

Jon Wainwright: Hello, and welcome to an Advocacy In Practice edition of CAP-impact. I'm Jon Wainwright, and today we are beginning a series that's kind of adapted off of the series Mary-Beth Moylan has been doing with some of the judges here in the area. We're going to be talking with lobbyists here in the capital and talking about how they go about their day and how they're effective.

Today we're sitting down with one of the most respected lobbyists in town, Chris Micheli. Thanks for joining us.

Chris Micheli: Thanks for having me.

JW: So, let's start with a question - that I feel like is maybe not the greatest one but - what is a typical day like for you? And I say typical with air quotes around it because I realize to some degree there's no such thing as the typical day.

CM: Sure. There are certainly ones that you have well planned, and then either due to legislative activities, get waylaid or whatever else. But, I would also distinguish between when the Legislature's in session and when it's not in session.

JW: Okay.

CM: So when the Legislature's in session your typical day is preparing for what in theory is coming that day - either floor session or committee hearings and certainly appointments with legislators' staff, maybe administration officials.

And then in a non-session time period, you know, you're not at the Capitol every day. You might be at administrative agencies, but you're not at the Capitol for hearings and meetings on a regular basis as you are the eight or nine months of the year that they're in session. That's the first distinction in terms of a typical day.

And then, of course, the other typical/atypical aspect is, is it a day Monday through Thursday when the Legislature's here, or a Friday - which is every lobbyist's sort of catch up, prepare for the following week. It's when we might travel out of town since the Legislature's not in town. Lots of conference calls and typing reports to clients and all that good stuff usually happens on our Fridays.

As much as anyone would like to take the day off or golf or do something else. We often find ourselves doing all of those client relationship/client updating-type activities.

JW: Sounds like fun.

both laugh

CM: It can be if you like the work.

JW: So the other thing then, obviously this is a world that's fast paced and constantly changing. I feel like you have to always be up on what the latest news is to be effective.

CM: Absolutely.

JW: What is your news diet like? Where are you going to get news that keeps you up to date and keeps you up to speed with everything going on?

CM: Well, I think, like most lobbyists, we have a bill tracking service, so I think the first thing that I look at in the mornings are the bills. Right now, we're in the throes of the introductions leading up to the February 16th deadline, so every day right now there's maybe a dozen to two dozen introductions. In that last week we can get three or four hundred a day as they make their way to roughly twenty-three, twenty-four hundred bill introductions. And then throughout the year there are almost daily updates we get in terms of amendments that were adopted by the committees or the floors the day before. So, that's a key thing.

Rarely does a lobbyist not look at Capitol Morning Report and some of these political websites, like a Rough & Tumble. But I also tend to look at upwards of a dozen, fifteen newspapers around the state. I certainly try to pay attention nationally, so I do look at the Washington Post and New York Times. And then I spend a lot of time looking at publications related to court decisions and subject matter things.

So, I read some of the newspapers, newsletters, magazines in transportation, insurance, environmental issues, legal issues, etc. So, I look at a wide variety of different news sources. Most of them online, although I still like to feel a newspaper in my hands from time to time.

JW: Yeah. And I can imagine that's all helpful too, especially the subject area newspapers and magazines.

CM: Yeah. In other words, I try to keep on top of ... you know, I have Mercury Insurance, Los Angeles County Metropolitan Transportation Authority, California Ambulance Association, a wide variety. So I try to read and stay abreast of issues that are of concern to those clients so that I know generally what's going on in the transportation world as well as always reading LA Times because that's where a client is centered and they cover things related to LA Metro, etc.

So it's those types of things that you want to be aware of, specific to clients but also generally to the issues, subject matter that they care about.

JW: Gotcha. So I feel like between everything that you're reading and then being in the Capitol or catching up on reports on Fridays...

CM: Mhm.

JW: ... It's just; you've got probably a thousand pots on the stove at any given moment. How do you keep on top of your time?

CM: Yes. I've often been told that I have a severe case of ADHD. Which I don't want to joke about because there are some people who suffer. But it is the proverbial juggling, the herding cats, the juggling of multiple things. Especially because my business partner and I handle a wide variety of clients in many different issue areas. There's certainly some lobbyists who are either in house, at a trade association, or even some who do contract lobbying that primarily work in, say, insurance or primarily in transportation, etc.

So, not that they have an easier time, but you're focused in one or two major policy areas. I always feel like I'm jumping around from the forestry business to transportation back again, a little healthcare in the morning, something else in the afternoon. Looking at the appointments on a day, I might go back and forth between three or four different subject matters and three or four different clients during a day. Which makes it more interesting and challenging to me, but it means that you're constantly juggling and feel like you're always running after something.

JW: Yeah. It certainly keeps things from getting stale.

CM: Oh yeah. There's never a dull moment. And I love learning, whether it's learning about the legislative process, learning about a client matter, learning about a subject matter. I enjoy the challenge of it. But sometimes it's daunting, even more so when the Legislature's in session because then new bills are coming, amended bills are coming and everything's in flux. It's not like a bill gets introduced and you're just dealing with that bill for six months and nothing more.

No! It goes through multiple iterations. There may be two or three in one house. Maybe there's a companion bill in the other house. So even in particular subject matters you might have two or three or a dozen or more bills on that topic.

JW: You could always have a bill that's double-jointed to something else.

CM: Of Course. Yes.

JW: So, I guess with all of that going on, and you've been at this for a while now. You've got tons of experience, what's something that you know now that when you were just starting out you really wished you would've known?

CM: Well, I think like anybody new to the process, I had worked in Washington, D.C. briefly for a member of Congress. So I had familiarity with the legislative process. But the federal legislative process is in many respects quite different, in terms of the day to day. Obviously there are two houses in Congress and two in the Legislature, and blah blah blah, you know. And a bill starts in one house and has to pass both. Ok. So generally they're the same.

JW: The overall structure, yeah.

CM: But when you get down to the day to day details it can be quite different. It certainly took some time to get up to speed, and there's some interesting nuances. And then of course most rules are subject to a rule waiver. So it's like 90% of the time that's the rule, but there's always a way around the rule.

JW: Yeah.

CM: That's always been interesting to learn. But I think more than anything, how much time sometimes it takes to get fully up to speed on new issues, you know? I really try to educate myself on something, try to learn about it historically, how we've gotten to this point in time, and it takes a fair amount of time. I always thought that a lot of these things might be easy, or quick to jump into, but I like to have more than just a cursory understanding, I think, of a lot of the issues that I'm involved with.

JW: Okay. So, I kind of, just background on me. I come from a little bit of a jazz music background and one of the things that always stuck with me from that is that was, when it comes to improvising, the best musicians "borrow," they don't steal.

CM: Okay.

JW: So I'm going to "borrow" a question or two from a couple other podcasters that I really respect, so, what's one thing that you thought you knew when you were starting out that turned out not to be the case?

CM: Uhh, I don't know. I guess I thought it might be relatively easy to transition from being a lawyer into a lobbyist. And I think in some regards, it is, particularly in utilizing the verbal and written advocacy skills. But I realize it's a lot of hard work, I think, to do the job well. I, and so many of my colleagues, work very hard at what we do and despite the public criticisms of lobbyists, certainly the people who have rightly been taken to task, either criminally or PR-wise for dumb moves or criminal moves, you know.

Most everybody, like in all professions, work very hard at what they do and do a very good job and respect the institution and what we do, and play a very valuable role.

JW: I feel like, to go off on a little bit of a tangent here, but I feel like, maybe, I remember the movie "Thank You For Smoking."

CM: Yes!

JW: Where it's very much about a fast-talking.

CM: Very funny.

JW: Very funny movie, but, I mean, what's kind of the opinion of that movie among lobbyists? I feel like that's almost like a hit piece on lobbyists.

CM: It is. But I think most people take it in good stride. I mean, they realize that, you know, as low as elected officials are held - not very high esteem amongst the public because they're easy punching bags. Geez, we're even lower. And I'm sure attorney lobbyist is probably even lower than that.

But, no, I mean, I enjoyed that movie quite a bit just because you can see aspects, and I really respect the folks who take on the tough clients. You know, those folks were what, tobacco, alcohol?

JW: And I think oil was the third one.

CM: And oil. When I first started lobbying, my first lobbying job was to represent the California Manufacturers Association. I got hired in house to do first tax work and then took on the legal reform issues. And they're tough.

The very first bill, I'll never forget it, not even the number, AB 478, Barbara Friedman, a Democrat from Los Angeles. And what would that bill do? It ultimately got enacted. A two cent per pack of cigarettes dedicated to breast cancer research.

Well of course tobacco companies are members of the Manufacturers' Association, and it was a tax increase. So I was the one who had to publicly appear at those hearings and say why tobacco tax increases are bad. And even worse that it shouldn't even be dedicated to specific services like breast cancer research, you know?

But, I've always felt that everybody deserves representation. You know, certainly, I admire those who do criminal defense work. Many of those folks are guilty as charged, and yet, they still depend upon and are entitled to the best defense that they can get from an attorney. And so too lobbyists should provide the best possible service.

I mean, at least we do have the ability to say, yea or nay to clients. So there are some who we might not want to represent for whatever reason. It might conflict with us personally, or maybe our existing clients. But nonetheless, I think that everyone deserves the best representation. And so, like I said, I admire those who do some tough clients out there.

JW: So, what are some tips you have for lobbyists who are just starting out? Someone who's fresh out of law school or just fresh over from, maybe they just came over from the Legislature and are now on the other side of that desk? What are your tips for those folks?

CM: Well, I think, you know, I was benefitted by some good mentors. So I think finding someone, hopefully in your lobbying organization - be it a trade association or a contract

lobbying firm - wherever that new lobbyist has started. Hopefully he or she has a good mentor.

My first boss, who's retired now, she was once a policy director for Speaker Willie Brown. She was Chief of Staff for then Senate Majority Leader Barry Keene. She had a long history in the Capitol before she became the Vice President - the chief lobbyist - at the Manufacturers.

And frankly, she took experience and certainly, no direct experience either at the California Legislature or as a lobbyist. But she was a good mentor in terms of giving me guidance on how to lobby and certainly insights into the process and all that. But she also gave me a lot of free reign. In other words, she said, you know, "I'm going to throw you into the proverbial frying pan."

Because that year, that I started, CMA did what they called The Manufacturing Agenda for Jobs. I remember it so distinctly even though it's now 20 years, plus, since that occurred. But it sometimes feels like yesterday. And she gave me this wonderful opportunity and said, "You're in charge of this big tax bill."

And, Pete Wilson, when he signed it that year, authored initially by Speaker Willie Brown, ultimately authored by then the powerful Senate Budget Committee Chairman from the Silicon Valley, Alquist, two of the biggest names in California history. And I got to work with those legislators, their staff, and many others. It was, I mean, such a crazy handful of months.

In the beginning, there was a lot of time that Anne and I spent together and she was advising me regularly with strategy and all this kind of stuff. And by the end, part of the Manufacturing Agenda for Jobs was a big worker comp deal that got done that year and a big regulatory reform bill. And she really had to spend her time with those two other bills and essentially said, "I think you're capable. You can get it done." And off you go.

So I was benefitted by a good mentor, but also someone who had enough confidence and said, "You're on the right track. Keep doing what you're doing. Talk to me when you have questions or issues." But gave me free reign.

I'm sure that if I had flubbed it all up, she would've, you know.

JW: She would've jumped right in.

CM: Yeah, jumped right and in and maybe pulled me back in and had greater oversight. But, I like to believe and she told me otherwise, that I had proved myself early on and had good judgment in terms of what I was doing. And she said, she sat in lobbying meetings, heard me testify in committee and said, "You're doing a great job representing CMA, and you understand these subject matters."

I had taken, honestly, a couple law school courses on tax and thought, "Oh, I should have the basis." No, but nonetheless it was a good starting point.

And like I said, she gave me a great opportunity and I took advantage of it. So, having a boss who believes in you and gives you that opportunity I think is key too, instead of, you know, it's sort of like the associate who get stuck doing interrogatories for three or four years and never sees the inside of a courtroom. So hopefully you get in with a good employer and a good mentor and somebody who - assuming you're capable - gives you that free reign to grow and build your own practice, ultimately.

JW: Alright. And then, one last question, and I realize we've dived a lot into the weeds of lobbying. And again, I feel like a lot of people, going back to Thank You For Smoking, that's most people's understanding of the whole industry.

So, maybe in just a quick summary, can you describe your job in five words?

CM: I've used a silly phrase of saying, "A purveyor of information." I mean, most of what we do, certainly with an advocate's point of view to be fair, is we give information.

That's a fair amount of our time. In other words, explaining what's impact, positive or negative, on a particular piece of legislation and/or regulation - assuming you do both legislative and regulatory advocacy as we do. You know, explaining, what are consequences.

I'm representing the California Ambulance Association. So how does that bill that you Legislator X are carrying, or are contemplating carrying, how would that impact our industry positively or negatively? And they're going to rely upon that.

Now, sometimes I have to call our experts, but I should be able to communicate that information.

And then, of course, at different times I'm going to say, okay now, here's why it's good or bad in an advocate way. In other words, a lot of the time we're supplying information and then in other times we're utilizing that information to advocate a position.

So, I jokingly say the purveyor of information, but that doesn't include the advocacy. We both provide information and advocate information.

JW: Well, thank you so much for taking the time to talk with us.

CW: Thank you, Jon. Thanks for your time this afternoon.