

MISSOURI FOUNDATION FOR HEALTH

Link Project – How to Testify Before a Legislative Committee

In Missouri, every bill must have a public hearing before a legislative committee, must be publicly voted upon by the committee, and then must come before the full House or Senate for another vote.

Your opportunity to testify on a bill comes at the committee hearing. If you cannot appear before a committee, contact your legislator making your position on a bill known. You can do so by writing a letter, sending an e-mail, or calling the legislator's Jefferson City office.

The committee process provides legislators more opportunity to closely study a measure than would be possible in a floor debate. Committees may hear from many people who support or oppose the measure. Your testimony may influence the committee's action. It also becomes part of the permanent record and may be used in future research.

Legislative hearings are conducted informally. They are not judicial proceedings, and the rules are somewhat relaxed. Anyone can testify; you do not need formal training. In order to be effective, you should prepare your testimony beforehand. The following information will help ensure you are prepared when you travel to Jefferson City to testify.

WHEN

To find out when a hearing is scheduled visit the Senate (www.senate.mo.gov) or House website (www.house.mo.gov). Hearings are required to be posted 24 hours in advance; however, be aware that all bills scheduled for a hearing may not be heard due to time constraints or other considerations.

WHERE

House hearings are conducted in the basement of the Capitol. Rooms are numbered HR (Hearing Room) 1-7. Senate hearings are conducted in Senate Rooms 1 and 2 located on the first floor of the Capitol and the Senate Lounge, located on the third floor. You can come into a committee meeting at any time, even if the door is closed or a hearing is in progress.

Copies of the bills are available at the Senate and House websites. Hard copies are available for free at the House and Senate Post Offices, both located in the Capitol basement.

HOW HEARINGS ARE CONDUCTED

Be present at the beginning of the hearing. The committee chair will open the hearing on a particular bill. Opening comments will be made by the bill's sponsor, and committee members will have an opportunity to ask questions of the sponsor(s). The chair will then ask for testimony from proponents and opponents.

The chair will organize the hearing to ensure that

1. the committee members hear relevant information,
2. interested persons are given the opportunity to express their positions, and
3. the hearing does not exceed the time available.

Most committee hearings have a strict time constraint they must work within and will have several matters pending. The chair will attempt to be fair and provide each person an opportunity to testify. It may be necessary, however, to restrict testimony so that everyone is given an opinion to express his or her opinions. You may be called to testify with others to save time. All persons present usually get a chance to speak, but sometimes, because of large turnouts, it is not possible to give everyone a chance to speak. If you do not have the opportunity to testify, your presence may be acknowledged and you might be asked if you favor or oppose the bill. And, you can always submit written testimony.

WHAT TO EXPECT AT A HEARING

Expect that there will be a wait. It is a good idea to listen to the testimony of the people before you, especially that of the state agency representatives. They can give the latest information on the legislation, and it is important to know their position on the legislation. It is also important to be able to refute the other side's argument and to avoid repeating what everyone else has said.

Expect that legislators will come and go often. Legislators are often on other committees and have other meetings or hearings going on at the same time. Legislators have been known to eat during hearings and to talk to each other while someone is testifying. While this may seem disrespectful to you, it is the nature of the process so you need to prepare to be sure your testimony is heard. Here are some suggestions.

You should try to sign up and speak early in the hearing. Legislators are more likely to be in the room and paying attention at the beginning of the hearing.

This is also a good time to talk about your issue to legislators who are milling around, the press, and other people there to testify about the issue. Be sure you have held onto extra copies of your testimony to give to people you are talking to.

Listed below are suggestions to help make your presentation successful.

- **Be Familiar with the Committee Process**
 - Know the location of the building, the meeting room, and the meeting time.
 - Contact the committee chair's legislative assistant before the hearing to ensure your testimony is regarding the latest version of the bill.
 - Be punctual; usually there is only one public hearing at which testimony is taken on a particular bill.
 - Agendas will be posted outside the meeting room. Check to make sure the measure you are interested in has not been removed from the agenda. The measures may not be heard in the printed order.
 - When you arrive at the meeting, sign the witness registration sheet. Witnesses are not necessarily called in chronological order.
 - In addition, provide copies of your testimony to the Chair's legislative assistant or committee staff. You should have enough copies for every member of the committee as well as 3-5 extra copies for staff.
 - Double-space your written testimony, and type on only one side of the paper for easy reading.

- **Know Your Audience**

The members of the committee care that you have taken time out of your day to come and testify before them.

- Be respectful.
- Don't accuse committee members of causing your particular problem.
- Resist the temptation to scold, put down, or insult the decision makers or other witnesses. This tactic will likely alienate them from your cause.
- While in the hearing, avoid any clapping, cheering, booing, or other demonstrations.

- **Know the Issue**

- Be prepared for questions and comments from committee members – these are designed to gain additional information. Don't provide answer if you are not sure of it. Tell the members you will send a written answer to the committee, and then follow through.
- Draw from your own knowledge and experience, but be prepared to support your personal opinions with as many facts as possible.
- Be knowledgeable of your opponent's arguments in case you are asked for a comparison.
- Be aware that sometimes the sponsor of a bill will offer amendments when he or she presents the bill to the committee. These proposed amendments may change the way you feel about the bill and, thus, affect your testimony.
- Use your waiting time productively. As questions are being directed to witnesses ahead of you, think how you would have handled that question because you may get the same one. If a question isn't answered fully or correctly, you may want to raise the question yourself and offer a different or more complete answer.

PRESENTING YOUR TESTIMONY

1. Begin your presentation by addressing the chairperson first, then members of the committee. "**Chair__**, **members of the committee . . .**"
2. For the record, state your name, address, and the organization or group you represent.
3. Identify the bill by name and number.
4. State whether you support or oppose the legislative measure being heard and briefly explain.
5. Summarize your recommendation first and then add your explanation.
6. Sum up your position at the end.
7. Time is usually limited, so be brief and direct. Do not read your written testimony to the committee word for word. Committee members will have this information in front of them and will be able to refer to it at a later time. Writing your comments in outline form will be helpful when you speak, and you should summarize your written testimony. Maximize your time before the committee by only presenting the most pertinent information.
8. Keep in mind you may have a ten minute version of your testimony but should be prepared to summarize it in one minute – that may be all the time you are allowed.
9. Avoid being too technical. Avoid using acronyms or technical references unless you first explain what they mean.
10. Present facts as facts and opinions as opinions. It is important to clearly label your opinions as such.
11. Avoid duplication. If other persons will be offering similar testimony at the hearing, try to coordinate your testimony. Well-organized testimony is the most effective.

12. Thank the committee members and offer to answer any questions. **"Thank you for the opportunity to testify before you today. I would be happy to answer any questions."**
13. Speak to the question. Respond in a simple and straightforward way. If you don't understand a question, ask the legislator to repeat it or ask for clarification.
14. Everyone has a temptation to slide around difficult and negative issues. You will provide a refreshing change of pace at the hearing if you shoot straight and give honest answers. If something has a down side, explain the reason rather than dodging the question.
15. If you disagree with previous testimony, don't attack the person or say he or she is lying. Instead, give your version. If asked about discrepancies, explain why your point of view is more accurate to discredit the earlier information, not the person.
16. When a member asks you a question respond: **"Chair ____, Senator/Representative (last name), the answer to your question is . . ."**
17. Above all, don't respond to uninformed or impolite comments. Let them sink from their own weight. If one member of the committee is rude, just let it pass. Other members will write it off and may even give you compensating sympathy or support.
18. Relax! The members understand that this can be an intimidating experience - they don't expect a perfect presentation.

AFTER THE HEARING

- Some committees vote right after a hearing. Others wait until the end of the meeting. Some postpone voting until another meeting.
- All committee action is public, so you can stay to listen to committee debate and its vote, even though the public comment portion of the hearing is over.
- You can follow-up with the committee chair's staff to find out how the committee voted on your bill.
- Both the Senate and House homepages allow you to find bills and follow their progress throughout the session.