

2014  
CSHAE Leadership Conference

Professional Development  
Lobbying and Advocacy

## **Lobbying 101 & Best Practices:**

- How to lobby local government officials to benefit association priorities? Effective collaboration between NHA and Ministry of Tourism/ Relevant Govt entity?
- How to create the relationships?
- How best to communicate with them?
- Best resources for free/low cost legal advice?
- When to hire an attorney?
- How to leverage attorney representation and fees?
- Preparing effective correspondence to obtain needed information (membership and other private sector organizations)?
- How to get buy in from BOD's and Membership?
- How to put together an advocacy "plan" by issues?
- When to go to the press and when not to?
- When to contribute to a campaign and when not to, etc?

1. ARDA and ARDA-ROC Update.
2. 2014 legislative goals.
3. What keeps you up at night?
4. A few golden rules of lobbying.
5. How we do what we do.
6. Variables to consider when crafting and advocacy strategy.
7. Case Studies – USVI, SXM, Jamaica, DR
8. Role of Technology.
9. New opportunities for CHTA, AHLA restructuring
10. Q and A

## LOBBYIST



**What my friends  
think I do.**



**What my parents  
think I do.**



**What the other side  
says I do.**



**What society thinks  
I do.**



**What I think I  
do.**



**What I actually do.**

# 2013 Legislative Overview



- In 2013, the government affairs team worked with a team of lobbyists and legal experts in 15 US jurisdictions and 4 Caribbean jurisdictions.
- More than 25 bills affecting some aspect of the timeshare industry were introduced, passed, or defeated in 2013.
- 2013 was the year of “consumer protection” as ARDA and ARDA-ROC worked with elected officials to pass pro-consumer legislation in 14 jurisdictions.
- In 8 of those jurisdictions ARDA and ARDA-ROC introduced, passed, or supported resale and transfer company legislation (two bills have become law in FL and CO and the remaining 2 bills in SC and MA are half way to the finish line).
- In the 8 other jurisdictions ARDA and ARDA ROC worked on issues such as Registration, HOA, Property Management, Tax, Foreclosure, and Zoning.
- In St. Maarten and Jamaica, ARDA and ARDA-ROC helped the government craft an entirely new timeshare law (they are both waiting the approval of Parliament).

# Legislative Issues By Category



- **Resale/Transfer Company**
  - CO, FL, SC, NV, MA, TX, AR, WV
- **Non-Judicial Foreclosure**
  - FL, ME
- **HOA Regulation**
  - FL, NV, TX, VT, NH
- **Timeshare Regulations**
  - HI, NV, AR, VA, NY
- **Timeshare Laws**
  - St. Maarten, Jamaica
- **Property Tax**
  - Honolulu, U.S. Virgin Islands
- **Mandatory “Take Back”**
  - VT, MA
- **Zoning and Use**
  - Maui County
- **Privacy**
  - CA
- **Recording Fees**
  - CA

# 2014 State Legislative Priorities



- The state affairs team will be proactively and/or defensively involved in 13 states and 4 Caribbean jurisdictions during the 2014 legislative session year. New legislation and/or rules will be introduced in Hawaii, Virginia, Wisconsin and the U.S. Virgin Islands. We'll also continue moving the resale/transfer bills forward in Massachusetts and South Carolina.
- ARDA-ROC has already committed \$606,850 in funding to support 2014 state legislative priorities.
- ARDA has formed a Regulator Outreach Committee to develop a comprehensive state regulator/agency outreach program in key states in an effort to educate regulators about new product structures, develop stronger relationships, and use it as an opportunity to influence future legislative priorities to better streamline regulations across multiple states.
- Work with enforcement agencies to encourage stronger enforcement against bad actors in the secondary marketplace.

**What are your Issues?**

**What keeps you up at night?**



# A Few Golden Rules of Effective Lobbying



1. It helps if you like politics....better if you like politicians. You are asking someone who doesn't have to help you, to do something you want done. You must approach in a positive frame of mind.
2. Always make the politician's job easier, not harder. Make information simple. Bring in other groups that agree with you. Don't make the politician do the work.
3. Meet with staff at least 95% of the time. Staff runs the show!
4. Reduce positions/requests to 60 seconds or one long paragraph. You **MUST** make your points concise. Have backup available to provide as required or requested.

# A Few Golden Rules of Effective Lobbying



5. Break issues into three categories:

A. 1 thing you MUST have to win

B. 1-3 things you would like to have, but can give up to get #1

C. Wish list you are prepared to abandon to get #1

6. Understand the opponent's position better than he does! Get legal opinions. Force yourself to present them in the positive, AND THEN rebut each one! You MUST get inside your opponent's arguments.

7. Never demonize or personalize your opponents (regardless of what you think).

8. Numbers count!! Politicians count! Numbers = votes – money!!

# A Few Golden Rules of Effective Lobbying



9. In spite of #8, keep meeting attendees to a minimum. Pack hearings, but limit meetings.

10. Know the difference between “grass roots” and “grass tops”.

Grass tops – key people/politically important people. USE BOTH!

11. Be an expert truly! But try not to show it. Have a quality that shows expertise, but try not to flaunt it. USE YOUR BEST PRESENTER – make an effective presentation. Politicians generally want good policy and respect real knowledge.

12. LISTEN TO QUESTIONS POLITICIANS AND STAFF ASK!!! Drop everything else and answer those questions first.

13. Understand the pure politics of the issue and legislative situation and frame what you are doing accordingly. (This is where a lobbyist can help and guide your strategy. They know what politically is at stake.)

# A Few Golden Rules of Effective Lobbying



14. It's all emails these days so don't fight it. (Unless you have no choice or are asked to use fax or snail mail).

15. When possible keep your presentation short and concise at a hearing. You can submit longer testimony, but politicians have short attention spans. Include hardcopies for all parties present at the hearing including staff.

16. Fundraising and political contributions matter. OFF-season counts. Politicians need to know you in a positive way. Build year-round relationships with politicians. Contributions count. Lots of contributions means number of people. Attend political events.

Lobbying is most effective when done by citizens. However, if the "other side" has professional help, or it is a BIG issue, you NEED professional help. A lobbyist can make strategic game plans and map the best route (knows the players, the best and most effective plans for success). Otherwise, citizens alone can do the job.

“If it feels good, don’t do it!”

“Use sweet words, because one day you may need  
to eat them!!”

## How ARDA and ARDA-ROC structures their lobbying and advocacy program

# Variables to consider



1. Assessing your political capital
  - a. Where relationships are in your staff/organization
  - b. Where they are with your members (ones who actively participate in your organization)
  - c. Where they are with your member's employees (include hotel/resort managers and key staffers)
2. Encouraging involvement at all levels
  - a. Having members identify employees who are willing and able to testify/meet with local officials
  - b. Be available to speak to those groups and provide lobbying seminars if necessary – do not assume all people naturally know how to lobby public officials. Training is definitely needed.
3. Political giving/fundraising efforts – how best to use your resources
  - a. Contributions?
  - b. Support of local causes for additional PR exposure?

# Variables to consider



1. Having a system to alert members to legislative/regulatory threats
  - a. Phone/text/email/website
  - b. Creating issue briefs and talking points on common occurring issues
2. PR capabilities
3. Explanation from a major hotel brand as to how an association can best serve it.
4. Leverage resources such as ISHAE, ARDA, and other peer groups for information.
5. If applicable, how to best select a lobbyist. But, something tells me that the traditional lobbying model falls to the wayside and we see more of the USVI model (lawyers, business people) who are employed to have influence.



1. USVI
2. SXM
3. Jamaica

# Role of Technology




1. USVI
2. SXM
3. Jamaica

1. USVI
2. SXM
3. Jamaica

# Restructuring Efforts



1. AHLA
2. CHTA
3. Opportunities/Challenges

# Q & A