November 4, 2014 is election day. You decide who will decide child health and pediatric practice policy in the states.

The electoral process can elevate children’s health and well-being, in a nonpartisan manner, in the minds of candidates, elected officials, and other voters.
Deciding Who Decides

For every issue you care about, there are decision-makers who can affect the outcome. Depending on the issue, decision-makers could include:

- Elected or appointed state and local officials
- Influential community members, religious leaders, and business owners who help shape public opinion
- Chief executive officers or administrators of community institutions, such as hospitals or schools, who serve customers or members of the community

Effective advocacy involves identifying and persuading these decision-makers to act on behalf of your issue. When working with elected officials, it is important to understand what motivates them.

Elected officials depend on constituents’ support (i.e., votes) to keep their jobs. Therefore, elected officials are particularly influenced by what their constituents think and value.

In 2014, states will hold elections for:

36 **GOVERNORS**

30 **LIEUTENANT GOVERNORS**

31 **ATTORNEYS GENERAL**

26 **SECRETARIES OF STATE**

4 **INSURANCE COMMISSIONERS**

6,049 **STATE LEGISLATORS**

54 **SUPREME COURT JUSTICES**

*In addition to 31 states, voters in the District of Columbia will, for the first time, elect an attorney general. In the past, the position was filled by mayoral appointment.*
Setting the Stage

As a 501(c)(3) nonprofit organization, the AAP is nonpartisan and works with all elected officials regardless of party affiliation. (Guidance on remaining nonpartisan follows this section.) The following observations and data are not an endorsement of any political party or intended to express an opinion on party platforms or positions. However, state policymaking takes place within a political context which can effect outcomes. The 2014 state elections, for example, have been affected by what’s come before them—namely the 2010 elections and Census, and the 2012 elections.

- In the November 2010 elections, Republicans won 720 state legislative seats across the country.

- Before the 2010 election, Republicans had majorities in 36 state legislative bodies. Afterward, the party controlled 56 state legislative chambers.

- There are now 23 states in which Republicans control both the full legislature and governorship, compared with 13 states controlled by Democrats.

- With this, Republicans also took control of the redistricting process following the release of the 2010 Census and reapportioning of congressional districts.

- In all, Republicans controlled the process of drawing the boundaries for 210 US House districts, compared to just 44 districts for Democrats. The rest were drawn by bipartisan officials, the courts, or independent commissions.

- In state legislatures, following the 2012 elections, only 3 states were under split control (with one party in control of the upper chamber and the opposing party in control of the lower chamber), the fewest since 1944. By contrast, following the 2000 elections, 15 state legislatures were split, and less than 20 seats separated Democrats and Republicans across the nation’s 7,382 state legislators.

- 9 Republican incumbent governors in states won by President Obama in 2012 are seeking reelection in 2014.

- Democrats hold the governor’s office in 3 states where Republicans have full legislative control.

- Of the 7 open gubernatorial elections in 2014, the party of the current incumbent governor is likely to retain control in most of these states, given current polling data and historical voting patterns.
Setting the Stage

STATE LEGISLATIVE CHAMBERS IN PLAY

13 states with 2014 elections where the margin of partisan control of 1 or more state legislative chambers is 5 seats or fewer

- Arizona Senate
- Arkansas House
- Colorado Senate
- Iowa Senate
- Maine Senate
- Nevada Senate
- New Hampshire Senate
- New Mexico House
- New York Senate
- Oregon Senate
- Pennsylvania Senate
- Washington Senate
- Wisconsin Senate

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Setting the Stage

So why does this matter? All elections are important but with significant changes in party control in state governments, the 2014 elections offer a critical opportunity for engagement by AAP chapters.

- **Most Public Health and Physician Practice Policy Happens in the States.** Consider the fact that on average, state legislatures across the country introduce more than 150,000 bills during a session—and 20% or more can become law. Action in state legislatures will continue to be a critical avenue for child health and pediatric practice policy.

- **While State Legislative Chambers Enjoy a Less Partisan Atmosphere Than Congress, Polarity Does Exist.** A majority of states are under full control by 1 party. Navigating the political waters within parties, as well as between parties, is a necessary task for advocates in state legislatures today.

- **Forging Relationships with the Newly Elected Members of State Legislatures and Other Public Officials in Both Parties Is Essential.** Educating new lawmakers about issues related to child health and well-being and pediatric practice is an ideal way to find out about their interests and determine opportunities for future engagement and partnership.

- **Voter Turnout Makes or Breaks All Campaigns, Including 2014.** “Off-cycle” election campaigns must work hard to get their supporters to the ballot box on election day. That makes your chapter’s engagement in this year’s election—and potential impact on its outcome—even more critical.
Remaining Nonpartisan

No matter what your political persuasion, it might seem impossible to talk about voting without talking about political parties. In fact, the trick is in knowing the line between your personal views and your goals as an AAP advocate. Consider these ideas.

VOTERS ARE MOST INTERESTED IN WHAT WILL AFFECT THEIR LIVES.
If you can make the connection between the issues that affect them—such as children’s health and well-being—and how elected officials can influence those issues, then they can understand why electing the people who care about children’s health matters. This has nothing to do with political party and everything to do with the candidates’ positions on issues related to children’s health and pediatric practice.

REFRAINING FROM PARTISANSHIP CAN BE CHALLENGING—SO TRY THIS IDEA.
It is tempting to inject our own candidate preferences in a discussion; the easiest way to avoid this is to go into election activities with a rock-solid rule: stick to the issues. When questions about candidates arise, be a broken record on the following point: “I can’t tell you who to vote for, but I can tell you how to find out where they stand on issues related to children’s health and well-being.”

FOR VOTERS TO DECIDE WHO TO VOTE FOR, THEY WANT INFORMATION ABOUT CANDIDATES.
Others will ask you who they should support. Again, a good response could be: “I can’t tell you who to vote for, but I can tell you how to get in touch with their campaign to find out their positions on children’s health.” Have Web sites of all the relevant candidates and/or political parties ready to share, and leave it at that.

IT’S A GOOD IDEA TO CREATE YOUR OWN POLITICAL SPACE.
If you are really passionate about partisan electoral politics, make sure you get to talk about the candidates in settings unrelated to your AAP/chapter advocacy work. Do not use your AAP/chapter title for partisan activities that you participate in as an individual.

Source: AAP Advocacy Guide

For information on what 501(c)(3) and 501(c)(6) AAP chapters can and can’t do with regard to elections and candidates, please see pages 17 and 18.
2014 State Races
GOVERNORS

29 states with contested gubernatorial elections
7 states with open gubernatorial elections (incumbent retiring/not seeking reelection)
2014 State Races
LIEUTENANT GOVERNORS

30 states with elections for lieutenant governor
2014 State Races
ATTORNEYS GENERAL

31 states + District of Columbia with elections for attorneys general
2014 State Races
SECRETARIES OF STATE

26 states with elections for secretaries of state
2014 State Races
INSURANCE COMMISSIONERS

4 states with elections for insurance commissioners
2014 State Races
STATE LEGISLATORS

41 states with elections for state house and senate (5,572 seats)

4 states with elections for state house only (453 seats)

1 state with elections for nonpartisan state senate only (24 seats)
2014 State Races
SUPREME COURT JUSTICES

27 states with elections for state supreme court justices
Campaign and
Election Ideas

The following are possible election activities in which AAP chapters may participate.* AAP members may also participate individually in other campaign-related activities not listed.

- Host a candidate forum.
- Invite candidates to your chapter meeting.
- Attend local candidate forums and debates to ask questions about child health issues.
- Establish an “agenda for children” and ask candidates to sign a pledge of support.
- Invite candidates to present grand rounds.
- Invite candidates to spend a day in your office/hospital/clinic.
- Host a candidate reception with your colleagues.
- Interview candidates and report dialogue in your chapter newsletter.
- Develop and publicize the results of a candidate questionnaire.
- Host a voter registration drive at your chapter meeting or in your professional setting.
- Develop informational mailings to send to candidates.
- Establish a political action committee, if allowed by chapter tax status.
- Develop and disseminate a “candidate pledge for children.”
- Canvass voters on behalf of children.
- Incorporate media activities into campaign activities.
- Develop and disseminate the results of a survey of public attitudes or support for a particular issue within your community or state.
- Take advantage of legislators’ “free time” during recesses and session adjournment.
- Sponsor child-voting activities in schools.
- Organize a “children’s inaugural” in the capital after the election.

*Please consult your chapter legal counsel/accountant before pursuing campaign/election activities to ensure compliance with IRS, FEC, and state regulations. 501(c)(3) chapters must invite all candidates from major political parties to events to avoid impression of candidate endorsement.

Source: AAP Advocacy Guide
Questions for Candidates

You can advocate for children by speaking up for children’s health and well-being during the election season. Anyone running for public office needs to hear from people who care about children. Try some of these questions with candidates in your state.

“What do you think is the #1 challenge facing children today, and, if elected, how would you address it?”

“What are your top 3 public health priorities to improve the health and safety of children?”

“What specific plans do you have to reduce child poverty?”

“The science of early brain development is clear that toxic stress can have a lifelong effect on children. If elected, what will you do to help families raise healthy and resilient children?”

“Do you support a physician’s right to ask about guns in the home and counsel patients and their families about firearm safety?”

“Accidental ingestion of e-cigarette fluid led to a 300% increase in calls to poison control last year. What policies will you support to protect children from these substances?”

“What would you do to protect children from gun injury, violence, and death?”

“What do you think can be done in our state to ensure that every child has access to the medical care they need from pediatricians, pediatric subspecialists, and pediatric surgeons?”
Ballot Measures

Voters will also approve or reject* more than 100 ballot measures in 39 states in 2014.

INITIATIVE
An initiative is a proposal of a new law or constitutional amendment that is placed on the ballot by petition, that is, by collecting signatures of a certain number of citizens. In most cases, once a sufficient number of signatures has been collected, the proposal is placed on the ballot for a vote of the people, known as a "direct initiative." In the indirect initiative process, a proposed initiative is referred to the legislature after proponents have gathered the required number of signatures. The legislature has the option to enact, defeat, or amend the measure. Depending on the legislature's action, the proponents may continue to pursue placement on the ballot for a popular vote.

REFERENDUM
There are 2 primary types of referenda: the legislative referendum, whereby a state legislature refers a measure to the voters for their approval, and the popular referendum, a measure that appears on the ballot as a result of a voter petition drive. The popular referendum is triggered by voter petitions and is a device which allows voters to approve or repeal an act of the legislature. A third form of referendum, the advisory referendum, allows the legislature, and in some states the governor, to place a question on the ballot to gauge voter opinion. The results of the election on this question are not binding.

BALLOT MEASURES AS AN ADVOCACY STRATEGY
Ballot measures have been successfully used by advocates for child health to secure funding for comprehensive early learning and child development, most notably by California's Proposition 10 in 1998, which levied a tax on tobacco, and directed those funds to be used exclusively to enhance the early growth experiences of children. The First 5 Association was established to implement the initiative. 15 years later, the program remains active and vibrant.

- Learn more about your state’s initiative and referendum process.
- Follow proposed state ballot measures closely to know what you’ll see on your ballot on November 4, 2014.
- For more information on current and past year ballot measures, consult the State Ballot Measures Database from the National Conference of State Legislatures.

*Public support for or opposition to ballot measures is considered lobbying and is allowable activity for 501(c)(3) and 501(c)(6) organizations within IRS lobbying guidelines.
Chapter Tax Status and IRS Regulations

501(c)(3) CHAPTERS
Partisan political activity by a 501(c)(3) organization, either on behalf of or in opposition to a candidate, is prohibited by the Internal Revenue Code. However, there are some permissible nonpartisan campaign activities in which 501(c)(3) organizations can participate.

- 501(c)(3) chapters are barred from political activity including implicit or explicit endorsements of candidates or issues.
- 501(c)(3) chapters are permitted to engage in voter education activity.
- 501(c)(3) chapters are prohibited from forming PACs.
- 501(c)(3) chapters may lobby to the extent that it is not considered a “substantial” amount of legislative activity.
- 501(c)(3) chapters may make the 501(h) “safe harbor” election. This permits chapters to spend a specified percentage of money on lobbying without threatening their tax exempt status.
- 501(c)(3) chapters’ membership dues are tax deductible for members as a charitable contribution.

*Please consult your chapter legal counsel/accountant before pursuing campaign/election activities to ensure compliance with IRS, FEC, and state regulations. Additional guidance is available from the Division of State Government Affairs at stgov@aap.org.

Source: AAP Advocacy Guide
Chapter Tax Status and IRS Regulations

501(c)(6) ORGANIZATIONS
Unlike 501(c)(3) organizations, which are strictly prohibited from participating in partisan political campaign activities, organizations granted their tax-exempt status under Section 501(c)(6) may participate in political campaign activities. However, the Internal Revenue Code disallows a business expense deduction for that portion of dues attributable to “participation in or intervention in, any political campaign on behalf of or in opposition to any candidate for public office.” Although incorporated trade or professional associations are generally prohibited by the Federal Elections Campaign Act under the sanction of a criminal offense from directly or indirectly making political campaign contributions or expenditures to any federal political candidate, they may establish a political action committee (PAC) by which to solicit campaign contributions from their members. PAC funds must be “separate and segregated” from the operating budget of an organization. An organization that establishes a PAC must comply with the strict regulations governing PACs in terms of registration, reporting requirements, and solicitation rules. In addition, many states have laws regulating PAC campaign contributions as well.

- 501(c)(6) chapters are permitted to engage in political activity with some restrictions.
- 501(c)(6) chapters can endorse candidates for public office.
- 501(c)(6) chapters are permitted to participate in voter education initiatives as well as other political activity.
- 501(c)(6) chapters are permitted to form PACs.
- 501(c)(6) chapters are permitted to engage in any amount of lobbying and legislative activity that is germane to the common business or professional interests of the organization’s members.
- 501(c)(6) chapters do not have to make the 501(h) election to lobby.
- For 501(c)(6) chapters, the percentage of dues spent on legislative or political activities by the chapters is not deductible for members as a normal business expense. Political action committee dues are also not deductible.

Please consult your chapter legal counsel/accountant before pursuing campaign/election activities to ensure compliance with IRS, FEC, and state regulations. Additional guidance is available from the Division of State Government Affairs at stgov@aap.org.

Source: AAP Advocacy Guide
Election FYI

In addition to learning about the candidates and issues, knowing the key details of the election process is vital. Find out more by using these helpful links.

**STATE VOTER REGISTRATION RULES AND DEADLINES**

Learn what your state requires and register now so you’re ready for the November 4, 2014 elections.

**VOTER ID REQUIREMENTS**

Supporters of voter ID laws say that they prevent voter fraud. Opponents say they’re a burden and may prevent Americans from casting their votes on election day. Wherever you come down on this issue, it’s important you know what’s required in your state. If you’re a medical student or resident and your home state driver’s license is your only form of legal ID, make sure you have what is needed in the state where you’re casting your ballot.

**ABSENTEE BALLOTS**

If you know you’ll be out-of-town and won’t be able to get to your polling place on election day, arrange in advance for an absentee ballot that can be completed and returned before the election. Each state has unique absentee ballot registration, application, and completion deadlines and procedures. Some states have established processes for obtaining ballots for hospitalized voters (beneficial for young adult patients) and, thanks to advocacy by pediatricians, Ohio allows parents whose minor child is hospitalized because of an unforeseeable medical emergency to obtain an emergency ballot on election day.

**EARLY VOTING**

Will you be on call on election day? Do you just want to take care of this important task to ensure that it’s done? You can vote early even if you’re able to get to the polls on November 4, 2014. 32 states and the District of Columbia allow early voting—so check and see if your state is on the list and what’s required to make it happen.

**MILITARY AND OVERSEAS VOTERS**

The Federal Voting Assistance Program (FVAP) provides voting assistance for service members, their families, and overseas citizens. Visit the FVAP site to register to vote, request a ballot, update voter information and check the status of a ballot.

Division of State Government Affairs
stgov@aap.org
www.aap.org/stateadvocacy
Resources

If voting is what you can do, do it! If you can encourage others, even better. Can you ask candidates a few questions? Hang up a poster or print and distribute stickers on election day? There’s always more that can be done—here are some ideas and resources you can use to take your election advocacy to new heights.

**Michigan Children’s Sandbox Party**
The AAP Michigan Chapter was instrumental in creating the state’s leading grassroots advocacy network for children, which has built a statewide community of champions for kids through outreach, advocacy, and education in the political process. The Michigan Children’s Sandbox Party encourages involvement in the political process by alerting people to opportunities to become engaged voters and to reach out to candidates seeking public office. Can you start a Sandbox Party in your state?

**I voted for KIDS today! Stickers**
All you need are shipping labels (Avery® product numbers 5163, 5263, 8263, 8463, or 8663) and a color printer and you can download these election day stickers for your office, clinic, hospital, or academic center colleagues. Encourage others to vote by letting them know you voted for KIDS!

**Get Out the Vote Poster**
Use this poster to encourage your colleagues and patients’ families to vote with kids in mind on election day. Download them and print them on 8.5x11 (handout) or 11x17 (poster) sized paper on a color printer or use the image as an electronic reminder on social media platforms like Facebook and Twitter. It can be posted on your chapter Web site, added to your newsletter or sent in an e-mail, too.

**Get Out the Vote Poll Time Reminder**
In the weeks and days leading up to the election, and on election day, download and send out these state-specific poll time reminders to your chapter members and encourage them to get out the vote for kids!