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Editor's Message



Our Legislative Legal Environment – Our Actions Do Make a Difference by Scott Arquilla

This issue of SBC Magazine is titled Our Legislative/Legal Environment and it is fitting that I am writing this article the week of our national and local elections. I first voted on an absentee ballot while I was a senior in college in 1972. I've always felt it was important to vote for legislators who support the majority of my beliefs and show it by their actions in the political arena. Voting is our country's most treasured freedom. Employees who say they aren't registered to vote because they would have to serve jury duty have always amazed me. Granted, I don't care for jury duty either, but not voting does nothing to solve the many problems we still have in this country.

The WTCA Board first organized a Legislative Conference in Washington, D.C. in May 2001. Every year WTCA members become increasingly less nervous about expressing our industry's concerns and telling our stories, especially to our legislators and their legislative assistants (L.A.'s). Anyone who has been to Washington realizes that while legislators and their aides understand the issues, as they are issue-driven, too few know much about our industry. For those of us that have been through this process in prior years, our visit in May 2002 was far more rewarding. Most of the legislators and their assistants we spoke to remembered our past visits and had some familiarity with our industry and the issues we brought before them the second time around.

Unfortunately, there is never enough time to spell out all the important issues facing our industry, so we have to concentrate on one or two and drive the point home while there. Our hope is to make our point resonate in some meaningful way, which is generally how the issue we are talking about will impact the number of jobs we are able to provide or will lose. After each meeting, we need to reinforce our message by writing letters. Our hope is that again our message gets some attention. Each of us have seen that, as we walked up and down the halls of Congress, there were countless visitors who all had the same intentions of getting their legislator to listen to their issue. It is at the same time frustrating that your message is not the only message heard that day and enlightening in how the legislative process works in our country.

Some WTCA Chapters have successfully met with their legislators locally and have had a great deal of success in getting their attention. Meeting times are longer, one can generally actually meet with the legislator and their Chief of Staff. These meetings are typically more relaxed and allow time to build relationships. In the case of Roy Schiferl and the Northwest Truss Fabricators Association, a WTCA Chapter, this led to a plant tour with Congresswoman Jennifer Dunn's Chief of Staff. While these types of meetings can take time and may require you to make a campaign contribution at some point, the fact that the legislator has more time to understand your views on key issues impacting your business can start an important relationship. From that point on

your letters and emails will be read and responded to. It is also important to voice your opinion when any significant event occurs in the industry and emphasize how this impacts your business directly.

A new law in California recently gave homebuilders the opportunity to correct construction defect problems before lawsuits are allowed to be filed. This type of legislation has the potential to greatly decrease the frequency and severity of the suits that have become prevalent in that market. While this tort reform action in California might be a start to solving the construction defect problem in that state, much additional action is needed within every state to allow the industry to correct the problems themselves without legal intervention. I hope this new common sense approach—legislators working with industry to develop reasonable and fair solutions to problems—will take hold and spread throughout the nation.

It has been difficult to persuade our legislators that tort reform is needed. While the current Republican White House has been in favor of it, Congress and state legislators have not made much, if any, progress toward reform. That was up until the November 2002 elections. In an editorial printed in the Wall Street Journal, it was reported that a number of states, which had previously been centers for tort claim abuse, had pivotal judicial elections that may start to turn the tide toward reform. Now may become a good opportunity to educate public about the business costs of lawsuit abuse and the fact that those costs must be passed onto all consumers, or the company goes out of business causing a loss of valuable jobs. Those of us in business have experienced these abuses and it is up to us to carry a strong message to Washington and our State Houses. If we do not, who will?

Remember, as individuals, we have a small voice in this process. But when we get together, with a united voice and a solid, easily understood message, we are far stronger and can make a difference when our elected representatives consider these issues.

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