

Dos and DON'Ts of Testifying

DO:

- ***Expect to wait.*** It is nearly impossible to know exactly when a bill will be heard in committee. Most committee chairs operate on a “sign in” basis, which means they try to accommodate bill authors as they show up in the hearing room. If you’re lucky, your author shows up early. If you’re unlucky, they wait until the last minute to show up. Typically, once an author is at the podium, all of their bills will be heard in succession.
- ***Introduce yourself when you testify.*** “Madame Chair, I am Joe Gotvotes, head of the Agricultural Education Department at Jefferson High School.”
- ***State your position at the beginning.*** “I am here to speak in opposition to SB 1795.”
- ***Be brief and concise.*** State the reasons why you support or oppose the bill. Make certain your information is accurate, and use local examples when possible. If you have written information, give it to the sergeant-at-arms to distribute – never hand out materials directly to members.
- ***Be polite.*** This is especially important when you are opposing a bill. Use terms like “problematic” and “concerned”, rather than “moronic” or “simple-minded”. Polite and professional – the best way to go.
- ***If your member is on the committee, let them know that you intend to testify.*** Committee members tend to wander in and out of committee hearings. It’s always a good idea to meet your member ahead of time (call for an appointment) to let them know what your position is on a bill up in committee, and to give them an opportunity to support your testimony. Most members will make a special attempt to be there if they know a constituent is speaking.
- ***Be prepared to answer questions.*** Most of the time, members will ask questions in order to support your position, so don’t panic. If they appear to be argumentative, it’s okay to disagree – just do it politely. “With all respect, Senator Smith, I disagree with your assessment. From my perspective, the issue involves.....”
- ***Be smart.*** If 17 people have already testified and have covered all of the pertinent points, just introduce yourself and say “I support the bill for the reasons already stated....”
- ***Be prepared to just say your name and then sit down.*** Due to time constraints, some chairs will limit statements to two speakers for and two speakers against a bill. As an alternative, they will usually allow all witnesses to at least come forward to state their name, affiliation, and position on the bill. It doesn’t seem fair if you traveled hours to get there and waited for several hours to speak, but it is the chair’s sandbox, and they make the rules.
- ***Remember that, in some cases, it’s best to keep quiet.*** If the testimony is all going in your favor and the committee seems poised to vote the way you want, don’t open another can of worms by bringing up new issues or responding to points that the opposition made during their testimony. Shut up and collect the votes while you have them.

DON'T:

- ***Read your testimony.*** It's the most common mistake made by witnesses. Never, ever, under any circumstances, come to a committee hearing and read a speech. If it can't fit on a recipe card, don't say it. If you have detailed information or data, state that you have written testimony to submit, and then quickly cover the key points.
- ***Be rude.*** It never helps. Even if you experience rude behavior on the part of members, remain polite and professional.
- ***Argue unnecessarily or inappropriately.*** Occasionally, members will engage witnesses in a back-and-forth discussion, which is perfectly okay. Just recognize that when you are probably not going to change their mind, back off before the discussion gets out of hand. Sometimes, the member you are debating is not the most popular person on the committee and you will have won over other members by remaining professional and polite.
- ***Insist on giving lengthy testimony if time is short.*** Some committee meetings, especially those late in the session, will have very long agendas. If it's 7:30 in the evening and the committee has already heard 184 bills, don't get windy – nobody will be in the mood to hear lengthy testimony.
- ***Be the lone ranger if working with other organizations.*** If your testimony is part of a larger “package” of information that is being made available by a group, do your part and then shut up. Rely on others to cover some of the other points of view – it shows that a coalition has been created to deal with this issue, and makes your input part of a much larger effort.
- ***Get up and distribute written material to committee members.*** Indicate that you have handout material and give it to the sergeant-at-arms.
- ***Challenge the chair's authority to limit debate.*** The legislature operates by its' own rules, not Roberts Rules of Order. If the chair cuts you off after 20 seconds, say thank you and then sit down. Most chairs will be polite at first, just catch a clue that they are the ones in charge.
- ***Ever get too “informal”.*** Even if you went to high school with Senator Smith, never refer to them as anything but “Senator Smith”. Calling him “Bob” during testimony won't impress anyone, and will probably end up costing you a vote. Don't ever cross that line.
- ***Ever get too intimidated.*** It's perfectly okay to be nervous – most witnesses are to some extent. Just focus on providing a real-world perspective on issues that you care about – the result will be just fine. Your opinion is important, and most committee chairs and members will be much more accommodating to “rookie” witnesses than they are to professional lobbyists. Show the members some respect, understand the limitations of the process, and go with the flow.