Preemption Watch Action Model

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Foundation for a Healthy Kentucky
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Grassroots Change: Connecting for Better Health

- Grassroots Change: Connecting for Better Health (2009 – present)
  - Preemption Watch; Preemption & Movement Building in Public Health
- RWJF Key Informant Interviews 2010: Advocates, researchers, organizers, public officials, working on:
  - Obesity prevention
  - School food
  - Food safety
  - Gun violence
  - Alcohol
  - Tobacco
  - Reproductive health
  - Health access
  - Environmental justice

Different Issues = Identical Tactics
Combatting Preemption Strategic Action Model
The Evolving Threat: New (and Old) Style Preemption

- **Preemption clause: Express preemption** (Kansas 2016; California 2018)
- **Amendments** (often on unrelated topics)
- **Fiscal mechanisms** (*de facto* preemption) (Arizona 2016)
- **Preemption of, or barriers to, local taxation authority**
- **Limits on direct democracy** (local ballot measures)
- **Blanket preemption** (Arizona 2016; Texas - proposed 2015, 2017)
- **Savings Clause = Must Have!**
  - “Nothing in this law preempts more restrictive local requirements.”
Anticipate and Monitor

- Prepare in advance! Never wait for bills or amendments...
- Know and learn from the opposition
- In the Midnight Hour: Last minute amendments (California, 2008 & 2018)
- Budget amendments
- Don't expect litigation or lawyers to undo preemption after it’s passed.
- Except in the case of smokefree laws, state preemption in public health has never been repealed
Unifying Allies

- What discussions need to happen with elected officials, public health organizations, grassroots groups, other advocates?

- How can you ensure everyone is in agreement? (Applies to state and federal legislation)

- How can we hold each other accountable?
Grassroots Engagement & Leadership

- Build the grassroots & put network in place before it’s needed
- Translating passion into meaningful goals
- New blood + grassroots experience & expertise
- Assess current strengths: Build & broaden coalitions
- Grassroots Leadership
  - Experience in movement building, & communications
  - TRUST: The internal movement dialogue
  - Volunteers + Paid

Engage Grassroots

www.GrassrootsChange.net
Media Advocacy

“The strategic use of mass media to advance policy or social change.”

Educate the media BEFORE you need them.

Who are your media contacts?

Messaging. Nonpartisan = Framing for conservative, progressive, neutral, and all audiences.

Messengers who are convincing, local, diverse and unexpected (e.g. business owners and conservatives)
Grassroots Change: *Connecting for Better Health*

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