**Testifying Before a Legislative Committee or Public Agency Commission**

**by R. Douglas Slack and Matt Wagner**

As a professional society, the mission of The Wildlife Society is to conserve wildlife and habitats through science-based management actions. In Texas, numerous laws and regulations impact management decisions related to The Wildlife Society’s mission. Working within the legislative process can greatly enhance the mission of The Wildlife Society. Ignoring the legislative process can hinder or damage progress on essential environmental issues.

Because of your expertise, job responsibilities, or affiliation with a professional organization, you may be asked to provide testimony regarding natural resource issues that are being considered by the Texas Legislature or a public policy entity such as the Texas Parks and Wildlife Commission. More commonly, you or the Texas Chapter of the Wildlife Society will initiate testimony.

Carefully prepared testimonies increase the likelihood that legislators and commission members will consider your input in their development of laws and regulations.

This document addresses guidelines for public testimony before a committee of the Texas Legislature or a public agency commission.

**Guidelines on Testifying Before a Texas Legislative Hearing**

Bills and resolution that come before the Texas House and Senate for a vote originate in standing committees in both houses of the legislature. As such, the standing committees carry considerable responsibilities in developing thoughtful, substantiated laws that serve the best interests of the state.

A crucial step in legislative committee procedures is to solicit public input regarding specific bills or resolutions. Consider the following recommendations in developing testimony.

1. Determine which Standing Committees handle legislation related to issues of most importance of the Texas Chapter of The Wildlife Society. Become familiar with the Texas Legislature Online site [www.capitol.texas.gov/Home.aspx](http://www.capitol.texas.gov/Home.aspx). House Committees listed on the site that are likely to consider legislation of interest to The Texas Chapter of The Wildlife Society include Culture, Recreation and Tourism, Environmental Regulations; Land and Resource Management, and Natural Resources. On the Senate side, the main committees are Natural Resources and Economic Development and Water, Agriculture and Rural Affairs.
2. Legislators on Standing Committees make the decisions regarding bills. Read the background information regarding the legislators’ interest and legislative initiatives to learn their priorities and leanings in relation to The Wildlife Society’s mission. Knowing that a legislator is sympathetic, hostile or neutral to your positions may help understand responses, questions, and concerns that may arise during a hearing. Backgrounds of legislators are rarely related to conservation and one can assume they are not experts in the field. However, legislators do list their priorities for committee appointments. Therefore, legislators on each committee may have chosen that appointment. At minimum, the legislators know the committee’s duties. Persons providing testimony should also be familiar with the committee’s duties.

The “Texas Legislative Handbook” is a convenient, if not essential, pocket-sized reference with a roster, photos, and other information about all legislators. Current copies are available in the Capital bookstore and from the publisher. To order, call the Texas State Directory Press at (512) 477-5698.

1. Many interactions with legislators are handled through each legislator’s Chief of Staff. Treat this person with utmost respect in all situations, as he/she can ultimately influence the legislator’s priorities and decisions. Treat the Chief of Staff with the same respect as the legislator.
2. Become familiar with the workings of the committee get the latest in amendments, timing of hearings, and any late changes in disposition of the legislation.
3. Business attire is appropriate for all presentations and interactions with legislators and their staff.
4. Handshakes matter. Practice extending a firm and confident handshake along with a smile. Firm handshakes create positive, lasting impressions.
5. Testimony before legislative committee usually involves both a written document and an oral presentation.

**Writing the Testimony**

Testimony is typically one to two pages in length, rarely longer. Short, focused testimony is far more likely to have an impact on legislators. Three minutes maximum

1. The initial paragraph should include the following information:
2. Salutation to the committee chair and the committee members.
3. Name
4. Your position regarding the bill or rule proposal (for, against, or neutral)
5. Who you represent (or whether you’re testifying as an individual)
6. If appropriate, emphasize the experience you have had in working on the issues that are addressed by the legislation or rule under consideration.
7. In separate paragraphs, present two to three reasons for your position for or against the legislation or rule. Elaborate the reason with strong data and/or vivid examples to strengthen the position.
8. Bring the committee a fresh or unique perspective on the legislation. For example, if you have a science background, emphasize that you are for or against the proposal because of scientific evidence. Briefly mention the scope and finding of the evidence.
9. End the testimony by restating your positions.
10. Testimony **must** reflect quality writing skills so that legislators do not dismiss it as irrelevant. Share first drafts with colleagues and solicit their input on content and grammar. Be open to and welcome criticism and corrections as a normal process of writing.

**Oral Testimony**

1. Register at the capitol at designated kiosks or with appropriate staff for each bill or rule you will address. Registration for both written and oral testimony may require completing a simple form and returning it to staff prior to the hearing. Some legislative committees require online registration.
2. Written testimony may be provided to the legislative committee or agency staff prior to the hearing. Provide enough copies of the testimony for each member of the committee or agency commission.
3. Staff will determine the order of presenters at the hearing, often according to time of registration.
4. Oral presentations typically take no longer than two to three minutes. In most cases, the Chair of the Committee or commission strictly enforces a time limit, often using a green/red light timing device. Do not assume testimony can last longer than the time limit, and practice presenting the testimony accordingly. Being forced to stop mid-sentence minimizes the effectiveness of the testimony. Experienced presenters know the limits and are never surprised by being cut short.
5. The oral testimony is typically a shortened version of the written testimony if the written version is too long for the time limit. Therefore, preparation for oral testimony involves discussing the major points of the written testimony. Practice presenting the big ideas within the time limit.
6. The Texas Chapter of The Wildlife Society can often leverage its influence by working with other similar-minded conservation groups. For instance, The Texas Chapter often works with the Texas Outdoor Partners (TOPS), the Texas Wildlife Association (TWA), Backcountry Hunters and Anglers, etc. If other groups plan to testify on specific issues, consider coordinating oral presentations to assure the main concepts are presented and to minimize redundancy.
7. Be constructive and positive in your presentation and responses to legislator or commission member questions.

**Sample Testimony A**

Matt Wagner Testimony to TPWD Commission

August 23, 2023

Greetings Chairman Aplin, and commission members .

I am Matt Wagner, Past President of the TCTWS and Certified Wildlife Biologist. I retired from TPWD nearly 7 years ago and now teach Wildlife Law and Policy at Texas State U. and consult on private ranches in Central Texas.

I want to thank you for the emergency action you took last month to tighten the rules regarding movement of breeder deer to slow the spread of Chronic Wasting Disease (CWD). I also support the proposed modification of CWD zones as presented today. In just the last six months the department has encountered an unprecedented increase in CWD detections in seven new counties, including an additional 10 deer breeding facilities, two release sites, and one free-ranging deer in a new area where CWD had not been previously detected. Department records indicate that within the last five years those breeding facilities transferred over 9,700 deer to other breeding facilities, release sites, and Deer Management Permit (DMP) sites. Despite the best efforts for testing, CWD has proved to be impossible to contain, and threatens a $4B hunting economy.

In a recent article published by the Wildlife Society, Texas spends the most of any other state in trying to manage this disease, over $2 M annually. Where do these dollars come from? Hunters. How do the 700,000 deer hunters in Texas benefit from deer breeding? When a public resource is propagated and transported for private gain, how are the costs and benefits measured? Who bears the risks and reaps the rewards? How much risk is the department willing to gamble with our deer herds, deer hunters, landowners and our hunting economy? For this reason I urge you to take further steps to prevent the movement of breeder deer to prevent the inadvertent spread of CWD.

Thank you for this opportunity to provide my comments.

**Sample Testimony B**

Doug Slack Testimony to House Committee on Culture, Recreation, and Tourism

April 3, 2013

**House Bill 2092 – Transfer of Authority for Deer Management**

Mr. Chairman, members of the committee, I am Doug Slack and I am here representing the Texas Chapter of The Wildlife Society. The Wildlife Society is comprised of professional wildlife scientists, wildlife biologist and mangers, environmental consultants, and conservationists. Indeed, these are the wildlife biologist and managers doing science-based conservation in Texas and the United States.

The Texas Chapter of The Wildlife Society opposes HB 2092. This bill transfers the authority for the white-tailed deer breeding program from Texas Parks and Wildlife Department (TPWD) to the Texas Animal Health Commission (TAHC). Following is a listing of the concerns that we have with HB 2092.April

1. Any effort to transfer authority of wild animals to a non-wildlife agency, such as TAHC, will unnecessarily blur regulation and public trust management of wild and captive animals by the public.
2. Wild native cervids, whether held in captivity or wild, should be managed by personnel with professional wildlife training.
3. White-tailed deer continue to be a public trust resource, whether held in captivity or free ranging. As such, authority must be retained by the natural resource agency (TPWD) that has been given responsibility from the state legislature.
4. The mission of the TAHC is clearly only related to diseases of livestock, and assurance of the marketability of Texas livestock. They have legislative authority to make and enforce regulations related to domestic livestock disease. In contrast, TPWD’s mission is to manage and conserve natural and cultural resources and to provide hunting, fishing and outdoor recreation opportunities for present and future generations. Each agency is staffed and funded in relation to its mission.
5. The goal of deer breeding is to produce trophy bucks for hunting. If the TAHC has regulatory authority for management of the deer breeding enterprise, once the pen-raised animals are released from the trailer onto a ranch, regulatory authority would immediately transfer to TPWD. This would create more complexity and confusion.
6. Management of deer by an agricultural-related agency will send a strong message both state-wide and nation-wide that Texas considers this valuable resource to be the same as livestock. What other wildlife resources will be transferred to TAHC in the future?

Once again, The Texas Chapter of The Wildlife Society opposes HB 2092.

**Important Online References**

Texas Parks and Wildlife Department Commission Meetings and Agenda Items. Go here to determine when commission meetings will take place and what the meeting agendas will be, including action items, briefings and informational presentations: <https://tpwd.texas.gov/business/feedback/meetings/>

Regulations for the state of Texas (Texas Administrative Code, TAC, Title 31 for Natural Resources and Conservation). Go here to read current rules and regulations for all state agencies: <https://www.sos.texas.gov/tac/index.shtml>

Texas Legislature Online. Go here to understand everything about the Texas Legislature, including current House and Senate members and committees, hearings, current and previous bills, and much more: <https://capitol.texas.gov/Home.aspx>

Statutes for the state of Texas (Texas Constitution and Statutes, Parks and Wildlife Code). Go here to read current statutes promulgated by the Texas Legislature that give authority for agency rule making: <https://statutes.capitol.texas.gov/>

Federal regulation proposals. Go here to read new federal regulation proposals and actions (Federal Register): <https://www.federalregister.gov/>

Federal regulations for the United States (Code of Federal Regulations, Title 50 for Fish and Wildlife Regulations). Go here to read current rules and regulations for all federal agencies: <https://www.govinfo.gov/app/collection/cfr/>

Federal Statutes passed by the United States Congress (United States Code, Title 16 – Conservation) . Go here to read current federal statutes that give authority for agency rule making: <http://uscode.house.gov/browse.xhtml;jsessionid=957D9F4AFCC4912BC719E316D71C4C06>