



## *Tips, Tactics, Technology, and Techniques: Lessons in Advocacy from N.C.'s Most Influential Lobbyists*

by Sam Watts

**F**or the past 11 legislative sessions, the Center has been surveying legislators, lobbyists, and the capital news media to determine who are the most influential players in Raleigh's legislative advocacy corps. This year, after tabulating the survey that identified the most influential lobbyists, the Center decided to conduct a follow-up survey to study tactics, technology, and techniques the state's most influential lobbyists utilize in their lobbying practice.<sup>1</sup> Forty-two of the 48 lobbyists (88 percent) responded in a thoughtful look at the state of their profession in North Carolina. They also offered some notable insights on how to be an effective advocate in trying to pass, kill, or modify legislation in the N.C. General Assembly.

While the most influential lobbyists the Center surveyed reported widespread use of new technologies, they believe that the most effective lobbying technique is still developing personal relationships

with lawmakers and providing timely credible information. This conclusion is supported by the responses to three major questions in the survey. 1) Of twelve specific tactics lobbyists were asked to rate, "personally meeting with legislators in their offices or in an informal setting such as over a meal" was rated most effective. 2) Of four factors listed in evaluating a lobbyist's influence, "the ability to communicate accurate information on the legislation in question" ranked highest. 3) Of five ways for citizens to contact legislators, "in-person" got the nod as the best method.

"There is a time and place for every one of the new tools in the lobbyist's toolbox," says Roger Bone, a contract lobbyist who ranks as the third most influential. "The art of lobbying today is knowing which tool to use, when to use it, and when not to over-use it. If you encourage fourteen-dozen constituents to call a lawmaker on a non-controversial issue, you're wasting the legislator's time, but if you were to have those same constituents call the same lawmaker an hour before a meeting where he is the swing vote on your legislation, you might accomplish something."

### **Who Are N.C.'s Most Influential Lobbyists?**

**A**mong the 48 most influential lobbyists in the 2001 legislative session are eight women, one African-American, 27 lawyers, and nine former legislators, six of whom are lawyers. The average age of the group is 53, while the youngest lobbyist on

*Editor's Note: This is one of a series of articles highlighting research by the North Carolina Center for Public Policy Research. Here, Center policy analyst Sam Watts discusses the Center's rankings of the state's most influential lobbyists in the 2001 General Assembly, as well as a follow-up survey that gauges trends in lobbying tactics, technology, and techniques among the state's most influential lobbyists.*

*Sam Watts is a policy analyst at the North Carolina Center for Public Policy Research.*

the list is 32, and the most senior is 75. Four are public interest lobbyists, 26 are contract lobbyists,<sup>2</sup> and 35 have at least one client with a Political Action Committee able to contribute to elections for state office.

### How and Why the Lobbyist Rankings Are Done

**T**his is the eleventh time the N.C. Center for Public Policy Research has produced its lobbyist rankings. "The rankings of the most influential lobbyists are useful because voters need to know what key interests have clout with legislators in North Carolina, as well as who is *not* represented in the legislature," says Ran Coble, the executive director of the N.C. Center for Public Policy Research. "The rankings shed light on what is often an invisible process and illustrate changes in which issues are hot and in the lobbying profession itself."

The rankings are based on results from a survey conducted in early 2002 after adjournment of the regular session of the N.C. General Assembly in December 2001. All 170 state legislators, as well as 321 registered lobbyists and legislative liaisons based in North Carolina, and the 28 capital news

correspondents were asked to list the most influential lobbyists or legislative liaisons of the 2001 General Assembly session. Survey respondents received a list of all lobbyists and legislative liaisons registered with the Secretary of State at the end of the 2001 session.

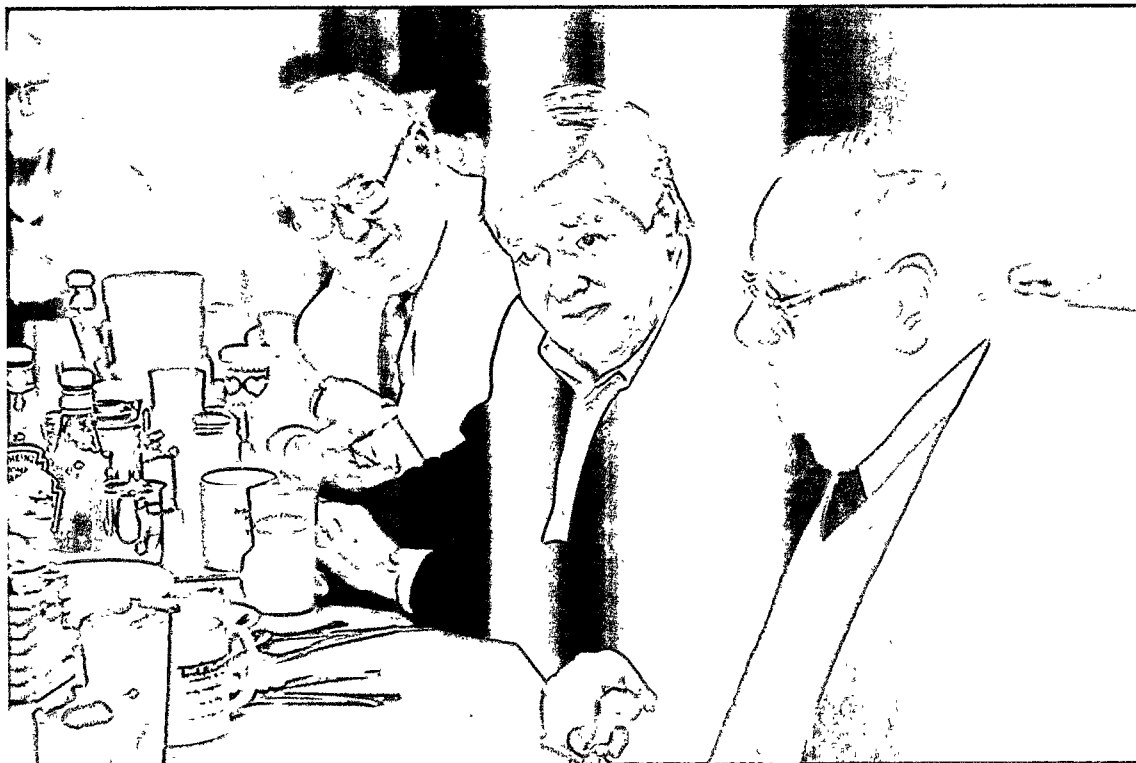
Seventy-two of the 120 House members (60 percent) responded to the Center's survey, as did 27 of the 50 Senators (54 percent), 146 of the 321 registered lobbyists who regularly work in the legislature and who are based in North Carolina (45 percent), and 15 of the 28 capital news correspondents (54 percent). The overall response rate was 50 percent.

During the 2001 session, 580 lobbyists registered with the Secretary of State, representing 657 different companies or organizations. The Center's calculations of the number of lobbyists avoids double-counting by counting each lobbyist only once, even if the lobbyist represented more than one client. Lobbyists included in the survey are based in North Carolina and regularly work the General Assembly. There were also 168 legislative liaisons representing 40 different state government agencies and licensing boards, but the Center surveys only the lead liaison for each agency.

***Lobbyists find Finch's Restaurant in Raleigh to be a fine place to jump start the morning.***



Karen Tan



***Zebulon Alley, ranked the state's most influential lobbyist for the eighth consecutive session, with former Sen. Aaron Plyler (D-Union) on the right and Roger Bone (left), also consistently ranked among the five most influential lobbyists.***

## **Companies and Groups That Hire Top Lobbyists Also Have PACs**

**I**n the latest lobbying rankings, the Center notes how many of the state's top lobbyists have at least one client able to donate money to state political campaigns. Nearly three quarters of the lobbyists ranked among the most influential represent at least one client able to make campaign contributions. Of the 697 businesses, nonprofit organizations, and government agencies with lobbyists registered with the Secretary of State's office at the end of the 2001 session, 303, or 43 percent, have at least one lobbyist ranked among the 48 most influential. Of those 303 groups, 72, or 24 percent, have a state or federal political action committee (PAC) eligible to make donations to state political campaigns. Of the 48 most influential lobbyists, 35, or 73 percent, represent at least one of the 72 companies or interest groups with PACs.

For example, Zebulon D. Alley, who ranked 1st in this year's rankings for the eighth consecutive session, represents 13 clients, of which the N.C. Vendors' Association, Progress Energy, and Sprint have PACs. The second highest ranked lobbyist,

Don Beason, represents 14 clients, of which BB&T, BellSouth Telecommunications, and Progress Energy have PACs. And, at least four law firms engaged in lobbying have PACs registered under the names of their firms. Three of those firms—Parker, Poe, Adams and Bernstein; Jordan, Price, Wall, Gray and Jones; and Kennedy, Covington, Lobdell and Hickman—have at least one lobbyist who made the rankings.

When the legislature is not in session, PACs and lobbyists may contribute up to \$4,000 per election (primary and general election) to candidates for state office. The degree to which a lobbyist is involved with a PAC varies as each client chooses. Some PACs involve their lobbyists in raising funds, making decisions on contributions, and disbursing funds, while others do not.

Influential lobbyists who do not have clients with PACs include Paula Wolf (ranked 12th), who lobbies for the Covenant with North Carolina's Children, a coalition of nonprofit groups advocating for children; James B. Blackburn III (tied for 44th), who represents the N.C. Association of County Commissioners; and Leanne Winner (46th), who lobbies for the N.C. School Boards Association.

## Lobbyists on Both Sides of Lottery Debate Gain Influence

**H**aving a hot issue before the General Assembly raises a lobbyist's profile and provides the opportunity to perform well in influencing legislation. Eight of the 48 most influential lobbyists worked on one side or the other of the hot debate over a proposed state lottery in the 2001 session. Of these eight, three improved their rankings from the previous legislative session, and three made the list for the first time.

Pro-lottery lobbyists ranked among the most influential included contract lobbyists Al Adams (ranked 6th) and Jack Cozort (ranked 17th), both representing GTECH, a company that operates lot-


teries in 25 states and 42 foreign countries. Gov. Mike Easley has pushed for the lottery, and two of his lobbyists, Franklin Freeman (10th) and Kevin Howell (40th), were ranked among the most influential.

The Center's survey showed that anti-lottery lobbyists from different points in the political spectrum also had influence with legislators. Dan Gerlach (ranked 11th) lobbied against the lottery while at the liberal-leaning N.C. Budget and Tax Center, as did Charles B. (Chuck) Neely, Jr. (ranked 16th), a former Republican state Representative and volunteer chairman of the bipartisan Citizens United Against the Lottery, and William Brooks (38th) of the conservative N.C. Family Policy Council. Ironically, after the 2001 session,


Web pages such as this one put up by Citizens Against The Lottery are among the new techniques being used in issues-oriented lobbying.

# Citizens United Against The Lottery

Just Say NO To The North Carolina State Lottery!



Tuesday, October 28, 2002



Call your State Legislators at (919) 733-4111. Tell your legislator to vote against all lottery legislation. Then write your State Legislators at:

North Carolina General Assembly  
Raleigh, N.C. 27601-1098.

[Click here to find the name of your Legislator](#)

Or call for help at Citizens United Against the Lottery (919) 788-9900.

### Mission Statement

It is the mission of Citizens United Against the Lottery to oppose efforts by the out-of-state gambling industry to impose a state run lottery on the citizens of North Carolina. Citizens United Against the Lottery is a broad based, bipartisan, multiracial coalition of North Carolinians - of all political ideologies, liberal, moderate, and conservative - who are united by their common belief that a state lottery would hurt education, hurt our economy, and hurt our children and families.

### Is This Our Vision For North Carolina?

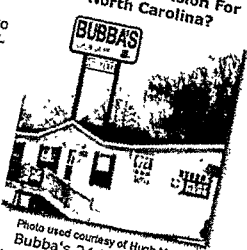




Photo used courtesy of Hugh Morton  
Bubba's 24 Hour Lottery Stand is Located in Georgia at I-85 exit



Pastor Burrell Brooks from Statesville and Bill Friday addressed the supportive crowd at the North Carolina General Assembly, May 8th Rally in Raleigh. Anti-lottery supporters from all across the state gathered to show legislators they oppose a lottery and a lottery referendum. Noted leaders from across the state spoke at the



<http://www.nolotteryinc.com/>

10/29/2002

Gov. Easley hired Gerlach, the highest-ranked anti-lottery lobbyist, and turned him into a pro-lottery lobbyist in the 2002 session. In September 2002, the N.C. House of Representatives defeated legislation proposing a non-binding referendum on a state lottery in a 69-50 vote of the 120-member chamber.

"Each session, hot issues make hot lobbyists," says the Center's Coble. "This session, lobbyists involved in the debate over a proposed state lottery spent lots of time in the legislature. Their influence hit the jackpot and rose as a result."

### Bubba versus Jim and Bill

The lottery debate provides another example of how lobbyists are employing more sophisticated tactics. The fight spilled out of the legislative building, onto the airwaves, and into voters' telephone lines. During lottery deliberations, a pro-lottery group called The N.C. Lottery for Education Coalition aired television ads featuring a fictional character called "Bubba" dressed in a South Carolina Gamecocks T-Shirt and hat who taunted North Carolinians for not having a state lottery. "Thank goodness your legislators in Raleigh won't give you your own education lottery," Bubba says in the ad.

"So now you know why, here in South Carolina, we just luuv your good ol' North Carolina legislature."

Meanwhile, an anti-lottery group, N.C. Citizens United Against the Lottery used pre-recorded telephone messages from former Gov. Jim Martin, a two-term Republican, and former UNC President Bill Friday encouraging citizens to contact legislators to oppose the state lottery. "I oppose a state lottery in North Carolina because it would hurt the existing education budget and does not represent our North Carolina values. It's a dishonest tax," said Governor Martin in his telephone message. Friday said on his recording, "I oppose a state lottery because it preys on our most vulnerable citizens and puts our state in the gambling business."

The lottery was just one issue where lobbyists employed advertising and telephone contact services during the 2001 legislative session. James Sexton, president of Raleigh-based Telephone Strategies Group, reports having six N.C. legislative clients and dozens of others across the country that used telephone operations to connect supporters or opponents of legislation with their representatives. "Grassroots and legislative contact business is a growing part of my practice," says Sexton, "There's always a group with an issue, looking for a way for their message to be heard."

**Table 1. Demographic Trends in the Most Influential Lobbyist Rankings, 1987-2001**

Legislative Session	Total Lobbyists Ranked	Women		Highest Rank	African Americans		Lawyers	Percent	Former Legislators		Former Legislators and Lawyers	
		Percent			Percent				Percent		Percent	
2001	48	8	17%	5	1	2%	27	56%	9	19%	6	13%
1999	50	10	20%	7	0	0%	24	48%	10	20%	5	10%
1997	50	12	24%	12	1	2%	22	44%	9	18%	5	10%
1995	50	10	20%	27	0	0%	20	40%	10	20%	5	10%
1993	50	11	22%	14	0	0%	21	42%	9	18%	6	12%
1991	37	9	24%	12	0	0%	16	43%	10	27%	7	19%
1989	40	8	20%	6	0	0%	17	43%	12	30%	8	20%
1987	32	5	16%	17	0	0%	14	44%	11	34%	7	22%



Karen Tam

**Lobbyist, lawyer, and former legislator Chuck Neely**

Long-time legislative observers often question the cost-effectiveness of using advertising or telephone contact services. However, many lobbyists see the decision to use these types of tactics as a strategic choice, based on the particular issue and the timing in the debate. Advertising seeks to activate constituents who already have opinions on an issue, encouraging them to contact legislators while the issue is on the front burner of public debate. Similarly, telephone messages encourage a previously identified group of supporters or opponents to contact their legislators on a specific issue. Approximately one-third of the influential lobbyists completing the follow-up survey say they have used telephone contact services, while more than 40 percent say they have used advertising.

### **Lawyers and Former Legislators Still Dominate Top Spots in Influence**

Still, the rankings support the notion that personal contact by a former legislative colleague may be the most effective technique, and legal skills don't hurt either. Lawyers and former legislators continue to dominate the top spots in the lobbyist rankings. Twenty-seven of the 48 most influential

lobbyists, or 56 percent, are lawyers, the highest percentage in more than a decade. Nine of the 48 most influential, or 19 percent, are former legislators. Five of the lobbyists who are former legislators and also lawyers finished in the top 16 in influence.

The six former legislators who also are lawyers are: Zebulon D. Alley (ranked 1st); J. Allen Adams (6th); Alexander P. "Sandy" Sands, III (9th);

*—continues on page 118*

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***Those who do not know the plans of competitors cannot prepare alliances. Those who do not know the lay of the land cannot maneuver their forces.***

***Those who do not use local guides cannot take advantage of the ground.***

**—SUN TZU, *THE ART OF WAR***

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**Table 2. Ranking of 16 of the 48 Most Influential**

<b>Lobbyist and Clients</b>	<b>Ranking: 2001–2002</b>	<b>1999–2000</b>	<b>1997–1998</b>
<b>Zebulon D. Alley,</b> of the Raleigh law firm of Alley Associates, representing the American Society of Consultant Pharmacists (MultiState Associates), Deloitte & Touche LLP, Eastern Band of Cherokees, Ernst & Young LLP, KPMG Peat Marwick LLP, Microelectronics Center of N.C. (MCNC), N.C. Association of Pharmacists, N.C. Natural Gas Co., N.C. Vending Assn., PricewaterhouseCoopers, Progress Energy, Sprint, and Veterans of Foreign Wars.	1	1	1
<b>Don Beason,</b> of the Raleigh lobbying firm, The Capitol Group, representing BB&T Corp., BellSouth Corporation, Bombardier Inc./Canadair, Carolina Power & Light, Discus, Electronic Data Systems, League of Landscape Architects, Maple Leaf Sports, Inc., Microelectronics Center of N.C. (MCNC), N.C. Natural Gas Co., N.C. Railroad Co., N.C. Restaurant Assn., Progress Energy, and United Health Group.	2	3	2
<b>Roger W. Bone,</b> of the Raleigh lobbying firm of Bone & Associates, representing Carolina Independent Automobile Dealers Assn., Discover Card, Eastern Equipment Dealers Assn., Eli Lilly & Company, The Hunter Group, Lorillard Tobacco Co., Morgan Stanley Dean Witter & Co. (MultiState Associates), N.C. Assn., Long Term Care Facilities, N.C. Firemen's Assn., N.C. Propane Gas Assn., N.C. Society of Enrolled Agents, N.C. State Coalition 2000, Resident Lenders of N.C., Sprint, and Universal Leaf Tobacco Company Inc.	3	2	3
<b>B. Davis Horne, Jr.,</b> of the Raleigh law firm of Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, representing Brady Sales and Service Inc., Carolina Power & Light, Centex Rooney Construction Co., Committee on State Taxation, Community Financial Services Association (MultiState Associates), Electronic Data Systems, EMC Corp., Ford Motor Co., National Assn. of Independent Insurers, N.C. Medical Society, N.C. Natural Gas Co., N.C. Troopers Assn., Progress Energy, Sandhills Physicians Inc., 3M Corp., Variable Annuity Life Insurance Company (VALIC Corporation), and Waste Management.	4	20	21
<b>Leslie H. Bevacqua,</b> representing North Carolina Citizens for Business & Industry.	5	7	12

## Lobbyists in the 2001 N.C. General Assembly

1995– 1996	1993– 1994	1991– 1992	1989– 1990	1987– 1988	1985– 1986	Former Legislator?	Lawyer?
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1	1	1	1	1	4	yes	yes
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3	32	n/a	n/a	n/a	n/a	no	no
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2	3	4	10	14	n/a	yes	no
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22	n/a	33	32	n/a	n/a	no	yes
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27	31	n/a	n/a	n/a	n/a	no	no
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**Table 2. Ranking of 16 of the 48 Most Influential**

<b>Lobbyist and Clients</b>	<b>Ranking: 2001– 2002</b>	<b>1999– 2000</b>	<b>1997– 1998</b>
<b>J. Allen Adams,</b> of the Raleigh office of the law firm of Parker, Poe, Adams & Bernstein, representing ACS Government Services, Affordable Housing Coalition, Brisben Companies, Christenbury Surgery Center, Consulting Engineers Council of N.C., Environmental Systems Products, GTECH, N.C. Biotechnology Center, N.C. Citizens for Community Action, N.C. Head Start Assn., N.C. Retired Governmental Employees Assn., Nextel, North Carolinians Against Gun Violence, Royal Purple, Sun Microsystems, Triangle Transit Authority, and the Tsunami Fund.	6	4	8
<b>John T. Bode,</b> of the Raleigh law firm of Bode, Call & Stroupe, representing Accenture LLP, American College of Radiology-N.C. Chapter, BellSouth Corporation, The Biltmore Co., Bovis Lend Lease Inc., Brynn Marr Behavioral Healthcare System, Carolina Power & Light, Centex Rooney Construction Co., Independent Insurance Agents of N.C. Inc., N.C. Academy of Physician Assistants, N.C. Hospital Assn., N.C. Natural Gas Co., Progress Energy, Wake Forest Univ. Bowman Gray School of Medicine, and the Wine Institute.	7	5	6
<b>John B. McMillan,</b> of the Raleigh law firm of Manning, Fulton & Skinner, representing Allstate Insurance Co., Anheuser-Busch Companies Inc., Bayer Corporation, Citizens for Quality Healthcare Inc., DIMON International Inc., ElectriCities of N.C. Inc., Food Lion Inc., Friends of the N.C. State Museum of Natural Sciences, Insurance Auto Auctions Corp., Jordan Lumber & Supply Inc., N.C. Assn. of Mortgage Professionals, N.C. Assn. of Realtors Inc., N.C. Bar Assn., The N.C. Chapter of the Nature Conservancy, N.C. Citizens for Business and Industry, N.C. Legal Services Planning Council, Pharmaceutical Research and Manufacturers of America, Standard Commercial Corp., Tobacco Quota Warehouse Alliance, and Westmoreland-LG&E Partners.	8	12	9
<b>Alexander P. "Sandy" Sands, III,</b> of the Raleigh office of the law firm of Womble, Carlyle, Sandridge & Rice, representing Airport Express Inc., The Association of American Publishers, AT&T, Bio-Medical Applications of Clinton Inc., Bio-Medical Applications of Fayetteville Inc., Bio-Medical Applications of N.C. Inc., Carolinas Healthcare System, Cascade Auto Glass Inc. (MultiState Associates), DirecTV (MultiState Associates), Entergy Wholesale Operations, Guardian Financial Services Inc. dba Fast Check, KoSa, Kraft Foods Incorporated by Philip Morris Management	9	9	16
<i>—continues</i>			

## Lobbyists in the 2001 N.C. General Assembly

1995– 1996	1993– 1994	1991– 1992	1989– 1990	1987– 1988	1985– 1986	Former Legislator?	Lawyer?
5	2	2	3	3	3	yes	yes
4	13	10	9	18	n/a	no	yes
9	18	n/a	n/a	n/a	n/a	no	yes
50 (tie)	n/a	n/a	n/a	n/a	n/a	yes	yes

**Table 2. Ranking of 16 of the 48 Most Influential**

<b>Lobbyist and Clients</b>	<b>2001– Ranking: 2002</b>	<b>1999– 2000</b>	<b>1997– 1998</b>
<i>Alexander P. “Sandy” Sands, II, continued</i> Company, Lowe’s Companies Inc., MBNA America Bank, N.A., Miller Brewing Company by Philip Morris Management Company, N.C. State Optometric Society Inc., Philip Morris Incorporated by Philip Morris Management Company, Planet Drive Inc., Thomas Built Buses Inc., The Trust for Public Land, Vulcan Construction Materials LP, and the Williams Companies.			
<b>Franklin Freeman,</b> the Governor’s Senior Assistant for Governmental Affairs, representing Governor Mike Easley as lead legislative liaison.	10	26	7
<b>Daniel Gerlach,</b> then representing the Budget and Tax Center within the N.C. Justice and Community Development Center, now the Senior Policy Advisor for Fiscal Affairs for Governor Mike Easley.	11	n/a	n/a
<b>Paula A. Wolf,</b> representing the Covenant with North Carolina’s Children.	12	18	n/a
<b>Marvin D. Musselwhite, Jr.,</b> of the Raleigh office of the law firm of Poyner & Spruill, representing Check Into Cash Inc. (MultiState Associates), ElectriCities of NC Inc., EzGov, Goodyear Tire & Rubber (MultiState Associates), ING America Insurance Holdings Inc., Johnson Controls Inc., Lexmark International Inc., Martin Marietta Materials Inc., Merck-Medco Managed Care LLC, N.C. Assn. of Nonprofit Homes for the Aging, N.C. Assn. of Textile Services, N.C. Enterprise Corp., N.C. Obstetrical and Gynecological Society, N.C. Orthopaedic Assn., SAP Public Sector & Education (MultiState Associates), SCI North Carolina Funeral Services, Inc., UST Public Affairs Inc., and WebMD.	13	11	10
<b>Phillip J. Kirk, Jr.,</b> representing North Carolina Citizens for Business and Industry.	14	8	5
<b>Deborah K. Ross,</b> then representing the American Civil Liberties Union of North Carolina, and now a member of the N.C. House of Representatives.	15	22	37
<b>Charles B. Neely, Jr.,</b> of the Raleigh office of the law firm of Maupin, Taylor, & Ellis, representing Alcoa Inc., N.C. Hospital Assn., New Hanover Rent- A-Car Inc., and the Triangle Transit Authority. Volunteer Chairman, Citizens United Against the Lottery.	16	n/a	n/a

## Lobbyists in the 2001 N.C. General Assembly

1995– 1996	1993– 1994	1991– 1992	1989– 1990	1987– 1988	1985– 1986	Former Legislator?	Lawyer?
48	n/a	n/a	n/a	n/a	n/a	no	yes
n/a	n/a	n/a	n/a	n/a	n/a	no	no
n/a	n/a	n/a	n/a	n/a	n/a	no	no
8	8	9	30	n/a	n/a	yes	yes
10	26	n/a	n/a	n/a	n/a	yes	no
n/a	n/a	n/a	n/a	n/a	n/a	no	yes
n/a	n/a	n/a	n/a	n/a	n/a	yes	yes



**John McMillan, Kevin Howell, Jack Cozort, and Fred Mills**  
*discuss the issues of the day.*

*—continued from page 111*

Marvin D. Musselwhite, Jr. (13th); Charles B. Neely, Jr. (16th); and Samuel H. Johnson (30th). The three non-lawyer former legislators in the rankings are Roger W. Bone (3rd); Phillip J. Kirk, Jr. (14th); and Ann Q. Duncan (18th). One of the most influential lobbyists, Deborah Ross (15th), a lawyer who represented the American Civil Liberties Union of North Carolina last year, successfully ran for a seat in the N.C. House.

### **Thirteen Newcomers in the Rankings**

**T**hirteen lobbyists made their first appearance in the rankings this session, including one former legislator appearing for the first time, two women, and one African American. The lobbyists making their first appearances this year are: Dan Gerlach (11th); Charles B. Neely, Jr. (16th); Jeff Van Dyke (20th); Leon M. "Chip" Killian, III (32nd); Hugh H. Tilson, Jr. (33rd); William G. Scoggin (35th); G. Peyton Maynard (36th); Kevin Howell (40th); Henry Jones (42nd); Tony L. Adams (43rd); Leanne Winner (46th); Lisa Piercy (47th); and Kenneth Wright (48th). Kevin Howell, (40th), a legislative

liaison for Governor Easley, is the second African American ever to be ranked among the most influential. Two lobbyists bounced back into the rankings after missing the list in 1999. Christopher A. Valauri (26th) of the N.C. Beer and Wine Wholesalers Association and S. Ellis Hankins (tie for 44th) of the N.C. League of Municipalities each has been ranked five times previously among the most influential lobbyists. Charles B. Neely, Jr. (16th), who resigned from the General Assembly in 1999 to make a bid for the Republican nomination for Governor, is the latest former legislator to make the rankings. Leanne Winner (46th), a lobbyist for the N.C. School Boards Association, and Lisa Piercy (47th), a contract lobbyist with The Capitol Group, are the two women who are newcomers to the rankings.

Significantly, even though the 13 lobbyists earning their first spot in the rankings are considered "newcomers" to the list of the most influential, each of them has many years of experience in politics and public affairs. "The people in this business that I admire have been good role models. They taught me it takes hard work, long hours, and ethical behavior," says Piercy.

## Technology Use

North Carolina's most influential lobbyists, or their staff, use a variety of technology-based tools in their lobbying practices. The use of two technological tools varied by age of the lobbyists. Lobbyists reporting use of wireless email devices and personal display adapters (PDAs) were significantly younger than lobbyists who didn't use these devices. "I've got more than 2,000 telephone numbers programmed into my PDA phone. When I need a constituent in a legislator's district, I can usually find someone," says Bill Brooks, who lobbies for the N.C. Family Policy Council and ranks 38th.

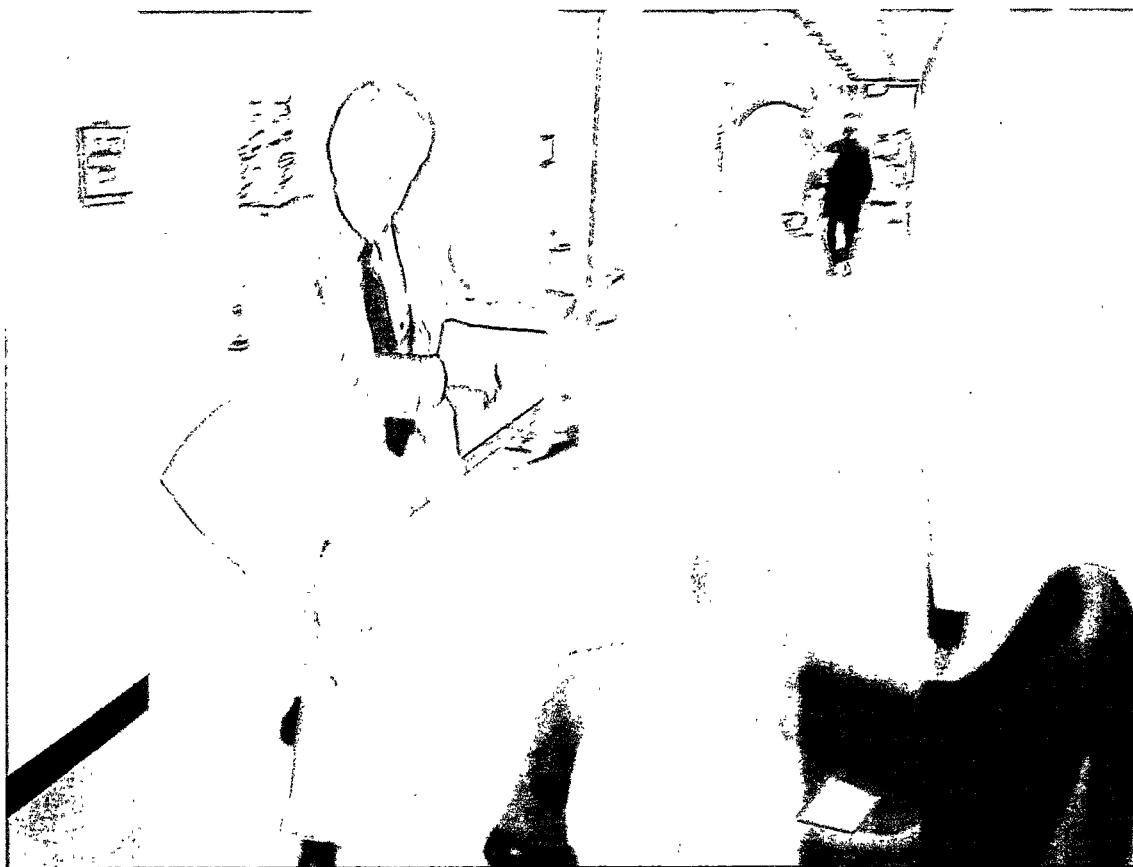
Influential lobbyists reported near unanimous use of email, online news, and mobile phones, as well as extraordinarily high levels of use of the legislature's website (<http://www.ncleg.net>), laptop computers, and the *Daily Bulletin* by email, produced by the University of North Carolina at Chapel Hill's Institute of Government (see Table 3, p. 121). Lobbyists also use email and fax alerts to

***"The world is governed  
by opinion."***

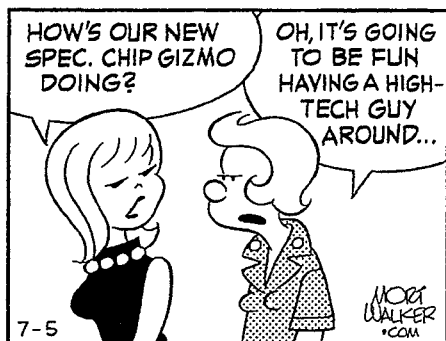
—THOMAS HOBBES, *ELEMENTS  
OF LAW NATURAL AND POLITIC*,  
PART I, CHAPTER 12

their clients and even "cyber-lobbying" websites where a client's grassroots network contacts can learn more about pending legislation and appropriate arguments to use in support of or opposition to that legislation. These websites also can be used to automatically generate email or faxes to legislators from constituents. In their roles as information brokers, lobbyists use information technology tools to communicate more rapidly and stay on top of developments in the legislature. "I'm well-known as the Empress of Email," says Paula Wolf, who lobbies for the Covenant with North Carolina's

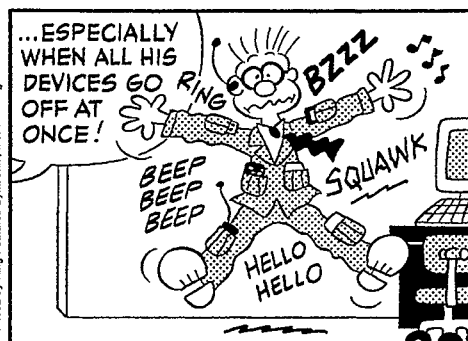
***Franklin Freeman (right) and Kevin Howell scramble to keep lawmakers from leaving a House Appropriations Committee meeting to avoid a vote on Gov. Easley's More-At-Four program.***



The News & Observer, Raleigh, N.C.



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Children. "It's the most efficient way for me to communicate with people."

Many lobbyists interviewed by the Center emphasize that using high-tech communications gear to expedite their ability to keep abreast of events does not supplant personal contact with legislators as the most appropriate method to influence lawmakers' opinion. "[E]lectronic innovation will not replace personal contact with legislators as an effective means of communicating," says contract lobbyist John McMillan, who ranks eighth among the most influential lobbyists. McMillan says he carries as much high tech gear as "Chip Gizmo," the new character in the Beetle Bailey comic strip. Indeed, personal contact out-pollled email, phone banks, and even ad campaigns as a means of swaying state lawmakers on the issues.

### Effective Citizen Methods for Contacting Legislators

Asked to rank the effectiveness of five alternative methods for citizens to use when contacting legislators, the lobbyists advise that "in person" is the most effective method, followed in order by telephone, U.S. mail, fax, and finally, email (see Table 4). Encouraging citizen contact of legislators can be a powerful tool for lobbyists. "Personal contact is effective," says lobbyist Harry Kaplan, a contract lobbyist representing nine clients. "I've

***"Personal contact is effective.  
I've seen legislation based on a  
single conversation between one  
constituent and a legislator."***

—HARRY KAPLAN,  
CONTRACT LOBBYIST

seen legislation based on a single conversation between one constituent and a legislator." Kaplan believes that legislators enjoy sincere personal contact from citizens and that personal contact on issues is not as common as people generally presume.

Since many legislators' offices check first to see if the citizen contacting them is a constituent, most lobbyists say grassroots tactics that encourage non-constituents to communicate with legislators are ineffective. A novel approach to creating constituent contact is inviting legislators to visit or tour a client(s) facility or program, thereby setting the stage for grassroots "in-person" contact during and after the visit. Harry Kaplan, for one, believes these site visits are an excellent approach. "Legislators like it, because they want to be known in their district, and it makes your facility real to them."

### Factors in Determining a Lobbyist's Effectiveness

The Center asked influential lobbyists to rank the importance of four specific factors in determining a lobbyist's effectiveness. The lobbyists placed the ability to communicate accurate information as the most important of the four factors ranked, followed by a client's grassroots potential, a client's political or economic clout, and the ability to make or direct political campaign contributions (see Table 5, p. 123). Even lobbyists that have clients with PACs say the ability to make or direct campaign contributions is less important than other factors in evaluating a lobbyist's effectiveness.

Mike Carpenter, who lobbies for the N.C. Homebuilders Association, a group with a PAC that consistently places near the top in money donated to N.C. legislative campaigns, agrees that campaign contributions are not the most important factor in gaining influence. "Too often, there is too much focus on political contributions as an explanation for legislative behavior," Carpenter says.

**Table 3. Use of Technology by N.C.'s Most Influential Lobbyists.**

As a part of your lobbying practice, which of the following technologies do you or your staff regularly use in lobbying the legislature?

Technological Tools	% Use	% Don't Use	Number of Respondents (n) out of 48 Most Influential Lobbyists
Email?	100.0	0.0	42
An online or email daily news summary?	100.0	0.0	40
Cellular or mobile telephone?	97.6	2.4	42
N.C General Assembly's web site?	92.9	7.1	42
Institute of Government's <i>Daily Bulletin</i> by email?	69.0	31.0	42
Notebook, laptop, or portable computer?	50.0	50.0	38
Personal display adapter or handheld computer?	36.6	63.4	41
Pager?*	34.2*	65.8	38
Wireless email device?	28.9	71.1	38

\* A number of respondents pointed out that current mobile phone technology obviates the need for pagers.

**Table 4. Ranking of Effectiveness of Alternative Methods for Citizens To Use When Contacting Legislators**

Please rank the effectiveness of these methods for *citizens* to use in contacting their legislators from 1 to 5, where 1 is the most effective and 5 is the least effective. Please use each number (1-5) only once.

Method	Rank of Effectiveness	Average Effectiveness (Mean)	Number of Respondents (n) out of 48 Most Influential Lobbyists
In person	1	1.10	42
Telephone	2	2.31	42
U.S. mail	3	3.21	42
Fax	4	4.07	41
Email	5	4.29	41



***"When spider webs unite, they  
can halt even a lion."***

—AFRICAN PROVERB

Carpenter acknowledges that campaign cash is an important and useful part of his organization's efforts, but believes that the strength of their lobbying communications, the depth of their grassroots organization, and the economic and political clout of their clients are, by far, more important when it comes to persuading a lawmaker.

### **What Makes a Lobbyist Influential?**

**I**n two open-ended questions where respondents were asked what makes a lobbyist effective or ineffective, most responses centered on credibility, honesty, and personal integrity of the lobbyist (see Table 6, p. 124).

Since lobbying involves developing personal relationships with lawmakers, lobbyists are quick to point out that they become, in effect, policy

advisors to whom legislators turn for understanding of competing arguments. Lobbyists say guarding that relationship with legislators means that they must be able to present competing views objectively. "In public policy issues, there are always at least two points of view," says Carpenter. "It's important for a lobbyist to present the full picture."

### **Evaluation of Lobbying Techniques**

**T**he Center also asked the lobbyists to rate the effectiveness of 12 different lobbying tactics (see Table 7, p. 125). The three tactics they rated most effective are meeting with legislators, using a coalition approach to lobbying where different groups coordinate their advocacy, and establishing a statewide grassroots network that may be activated to contact legislators. Since respondents were asked to judge the effectiveness of tactics even if they had not used them, the Center was able to examine whether lobbyists have different opinions based on whether they have used a particular tactic. Interestingly, lobbyists who have used automated telephone banks to connect constituents with legislators or to encourage constituents to call legislators rated those two tactics

***Contract lobbyist John McMillan (right) with former Sen. Aaron Plyler (D-Union)***



Karen Tam

**Table 5. Ranking of Factors in Determining  
a Lobbyist's Effectiveness**

Please rank the importance of these four factors in determining a *lobbyist's* effectiveness from 1 to 4, where 1 is most important and 4 is the least important. Please use each number (1-4) only once.

	Rank of Effectiveness	Average Ranking of Item (Mean)	Number of Respondents (n) out of 48 Most Influential Lobbyists
The ability to communicate accurate information on the legislation in question.	1	1.90	41
A client which has constituents in almost all 100 counties who can contact their legislators.	2	2.20	40
Political or economic clout of client(s).	3	2.44	41
The ability to make or direct campaign contributions.	4	3.22	41

as significantly more effective than lobbyists who have not used them. Additionally, contract lobbyists—those who are engaged by a variety of clients rather than primarily employed by a single client—reported using a wider variety of tactics than single-client lobbyists.

Many lobbyists view the new technologies as a supplement to, but not a substitute for, traditional lobbying. Roger Bone, who has ranked among the top 14 lobbyists for sixteen years since leaving the legislature, welcomes the use of innovative influence techniques, but only in the context of supporting the efforts of a lobbyist. "I always tell my clients, I'm the quarterback, and they are the team," says Bone. "I can call the plays, but if they can deliver in the game too—we can win a lot more easily."

### **Lobbyists Add Voter Polling to Repertoire**

Several lobbyists report that commissioning a poll of voters can help a lobbyist discuss the politics of an issue with legislators. Because of heightened party competition during the 1990s with

the resulting near parity between Democrats and Republicans in the General Assembly, legislators are more sensitive to election-year politics and have a deeper understanding of the value of polling. So-called "leadership PACs," partisan election campaign committees controlled by the leaders of each chamber and each party, frequently share polling data with members of the legislature on hot issues that could potentially impact the outcome of legislative elections. For example, employees of the Democratic state House leadership PAC shared polling data with legislators in 2001 suggesting that raising taxes would not be a politically popular move, but that holding a referendum on a state lottery would be.

While some lobbyists privately grouse that it's inappropriate for partisan staff members of the leadership PACs to be so deeply involved in the policy-making process, others accept the caucus polling. "Polling is a part of lobbying now. If your issue has election implications for legislators, you had better understand those implications," says Roger Bone. "If someone else has polled on your issue, you have to respond in kind so they don't know more than you do."

***"To the man who only has a hammer in the toolkit, every problem looks like a nail."***

—ABRAHAM MASLOW

## Changes in the Lobbying Profession Over the Last 10 Years

The most influential lobbyists also identified major changes in their environment over the last 10 years, including heightened party competition in legislative elections and the resulting near-parity between Democrats and Republicans in the legislature, the increased availability and use of information technology, the growing diversity in the

lobbying corps and the increase in the sheer number of lobbyists. From the 1981 legislative session through the 1993 session, Republican-held seats in the General Assembly ranged from a low of 14 percent to a high of 35 percent. In 1995 and 1997, Republicans held a majority of seats in the 120-member state House. Even though Democrats held majorities in the 1999 and 2001 sessions, Republican maintained enough seats to exert significant influence. In the state Senate, Republicans held 48

**Table 6. What Makes a Lobbyist Influential?—Selected Verbatim Responses by N.C.'s Most Influential Lobbyists.**

### Factors Increasing Influence

- Credibility, based on knowledge, integrity, political savvy, and perceived influence of the clients represented.
- Hard work. Work at it hard to gain trust of legislators and to know what you are talking about. Never lie, even if the truth hurts. Trust and a good relationship are the keys.
- Integrity. Ability to frame issues and provide concise explanation.
- Knowing the issues (both sides) and giving accurate information to legislators; establishing close personal relationships with legislators and respecting their opinions and political situation; working for an organization with a combination of political, economic or grassroots clout; having a congenial personality; good relationship with press and legislative staff.
- Ability and willingness to give contributions and raise money for legislators.
- Developing a rapport over time with a multitude of members; working well with not just one political party; honesty; knowing your issues and being able to communicate effectively.

### Factors Decreasing Influence

- Lack of reputation for integrity.
- Lying, misleading, or misrepresenting facts.
- Getting involved in partisan issues.
- Trying to "muscle" legislators or being a pest.
- Blindsiding a legislator.
- A lobbyist who cannot or will not respond to requests for contributions will eventually be hurt.
- "In your face" style of aggressive lobbying.

**Table 7. Evaluation of Lobbying Techniques Used by  
48 Most Influential Lobbyists**

Please indicate whether you, your clients, or your employer(s) have used any of the following techniques as a part of a lobbying effort involving the N.C. General Assembly. Then, please rate the persuasiveness of the techniques on a scale of 0 to 10 where 0 is not effective at all and 10 is extremely effective. Please give your opinion on the effectiveness of each technique, even if you have not personally used it.

<b>% Have Used</b>	<b>% Have Not Used</b>	<b>Rank of Effectiveness</b>	<b>Average Effectiveness (Mean)</b>	<b>Number of 48 Responding to Whether They've Used Technique</b>	<b>Number of 48 Responding to Whether Technique Is Effective</b>
Personally meeting with legislators in their offices or in an informal setting, such as over a meal.					
100.0	0.0	1	8.83	42	42
Using a coalition approach to lobbying, where multiple organizations join forces on an issue and coordinate action.					
100.0	0.0	2	8.60	41	42
Establishing a statewide grassroots network to contact legislators when prompted.					
90.2	9.8	3	8.15	41	39
Using a team approach to lobbying, where one (or more) member(s) of a team of lobbyists lobbies Democrats, and other(s) Republicans.					
63.4	36.6	4	6.97	41	33
Using a team approach to lobbying, where one (or more) member(s) of a team of lobbyists lobbies the House, and other(s) the Senate.					
63.4	36.6	5	6.88	41	32
Using a team approach to lobbying, where one (or more) member(s) of a team of lobbyists lobbies a specific caucus or demographic group, such as women or African American legislators.					
53.7	46.3	6	6.59	41	29
Hiring a public relations firm or a political campaign consultant to coordinate legislative strategy or message.					
61.0	39.0	7	6.15	41	33
Providing a legislator with a copy of an op-ed (opinion editorial) from a newspaper or magazine by a respected community or state leader.					
87.8	12.2	8	5.63	41	40
Buying TV, radio, or print advertising to promote your cause.					
42.9	57.1	9	5.47	42	32
Using a professional telephone bank with live operators to automatically connect constituents with a legislator by telephone.					
33.3	66.7	10	5.21	42	28
Using an automated telephone bank to connect constituents with a legislator by telephone.					
21.4	78.6	11	4.32	42	22
Using an automated telephone bank to encourage a legislators' constituents to contact the legislator by telephone.					
17.5	82.5	12	4.10	40	20

**Table 8. Selected Verbatim Responses on  
Changes in Lobbying Over the Last 10 Years**

- Changes every four years in Speaker/leadership; closer numbers, especially in the House, where one cannot simply lobby the leadership.

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- Lobbyists must now deal with legislators from both parties and with the various factions within each party, while in the past, North Carolina was a one-party state, and the members of the minority party were frequently ignored. There is much more reliance on "The Caucus" and many more "caucus issues" and caucus meetings to try to iron out issues in private.

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- Legislators [are] being influenced by polls and consultants and worrying too much about re-election. Prior to 1990s, there were members who were guided more about doing what was good for N.C. despite the criticism they might get.

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- Technology has had the most influence via e-mail and the Internet; the increased sophistication by using such techniques as patch-calling from constituents to members.

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- The amount of money required for campaigns and the resulting expectation [of campaign contributions] to the candidate/legislator.

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- There are more women lobbyists. There are two political parties. Women can wear pants now.

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**Table 9. What To Expect in the Future:  
Verbatim Responses from Lobbyists**

- Continued advances in electronic communication and related devices; increased number of lobbyists as more and more groups and entities seek to influence the political process; greater availability of services specialized to aid in lobbying and grassroots contact.

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- Lobbying will require more PAC money and personal money if you are to have influence; more sophisticated lobbying teams with allied grassroots efforts.

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- More and more technology. Presently, my time in Appropriations and Finance [Committees] have been reduced by using audio on General Assembly website. Predict [other] committee meetings will be on audio soon.

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- More PAC money.

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- Unless there are changes of some kind in the future, I regret that the influence of fundraising will become more and more dominant in dealing with the legislative process. Demographic changes in North Carolina will also influence the legislative process. "Team Lobbying" in order to take advantage of political, ethnic and other distinctions will grow as a practice. The length of the sessions will probably continue to grow, unless session limits are enacted, which will increase the use of full-time lobbyists rather than part-time lobbyists or lobbyists who include lobbying as a mere portion of their other professional practices.

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- With a closer balance between Democrats and Republicans, it becomes increasingly difficult to pass controversial legislation. Defense becomes easier the closer we get to parity.

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- More use of technology, more emphasis on campaign contributions, unless and until we have meaningful campaign finance reform.

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Karen Tam

***Paula Wolf consults with Rep. Debbie Clary, R-Cleveland, in Wolf's role as chief lobbyist for the Covenant with North Carolina's Children.***

percent of the seats in 1995 and 40 percent in the 1997 session. And, even though they only held 30 percent of the seats in 1999 and 2001, they still held more seats than any time between 1981 and 1993. In the 2002 election, Republicans retook the House by a 61–59 margin<sup>3</sup> and gained ground in the Senate, closing to within six seats of Democrats, 28–22.

As one lobbyist completing the survey wrote, “Lobbyists must now deal with legislators from both parties and with the various factions within each party, while in the past, North Carolina was a one-party state, and the members of the minority party were frequently ignored. There is much more reliance on ‘The Caucus’ and many more ‘caucus issues’ and caucus meetings to try to iron out issues in private.” (See Tables 8 and 9 for more verbatim responses from the survey.)

Several facts document the growth in the sheer number of lobbyists. The number of *lobbyists* registered at the end of each long session has grown by 18 percent since the 1993 session, according to data compiled by the Center. Similarly, the number of lobbying *clients* registered at the end of the 2001 session was 20 percent higher than the Center found in 1993. Moreover, as of the end

of August 2002, the N.C. Secretary of State’s office had registered 28 percent more lobbying clients for all of the 2001–02 session than they had registered for the entire 1993–94 legislative session.

### **What To Expect in the Future**

**A**s for the future, North Carolina’s most influential lobbyists anticipate increased demand that lobbyists participate in political campaign fundraising, increased diversity in the lobbying corps, and increased use of information technology in the legislative process. Campaign finance reform advocates often have pointed out the increasing cost of running for a seat in the N.C. Legislature. Analysts who track campaigns believe the trend will likely continue as long as the political parties in the state remain near parity in their ability to elect candidates. “In business, competition drives costs down. In campaigns, competition drives costs up,” says John N. Davis, who tracks campaigns for a pro-business research group called NCFREE.

The North Carolina General Assembly itself has seen a slow but steady increase in the number of women and minorities. Many lobbyists believe



*Opponents of an increase in the beer tax distributed stickers such as this one to retail outlets across North Carolina to generate grassroots opposition to a proposed tax hike.*

this trend also will show up in the lobbying corps as interest groups hire people who can more easily relate to a diverse legislature. Mike Carpenter says, "As diversity increases in the legislature, that will be reflected in the lobbying corps." Paula Wolf says, "There are more women lobbyists. There are two political parties. Women can wear pants now."

The fundamentals of lobbying remain unchanged. Making personal contact with legislators and communicating credible information are still judged to be the most useful. But though they say the oldest tools in the lobbyists' toolbox are still the best, lobbyists believe the use of technology will continue to increase. James Sexton, the president of a telephone contact company, agrees. "We're figuring out new ways to use telecommunication tools every day," says Sexton. "As quick as the telecom industry can develop a new tool, we put it to use as an influence technique."

## Conclusion

**W**hile the most influential lobbyists reported extensive use of new technologies, they believe that the most effective lobbying technique is still developing personal relationships with lawmakers and providing timely, credible information.

The lobbyists' responses to three major questions on the survey summarize this lesson in advocacy. Effective lobbyists believe meeting face-to-face beats any other means of swaying a lawmaker on an issue. They believe lawmakers value accurate information over spin and arm-twisting. And, they believe the same methods that work for them in influencing legislators are the right tools for the average citizen if he or she has a concern about an issue. In-person contact remains the best means of influencing legislators. ☐☐

## FOOTNOTES

<sup>1</sup> The Center last examined use of technology in the state's lobbying corps in Mebane Rash Whitman, "Lobbyists Bearing High-Tech Gadgets, and Other Tales from the Latest Lobbying Rankings," *North Carolina Insight*, Volume 15, No. 4/Volume 16, No. 1, March 1995, pp. 88-97.

<sup>2</sup> The Center defines a public interest lobby as one which seeks a collective good, the achievement of which will not selectively and materially benefit the membership of the organization. This definition excludes groups which engage in some public interest lobbying but have as their primary purpose the benefit and protection of their membership. The Center defines a contract lobbyist as an individual who is engaged by a number of clients, rather than primarily employed by a single client or interest group.

<sup>3</sup> Rep. Michael Decker was elected as a Republican but later switched his party affiliation to Democrat, creating a 60-60 tie in the House.