

# Lobbying is changing in New Jersey



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**BY JEFFREY M. BRINDLE**

## **COMMENTARY**

Lobbying is changing in New Jersey.

It's tradition of personal contact and insider access isn't ready for the ash-heap of history, but it is undergoing a transformation.

Lobbying has become more varied. A new tool box of strategies and techniques is available to lobbyists who seek to influence public policy.

An analytical report released recently by the Election Law Enforcement Commission (ELEC) points to this trend.

For example, spending by lobbyists in 2009 showed an inverse relationship between goodwill lobbying and communication. In other words, these spending categories are moving in opposite directions.

In 2009, goodwill lobbying, also known as benefit passing, dropped by 56 percent. Lobbyists only spent \$9,700 on public officials last year. That's the lowest amount since ELEC began keeping records in 1982.

On the other hand, expenditures on communications jumped by 53 percent, topping \$6.1 million.

Total spending on lobbying amounted to \$56.4 million, slightly higher than in 2008. More important is the 95 percent increase over spending in 2005.

These statistics are significant. They're the window into how lobbying is growing up in New Jersey, becoming more multi-dimensional.

The advocacy community is going about its business differently than in the past. This trend promises to continue and pick-up steam in the future.

So what is in this new tool box?

For one thing, grassroots lobbying. About \$4 million was reported by lobbyists as spending on grassroots lobbying in New Jersey.

Already this year we see an uptick in grassroots lobbying. As the budget appropriations process kicks into high gear, interest groups will use cable TV, radio, and print advertising to mobilize the public on behalf of their issue.

The New Jersey Education Association (NJEA) and Communications Workers of America (CWA) have undertaken such an approach. In this heated budgetary season other interests are sure to follow.

Lobbyists increasingly use the tactics traditionally used by political consultants, blurring the lines between advocacy and political campaigns. In fact, interest groups engage the services of political consultants as part of their offering of full service lobbying.

Important to this broadening scope of lobbying activity is research. Whether communicating directly with a public official, or indirectly through communicating with the public, research is critical.

As in political campaigns, the new lobbyists may engage the services of professional pollsters who can provide survey research important to the development of the grassroots lobbying message.

If grassroots lobbying is to be effective, it must contain a convincing message that shapes the debate. Polling is an important tool in this regard.

Even in traditional direct lobbying of public officials, research is critical. Government in New Jersey has grown, legislators and executive branch officials employ more aides; therefore, the lobbyist must present a cogent argument.

And, it doesn't hurt to have a known expert in the field; an economist, a legislator, or former cabinet member, etc., lend credibility to a position through testifying before a committee or meeting with a public official.

Grassroots lobbying, or issue advocacy is just one of the ways that lobbying in New Jersey is departing from traditional person-to-person goodwill lobbying. Lawyers are increasingly involved in lobbying as are public relations and advertising

specialists.

What can be more helpful to a lobbyist's cause than free media coverage, or pollsters, strategists, and advertisers working together to frame the debate.

Lobbying is a First Amendment right and in so many ways helpful to the governmental process. However, it is important to recognize that the nature of lobbying is changing and as a result there is a need for strong disclosure to capture this activity at all levels of government.

That's why the New Jersey Election Law Enforcement Commission is not only making lobbying reports available to the public but providing press releases analyzing trends in lobbying.

Moreover, staff at the Commission is in the process of scanning annual lobbying reports for the first time. Shortly, the public will be able to access reports by lobbyists over the Internet.

And finally, the Commission is recommending legislative reforms that would require registered lobbyists to disclose lobbying on behalf of local governments and authorities, as well as the lobbying of those governmental authorities.

Transparency is key to fostering trust in government and this is another way by which the Commission is helping to bring this about.

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