

fluid positions

Seen in:
Baltimore
smart CEO

Required Reading for Growing Companies

Reprinted Content from
Volume 4 Number 4 April 2004

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It's the legislative season. This week I had the opportunity to visit Annapolis for a day as part of a delegation supporting positions of a regional CEO group. This column addresses participation in the legislative process.

We would all agree that we care about the long-term direction of our society. And we would probably agree that the legislative arena is the place where many of the issues affecting this direction get addressed. Yet often CEOs avoid participation in this arena.

The cost of non-participation is high.

- The driver who's stuck in a traffic jam on the Baltimore Beltway says to himself, "This is getting worse and worse. Does anybody give a damn? Where's it all going to end?"
- The resident of the high rise on the Baltimore Inner Harbor complains about the stink of the water, reads about another sewage overflow into the harbor, knows the environmental groups are fighting it, and assumes business is indifferent.
- Students at UMBC or College Park see themselves caught in a statewide budget crunch not of their making where increasing "user fees" and cuts in courses and faculty are acceptable, but new taxes are not.

Non-participation fuels the alienation of these and other segments of society from the business sector and today's centrifugal social forces continue unabated.

On the other hand, the benefits of participation are great in countering these forces.

This week, an article "Fuel For Progress," authored by Donald Fry of the Greater Baltimore Committee and Bob Peck of the Greater Washington Board of Trade appeared on the op-ed page of the Baltimore Sun. It presented a united legislative position in favor of a ten cent increase in the gas tax, to be equally allocated between mass transit and highway transportation, both in Baltimore and the Maryland suburbs of Washington.

So the response to the traffic-jammed commuter on the Baltimore Beltway, or those on the even more jammed Capital Beltway, is that there are people, business people, who give a damn and are seeking relief.

Likewise, for the Inner Harbor high-rise resident, there is a business-backed bill to add charges to sewer bills, higher for businesses than residences, to modernize 66 sewage treatment plants whose outfall enters the Chesapeake Bay.

For the students, a business-backed initiative recognizes the direct link between "a successful education system and a well-educated, highly trained workforce, a strong economy and a desirable quality of life." It calls for restoration of funds that have been cut from the University of Maryland System budget. While it opposes tuition caps, if they are adopted, it calls for offsets by corresponding increases in state aid. The students have business allies.

Political participation demonstrating caring attitudes by business about the long-term direction of our society can serve to heal rifts in society.

You say OK, I'll support this legislation but actual participation in this process? That's something different. I'm accustomed to being pretty straightforward in my communications. Either I need what you have or I don't, either you can help me or you can't, either my association with you serves the operational or strategic plan or it doesn't. This legislative process seems like a big waste of time!

The legislative process is different.

On any issue, a legislator may have the following overlaid positions (all of which we heard during our one day visit):

1. The position of a majority of my constituents;
2. My own position of conscience, "doing what is right";
3. The position of the leadership of my party;
4. The position of the executive;
5. The position of fiscal responsibility;
6. The position of crying social or environmental need;



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7. The position of powerful lobbying groups;
8. My negotiating position with other members of my own party; and
9. My party's negotiating position with the other party.

With respect to each one of the positions, there are the following time-related scenarios:

1. Initial position;
2. Intermediate position;
3. Final position;
4. Final, final position; and
5. Final, final, final position.

This process is one where no one can be ruled out as unnecessary to the achievement of a goal, where coalitions are at best tenuous and at worst momentary, where memories are long, where vendettas can destroy legislative programs or careers, and where getting things done requires a continuing tentativeness which many CEOs find maddening.

Most organizations serious about affecting the course of legislation hire part-time or full-time lobbyists. How does a professional lobbyist interact creatively with such a process?

The lobbyist representing our organization said it best. “I present our position. I thank the legislators for their support, or I exhibit understanding for the reasons for their non-support. I seek common ground, if not right now, perhaps later on in the legislative session, when final, or final, final positions of the various participants in the process have become apparent. I never threaten or blame, because memories are long here in the legislature, and, literally overnight, enemies become friends and friends enemies.”

You say let the professional deal with it. But the legislators want to talk you, the constituent, and you’re an influential one. The lobbyists are the first ones to admit that if they can’t produce constituents to support their positions, it’s all empty words. Your status as a CEO is appreciated by the legislator you’re visiting. Multiple CEOs in a legislator’s office get real attention.

While your status is important to get that attention, remember that you’re part of the lobbyist’s team and you take your cues from him or her, both from the advance briefing you’ve received and in-the-moment feedback from the lobbyist between legislative office visits.

Throughout the legislative visit, also remember that while testifying and visiting legislators’ offices is important, it is far from the entire process. As our lobbyist said, “I learn more in the bar after the legislative session than I do in the offices or the hearing room.”

We customarily realize a predictable result from the actions we take as CEOs. Such is not the case in the legislative world. And while we may consider that world a strange land and ourselves strangers in it, it is the arena where long-term issues in our society are concretely addressed. If we are going to be true to our own concerns about these issues, we owe it to ourselves and to others in our society to participate effectively in the process.

Wayne Caskey, three-time CEO, is now an executive coach, speaker and workshop leader. Earlier in his career, he headed Congressional lobbying for a corporation and ran for public office. His web site is www.waynecaskey.com.