

Michael T. Heaney. 2008. "Lobbying." In Donald P. Haider-Markel (ed.), *Political Encyclopedia of U.S. States and Regions*. Washington, DC: CQ Press.

Lobbying

Lobbying is the practice of contacting government officials for the purpose of influencing their decisions. Lobbying is carried out by individuals known as *lobbyists*, who may be either unpaid activists with an interest in an issue or professionals who have been paid to advocate on behalf of an association, private organization, or government entity. Lobbyists may make their case privately by meeting with officials (i.e., "inside lobbying") or may make it publicly by holding rallies, advertising in the media, or encouraging other citizens to contact governmental officials (i.e., "outside lobbying"). In common usage, the term lobbying may refer narrowly to inside lobbying conducted by professional lobbyists who are attempting to influence legislative outcomes.

Lobbying is an essential part of the policy process in all state capitals. First, lobbyists provide information to government officials on the benefits and costs of existing and proposed policies. Second, lobbyists supply officials with sensitive information about the inner workings of the policy process, including intelligence about the plans and strategies of other government officials and interest groups. Third, lobbyists send signals to officials about which issues are most salient among their constituents, which may be helpful in assessing the electoral consequences of policy decisions. If lobbyists provide these kinds of information more effectively and efficiently than their competitors, then they can expect to have influence over the policy process.

While lobbyists offer a broad spectrum of perspectives on most debates, not all interests are represented fairly or equally. For example, teachers' unions and large businesses are almost always well represented on state policy matters, while the interests of single-parent families, the homeless, and immigrants are usually underrepresented in state debates. Indeed, lobbyists are often paid substantial salaries precisely because of their ability to win concessions on behalf of their clients and at the expense of less well-represented constituencies.

Organization and Power

Across all states, the most populous interest communities are in retail and business services (20% of all state lobbyists), manufacturing and production (17%), health (14%), and finance, insurance, and real estate (13%). However, the exact composition of lobbying communities varies from state to state because of differences in state economies and political cultures. For example, teacher's unions are particularly strong in New Jersey where the New Jersey Education Association is rated as one of the most effective lobbying organizations. In Texas, the chemical industry is a powerful lobbying force largely because it constitutes about one-third of the state's economy.

Lobbying strength depends not only on economics, but also on political organization. When one group becomes organized, that often triggers its opponents to mobilize as well. For example, in many states (such as Iowa, Oregon, and New Mexico), nurse anesthetists have lobbied for legislation to waive physician supervision of their work. In response, physician anesthesiologists have attempted to block these changes and maintain their prerogatives in this area. Action by one interest group usually leads to organized reactions by its opponents. Yet political strength also depends on the ability of interest groups to work together. When interest groups coordinate their lobbying through informal networks or formal coalitions they are often more effective than when they lobby alone.

Regulation

Lobbying is protected by the U.S. Constitution under the First Amendment's guarantees of freedom of speech and the right to petition the government. Nonetheless, lobbying is generally regarded as an unseemly activity because lobbyists are perceived by the public at large as advocates for special interests at the expense of the public interest. In an effort to curb abuses, states regulate lobbying through registration and reporting requirements, as well as through limitations or prohibitions on gifts from lobbyists to government officials.

Partly as a result of a series of well-publicized scandals, almost all states strengthened their lobbying ethics laws during the 1990s and 2000s. Increases in regulation were especially notable in several southern states, such as South Carolina, Kentucky, Mississippi, and Florida, that

passed substantially stronger ethics laws during the 1990s. South Carolina, for example, went from having one of the weakest regimes of lobbying regulation in 1990 to implementing what was arguably the toughest regime in the nation in the 2000s. Penalties for violating lobbying laws vary markedly from state to state, ranging from misdemeanors that carry fines to felony charges that can lead to prison time. States such as Kentucky, New York, Michigan, and Pennsylvania level relatively strict punishments on violators, while states such as South Dakota, Virginia, Wyoming, and North Dakota are relatively lenient with offenders.

Women as Lobbyists

Lobbying remains one of the last bastions of traditional “Good Ol’ Boys” networks in many state capitals. Women have been slow to enter into state lobbying arenas relative to their progress in gaining elected office. Although historically women were almost completely excluded from state lobbying, the profession started to become more receptive to women in the 1980s. By the mid-1990s, women constituted roughly one-quarter of the lobbyists at the state level. Women remain especially underrepresented among contract lobbyists (who work for many clients), as opposed to in-house lobbyists (who work within one organization and serve only that client). Female lobbyists tend to have fewer years of experience in that role than do their male counterparts.

The influx of female lobbyists has contributed to changes in state lobbying environments because of ways that they differ from male lobbyists. For example, female lobbyists tend to be more ideologically liberal than male lobbyists. Women are also more likely than men to lobby for religious, charitable, and citizens’ groups. As women approach parity with men in state capitals, they are likely to continue raise new agendas and offer unique perspectives on policy issues.

Outlook

Lobbyists and lobbying will probably continue to grow at the state level in the 2000s and 2010s along with the expansion of state economies and populations. Inevitable scandals will likely prompt state legislatures to tighten ethics laws even further, including more requirements for detailed reporting and harsher penalties for offenders. “Good Ol’ Boys” networks may be

approaching their last hurrah as women become a more accepted and dominating force in state capitals. Despite its importance to the state policymaking progress, lobbying is unlikely to cease to be a suspect activity any time soon.

Bibliography and Further Reading

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