



Former Legislators, Lawyers Dominate Lobbyist Rankings — Again

by Mike McLaughlin

The 1989-90 lobbyist rankings are in and—surprise—former legislators who are lawyers once again lead the pack. Of the 40 top lobbyists listed in the rankings, eight fit that description, including five of the top 10.

But a few lobbyists are proving you don't have to be an ex-legislator with a law degree and a long list of corporate clients to be influential with the General Assembly. Two of the top 10—including the highest ranking woman ever—are neither lawyers nor ex-legislators, and won their ratings representing associations. Another of the top 10—again a non-lawyer who has never held elected office—is a public interest lobbyist representing environmental organizations.

Still, the rankings show having a law degree and a seat in the General Assembly are the best preparation for later establishing a lucrative lobbying practice. That career path has been well beaten since the Center began conducting the lobbyist rankings during the 1981-82 session of the General Assembly by asking lobbyists, members of the N.C. House and Senate, and the capital press corps to identify the most influential lobbyists.¹ The 40 most influential lobbyists are selected from the more than 700 lobbyists and legislative liaisons registered with the Secretary of State's Office.

The top three spots in the 1989-90 rankings are a carbon copy of 1987-88. All are held by contract lobbyists who are lawyers and former legislators. Zebulon Alley is again the top-ranked lobbyist (see table). Alley is a former Senate

member who broke into lobbying in the 1981-82 session as the chief legislative liaison for former Gov. James B. Hunt Jr. Sam Johnson, a former House Appropriations Committee chairman, holds the second slot, and Al Adams, also a former House Appropriations Base Budget Committee chairman, ranks third.

Alley and Johnson represent a portfolio of well-heeled business interests. Adams, though he also represents business interests, says he does not fit the profile of a high-powered corporate lobbyist because he spends most of his time representing associations and nonprofit groups.

Still, Alley, Johnson, and Adams are what are known in the trade as contract lobbyists because they represent a range of clients with varied interests. Alley says contract lobbyists have two big advantages over either association or public interest lobbyists. One of them is increased visibility. "A contract lobbyist is in their hair all the time about a half a dozen things, so they get to know him, and he gets to know them," says Alley. Contract lobbyists also are able to exercise some control over which legislators get campaign contributions from corporate clients. "Legislators need money to run on and they don't have any of their own much, and so that's a help," says Alley. "It's helpful to a lobbyist if he is able to assist members of the General Assembly in races. It helps him to get his foot in the door."

Mike McLaughlin is associate editor of North Carolina Insight.

Alley downplays the importance of a law degree to lobbying. It is helpful, he says, mostly to the extent that a lawyer is comfortable with representing the interests of a client before a board or commission in the legislative or executive branch. But Alley says prior legislative experience is a definite plus. A former legislator generally knows the ins and outs of the legislative process and can trade on old friendships. "But if he's made enemies, they're there too," Alley adds.

Legislative experience in several cases has translated into an immediate high ranking in the Center's lobbyist rankings. Adams debuted at third when he moved from the legislature to lobbying for the 1985-86 session and has held that ranking for two subsequent sessions. Adams says trust is more important than old friendships in winning support for legislation. "My philosophy is a person is not going to vote for you because of friendship but because of your credibility and the job you do in convincing him of the necessity of

your cause," says Adams.

The latest example of a quick transition from lawmaker to high-powered lobbyist is Paul Pulley, a former House member from Durham. Pulley left the legislature after the 1985-86 session and tallied a seventh-place ranking for his lobbying efforts during the 1987-1988 session and again in the 1989-1990 session.

At least one lawmaker believes former legislators wield *too much* influence with the General Assembly, or at least lend the appearance of having too much influence. Rep. Walter Jones Jr. (D-Pitt) introduced an unsuccessful bill during the 1989 session that would have prohibited legislators from lobbying for two years after leaving the General Assembly.² When members leave the General Assembly and immediately turn to lobbying for private interests, Jones says they give the appearance that they are cashing in on their legislative experience and hurt the image of the body.

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Zebulon Alley and Ward Purrington, both in private practice after serving as chief lobbyists to governors, chat outside the legislative chambers.



Karen Tam

Rankings of the Most Influential Lobbyists in the 1989 General Assembly

1989-90 Ranking	Previous Rankings (Where Applicable)				Lobbyist	Former Legislator	Law- yer
	1987-88	1985-86	1983-84	1981-82			
1	1	4	3	5	Zebulon D. Alley of the Raleigh law office of the Waynesville law firm of Alley, Killian, Kersten and Davis, representing 15 business and industry clients, including R.J. Reynolds Tobacco USA, Vulcan Materials Company, Control Data Corporation, Duke Power Company, Carolina Power & Light Corporation, Thomasville Furniture Industries, Inc., Southern Bell, Kaiser Foundation Health Plan of N.C., Microelectronics Center of N.C., and the N.C. Vending Association.	yes	yes
2	2	1	2	2	Samuel H. Johnson of the Raleigh law firm of Johnson, Gamble, Mercer, Hearn, & Vinegar, representing 19 clients with business/industry interests, including N.C. Associated Industries, N.C. Automobile Dealers Association, N.C. Association of Certified Public Accountants, the N.C. Chapter of the American Institute of Architects, and Waste Management, Inc.	yes	yes
3	3	3			J. Allen Adams of the Raleigh law firm of Adams, McCullough, & Beard, representing 15 clients with business/industry, arts, and health care interests, including Arts Advocates of N.C., N.C. Cemetery Association, N.C. Association of Electric Cooperatives, and the N.C. Retired Governmental Employees Association.	yes	yes
4	6	8			William C. Rustin Jr. of the N.C. Retail Merchants Association.	no	no
5	5	6	10 (tie)		William E. Holman , representing the N.C. Chapter of the Sierra Club, the Conservation Council of N.C., the N.C. Chapter of the American Planning Association, and the N.C. Public Transportation Association.	no	no
6					Alice D. Garland , then of the State Employees Association of N.C., and now with Electricities Corp. of N.C.	no	no

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	1987-88	1985-86	1983-84	1981-82			
7	7				W. Paul Pulley Jr. of the Durham law firm of Pulley, Watson, King, & Hofler, representing business/industry, government, and health care interests, including Consolidated Coin Caterers Corporation, the N.C. Association of Life Underwriters, and the N.C. Association of Educators.	yes	yes
8	4	2	1	1	John R. Jordan Jr. of the Raleigh law firm of Jordan, Price, Wall, Gray, & Jones, representing 16 clients with business/industry and health care interests, including the N.C. Bankers Association, the N.C. Day Care Association, the American Express Company, and the N.C. Association of ABC Boards.	yes	yes
9	18				John T. Bode of the Raleigh law firm of Bode, Call & Green, which represents 14 corporate clients including Carolina Power & Light Company, Independent Insurance Agents of N.C., Masco, Inc., Southern Bell, Thomasville Furniture Industries, and Vulcan Industries.	no	yes
10	14				Roger W. Bone of the Raleigh lobbying firm of Bone & Associates, representing the N.C. Automobile Dealers Association, Blue Cross and Blue Shield of N.C., Chem-Nuclear Systems, the N.C. Association of Long Term Care Facilities, and The Tobacco Institute. Bone is also a part-time legislative liaison for the N.C. Department of Community Colleges.	yes	no
11	10				Jay Robinson , representing the University of North Carolina system.	no	no
12	8	5	4	4	J. Ruffin Bailey of the Raleigh law firm of Bailey & Dixon, representing the N.C. Credit Union League and the American Insurance Association.	yes	yes
13	23 (tie)				Bryan Houck of Southern Bell.	no	no
14	9	17	15		C. Ronald Aycock of the N.C. Association of County Commissioners.	no	yes

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	1987-88	1985-86	1983-84	1981-82			
15 (tie)	30				William A. Pully of the North Carolina Hospital Association.	no	yes
15 (tie)	19				Roslyn S. Savitt , representing the State Council for Social Legislation and the N.C. Chapter of the National Association of Social Workers.	no	no
17	16	15	14		Robert Harris of Carolina Power & Light Company.	no	no
18	17				Margot Saunders of the N.C. Legal Services Resource Center.	no	yes
19	27				Fran Preston of the N.C. Retail Merchants Association.	no	no
20	29	16	7		Virgil L. McBride , representing the N.C. Pharmaceutical Association, R.J. Reynolds Tobacco Company, the N.C. Telephone Association, and the N.C. Trucking Association.	no	no
21	20				Roy M. Wall of Duke Power Company.	no	no
22	12				James B. Hunt Jr. , former governor and now attorney in the Raleigh law firm of Poyner & Spruill, representing Avis, Hertz, and Pepsico.	no*	yes
23					James E. Harrington , then N.C. Secretary of Transportation, and now with the Raleigh consulting firm of Harrington & Webster.	no	no
24					B. Wade Isaacs , representing the N.C. Automobile Dealers Association.	no	no
25					Eugene E. Causby of the N.C. School Boards Association.	no	no
26	21	10			John T. Henley of the N.C. Association of Independent Colleges and Universities.	yes	no

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*Hunt was an N.C. Senate officer when he was Lt. Governor.

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	1987-88	1985-86	1983-84	1981-82			
27					Donald M. Saunders of the N.C. Legal Services Resource Center.	no	yes
28					George T. Pate , representing Carolina Telephone & Telegraph Company.	no	no
29					Ellis S. Hankins , representing the N.C. League of Municipalities.	no	yes
30					Marvin D. Musselwhite Jr. of the Raleigh law firm of Poyner & Spruill, representing 11 clients with business/industry interests, including N.C. Amateur Sports, ElectriCities Corp. of N.C., the N.C. Association of Textile Services, and U.S. Sprint Communications Company.	yes	yes
31					Chris A. Valauri of the N.C. Beer Wholesalers Association.	no	no
32					Davis B. Horne , representing the N.C. Bar Association.	no	yes
33			9		Gordon P. Allen , representing the N.C. League of Savings Institutions.	yes	no
34					Susan R. Valauri of the National Federation of Independent Business.	no	no
35					Wesley D. Webster , then a legislative liaison for the N.C. Department of Transportation, and now with the Raleigh consulting firm of Harrington & Webster.	yes	no
36					J. Ward Purrington , then legislative counsel to Governor Martin, and now in private law practice and representing the Office of the Governor.	yes	yes
37					Pam C. Silberman , representing the N.C. Legal Services Resource Center.	no	yes
38	31	18			Jo Ann P. Norris of the Public School Forum of North Carolina.	no	no
39					Anne T. Griffith of N.C. Citizens for Business and Industry.	no	no
40					J. Marc Finlayson of the N.C. Textile Manufacturers Association.	no	no

He says he found some lawmakers sympathetic to the intent of the measure but reluctant to support it because it might limit their own options when they left the legislature. "I had some members come up to me and say, 'That's really a good bill you've got, but I can't support it because I might want to lobby,'" says Jones. "I think it's wrong to serve one day and the next day be out here getting paid thousands of dollars to represent special interests. I think a cooling off period of two, three, or four years would be good." Jones says he will try his bill again in a future session, and likely will add a prohibition against executive branch cabinet members moving directly into private sector lobbying. He says he would not want to prohibit lawmakers from moving directly into executive branch positions that involve lobbying, the career path most recently followed by former Rep. Charles Cromer (R-Davidson), and former Rep. Ann Duncan (R-Forsyth). Cromer is now Martin's top lobbyist. Duncan has lobbied for the Department of Environment, Health, and Natural Resources and now heads the Employment Security Commission.

Alley, however, says he sees little need for a law forcing a break before lobbying. Lawmakers, he says, earn little enough while in the legislature, and if they can earn a living trading on their past legislative experience after leaving, so be it. "Of course you are cashing in on your legislative experience," says Alley, "[but] the ones who decide to lobby, I think they are entitled to whatever they can get out of it."

"That gives the impression that former legislators are getting rich off lobbying," said Adams of Jones' proposal. "Actually, the fees are no better than those of a general law practice."

A number of lobbyists are showing that while a law degree and legislative experience provide an edge, they are not prerequisites for effectiveness. North Carolina Retail Merchants Association President Bill Rustin is listed fourth in the latest rankings, the highest place to date for a lobbyist with neither a law degree nor legislative experience. Rustin attributes his high ranking to hard work. "People who are former legislators and attorneys, they are already part of the process," says Rustin. "Someone who hasn't served prior to that has to run harder to become part of the process."

Rustin is followed in the rankings by two other lobbyists with neither a law degree nor legislative experience. Bill Holman, who represents the North Carolina Chapter of the Sierra Club, the

Conservation Council of North Carolina, the N.C. Chapter of the American Planning Association, and the N.C. Public Transportation Association, holds the fifth position, the same as his 1987-88 ranking. Alice Garland, chief lobbyist of the State Employees Association of North Carolina for much of the 1989 session, ranks sixth.

Rustin and Holman had already established themselves as regulars in the top 10. But the sixth-place finish by Garland was her first appearance in the rankings and eclipsed any previous performance by a woman. A 1987-88 ranking of 17th by Margot Saunders of the North Carolina Legal Services Resource Center had been the previous high.

Garland, now director of government affairs for Electricities Corp., lobbied the legislature for several months in 1989 after learning she would not be promoted to director of the State Employees Association. Garland was passed over when the association hired a male for the job, and she eventually resigned, but not before she made her mark with the General Assembly. "I like to think one thing that affected my ranking is that I continued to work as hard as I had been working for state employees, despite what happened with the job," says Garland.

But if Garland was disappointed about losing the opportunity, association members may be even more disappointed to have lost her as their lobbyist. Her ranking was seven places better than the ranking her predecessor had attained during the 1987-88 session. Durwood F. "Butch" Gunnells, now president of the North Carolina Soft Drink Association, managed a 13th-place ranking while lobbying for state employees during the 1987-1988 session but dropped out of the top 40 in 1990.

Garland says there are definite disadvantages when a woman works the halls of the General Assembly, but they are not insurmountable. "I can't go into the men's bathroom, and I don't play golf," she says, "[But] I think if a woman establishes a reputation for knowing the facts and knowing the issues, she can hold her own." The rankings seem to bear Garland out. There are seven other women in the Center's top 40.

Garland also says it doesn't take a law degree to lobby, despite the presence of 17 lawyers among the 40. "I've drafted a number of bills myself that have been just fine," Garland says. "I don't know why people think that's necessary. It's frustrating."

Aside from Garland's dramatic debut, a



Karen Tom

Lobbyist Roslyn Savitt of the State Council for Social Legislation and the N.C. Chapter of the National Association of Social Workers gets the ear of Sen. Frank Block (D-New Hanover).

number of lobbyists made major advances over their 1987-88 rankings. John Bode of the Raleigh law firm of Bode, Call, & Green moved from 18th to ninth representing corporate clients like Carolina Power & Light Company, Southern Bell, and Thomasville Furniture Industries. Roger Bone of the lobbying firm of Bone & Associates moved up four places to 10th. Bone, a former legislator, represents corporate clients as well as the N.C. Department of Community Colleges. Bryan Houck of Southern Bell jumped 10 places to 13th, William Pully of the North Carolina Hospital Association moved up 15 places into a tie for 15th, and Fran Preston, who with Rustin represents the N.C. Retail Merchants Association, improved her ranking to 19th from a 1987-88 ranking of 27th.

But for every rising lobbyist, another lobbyist must fall. Those who dropped in the rankings included John Jordan of the Raleigh law firm of Jordan, Price, Wall, Gray, & Jones, and former Gov. James B. Hunt Jr. Jordan dropped from

fourth to eighth in the rankings while representing business and health care interests. Hunt, who debuted at 12th in the rankings in the 1987-88 session, fell to 22nd. Observers say Hunt, now with the Raleigh law firm of Poyner & Spruill, spent little time at the legislature during the 1989-90 session. And Chris Scott, director of the AFL-CIO of North Carolina, fell out of the top 40 entirely after placing 22nd for the 1987-1988 session.

Aside from business interests, groups showing clout in the lobbyist rankings included higher education and local government. Bone's 10th-place ranking led the list, although he works only part-time for the Department of Community Colleges. Jay Robinson, representing the University of North Carolina system, ranks 11th, and John Henley of the N.C. Association of Independent Colleges and Universities ranks 26th. Ronald Aycock of the N.C. Association of County Commissioners leads the local government lobbyists, although he fell from ninth in the 1987-88 rank-

ings to 14th. Appearing for the first time in the rankings are Eugene Causby of the N.C. School Boards Association at 25th and Ellis Hankins of the N.C. League of Municipalities at 29th.

The rankings also reflect Republican Gov. Jim Martin's difficulties with the predominantly Democratic General Assembly. Ward Purrington, who served as Martin's chief lobbyist for the 1989 session and represented the Office of the Governor on prison issues in 1990, made his first appearance in the rankings at 36th. The governor's lobbyist didn't fare nearly so well as former Democratic Gov. Hunt's lobbyist did, although Alley says that's a function of Martin's minority party status, rather than Purrington's lobbying skills. Alley finished in the top five the two times he was ranked while lobbying for Hunt's administration. "A Democratic General Assembly is more responsive to a Democratic governor than a Republican governor, in my experience," says Purrington, himself a former legislator. "The relationship is better when both are of the same party On the other hand, Zeb Alley is a very good lobbyist."

Public interest lobbyists are another group with a built-in disadvantage. They can't afford to wine and dine legislators, their abilities to make campaign contributions are minimal, and they don't underwrite fundraisers. Yet these lobbyists, defined by the Center as pursuing a broad collective good rather than the interests of an association or industry,³ held their own in the 1989-90 rankings after first breaking into the rankings in significant numbers in 1987-88. For example, three lobbyists from the North Carolina Legal Services Resource Center made the top 40. Margot Saunders, who focuses on consumer interests, led the list at No. 18, and her spouse, Donald Saunders, specializing in housing issues, tallied a 27th place ranking. Pam Silberman, who lobbies on health care and public benefits issues, placed 37th. And there were others. Roslyn Savitt, representing the State Council for Social Legislation and the N.C. Chapter of the National Association of Social Workers, tied for 15th in the rankings, and in the area of education reform, Jo Ann P. Norris of the Public School Forum of North Carolina ranked 38th.

Environmental lobbyist Holman, however, with his fifth-place finish, remains the reigning public interest lobbyist with a ranking 10 places higher than the rest of the pack. That ranking reflects both the strength of the environmental movement and the respect he commands as a lob-

byist. "Holman is really remarkable because he almost consistently has the opposite position of business and industry," says Garland, adding that the ranking "really speaks very highly of him."

That brings up the bottomline observation. Despite the gains of the public interest lobby, the rankings are one indicator that business interests still predominate in the General Assembly. Of the 40 ranked lobbyists, more than half primarily represent business interests—ranging from traditional industries like textiles (Marvin Musselwhite and Marc Finlayson), tobacco (Alley, Virgil McBride, and Bone), and furniture (Bode and Alley) to newcomers like hazardous and radioactive waste handlers (Johnson and Bone) and the distributors of equipment for games used in state lotteries (Alley, Bode, and Pulley). And some of these lobbyists made the rankings with little or no attention from the media, meaning they are quietly and effectively working behind the scenes to influence legislation.

Lobbyists representing utilities (Adams, Alley, Bode, Bob Harris, Houck, Roy Wall, and George Pate), financial institutions (Jordan and Ruffin Bailey), retail merchants (Rustin and Preston), health care concerns (Adams, Pulley, and Bill Pully), and insurance (Bailey and Bode) generally fared well in the rankings. Whether that's because the industries themselves wield clout or because they have the wherewithal to hire the best lobbyists is a difficult question to answer. "A lot of it has to do with the climate of the legislature," says Garland. "The legislature is a little more conservative and business-oriented to begin with, so they are going to be inclined to listen to business anyway." ☐

FOOTNOTES

¹ Respondents were asked to list the 10 most influential lobbyists and legislative liaisons of the 1989 North Carolina General Assembly session. The results of previous rankings were published in *Article II: A Guide to the N.C. Legislature*, page 214 in the 1981-82 edition; pages 214-215 in the 1983-84 edition; pages 212-213 in the 1985-86 edition; pages 209-211 in the 1987-88 edition; and pages 226-228 in the 1989-90 edition.

² H.B. 511, 1989 General Assembly, was defeated on May 9, 1989, on its second reading. G.S. 108A-65(2) imposes a similar two-year waiting period before lobbying government bodies for private interests on matters related to the state Medicaid program for state or county employees who handle substantial amounts of money under the program.

³ The Center defines a public interest lobby as one which seeks a public 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.