conversation and have it in comfortable way. I also appreciate how you use your council members – both current and former. We have a lot of friends out there that we need to keep in touch with. When they go back to their community and keep that interest, we need to remember that they can be great supporters for what we are trying to accomplish. Well, I think that is a nice segue to find out what questions may have come in from those listening in. Jesse, do we have any questions?

Q & A

Jesse: We certainly do. Our first question is from Janice Kilby, and she wanted to touch on some of the things that Arni spoke about earlier. In particular, some of the state arts agencies are worried about being completely defunded. What strategies does Arni have if that particular situation presents itself?

Tom: Arni, can you step in and give our friends some advice?
**Arni:** Well, the thing that worked well here when we went through this frequently in the 1990s was a massive call to arms of the whole state. The fax machines were burning up, but we were also conscious of not appearing a mile wide and an inch deep. There also have to be people who are willing to make the case to those key leaders of the legislature. What it has boiled down to with us are candid individuals working with key legislators to have it quid pro quo: I'll do this for you if you do this for me. It is knowing what those relationships are, how they work, who has the power and who is powerful enough to get to those in power.

**Tom:** Yes, this is really the crisis time, where we call up the relationships we have built in hopes they will have some success for us. Tim, do you have any thoughts on this?

**Tim:** Well, we were almost defunded this year. At the last minute, we got the arts council very active and Xavier Cortada, who is friends with the head of the appropriations committee in the House, got in touch with him and the House put the money back in. We also got in touch with Katherine Dickinson and her people, who are involved with the majority leader of the House as well as Don Browning, who was appointed by the speaker of the House, and the House put it back in after it had been completely removed. The budget had already gone to the printer when they put it back in. When the budget came back from the printer we were back in for a token amount to keep us alive. What kept us in was the “back home” contacts made over the years: people who were close friends, had worked on campaigns, or did things back in their home county for the legislator. That worked wonders.

We had gone from a $40 million budget a few years back to almost being zeroed out, and a previous governor had taken away our dedicated funding. Now we are in the process of trying to get that funding back and I think we have a pretty good shot at it.

**Tom:** Thanks Tim and Arni, those are great stories, because they really point to how when you have a crisis you marshal your forces and call on those people who have the relationships to help. Jesse, do we have another question?

**Jesse:** We do, from Ronald Yamakawa in Hawaii. What should you do if you have a state policy that the state arts agency cannot lobby the legislature on its own behalf?

**Tom:** Tim do you have a response to this?

**Tim:** If the appointed members are actually written into the statutes that they can not attend, I don’t know how I would respond. Because, in Florida, the whole idea of having an arts council is to promote the arts.

**Arni:** You know, it is kind of like that right now in Montana with this particular governor and, Ron, let me also say we are very sorry about what is going in Hawaii. What we do is we are very careful about not setting ourselves up for failure. So, we really put the heat on the advocacy organization. The conversations I have with them are not done on state time and are done very carefully. What we try to do is have the advocacy organization talk to them, or if they are not strong, have other arts leaders or legislators make the case for us.

**Tom:** We try and call on others to help us out if we can’t do it ourselves.
Tim: Here in Florida, the Department of State Division of Cultural Affairs is not allowed to lobby, but we are as council members. As unpaid, appointed people, we are there in an honorary capacity and do advocacy.

Arni: I guess we go back to your definitions, Tom. I would consider lobbying to be about the budget or about particular legislation. When we are discussing how to build an initiative there is no prohibition on advocacy. Only when it comes to a specific legislative part of the agenda would that need to come from the advocacy group.

Tom: I’d say to Ron in Hawaii that it’s worth getting your council members talking about what the arts are like in their communities. If they feel constrained about talking about the numbers, make it about advocacy – that whole education component – and not lobbying. We are just about out of time, but before we move on, I want to thank both of you, Tim and Arni, for your contributions to our discussion and sharing your insights and experience in how to push arts on the legislative agenda.

RESOURCES

Before we wrap up the session, I want to remind all of you about some of the resources we have available to you to expand your information about today’s topic. On the NASAA Web site are links to the issues of the NASAA Advocate listed here on your screen, as well as other resources, like NASAA’s Arts Advocacy Checklist and some great advocacy models. All of this information will be included in the Resources email you will receive shortly after today’s session.

I’d also like to mention the discussion guide that was sent as an attachment to the log-in email you received early this week. We hope that those of you who have joined us as a group will use the guide to continue the conversation after you log off, and discuss the many ways in which you are already advocating for the arts and possibly discover some new techniques and opportunities for the future.

Before I leave you I want to again express my appreciation to Tim Deratany and Arni Fishbaugh for giving us their expert advice and sharing their experiences to help us learn how to be excellent as advocates for the arts. Thank you all for participating.