Consensus Building for Legislatures

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MAJORITY \checkmark \text{RULES}
Position

- Preferred solution
  - "How much?" - answer

Interests

- Underlying motivations
  - "Why"? - answer
Three Kinds of Interests

Conflicting

Complementary

Shared

#1

#2
Three Kinds of Interests

- Conflicting
- Complementary
- Shared
5 Tools for Finding Joint Gain

- Interests before positions
- Trade across differences
- Fair process norms
- Objective criteria
- Trust through authentic communication
Legislative Process

- Bill introduction
- Public Hearing
- Committee Action
- Floor Action
- Conference Committee
- Governor
Creative Problem Solving Process

- Convene
- Define Problem
- Invent Solutions
- Evaluate solutions
- Action Plan
- Implementation
Consensus Building Process

- Convene
- Assign Roles, Responsibilities
- Deliberate
  - Problem definition
  - Opinion development
  - Nominate standards
  - Single Text Procedure
- Decide
- Implement
Process Comparison

Stakeholders at table
Talk early
Process manager
Agree on process
Begin with problem

Stakeholders by Proxy
Talk late
Authority figure
Ad hoc process
Begin with solution
Process Comparison cont'd.

Survey interests
Invent multiple options
Evaluate options
Search for joint gain
Goal: consensus

Survey positions
Narrow options
Debate
Search for midpoint
Goal: majority
Taming Conflicting Interests
Taming Conflicting Interests

- Fair norms
- Fair standards
- Fair processes
Fair Norms

- Equal treatment
- Contribution
- Reciprocity
- Fair Market
- Need
Fair Standards

- Appraisal
- Tax value
- New minus depreciation
- Comparable sales
- Replacement
- Precedent
Fair Process

- Mediation
- Arbitration
- Divide and Choose
- Random selection
- Fair division procedures
Proposal

Single Text Procedure

- Prepare preliminary draft
- Invite criticism
- Brainstorm options
- Consider contingencies
- Redraft, repeat as necessary
- Ask for commitments
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Proposal

10

2 years

EX!
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