

UNDERSTANDING THE INFLUENCE OF LOBBYING ON DECISIONS MADE BY
THE KANSAS HOUSE EDUCATION COMMITTEE, 1995 - 2006

by

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AN ABSTRACT OF A DISSERTATION

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Abstract

Lobbying and lobbyists have been a part of the national policymaking landscape since the inception of this country. In addition, lobbying and lobbyists play a similar role in the policymaking in every state in the Union. Recent and past media reports of dishonest politicians in Washington, D.C. who have accepted expensive gifts from powerful and unscrupulous lobbyists do little to cause the general public, including legislators in Kansas, to trust those individuals whose role includes being a source of information legislators can access when making decisions about issues.

The purpose of this study was to discover the nature of the influence on Kansas K-12 education policy that each type of registered education lobbyist had from 1995 – 2006. The influence lobbyists have had on Kansas K-12 education policy was identified through interviews with each type of registered education lobbyist and with legislators who have served as the chief leadership of the Kansas House Education Committee, as well as through an analysis of documents related to bills the Committee considered from 1995 – 2006.

A qualitative method of inquiry, in the form of a case study, was selected by the researcher as the methodology around which to structure the research. The focus of this case study was to learn how lobbyists influenced the decisions made by members of the Kansas House Education Committee from 1995 – 2006. The study identifies the significant education issues of the Committee as determined by an expert panel of educators, the strategies registered lobbyists indicated they used in their attempt to influence legislators' decisions, and the information sources which were perceived to influence the positions lobbyists and legislators took on education policy. As a case study, the research is "based on one person's encounter with a complex case" (Creswell, p. 187); and includes analysis of the data; a discussion of the implications of the understandings drawn from the analysis of data, and suggestions for future research.

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Copyright

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Table of Contents

List of Figures	x
List of Tables	xi
Acknowledgements.....	xiii
Dedication.....	xiv
CHAPTER 1 - Introduction	1
The Problem Statement.....	2
The Statement Of Purpose	6
The Research Questions.....	11
Focus of Study	13
The Delimitations of the Study.....	14
CHAPTER 2 - Literature Review.....	17
Lobbying.....	17
Background.....	17
The Importance of Lobbying	26
Lobbyists.....	32
About Lobbyists and Lobbyists	32
Lobbying Tactics/Strategies.....	38
Influence	45
The Theory of Influence	45
Types of Influence	49
Research to Date and Its Relationship to This Study.....	56
CHAPTER 3 - Methodology	59
Interview Protocol.....	59
Document Selection Process.....	61
Description of Methodology	63
CHAPTER 4 - Data Sources and Data Collection.....	67
Research Setting	68
Interviews.....	72
Interview Field Notes.....	72

Lobbyists' Interview: Summary of Field Notes.....	72
Legislators' Interview: Summary of Field Notes.....	73
Interview Data from Legislators	73
Interview Data from Registered Education Lobbyists.....	76
Data from Selected Bills.....	77
Bill Selection Process	78
Pre-Selection of Bills By Researcher.....	78
Expert Education Panel Selection of Bills	79
Selection of Bills by the Education Committee's Chief Leadership	79
CHAPTER 5 - Data Analysis	84
Analysis of Data Collected	86
Analysis of Demographic Interview Data from Legislators and Lobbyists.....	87
Comparing the Demographic Data From Lobbyists and Legislators	88
Analysis of Data Regarding Preparation for the Legislature and for Lobbying.....	90
Comparison of Lobbyist and Legislator Preparation	92
Analysis of Data Regarding Information Sources When Forming Positions	93
Comparison of Legislator and Lobbyist Sources of Information When Forming Positions.....	98
How Lobbyists Influence Policymakers of Different Philosophical Beliefs	98
How Lobbyists Influence Policymakers with Different Levels of Education Experience.....	102
Extent to Which Lobbyists Influenced the Vote of Legislators.....	103
Differences in Strategy Used by Lobbyists to Acquire a Majority Vote vs. a Minority Vote.....	106
Strategies Lobbyists Used to Influence Legislators in Regard to Selected Bills....	107
Types of lobbyists and Their Influence on Legislators.....	108
Additional Lobbyist Efforts to Influence Policymakers	110
How Policies Promoted By Lobbyists Are Determined	111
Lobbyists and Legislators and the Perception of Lobbyist Influence.....	113
Changes in Ability to Influence Policymakers on Education Issues	114
How Legislators Viewed Lobbyists' Attempts to Influence Them	114

Legislators View of Lobbyist Efforts to Influence Policymakers.....	117
Successful and Frustrating Moments of Lobbyists.....	119
Legislators’ Successes and Most Frustrating Moment(s).....	120
Comparison of Successes and of Frustrations Shared By Lobbyists and Legislators	121
Educational Issues Lobbyists Found to Be the Most Enjoyable.....	124
Educational Issues Lobbyists Found to Be the Most Challenging.....	124
Legislators’ View of Differences Between Male and Female Lobbyists.....	126
Lobbyists and Legislators on Differences Between Male and Female Lobbyists..	128
Influence Legislators Had On Other Legislators.....	129
Influence Other Legislators Had on Legislators Being Interviewed.....	131
Legislators and Their Influence Over Other Legislators.....	133
Legislators To Whom the Interviewed Legislators Listen Prior to Making Decisions	134
The Importance of Selected Non-school Finance Educational Issues.....	138
Documents Related to the Selected Non- School Finance Bills: Lobbying Legislators Decisions About Selected Bills Considered by the House Education Committee During the 1995 – 2006 Sessions.....	139
Establishing Trustworthiness of Research.....	153
Role of Researcher.....	157
CHAPTER 6 - Conclusion.....	159
Most Important Non-School Finance Education Issues From 1995 – 2006.....	159
Lobbyist Interest In the Selected Bill Topics.....	160
Success of Lobbyists’ Attempts to Influence Legislative Decisions.....	161
Lobbyist and Legislator Perception of Lobbyist Influence.....	162
Lobbyists’ Strategies.....	165
Strategy Adjustments Made by Lobbyists.....	166
Gender Differences in Lobbying Strategies.....	167
Does A Legislator’s Experience With Education Impact Lobbying Strategies?	169
Generational Differences in Lobbying Strategies.....	169
Sources of Information.....	171

Reflections of the Researcher	175
Understanding the Influence of Lobbyists.....	178
Lobbyists Promotion of Positions On Legislation	178
Information Provided by Lobbyists a Resource for Legislators	178
Recommendations for Lobbyists and Legislators.....	180
Summary of Suggested Training Session Content: Newly Elected Legislators	181
Summary of Suggested Training Session Content: First-Time Lobbyists.....	181
Suggested Further Research.....	182
Dissertation References	183
Appendix A - Lobbyist Interview Questions	192
Appendix A.1 Lobbyist Interview Questions – <i>Match With Research Questions</i>	195
Appendix A.2 Lobbyist Interview Questions – <i>Match With Literature Review</i>	198
Appendix B - Legislator Interview Questions	201
Appendix B.1 Legislator Interview Questions – <i>Match With Research Questions</i> ...	204
Appendix B.2 Legislator Interview Questions – <i>Match With Literature Review</i>	206
Appendix C - Lobbyist Code Chart	209
Appendix D - Code Chart...Legislator	210
Appendix E - Code Chart...Documents	212
Appendix F - Interview Procedures And Field Notes.....	213
Appendix G - Expert Panel and Committee Leadership Selection of Most Important Bills	
.....	215
Appendix H - First-Year Legislator Training in Regard to Lobbyists and Lobbying	223
Appendix I - What Lobbyists Need To Know About Lobbying Legislators.....	233
Appendix J - Research Data For This Study.....	242

List of Figures

Figure 1.1 Registered Education Lobbyist Clients	3
Figure 3.1 Types of Lobbyists Which Influence Legislators.....	66

List of Tables

Table 4.1 Demographics of Committee Leadership	76
Table 4.2 Demographics of Registered Education Lobbyists Who Testified Before the Kansas House Education Committee 1995 - 2006.....	78
Table 4.3 Expert Panel and Committee Leadership Selection of Most Important Education Bills Heard By the Education Committee From 1995 - 2006	83
Table 5.1 Preparation to be a Legislator or Lobbyist.....	93
Table 5.2 How Legislators’ and Lobbyists’ Positions on Bills are Developed	99
Table 5.3 Strategies Education Lobbyists Use To Influence Legislators With Different Philosophies and Education Experience	104
Table 5.4 Strategies Used by Registered Education Lobbyists to Influence Votes.....	109
Table 5.5 Education Lobbyist Duties and Efforts to Influence Legislators.....	112
Table 5.6 Lobbyists’ Position Development and Changes Observed by Education Lobbyists From 1995 - 2006.....	115
Table 5.7 What Legislators Say About the Influence of Lobbyists.....	119
Table 5.8 Education Lobbyists’ Successes and Frustrations	122
Table 5.9 Legislators’ Successes and Frustrations From 1995 – 2006.....	123
Table 5.10 Education Lobbyists’ Joys and Challenges From 1995 – 2006.....	125
Table 5.11 Observed Gender Differences in Lobbying Strategies	130
Table 5.12 Influence of Legislators on Other Legislators	138
Table 5.13 1995 Selected Bills	140
Table 5.14 1996 Selected Bills	141
Table 5.15 1997 Selected Bills	142
Table 5.16 1998 Selected Bills	143
Table 5.17 1999 Selected Bills	144
Table 5.18 2000 Selected Bills	145
Table 5.19 2001 Selected Bills	147
Table 5.20 2002 Selected Bills	148
Table 5.21 2003 Selected Bills	149

Table 5.22 2004 Selected Bills	150
Table 5.23 2005 Selected Bills	151
Table 5.24 2006 Selected Bills	153
Table 6.1 Influence of Registered Lobbyists on Decisions Legislators Made Regarding Selected Bills	164
Table 6.2 Lobbyist-Identified Strategies Used To Influence Legislators	172
Table 6.3 Information Sources Which Influence The Positions Lobbyists and Legislators Take on Education Issues.....	174
Table G.1 Expert Panel and Committee Leadership Selection of Most Important Bills	215

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Dedication

This study is dedicated to the many policymakers who have served the State of Kansas over the years; the Legislative Staff assigned to the Education Committee; and the various types of registered education lobbyists and the many grassroots lobbyists who have shared their expertise and information with policymakers which ultimately led to the best solutions to problems thus providing Kansas youth with an opportunity to acquire a quality education in a safe environment.

CHAPTER 1 - Introduction

Several researchers (Alderson & Sentman, 1979; Baumgartner, J. M. Berry, Hojnacki, Kimball, and Leech., 2001; J. M. Berry, 1977, 1984; Brouillette & Thomson, 2002; Browne, 1988; Ciglar and Loomis, 1998; Clifton, 2004; Goldstein, 1999; Ross, 1973; Solet & Hutt, 2001; Suranovic, 1997, 2004; Victor 2002) have identified lobbying as one of the means by which the citizenry provides to policymakers the information necessary so their decisions will reflect the preferences and desires of their constituents. Although individuals may lobby independently for their point of view on any given issue, many lobbyists are professionals who are hired to lobby on behalf of groups of individuals with like beliefs or by businesses who desire that certain policies be enacted in order to address concerns which they have about existing policy or to ensure no changes are made to an existing policy which is working well for them. (Those individuals are often experienced in some level of government and are often full-time lobbyists.) According to Nownes and Giles (2002), white males generally outnumber women and ethnic minorities in the field of lobbying. Nownes and Giles also reported that lobbyists use not only a number of lobbying techniques, but also often collaborate with other types of lobbyists in their efforts to influence legislators.

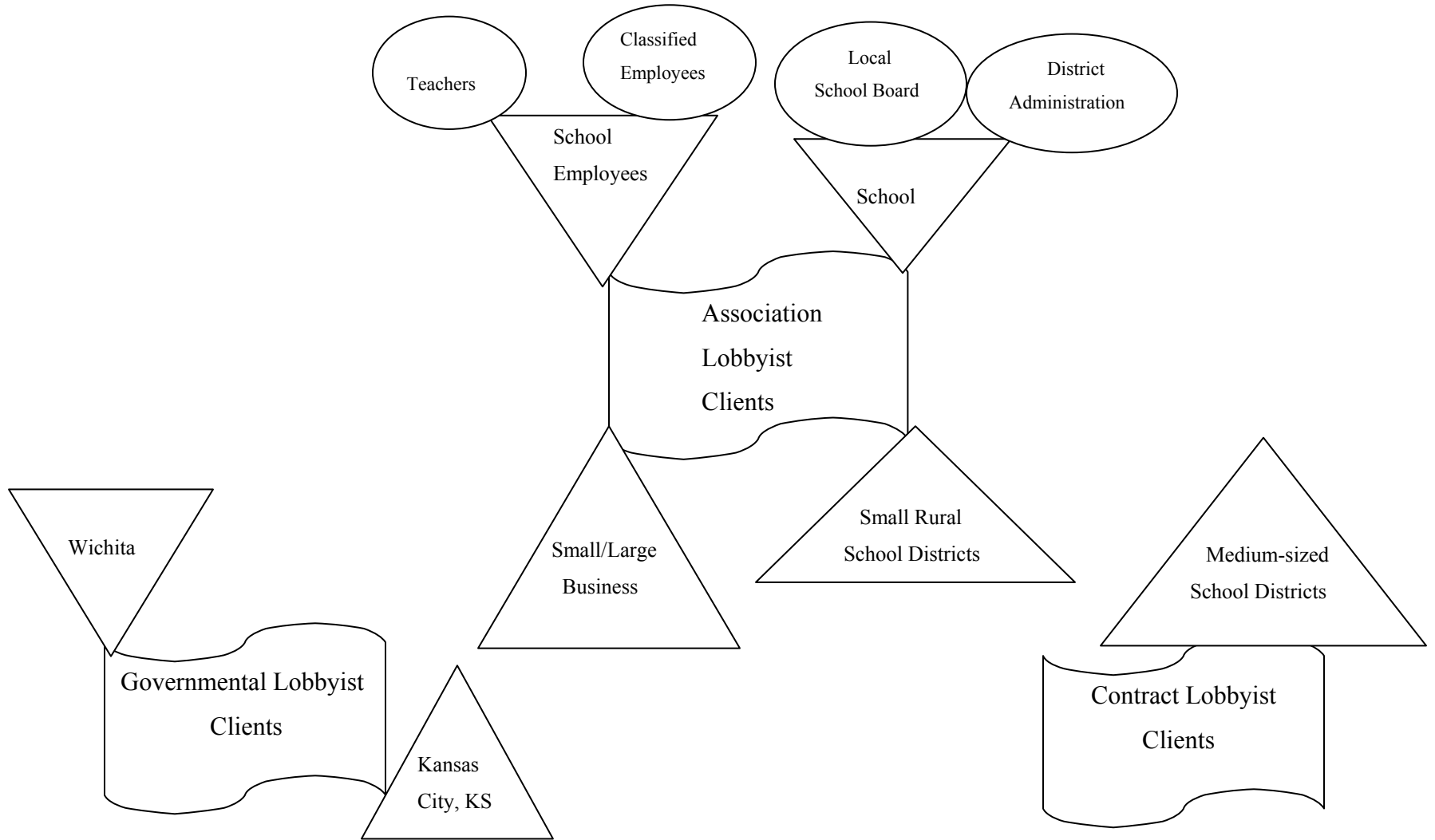
Although lobbyists are often seen in a less than positive light, long time United States Senator, Robert C. Byrd, in his 1987 address on the floor of the U. S. Senate, pointed out the importance of lobbyists to policymakers and the role they play in the legislative process, regardless of the level of government which the lobbyist is seeking to influence. Researchers from Kansas (Kahn & Allegrucci, 1981; Harder, 1983; and Maag, 1983) also point out the important role lobbyists play in the process of policy making, thus demonstrating that the point being made by Senator Byrd also transfers to the state level, in this case, the state of Kansas.

The Problem Statement

Researchers (such as Berry, 1977, 1984; Bigelow, n.d., 2006; Browne, 1988; Katel, 2005; Solet & Hutt, 2001; Thompson, 1985; Zeigler & Baer, 1969) have found that lobbyists on both the federal and the state level have varying levels of influence over the development of policy. Researchers also suggest that although federal and state laws are designed to regulate and establish guidelines regarding lobbyists and the contact which they have with legislators; limitations exist on how much regulation can be imposed because freedom of speech is extended to lobbyists and to those whom they represent. While regulations can restrict the manner in which influence may be wielded by lobbyists, such regulations are unable to control the actual communication of thought that is shared by lobbyists with lawmakers. To ensure that there are no shady dealings, no money given under the table, or fear of blackmail, states, including Kansas, have passed laws attempting to limit the influence of lobbyists. The Congressional Research Service (1975) reported that such efforts had also been attempted on the federal level as is indicated by the passage of HR 15, the Public Lobbying\Disclosure Act of 1975 and other federal laws which regulate lobbying. More recently, the McCain-Feingold Act of 2002, further strengthened the law governing lobbying on the federal level. In Kansas, the policies which govern lobbying and lobbyists are found in K.S.A. 46-215 et seq. As one might imagine, there are often opposing viewpoints regarding the solution to any given situation. The laws help to ensure the public that all lobbyists are expected to play by the same rules and for any who are in violation, stiff penalties are imposed. While presumably still abiding by the rules established for lobbyists in the state of Kansas, each lobbyist seeks to influence legislators' votes on proposed legislation which affects their clients. [The clients of lobbyists are individuals, businesses, or organizations who hire the lobbyist to promote their position on an issue.] (See Figure 1.1, p. 3)

The interactions between lobbyists and Kansas legislators, including their attempts to influence the votes cast by those legislators in regard to the issues of interest to the lobbyists and their clients, were the topic of researchers (Kahn & Allegrucci, 1981; Maag, 1983; Sebelius, 1983). While the issues studied by these researchers were either general in nature or were in an area of interest unrelated to education, one could conclude that all

Figure 1.1 Registered Education Lobbyist Clients



lobbyists in Kansas, including education lobbyists also seek to influence the votes of Kansas Legislature.

In fact, as a member of the Kansas House of Representatives and a member of the House Education Committee since 1995, the researcher has observed different types of lobbyists at least attempting to influence legislators. (The different types of lobbyists who have lobbied legislators include the following: association lobbyists, governmental lobbyists, contract lobbyists and grassroots lobbyists. The first three types are generally registered with the Secretary of State's Office. Grassroots lobbyists are generally constituents voicing their opinions.) The type of lobbyist who in 1995 testified before the Committee and who seemed to be able to influence members most effectively was one who represented education interests such as the Kansas Association of School Boards, Kansas National Education Association or the larger school districts. In subsequent years, it wasn't unusual to see education issues also attracting contract lobbyists representing a myriad of interests, including the CEO of a conservative think tank or other conservative organizations.

In 1995, the lobbyists who seemed to be the most successful at influencing the opinions of members of the House Education Committee had a background or an interest in promoting public education. Over the last decade those lobbyists who have emerged as somewhat successful education lobbyists are those who usually have little or no formal training in the education profession. There have been ever-increasing attempts to change many aspects of public education policy and other governmental policies to a more conservative viewpoint which are aligned with those lobbyists' own personal belief system and/or that of the organization which they represented. In addition, there are journalists whose writings mirrored the messages of these lobbyists who have emerged onto the education scene. While there were no specific documented writing in this same vein by journalists based in Kansas, many Kansans read these and similar accounts in venues which either are on the internet or are found within national publications to which they subscribe and they then apply the information to their Kansas experience.

Veteran journalist, Dirk Werkman (1997) is one of the journalists whose writings reflected a viewpoint often espoused by conservative lobbyists regarding the amount of dollars spent by lobbyists who represent government. He wrote the following in the *Cal-Tax Digest*:

The public perception is that virtually all of those lobbying dollars are provided by business interests. Think again. In fact, approximately one of every four of those dollars used to lobby the Legislature and state government – a grand total of \$59,396,100 were spent not by private interests, but by an expanding army of lobbyists who represent one of the most powerful special interests at work in Sacramento.... Those \$59,396,100 were siphoned from the hundreds of millions of tax dollars these entities received during 1995-96 to provide police and other city services and to educate students. Instead tax dollars were spent to obtain more tax dollars, or to block or seek new regulations. (pp. 1 - 2)

Werkman specifically included public education in his report of such expenditures when he pointed out that “A total of \$4,724,808 was spent by some 54 associations comprised of officials of various kindergarten-12th grade school districts” (p. 4).

In addition, researchers, Matthew J. Brouillette and Ann C. Thomson (2002) raised concerns about the lobbying strength of the Pennsylvania State Education Association’s (PSEA). Brouillette and Thomson concluded that by making hundreds of thousands of dollars in contributions to candidates and other get-out-the vote efforts, the education employee organization had reduced the importance of parents, children and teachers in its quest to influence the political process at both the state and local levels. They also pointed out their belief that there is a “...direct linkage between politics and the pocketbook for government-sector labor unions....” (p. 4). The researchers also point out that the link between politics and the finances of the union “is why the PSEA has moved away from professional development for teachers and embraced its evolution into a comprehensive political machine” (p. 4).

Information provided by journalists in California and by researchers from Pennsylvania, Brouillette and Thomson, are examples of written documents that seem to raise public concern, including concern about expenditures of the governmental entity known as K – 12 public education. Observers of the policy-making process in Kansas

have heard testimony given by lobbyists who represent the interests of entities who are critical of public education, as well as those who represent public education interests and actively participate in the formation of legislation which is designed to effect kindergarten through twelfth grade public education in Kansas. There are several types of lobbyists which were mentioned earlier who seek to influence legislators as they make decisions regarding any changes to laws governing public education in Kansas.

The role each type of lobbyist plays in the development of, the passage of, or the defeat of education measures varies and may be different depending on the subject of the legislation. The level of influence each type of lobbyist has on the decision-making process also may vary; however, in a review of literature the researcher could find little discussion of the influence lobbyists have on the development of public education policy in Kansas. Without an understanding of strategies used by lobbyists as they seek to influence the decision-making process, members of the legislature will be less likely to seek a balance of information which will enable them to make the decision which is best for the youth of Kansas.

The Statement Of Purpose

The purpose of this study was to discover the nature of the influence on Kansas K – 12 education policy that each type of registered education lobbyist has had from 1995 - 2006. The influence lobbyists have had on Kansas K - 12 education policy was identified through interviews with each type of registered education lobbyist and legislators who have served as the chief leadership of the Kansas House Education Committee as well as through an analysis of pertinent documents. A qualitative case study was used to determine the nature of the influence each type of registered lobbyist is perceived to have had on K-12 education policy in Kansas. The study documented (1) the lobbyists' and the legislators' perceptions of the influence each type of registered lobbyist has had on K– 12 education policy in Kansas; (2) who was lobbied; (3) the strategies which were used during lobbying; (4) the timing of lobbying activities; (5) how and why influence was sought; and (6) networking and other relationships that existed. The intent was also to reveal patterns of influence and effective lobbying strategies, including any gender or generational differences in lobbying strategies that were perceived to exist. The

framework and focus of the study of the nature of the influence lobbyists have on education policy evolved and was shaped as data was collected and analyzed. For example, as interviews were conducted additional questions arose surrounding how gender, generational differences and philosophical differences influenced the decisions made by policymakers and whether such differences influenced the strategies used by lobbyists to influence the decisions legislators made regarding proposed legislation.

For the purposes of this study, the key definitions for this study follow:

Lobbying is defined as being the activity by which the interests of members of the public are represented within the governmental policy-making process. (Suranovic, 1997; Thompson, 1985).

Casual lobbying refers to the actions of a person who uses his/her personal time to communicate to government officials her/his point of view about an issue(s) (Suranovic, 1997).

Professional lobbying refers to the actions of an individual or company hired by an individual or organization to promote the point of view of that individual or organization to governmental officials (Suranovic, 1997).

Lobbyist is an individual who wishes to influence public policy in favor of personal viewpoints or the viewpoints of a particular organization which the individual represents (Hrebenar & Thomas, 1993; Sebelius, 1983).

Association lobbyist is an individual who is employed in-house by a single organization to influence the decisions of policy-makers in cases when changes in policy are proposed. They often have other duties in addition to lobbying (Rosenthal, 2001).

Cause lobbyist is an individual who represents a public-interest, non-profit or single-issue group. The focus of such organizations is usually philosophical and ideological in nature and they generally are concerned with moral principles (Rosenthal, 2001).

Company lobbyist is an individual who works for and is employed by a business concern located within the state. In addition to other

duties the employee works to influence the decisions made by policy-makers (Rosenthal, 2001).

Contract lobbyist is an individual or a firm who is hired to promote the viewpoints of his/her client. They usually advocate for multiple clients and may be a sole owner of a lobbying firm; a partner in a lobbying firm; or a partner or associate in a law firm (Hrebentar & Thomas, 1993; Rosenthal, 2001).

Governmental lobbyist is an individual who is employed by local government or a local school board. He/She represents the interests of those governmental officials and bodies. The individual often has other jobs in the local government entity in addition to advocating for the interests of that entity (Rosenthal, 2001).

Grassroots lobbyist is an individual who is a constituent of a legislator and is interested in the effect a proposed policy will have on the public, including himself/herself and voluntarily seeks to influence the legislator's decision about that policy. The individual expresses support for or opposition to the proposed law through communications to the legislator (Goldstein, 1999).

Interest groups are individuals who, because of shared interests and attitudes have come together to protect or to improve something which they value. The group then makes certain claims on other societal groups in order to accomplish the group's goal (Harder, 1983; Truman, 1951, 1971).

Social influence or *influence* refers to the science of influence, persuasion, and compliance. Knowledge of it can help an individual develop the means by which to persuade another person to adopt a new attitude, belief, or action. Such knowledge can also Rhoads help individuals resist the attempts of others to influence them (Rhoads, 1997).

Level of influence refers to the amount of clout any given lobbyist or group has in its attempt to affect legislative decisions.

Nature of influence refers to the ways in which lobbyists seek to affect legislative decisions. It is intended to include the tactics used during lobbying, tasks surrounding the lobbying effort, the networks and other relationships that were established, the success or lack of success of lobbying strategies, and the perceptions about legislation promoted by legislators and lobbyists. It also will include any perceived gender differences in the strategies used and other decisions which may be made by lobbyists and legislators.

Generation refers to a group of persons who were born during a limited span of consecutive years and who hold common beliefs and behavior (W. Strauss and N. Howe, 1991). There are three generations which span the birth years of the lobbyists and legislators who were interviewed for this study. Those generations are the Silent Generation, the Boomers, and the Thirteenth Generation also known as Generation X.

Silent Generation refers to individuals born during the time span of 1925 – 1942. They have worked to ensure that fairness, due process, mediation, and openness exist. They have adapted to a society dominated by the GI Generation which was just before them and the Boomer Generation which followed them. These individuals came of age too late to be war heroes and too early to be youthful free spirits. Conformity seemed to be a sure ticket to success. They were the technicians and professionals who didn't take many risks as well as the sensitive rock 'n' rollers and civil rights advocates. They reached out to people of all cultures, races, ages and handicaps (Strauss and Howe, 1991, 1997).

Boom Generation, (also known as the Baby Boomers) refers to individuals born during the time span of 1943 – 1960 and came to age as the Vietnam War was ending. These individuals were raised with Dr. Spock and they went to school during the Sputnik-era. They were the flower children, the Black Panthers, the Weathermen, etc. In midlife, they promote values and meaningful

politics. They have seen their mission as one to justify, to purify, and even sanctify society. Boomers flocked from drugs to religion in an effort to find spiritual joy. As a result, they generated the most active era of church creation in the twentieth century.

The roles of men and women began to blend. Women often work in positions which had been only held by men.

Boomers like to use government to tell people what to do. They want government to choose between right and wrong and act according to what they, the Boomers, believe is right and wrong. There are clashes in ideology among the boom generation because the individuals involved do not always agree on the details of what is right and wrong. Rather than overcoming crisis, boomers tend to provoke crisis. For example, the leader of the Sierra Club has said that when especially bad weather occurs, the public will finally possess a crisis mentality about global warming and they will cause government to adopt the environmental leaders' pre-determined standards as being right whether or not it causes hardships on others. Likewise, other governmental authorities will experience a similar crisis mentality provoked by activists in the governmental authority's area of operation when Boomers determine that the standards of operation do not meet with their pre-determined values. (Strauss and Howe, 1991, 1997)

Thirteenth Generation refers to individuals born during the time span of 1961 – 1981. They are the thirteenth generation to call themselves Americans. These individuals were latchkey children and they often went to schools with open classrooms. They tend to be risk-takers in their jobs and prefer the freedom to change jobs over being loyal to one corporation for a lifetime. The 13ers have been overloaded with information and tend to react to the world as they see it because they have the ability to “poke through the hype and the detail” (Strauss and Howe, 1991, p. 323).

Those individuals belonging to this generation have become survivalists because of the negatives with which they have been constantly bombarded. As a result, whether or not the person succeeds depends less on what a person is like, than how he or she behaves. Politically, 13ers tend to be pragmatists and non-affiliated. Gen Xers, as they are also known, have also experienced living standards to be lower than ever before,...fewer individuals of this generation own their own homes, and more of them still live with their parents than has occurred in the past. This generation tends to be more cynical than idealistic (Strauss and Howe, 1991, 1997).

Philosophy, for the purpose of this study, refers to the personal attitudes, ideals and beliefs held by the interviewed legislators and lobbyists, rather than referencing a school of thought. It also was used as a means to describe the attitudes and beliefs of the clients of lobbyists or the attitudes and beliefs promoted by the organizations for which they work. The term, philosophy, was used in this manner as a means by which to generate discussion between the interviewee and the researcher.

The Research Questions

1. What were the most important non-school finance education issues during each of the Kansas Legislative Sessions from the years 1995 – 2006 and how did registered lobbyists influence the decisions made by the Kansas House Education Committee?
 - A. During each year from 1995 – 2006, which K-12 non-school finance education issues generated the most interest from each type of registered lobbyist (Association, Contract, and Governmental)?
 - B. During each year from 1995 – 2006, what attempts at influence, if any, were generated by each type of registered lobbyist in regard to the education issues identified as being the most important? (Influence, is defined on page 8.)

- C. What was the level of influence the different types of registered lobbyists had on selected public education policy in Kansas from 1995 – 2006? (The level of influence is defined on page 8.)
 - D. How effective did the lobbyists perceive they were influencing legislators on each of the selected education issues during each year from 1995 – 2006?
 - E. How effective did the legislators perceive the lobbyists were who attempted to influence their positions on each of the selected education issues during each year from 1995 – 2006?
2. What lobbying strategies were identified by the lobbyists as those they used to influence the decisions made by legislators?
- A. What changes in strategy, if any, have been made by lobbyists in order to influence public education policy in Kansas between the years 1995 - 2006?
 - B. During 1995 – 2006 what were the strategies used by lobbyists in an attempt to affect the selected education policies and what were the results?
 - C. What were the differences in strategies employed by lobbyists when a bill received a majority of the committee vote and when a bill did not receive a majority vote in the Education Committee?
 - D. What are the differences in the strategies used by women who lobby and those used by men who lobby?
 - (1) How does the gender of a lobbyist affect his/her potential influence with legislators of the same gender?
 - (2) How does the gender of a lobbyist affect his/her potential influence with legislators of a different gender?
 - E. What are the differences in the strategies lobbyists use with legislators who have a great deal of experience with education and educational issues and the strategies used with a legislator who has no experience with education or education issues beyond his/her own education experience?
 - F. What are the differences in strategies used by lobbyists who are from different generations?

- (1) How does the generation of a lobbyist affect his/her potential influence with legislators from the same generation?
 - (2) How does the generation of a lobbyist affect his/her potential influence with legislators from a different generation?
3. What information sources are perceived to influence the position legislators and lobbyists take on a specific public education policy?
- A. What information sources are perceived to have influenced the position taken on a specific public education policy by any given registered lobbyist?
 - B. What information sources are perceived to have influenced the position taken on a specific public education policy by any given legislator who was in the chief leadership of the House Education Committee during 1995 – 2006.

Since the research design was one of a qualitative research method, questions other than those which were initially identified, evolved as the research progressed. For example, those questions mentioned above which were added as the research evolved are as follows: 2. D. What are the differences in the strategies used by women who lobby and those used by men who lobby?; 2. D.1) How does the gender of a lobbyist affect their potential influence with legislators of the same gender?; 2. D.2) How does the gender of a lobbyist affect their potential influence with legislators of a different gender?; 2. F. What are the differences in strategies used by those of different generations who lobby?; 2. F.1) How does the generation of a lobbyist affect their potential influence with legislators from the same generation?; and 2. F.2) How does the generation of a lobbyist affect their potential influence with legislators from a different generation?

Focus of Study

The focus of the study was to determine the nature of different types of lobbyists' influence on public education policy. Successful lobbying strategies were identified. An awareness of not only the strategies which were used, but also, whether a lobbyist's gender potentially affected the lobbyist's perception of his/her influence with legislators of the same gender or of a different gender was studied. In addition, the research was

extended to study whether a lobbyist's generation affected the lobbyist's perception of their influence with legislators of the same generation or of a different generation.

This study identified the types of registered lobbyists who lobbied policymakers during the development of new education policy and during the attempts at changing existing education policy. As are found in other issue areas, there are different types of lobbyists who lobby on education issues and who play a role in the legislative process. The study provided insight into the strategies used by different types of lobbyists as they sought to influence education policy. Also, the study discovered how lobbyists of different genders and generations differ in the strategies used in their attempt to affect education policy.

The Delimitations of the Study

The study was limited to the registered lobbyists who lobbied the Kansas legislature from 1995 – 2006 in order to change education policy or to ensure education policy remained unchanged [The types of lobbyists which participated in the study were association, contract and governmental.] (See Figure 1.1, p. 16); Kansas legislators who served as the chief leadership of the Kansas House Education Committee from 1995 – 2006 [The leaders who participated in the study were the Chairpersons and the Ranking Minority Members from 1995- 2006.]; and two significant pieces of non-school finance legislation that were introduced and heard each year from 1995 – 2006 in order to affect K-12 public education. [Of the two significant pieces of legislation introduced during each legislative term and which received a hearing in the House Education Committee during each of the years from 1995 – 2006, one bill selected received a majority vote of the House Education Committee and one did not receive a majority vote in the committee. The researcher initially selected four bills from each year, two which were passed and two which were not passed. The bills selected were those that best met the following criteria: (a) the amount of interest generated by lobbyists; (b) the amount of attention received from the media; and (c) the potential amount of change the enactment of the legislation would create in the operation of K – 12 schools. Next, for each year, the panel of three administrators each separately selected the two bills from the four pre-

selected pieces of legislation which they felt, if enacted, would have the most impact on the operations of schools, the staff, the students, and the parents.]

The study was limited to legislative activity which occurred from 1995 – 2006. These years were selected by the researcher in order to include different types of registered lobbyists in the study and to include chief leaders of the Kansas House Education Committee who were of different genders and from different generations. [The chief leaders of committees, including the Education Committee, often serve in that capacity for multiple legislative terms and tend to be of the same gender and from the same generation. Registered education lobbyists also tend to be of the same gender, from the same generation, and, unlike other committees, the Education Committee, often is lobbied only by association and governmental lobbyists. In order to include a contract lobbyist in the study, the researcher included in the study the legislative term during which a contract lobbyist began representing a group of school districts.]

The results of the study were limited to the information gathered from the interviews of lobbyists, from the interviews of selected legislators and from the documents associated with the selected non-finance-related education legislation heard by the Kansas House of Representatives Education Committee during the years of 1995 – 2006. A qualitative method of study was used to guide the research. Furthermore, the type of inquiry undertaken was in the form of a case study of which the focus was on a detailed, in-depth collection of data of which included multiple sources of information. Those sources of information included interviews of legislators who were the chief leadership of the Kansas House Education Committee from 1995 – 2006, interviews of registered lobbyists who lobbied Education Committee members from 1995 – 2006, and documents connected to the non-school finance education bills considered by the Kansas House Education Committee and selected by a panel of three education experts. The objective of the study was to better understand the influence had on decisions made by the Kansas House Education Committee from 1995 – 2006.

Research introduced through the review of literature provided guidance for the development of the research questions regarding lobbying, lobbyists and the influence lobbyists had on the passage of legislation. Those questions included the subjects of

gender, generations, and influence and how they contributed to a deeper understanding of how the legislative process is affected by the actions of lobbyists. The research found in the Literature Review not only introduced the researcher to lobbying and lobbyists, but provided an in-depth overview of lobbying, of those who lobby, and of the perceptions held by other researchers regarding the motivation of lobbyists as they seek to influence the outcome of proposed legislation.

CHAPTER 2 - Literature Review

Lobbying

Background

Lobbyists (who were known as petitioners during the early days of the United States) have been a documented part of the law-making process since the founding of the United States (United States Senate official website; Maclay, 1779; Thompson, 1985). In fact, a segment of the website of the American League of Lobbyists not only explains why lobbying has played a part in law-making, but also makes the case that lobbying is legally protected by the First Amendment to the Constitution which states that “ ‘Congress shall make no law...abridging the freedom of speech ...or the right of the people peaceably to assemble, and to petition the government for a redress of grievances’ ” (§ 1). To further document the occurrence of lobbying since the founding of the United States, several researchers (Quisenberry, 1892; Brown, 1923; Swanstrom, 1961, 1988; and Bowling & Veit, 1988, as cited on the United States Senate website; Truman, 1951, 1971; and Thompson, 1985) have acknowledged the presence of lobbyists at both the federal and the state levels. Other researchers discussed the career of lobbying, the types of lobbyists which can be found wherever decision-making takes place, the influence of lobbying, and other information pertinent to lobbyists and lobbying. Legislators have also publicly discussed the role of lobbying and lobbyists.

Senator Robert C. Byrd, in a speech on the floor of the U.S. Senate, 1980; David B. Truman, 1971; Thompson, 1985; Salisbury, 1986; and Katel, 2005 referenced early incidences of lobbying. In fact, they indicated that there were numerous documented attempts at influencing the legislative process early in the history of the United States. As early as 1720, a nearly successful effort was made to control the New Jersey Assembly, allegedly in the business interests of an outside manipulator. The funding of the State debt in the First Congress provided a colorful record of the pressures used in

support of the proposal. Senator William Maclay of Pennsylvania, a bitter partisan and therefore a not altogether objective observer, made the following entry in his diary under the date, March 9, 1790:

In the Senate chamber this morning Butler said he heard a man say he would give Vining (of Delaware) one thousand guineas for his vote, but added, 'I question whether he would do so in fact.' So do I, too...I do not know that pecuniary influence has actually been used, but I am certain that every other kind of management has been practiced and every tool at work that could be thought of.... (Truman, p. 6)

According to Truman (1971), Alexis de Tocqueville, a foreign student who wrote about American institutions, stated that one of the most unusual characteristics of the United States was the fondness for endorsing a large number of projects through organized societies, including the use of political means. The organization of those groups and their ability to work through and parallel the formal institutions of government impressed de Tocqueville. Truman (1971) also reported that he referenced the resemblance seen between the representatives of such groups and the members of legislatures, when de Toqueville wrote: "It is true that they [delegates of these societies] have not the right, like the others of making the laws; but they have the power of attacking those which are in force and of drawing up beforehand those which ought to be enacted" (as cited in Truman, p. 7). Additional information was provided by Peter Katel (2005) who indicated that lobbying actually dates back to the mid-17th-century England when citizens who desired some assistance with some issue would gather in a lobby outside the House of Commons in order to confront a member of Parliament. He reported that the term 'lobbying' became a word during the presidency of Ulysses S. Grant because those individuals who sought favors and advocated for various issues would approach him in the lobby of a hotel close to the White House. According to Katel, President Grant called those individuals, lobbyists.

Senator Byrd, in an address entitled "Lobbyists", which was delivered on the US Senate floor on September 28, 1987, provided information about lobbyists of the past and

compared them to lobbyists operating in Washington, DC in 1987, including providing the reasons for changes in laws which govern lobbying. Some of the history Senator Byrd shared with his colleagues on the aforementioned day follows:

Citizens of the United States, whether as individuals or in organizations, have both direct and indirect interest in legislation considered by Congress. They make their interests known by electing sympathetic senators and representatives and by petitioning for or against specific legislation. Even in the earliest times, as reported by Roy Swanstrom in his study of the Senate's early years, the first petitions and memorials came from a variety of groups. (¶ 3) ...Lobbyists have been at work from the earliest days of the Congress. William Hull was hired by the Virginia veterans of the Continental army to lobby for additional compensation for their war services. In 1792 Hull wrote to other veterans groups, recommending that they have their 'agent or agents' cooperate with him during the next session to pass a compensation bill. (¶ 6)

Peter Katel (2005) references an 1889 cartoon by Joseph Keppler, a political cartoonist, which implied that senators were like Lilliputian figures which appeared to be intimidated by big-bellied giants who represented the big-business interests of such industries as copper, oil, iron and sugar. He referenced a number of changes that were implemented later and investigations which seemingly assisted in changing the playing field. Despite changes that were implemented to eliminate corruption among lobbyists, he indicated that lobbying continued to be associated with political corruption.

In addition, Katel (2005) reported that during President Franklin D. Roosevelt's administration, the business of professional lobbying saw its beginnings when a member of FDR's team of political operators, Thomas "Tommy the Cork" Corcoran, left government in 1940 to help create lobbying as we know it today. Reportedly, he was a very successful lobbyist because he took advantage of "his personal contacts with politicians, his intricate knowledge of how government worked and his legal training. He was the first to help provide two commodities that lawmakers and executive branch officials couldn't get enough of from their staffs: campaign money and information" (p. 626).

According to Senator Byrd (1987), the more complex the issues, the more constant and sophisticated was the attention given to those issues. Byrd added:

In many ways, the lobbying techniques that developed during this period are still used today. Lobbyists analyzed bills, prepared arguments in defense of their clients, drafted speeches, contacted committee members and orchestrated grassroots campaigns in favor of their bills. (§ 33) Despite the criticism of lobbyists, nineteenth century senators came to appreciate the help they could offer. The growing importance of lobbying drew many former members of Congress into the profession. They held several important advantages: they understood the legislative process, they knew key members of Congress; and they had access to the floor of the chambers. (§ 35)

Margaret Susan Thompson (1985) discussed the attitude of the public toward lobbying, particularly focusing on some scandalous incidents that occurred in the 1870s and which largely served as the impetus behind the biases against lobbying that persist today. To illustrate that popular opinion has changed very little from the public attitude toward lobbying that existed in the time of Ulysses Grant, Thompson cited the 1975 testimony of Representative Edward W. Pattison (D-N.Y.). Pattison's statement follows:

What image arises in the citizen's mind when the idea of lobbying is posed? He thinks of shady deals made in secret rooms, clandestine meetings in restrooms and hotel lobbies, the shoebox full of money passed from one pair of gloved hands to another. The public view of lobbying is that it is an illicit, unfair influence on the government process. The perception is that lobbying is an abuse by special interests, who can buy whatever they want from elected representatives while those who elected them are unable to exert any influence except every 2 or 4 or 6 years. (p. 53)

Susan Huntley and Peggy Kerns (2006) indicated that the interest people have in lobbying regulation probably began with the need for a clear line between making public policy and the pressure of influencing it. "Yet, lobbying—the freedom of speech to talk to public officials—is an integral part of the legislative process" (p. 1). According to

Huntley and Kerns, each state has a definition in statute which generally defines lobbying as an attempt to influence government action. While states include oral or written communications as a manner in which influence can be implemented, there are differences in which types of influence agents they include in their definition of lobbyists. There are also differences in the additional activities which states include in their definition of lobbying.

Thompson (1985) argued that, in spite of public opinion, if lobbyists had not been present during the Grant years to referee between increasingly larger numbers of clients and the Capitol, greater chaos, or paralysis of government, might have ensued. The clients of lobbyists are individuals, businesses, or organizations who hire a lobbyist to promote their position on an issue. If each of those clients had been lobbying on his/her behalf, chaos would have erupted. In other words, Thompson felt that “if Congressional Government in the early Gilded Age was to any degree, representative government, it was so because of, not in spite of, lobbying” (p. 144). She also indicated that lobbyists actually act as a link between policymakers and the public they serve, thus serving to strengthen the relationship between legislators and their constituents. She, in fact, credited lobbyists with building the foundation for the specific promotion of support and opinion which helped make sense out of the confusion in which legislators had to operate. “They helped in innumerable ways to untangle the spider web of Congressional Government” (p. 176).

Robert Salisbury (1986) determined that in Washington, D.C. and in the states, interest representation has become gradually a more specific responsibility located within organizations with public policy concerns. In fact, Peter Katel (2005) reports that the number of lobbyists in Washington, D.C. has more than doubled since 1996. Senator Robert C. Byrd (1987) also pointed out that lobbying today is more varied than it has previously been. Nearly every part of the social and economic life of the citizens of the United States is represented by an organized lobby. The lobbying groups include not only law firms and associations located in Washington, D.C.; but there are other types of firms with specific expertise that have also become involved in lobbying activities. They may raise money for campaigns or conduct technical studies which are designed to influence government policy. Through the use of modern technology, group members

who live all over the country are able to be in regular contact with the lobbyists who are representing their interests in Washington. Interest groups are better informed about the issues being considered by Congress because of the televising of House and Senate debates and other types of electronic media which enable those groups to quickly communicate to their members, legislators, and anyone else they feel should be contacted. As a 'grassroots' effort is mobilized by an interest group about a given issue, Congressional offices are often flooded with telegrams, telephone calls, letters and postcards (sometimes pre-printed). In that regard, Byrd does mention that the aforementioned type of lobbying doesn't represent the idea of one person, one vote because those who are represented are usually well financed and highly organized as opposed to a larger body of citizens whose interests are not represented in a manner which is as well financed or as well-organized. "Congress has always had, and always will have, lobbyists and lobbying. We could not adequately consider our work load without them....It is hard to imagine Congress without them" (§ 57).

The statements of past elected leaders recorded in their diaries and in other sources such as newspapers, serve to validate the claims that lobbyists have operated within, not only in the U.S. Capitol since the beginning of the country, but also within state capitols since the beginning of each of the states. There have always been individuals and groups seeking to influence legislation. Such accounts also point to the fact that lobbyists have held a place in development of governmental policy since the early days of the country and therefore, lobbying is not an invention of recent times.

Although Kansas didn't become a state until 1861, there are some similar stories of lobbyist influence wielded through hospitality rooms which were available to legislators after hours as reported by Marvin Harder, Acting Director of the Center for Public Affairs, Kansas University (1983) and James Maag, a former member of the Kansas House of Representatives and lobbyist (1983). This practice appears to have begun during the earliest years of the state and continued until the leadership of the House and Senate decided to end the practice during the 1960s. Just how much influence can be directly attributed to the aforementioned practice is anecdotal rather than the subject of empirical studies.

In addition, researchers have noted the important roles played by lobbyists and have sought to dispel any notion that lobbying is a corruption of the legislative process. Another aspect of lobbying and lobbyists is their involvement in campaigns. Lobbyists often are asked to assist in fundraising for campaigns and/or to assist in recruiting manpower for campaigns. Solet and Hutt (2001) acknowledged the expense of campaigns and indicated that corporate interests have increasingly become a dependable source for funding campaigns albeit through Political Action Committees (PACs) which are affiliated with industry and through contributions made directly to the national or state level for the purpose of building the party. In fact, it is possible that the belief that campaign contributions corrupts legislative decision making is based in those early documented accounts of interactions with lawmakers and those seeking to influence them. The concept of politicians being bought and sold by campaign contributions is widely believed; however, according to Soto and Hutt, that belief has not been substantiated by empirical evidence.

Matthew J. Brouillette and Ann C. Thomson (2002) indicate that, today, the Pennsylvania State Education Association's strength in membership and wealth allows it to daily and effectively promote its goals. According to Brouillette and Thompson, this accomplishment is reliant on its capacity to (1) classify employees as belonging to certain collective bargaining units and then to acquire from school boards a agreement that dues will be collected from each employee; (2) affect legislation by giving financial support to, working to elect, and then lobbying elected policymakers at every level of government; and, thus (3) obtain ever greater amounts of taxpayer money for the public schools, which through the collection of dues the union itself benefits as well. The Brouillette and Thomson analysis seems to contradict Solet and Hutt's report that campaign contributions do not impact the way a legislator votes.

Solet and Hutt (2001) also explain that because the individual regulatory decisions of agencies usually have little salience with the general public, elected individuals are distinctively susceptible to the other kinds of legislative influence. Campaign contributions are not the only way that corporations influence the votes of legislators. The researchers use the actions of the tobacco industry as an example of ways industry influences legislators. "One of the key elements of the tobacco industry's

legislative strategy was to maintain a broad base of political support among the elected leaders of both parties in Congress” (p. 9). According to Solet and Hutt, the industry has, in the past, targeted for defeat at the next election cycle, those legislators who proposed or voted for legislation which threatened the financial interests of the tobacco industry. Such action by the tobacco industry has been designed to send a message to other legislative members that it is better to keep the industry as an ally. In addition, the timing of their contributions has, at times, appeared to be calculated to achieve favorable results when a tobacco-related issue was before Congress.

While researchers such as Gais (1996) and Soto and Hutt (2001) say there is little to no empirical evidence that there is a relationship between money and legislative votes, Peter Katel (2005) indicated that groups that monitor the links between money and politics have found a relationship between the amounts of money that are being spent by lobbyists and the gains the groups the lobbyists represent have made through passed legislation. The legislative gains made by these groups have resulted in disparities in gained wealth. He also points to lobbyists who report that they work on legislation only one-third of their day while they spend two-thirds raising money from clients presumably to make donations to legislators’ campaign accounts. Katel also reported that as a result, the jobs of lobbyists have grown in the area of fundraising for campaigns and the amounts they contribute to campaigns are also increasing.

According to Thomas Gais (1996) it is important to know the significance of PACs. He indicates that the distribution of interests in the system of PACs influences the electoral advantages certain candidates have over others which may lead to certain patterns in voting behavior by legislators. In addition, the ability of a group to have a viable PAC can assist or impede its ability to compete with other groups for access to policymakers and to acquire desired political advantages. Although he acknowledged that having a PAC most likely does contribute to the political success of some groups, Gais points out that political scientists discovered quite some time ago that contributions by PACs have less influence on floor votes made by legislators than do their ideological views, the perception of their constituencies’ interests, their personal voting histories, and their party affiliations. This fact makes it unlikely that a few contributions from PACs will override the aforementioned influence; however, according to Gais, some members

may adjust their voting pattern in order to draw the positive financial attention of potential contributors, particularly if their own ideological views and the interests of their constituents are compatible with those of the potential contributors. He also explained that PACs seemed to support candidates of the party with which they worked best because of experiences they had under a partisan change. For example, when the GOP won control of the presidency—unions and citizen groups—contributed mostly to Democratic candidates.

Andrew Rich and R. Kent Weaver (2000) and R. Kent Weaver (1989) identified several types of information and sources of information that policymakers have available to them as they consider new policy or changes to existing policies. The types of information which are received by legislators range from general knowledge and opinions provided through citizen letters and telephone calls to policy research for which its authors always claim to have expertise in the area of the policy issue and that the research was conducted using a systematic social science research method free of bias. Rich and Weaver (2000) and Weaver (1989) also indicated that interest groups often provide specialized expertise supported by research which has used social science methodology.

The one source which policymakers have accessed over the years in order to get an independent view has been through public policy research organizations, better known as think tanks. According to Rich and Weaver (2000) and Weaver (1989), this trusted alternative source of expert information which, in the past, was always neutral, has changed to single interest think tanks. In recent years a number of think tanks which are politically conservative organizations have been active participants in divisive debates regarding nearly all policy issues both nationally, state-wide and locally. Weaver (1989) pointed out that

....expertise has frequently been used, and viewed by many participants, more as ammunition for partisan and ideological causes than as balanced or objective information that can and should be widely accepted among policy makers. These developments have blurred the traditional distinction between think tanks and interest groups and jeopardized the reputation of think tanks as sources of neutral expertise. (p. 237)

The Importance of Lobbying

To illustrate that researchers have found that lobbyists play an important role in the legislative process, a researcher, Steven Suranovic (1997, 2004), opined that:

Lobbying is a necessity for the democratic system to work. Somehow information about preferences and desires must be transmitted from citizens to the government officials who make policy decisions. Since everyone is free to petition the government, lobbying is the way in which government officials can learn about the desires of their constituents. The extent of the lobbying efforts may also inform the government about the intensity of the preferences as well. (pp. 1 – 2)

Jeffrey M. Berry (1984) also addressed the importance of lobbying. He, too, pointed out that everyone has the right to express his/her political views, to petition his/her government and to organize on behalf of causes while, at the same time, acknowledging that some segments of the population take advantage of that right more than others. Berry indicated that removing that right would cause the citizens of the USA to lose their political freedom. Even though it may be bothersome to some and may even create potentially dangerous situations, it is still preferable to the restrictions felt by the people of many other nations. Berry summarized the effect of lobbying as follows:

Individual lobbyists may rarely make the critical difference between a bill's passing or failing or a favorable regulation's being implemented or scuttled. But the effective lobbyist can wield influence, even if only at the margins of public policy. Whatever effect an interest group can have, within the limitations of its constituency, the popularity and salience of its issue and the political makeup of the government, its influence is affected by the quality of its lobbying. (p. 135)

In addition, Peter Katel (2005) states that legislation is often written by legislators with the assistance of lobbyists; and as a result, he suggests that lawmakers often rely on lobbyists for that type of support.

The topic of lobbying has generated interest among many other researchers (including Brouillette and Thomson, 2002; Gais, 1996; Goldstein, 1999; Loomis, 1998;

Rosenthal, 1998; Solet and Hutt, 2001; and Thompson, 1985) as well. They have defined lobbying, including developing definitions for different types of lobbying (for example: Goldstein, 1999 and Rosenthal, 1998). Also, researchers have attempted to determine the intensity levels of lobbying and what the driving forces are behind those different levels of intensity (for example: Gais, 1996; Loomis, 1998; Solet and Hutt, 2001 and Thompson, 1985). They have developed theories which support the belief that through contributions to policymakers, lobbyists can influence the vote of those elected individuals while still other researchers have not been able to prove those theories to be correct (Brouillette and Thomson, 2002). In addition, researchers such as Rhoads (1997) have been interested in studying influence itself, in a quest to have a greater understanding of how individuals become influenced, as well as to show how influence is wielded. Burdett A. Loomis (1998) reported that politics in Washington changed from members listening to the chair of the committee or the leader of their party in Congress to listening to the grass roots, their constituents. Loomis also argued that “the organizational structure of interest groups—and especially membership groups and trade associations—determines much of their impact in Washington (and also in state capitols)” (p. 84).

In addition, Ronald J. Hrebenar and Clive S. Thomas (1993) indicated that there is agreement among scholars that there is a multifaceted set of variables that affect the activities of interest groups within states. These variables are different in their details and the one thing that can be counted on is that each state’s system of interest groups will be different because of the diversity that is found in each state’s economic, social, cultural, legal, political, governmental, and even geographical variables. Although the interest groups are different in every state, Hrebenar and Thomas (1993) pointed out that they have identified seven factors that seem to be important in all states in regard to the general structure of the interest groups and how they operate. Those factors are as follows:

- (a) *State Policy*....; (b) *Political Attitude* [the state laws regarding lobbying]....; (c) *Level of Integration/Fragmentation of the Policy Process*. [strength of political parties, etc]....; (d) *Level of Professionalization of State Government*....; (e) *Level of Socioeconomic*

Development. [socioeconomic diversity]....; (f) *Extensiveness and Enforcement of Public-Disclosure Laws*. [included lobby laws, campaign finance laws, PAC regulations, and conflict-of-interest provisions].... and (g) *Level of Campaign Costs and Sources of Support*.... (pp. 13 – 14)

Jeffrey M. Berry (1984) identified the roles played by interest groups in their efforts to influence government. Interest groups represent their membership and act as a link between those citizens and their government. Such groups also allow people the opportunity to participate in the political process. Interest groups, according to Berry, help to educate the public about issues and proposed solutions that are being considered by political bodies. He also pointed out that often interest groups are responsible for bringing issues to the forefront by taking a problem and promoting it as an issue. In that way, groups are involved in building the agenda that government will consider. They also are involved in monitoring programs that affect their members, including ensuring that the implementation is in compliance with law. He pointed out that groups are often established to counter the extreme actions of another group. For example, conservative public interest groups seemed to be developed as a counter to liberal public interest groups. Business groups also have been developed to counter the expanded regulations that are imposed by bureaucracy.

R. Alexander and A. Nownes (2003, 2004) suggested that labor unions are rare groups that have extensive monetary and personnel resources which could be an explanation for the high levels of labor union involvement in direct democracy. Although such information provides some hope for those who believe business interests take advantage of individuals with less wealth, the researchers point out that although unions may be extraordinarily active, there are too few unions to offset the advantage that is possessed by business.

Hrebenar and Thomas (1993) listed several changes and tendencies found in interest groups at the state level across the Northeastern Region as well as the Midwest, the Western, and the Southern Regions. They include the following: (a) an increase in the number of groups; (b) more sophistication in lobbying efforts, such as coalition

building and active participation in campaigns; (c) increased formation of political action committees; (d) stronger ethic and lobby laws; and (e) the role of interest groups has expanded partly because of a decline in strong political parties. Allan J. Cigler and Burdett A. Loomis (1998) similarly acknowledged that there have been several changes found in the nature of interest group politics of today. Loomis and Cigler identified several additional changes including the tendency toward centralization of group headquarters in Washington, D.C., rather than New York City or elsewhere.

Brett Clifton (2004) points out that, although there has been an increasing involvement of interest groups and social movement organizations in the American political system over the past few decades, it has been only recently that some attention has been given to understanding how their activities affect political parties. In addition, Clifton recognized that not only are interest groups affecting the structure of the parties, but they are also seeking to influence party nominations and to elect candidates who support their ideals. As party leaders increasingly depend on donations and activation of group constituency to help elect party candidates, it has appeared that those leaders are often willing to adjust their policy goals in order to maintain a friendly relationship with the group. Clifton stated that interest groups and social movement organizations are able to gain influence with legislators based on their ability to provide them with reliable information about constituents and expertise in certain policy areas. “As a group builds its reputation and continues to provide detailed information and the explanations necessary to make judgments about policy and its impact on constituents, the party, over time, may begin to rely on the group’s constituencies. In that manner, a group begins to accrue-and eventually solidify-influence with the party.” (p. 478)

Jennifer N. Victor (2002) acknowledges the existence of groups as players in the political process and points out that the public has simultaneously criticized the existence of interest groups and joined them in record numbers. It is thought that the reason for the public joining interest groups is an effort to counteract the perceived power of the corporate and trade-association groups. Cigler and Loomis (1998) also pointed out that evidence shows that since the 1960s political parties have gradually been losing strength and have been supplanted to some extent by interest groups. They indicated that at least part of that change has taken place because of a better educated electorate which is less

dependent upon party dogma and instead seeks out independent information. Nicholas Sahuguet and Nocola Persico (2006) also studied how the determination is made to deliver electoral promises of money, projects, etc. among the voters and indicated that: “the assumption is that a voter votes for the party which promises him/her the greatest expected transfer” (p.1).

John C. Green, James L. Guth, Corwin E. Schmidt, and Lyman A. Kellstedt (1996) indicated that groups “encourage citizens to run for office, provide financial aid to candidates, seek to shape party platforms, recruit activists to staff campaigns and urge sympathizers to go to the polls to vote for favored candidates” (p. 169). They also found that, in addition to the groups who have been lobbying for years, a number of ideological organizations which represent causes have become active in attempts to influence elections. In addition Allen J. Cigler and Anthony J. Nownes (1998) found that even the philanthropic giving of corporations was attacked by interest groups that were a part the political right if those organizations perceived that the recipient of the giving was a liberal organization. In addition, boycotts of those corporations were organized by the same conservative interest groups.

Nathan S. Bigelow (n.d., 2006) indicated that the customary way groups influence policy is through direct lobbying. Lobbyists representing groups use the following strategies: (a) they work to gain access to legislators; (b) they work to develop a relationship with legislators; and (c) they become a reliable source of information for legislators because they are knowledgeable in a specific field of interest. Groups also often involve themselves in outside efforts to influence legislators by trying to change public opinion in the following ways: (a) by using television and print advertising, (b) through the activities of think tanks, and (c) by organizing demonstrations. D. E. Apollonio (n.d.) suggested that lobbying offers advantages over other types of political spending because lobbying activity is targeted toward specific political issues which are of interest to the group. Lobbying is considered a form of protected political speech and there are no limits on the amount which may be spent on lobbying.

In fact, according to Jennifer Nicoll Victor (2002), those groups which have specialized memberships, in particular trade associations, professional associations, corporations, and labor unions, often use insider lobbying which are geared toward

groups that have large budgets and professional staff. She further explained that single professional focus groups, including research organizations, think tanks, educational groups, lobbying firms, or law firms often have many resources available to them, in addition to having the professional expertise that is needed to participate in the tactics used in insider lobbying. According to Victor these groups also have access to the information needed to offer an amendment which has the potential of altering the debate.

Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, David C. Kimball, and Beth L. Leech (2001) reported in their paper the initial findings of a multi-year, multi-researcher project which was designed to answer a number of questions regarding how groups affect public policy and how those groups' interests are presented to governmental officials. These researchers have identified several important points regarding how to promote any given policy and the arguments on its behalf that must be made: (a) regardless of who is supporting the change, the arguments must be made that others are not able to ignore; (b) the arguments provide at least some evidence that the proposed policy will or will not work; (c) the arguments provide at least some proof that the policy change will or will not resolve a difficulty; (d) the policy change will assist or will not assist a portion of the citizenry; (e) the policy change will or will not relieve some nuisance; and (f) the policy change has or doesn't have the potential to serve some other public purpose.

In addition, George Alderson and Everett Sentman (1979) shared the following thoughts on how outside lobbying can be most effective: (a) Letters from constituents can "lead a congressman to take a position on a new issue, ...compel him to reverse a position he has already taken, or they can encourage him to renew his efforts in a position he has taken" (p. 43); (b) talking face-to-face with their legislators; and (c) building long-term influence by building a long-term relationship. By working with and contacting legislators on a monthly basis, eventually, the legislator and his staff will begin to trust those from whom they have received good information and will seek out those trusted sources when more information from that area is needed.

In their essays which reference lobbying the Kansas Legislature and the Governor, lobbyists, Jim Maag (1983); Kathleen Sebelius (1983); and Robert Wooton (1983); a former lobbyist for the Kansas National Education Association as well as being

the lobbyist for then Kansas Governor Carlin, seemed to agree with Victor (2002) when the three indicated that when lobbying for a bill, it is important to convince the leadership of both the House and Senate, as well as the Governor, of the importance of the legislation for which the lobbyist is laboring before spending a great deal of resources lobbying on behalf of legislation which will get no support from those in legislative leadership or from the Governor. The only reason to pursue such legislation would be that an override of the Governor's veto is assured.

John M. de Figuieredo and James J. Kim (2001) through their research have identified a strategy which lobbyists follow in order to successfully affect legislation.

First, consistent with gate-keeping, interest groups and firms lobby regulators late in the lobbying process. That is, they start low in the organization and work their way up the regulatory hierarchy....Second, firms provide studies to bureaucrats late in the process, consistent with 'having the last word'. Third, we show that consistent with agenda-setting, firms provide studies to regulators contemporaneously or just after, they meet with the regulators. Fourth, we show some suggestive evidence that despite these regularities, early lobbying and frequent lobbying can make a big difference in outcomes of policy. (pp. 18 – 19)

....Late studies is [sic] also consistent with the strategic protection of information. If lobbyists conduct studies, but don't want their studies refuted by the opposition, they may report them late. (p. 19)

Lobbyists

About Lobbyists and Lobbyists

During their discussion of lobbying as a career, Harmon Ziegler and Michael A. Baer (1969) and Jeffrey M. Berry (1984) discussed the question of whether lobbying is an occupation or a profession. Ziegler and Baer determined that there are no institutions where one can study the theoretical basis for lobbying or the body of knowledge one must know in order to lobby. Berry explained that it is an unusual profession because few people actually desire to be a lobbyist. As a result there isn't a true career path that those wanting to lobby would intentionally select in order to better prepare them to be a

professional lobbyist. The American League of Lobbyists' website acknowledged that there is no prerequisite degree or training to become a lobbyist, which has led many people to believe that anyone can be a lobbyist. Although there is no entrance exam that one must pass or credentials an individual must produce before beginning to work in government relations, anyone wishing to become a lobbyist needs some type of performance record in order to show competence to potential employers or clients. "If a lobbyist has no record of lobbying experience, there is little to commend him or her for the work" (§ 1). The website also indicates that most lobbyists have a post-secondary degree and several have earned advanced degrees. "Of these advanced degrees, the most prevalent is legal training, with other common backgrounds being communications, teaching, public relations and journalism" (§ 2).

Ziegler and Baer (1969) indicated that although, in most cases, lobbying wouldn't be considered truly a profession, there are some portions of the job that do align with the attributes of a profession, such as the clientele's recognition of their authority to do the job. Even so, the authority given to any lobbyist is determined by the amount of flexibility a client allows the lobbyist when confronted with the realities of legislative processes. Another component of a profession is the ability of lobbyists to collectively meet as participants in an occupation rather than as competitors. In fact, Ziegler and Baer found that lobbyists in some states have developed formal organizations which provide a way for member lobbyists to interact with each other in ways other than in a competitive manner. They also determined that although lobbyists have no formal code of ethics as do recognized professions, lobbyists have developed an informal code of ethics, unwritten standards of behavior, that are enforced in a subtle manner and vary from state to state. Some of those standards of behavior for lobbyists include (a) never interrupt another lobbyist who is talking to a legislator; and (b) avoid attacking the position of another lobbyist unless it is in defense of one's own point of view. Ziegler and Baer point out that these are general expectations of full-time lobbyists who are also thought of as insiders.

According to Berry (1984), people usually become lobbyists because previous jobs guide them toward it. They have either developed specific skills attributed to successful lobbyists or have acquired a background in a specialized or technical area.

Berry also noted that many lobbyists hold advanced degrees beyond the bachelor's degree which is largely because of requirements of the positions which they previously have held. The technical components of many public policy areas make academic credentials highly valuable to a lobbyist. Berry stated that there are three lobbyist backgrounds which tend to be dominant: law, government, and business. Generally, the lobbying positions are filled by word of mouth because the participants already know those who are knowledgeable and person-to person recruitment is used to fill vacant positions.

Zeigler and Baer (1969) determined that most legislators who have experience in government served at the local level while most lobbyists who have held governmental positions have held them at the state or national level. Ziegler and Baer also interviewed labor lobbyists and business lobbyists. Members of each group explained why they had become lobbyists.

“The majority of labor lobbyists relate their decision to a desire to achieve an ideological goal—the goal of helping organized labor—whereas the majority of business lobbyists speak more in terms of career opportunities with little mention of ideology.” (p. 56).

Solet and Hutt (2001) make the point that successful lobbyists are persuasive and are well-connected. They also are often former members of Congress and even attorneys formerly employed by a federal agency which regulated the industry for which they lobby and which means they have considerable knowledge about the internal operation of the agency and the credibility and reputation to publicly second-guess agency decisions. [Not only is this the case in Washington, D. C., but, several registered lobbyists in Kansas are former legislators and at least two were members of the research staff for the Kansas Legislature. One of the registered lobbyists is a former Lieutenant Governor of the State of Kansas. In addition, several other lobbyists have previously worked as staff members for legislative leadership offices or for the Governor's office.]

As other researchers have found, Berry (1984) indicates that lobbying is largely a “man's world” (p. 128). He reported that the groups that are most likely to hire women lobbyists are those which are public interest groups. He speculated that the reason most

lobbyists are men may be related to the fact that most policymakers are men and the “quiet off-the-record negotiations that are a part of policy-making can easily turn a woman into an outsider.... Major improvement is not likely to come; however, until women make more advances into the top echelons of both business and government” (pp. 128 - 129). Since lobbyists rarely stay in lobbying positions for longer than five years, Berry considered lobbying as “a job at a stage in one’s life and not a career” (p. 129).

Ziegler and Baer (1969) interviewed legislators regarding the expectations they have of lobbyists. They found that legislators felt the following characteristics were important for lobbyists to possess: “(a) good personality, (b) intelligence and knowlegeability [sic], (c) aggressiveness, and (d) honesty” (p. 83). In their concluding comments, Ziegler and Baer do acknowledge that those who have a long commitment to lobbying and who have made lobbying a career are actually operating as professional lobbyists. They also found that professional lobbyists are more likely to rely on direct lobbying techniques while those who are amateur lobbyists are more likely to rely on indirect lobbying.

Jeffery M. Berry (1984) listed the following ‘rules’ that lobbyists believe must be followed for effective lobbying to have taken place:

- (a) Credibility Comes First. As one corporate representative put it, ‘All you have is your word.’;
- (b) Only the Facts Count.Lobbyists increase their effectiveness as they increase their knowledge of their policy area. ;
- (c) Never Burn Your Bridges.Lobbyists cannot afford the luxury of venting their anger toward policy makers who act contrary to their wishes.;
- (d) Success=Compromise.no interest group ever achieves all it wants, and so the difference between success and failure is achieving an acceptable compromise.The skill...is knowing how much to give up...when to make those concessions...the good lobbyist keeps searching and keeps trying to find the middle ground.;
- (e) Create A Dependency....a trusted source of information to whom policy makers can call when they need hard-to-find data. A reputation for credibility and high-quality factual information is a prerequisite for becoming the type of lobbyist government officials request help from. (pp. 119 - 123)

The website of the American League of Lobbyists' (2006) also makes it clear that lobbyists must be able to (a) understand the interests of the clients in addition to the laws and policies they hope to influence; (b) communicate successfully in both a written and an oral manner; and (c) "understand the legislative and political process" (§ 2). Further information found on the website indicates the following: "Possibly the best training for lobbying is experience in a congressional office. Even the most menial position on Capitol Hill helps provide an understanding of the process unlike anything in a classroom, and competence quickly leads to increased responsibility" (§ 3).

Harmon Ziegler & Michael A Baer (1969) and Jeffery M. Berry (1984) identified characteristics and areas which they found to be important for effective lobbying to take place. Ziegler and Baer identified the following characteristics of effective lobbyists: (a) lobbying experience, (b) perceived integrity, (c) perceived expertise, d) legal training, and e) previous governmental experience. Berry outlined the areas he found to be important for effective lobbying to take place: (a) policy expertise; (b) ability to network with others; (c) ability to use the media; and (d) ability to develop lasting professional relationships with staffers and policy makers. In addition, he pointed out that lobbyists have recognized the importance of communicating with the legislator's constituents and having those constituents, in turn, then contact their legislator.

Within the lobbying handbook prepared by Marcia Calicchia and Ellen Sadowoski (1984) for use by individuals interested in lobbying the New York State Legislature, the writers indicate that to lobby effectively one must understand how the legislature functions. The writers interviewed lobbyists who indicated that it is also very important that anyone lobbying have a good understanding of the legislative process and parliamentary procedure. The lobbyists also indicated in their interviews that it is important to keep track of the progress of bills. The information they provided included the following: (a) the structure of the legislature and the legislative process, (b) how to track the progress of a bill, (c) contact information for media, legislators, the governor, etc., (d) meeting room locations and maps (e) information about standing committees, (f) glossary of legislative terms and (g) lobbying tips including a legislative time line.

William P. Browne (1988), a professor in political science, concluded that lobbying is difficult. He acknowledged that to the observer it may seem that all a lobbyist does is take legislators to lunch. In fact, Browne determined that lobbying includes much more than “wining and dining a legislator” (p. 344). Browne listed two reasons why he believes that lobbying is not only difficult to do, but difficult to explain. First, lobbying is mostly an exercise in persuasion. [Attempting to persuade one individual is usually a time-consuming activity, multiply that effort by over eighty individuals in Kansas needed in order to acquire passage of legislation in both the House and the Senate, and it certainly illustrates the effort which must be given by those who lobby in Kansas.] There are also many other expectations of the lobbyist in addition to the meetings held between the lobbyist and legislators, making it difficult to explain to others all that goes into the lobbying effort. For example, lobbyists monitor what is happening legislatively in the area(s) to which he/she is assigned,, they do research, prepare and present testimony, they keep their clients informed, they meet with legislators, they attend both House and Senate committee meetings and the meetings of the entire House and Senate. Secondly, the structural characteristics of the political system in the United States was designed purposely by the framers of the Constitution to be a process by which decisions were to be made slowly and deliberately, thereby ensuring that no one individual or group would be able to dictate policy for the rest of society.

According to Browne (1988), the process of lobbying and the expectations of clients has become more and more difficult and frustrating for those attempting to persuade lawmakers to produce policy which is to the liking of those who lobby because of an ever-changing set of rules. The changes in rules may be rules and regulations which are related to an agency. In addition, because of a desire to be re-elected, Browne determined that policymakers are unlikely to move too far from the values of their constituency as they determine which policy issues to support or not to support.

Although William Strauss and Neil Howe (1991) do not directly mention lobbying, they do refer to the participation of individuals in attempts at change. They specifically mention the dynamic of generational behavior, which they have identified to be connected to recurring personality patterns which occur within birth year groups or

generations. Strauss and Howe describe the peer personalities of four groups: (a) The GI generation, who were born 1901 – 1924 are “firm believers in public harmony and cooperative social discipline and are rationalists” (p. 9). ; (b) The Silent generation, who were born 1925 – 1942, are interested in “process and expertise” and in promoting “a sense of nonjudgmental fairness and open-mindedness” (p. 10). ; (c) The Boomer generation, who were born 1943 – 1960, “possess unyielding opinions about all issues” (p. 11). ; (d) The 13er generation, who were born 1961 – 1981, survived a “world of parental self-immersion or even neglect” (p. 12) .

According to Strauss and Howe (1991) “much of the stress in cross-generational relationships arises when people of different ages expect others to behave ways their peer personalities won’t allow” (p. 13). Strauss and Howe (1991, 1997) point out that each generation has its own strong points and limitations as well as opportunities for successes and failures. Each generation has an obligation to use its unique gifts for the benefit of the future. [As individuals from these generations try to convince the other, their generational behavior may interfere with attempts to find a compromise on controversial issues. On the other hand, the generational behavior of both may complement the other. Being familiar with generations and the behaviors and the expectations of individuals from certain generations would be helpful in order to more quickly find ways to come to an agreement which is mutually acceptable.]

Lobbying Tactics/Strategies

Jeffrey M. Berry (1977) identified four strategies of influence which are used by interest groups as they lobby governmental officials. Those strategies are (a) law, (b) embarrassment and confrontation, (c) information, and (d) constituency influence and pressure. When seeking a change in governmental policy, some groups primarily rely on legal remedies or a law strategy while others use the legal route as a last resort only when they are unable to successfully resolve the group’s policy concerns through the legislative process. When using the embarrassment and confrontation strategy and the interest group believes a policy needs to be changed, the lobbyists focus on painting a governmental policymaker or bureaucrat as a villain, embarrassing him/her or causing him/her to respond to the charges. The goal is to keep the governmental entity in an

adversarial position for an extended period of time. Groups using this strategy have determined they have to employ extreme tactics to get any attention. The interest groups which use the information strategy tend to believe that policy makers receive imperfect information so they endeavor to provide useful and quality information. As a result such groups acquire influence with policymakers because they provide valuable information to the policy-makers. When a strategy of constituency influence and pressure is used, the interest group lobbyists organize grassroots efforts by encouraging letter writing and other forms of activation in order to promote the organization's position on a specific governmental policy. "It is possible that a group's information capability is a much more important factor for gaining access to decision makers than is the independent skill of its lobbyists" (p. 283).

In fact, D. Solet and P. B. Hutt (2001) explored and identified tactics/strategies that industry uses to influence a regulatory agency's decision-making process. When industry is unable to directly influence the agency, Solet and Hutt indicated that other techniques are then used.

These include providing the political campaigns of sympathetic lawmakers with financial and organizational support, lobbying incumbent lawmakers to pursue an industry-supported agenda, supporting (and sometimes purchasing) scientific research likely to be favorable to industry, and organizing broad-based public relations campaigns, sometimes through third-party actors with independent credibility. (p.7)

For example, Kishore Gawande (2005) indicated that there have been several empirical studies (Ainsworth and Sened, 1993; Austin-Smith, 1993; Beaulieu and Magee, 2002; Bennedsen and Felsman, 2002; Gardner, 1987; Gawande and Bandyopadhyay, 2000; Grossman and Helpman, 1994; Goldberg and Maggi, 1999; Hansen, 1991; Kollman, 1997; Peltzman (1976) and Wright, 1990) that have researched and confirmed the role that lobbyists have played in influencing farm policy which included providing PAC contributions to lawmakers. He, however; also acknowledged that "few studies have examined the structure of lobbying at a level of detail sufficient to reveal patterns about who lobbies, who are lobbied, and whether lobbies accomplish their goal of influencing policy" (p. 1).

William H. Riker (1986) analyzed several historical political activities and from those analyses developed an assessment of the manipulation which is involved in political endeavors. For example, Riker indicated that although casting a ballot is viewed as a very simple process, there is usually a great deal of action that occurs behind the scenes. Lobbyists or politicians are always attempting to manipulate the outcome so there is lobbying of at least key legislators that occurs so the vote will reflect their position. Leaders of the legislature determine to what committee the legislation will be sent. They also determine if and when the legislation will be considered by the entire legislative body. Usually, lobbyists will lobby the key leaders regarding the need for the legislation and sponsors of the legislation will do the same in order to ensure that it is either discussed or not discussed by the all of the members of legislative body. According to Riker, there are three kinds of manipulation used in the political world. They are (a) agenda control; (b) strategic voting; and (c) manipulation of dimensions by adding a different issue which causes the focus to change from one issue to another. All may be used to pass a desired policy idea or to defeat an undesirable policy idea.

Peter Katel (2005) suggested that “big expense accounts, stays at nice hotels, trips to golf resorts and duck hunting preserves, dinners at fancy restaurants—life as a Washington lobbyist for industries with deep pockets can be highly rewarding and downright fun” (p. 618). On the other hand, he reported that the work of influencing legislators includes waiting in long lines to visit with a legislator and drafting legislation. A successful lobbyist does more than wine, dine and supply talking points. According to Katel, those organizations which track political activity, say that “a good lobbyist will provide background papers, research, information that will be used on the floor of the House or Senate, that will go into a conference report and will provide actual language that will go in a bill” (p. 619). In addition, Yeon-Koo Che and Ian L. Gale (1998) pointed out that although much of the research references the use of money which is contributed directly to candidate campaigns or to provide perks to legislators, expenditures attributed to lobbying also include financing public opinion surveys; making in-kind contributions to politicians; spending money to encourage citizen letter-writing campaigns and by funding advertisements found in print, on radio, and television. According to Andrew Rich and H. Kent Weaver (2000), since demands for information have increased in the

last few decades, information ranks along side of money as a powerful means by which lobbyists influence legislators.

In addition, Harmon Ziegler and Michael A. Baer (1969) indicated that legislators use lobbyists' sources of influence in three ways: "(a) by calling upon lobbyists to influence other legislators, (b) by calling upon lobbyists to help amass public opinion in favor of the legislator's position, and (c) by including lobbyists in planning strategy in an effort to negotiate a bill through the legislature" (p. 102). While some might view these efforts as a means to opening the door to the lobbyist to use pressure tactics, Ziegler and Baer indicated that pressure tactics are not well received by legislators and that the following would most likely occur if a legislator feels a lobbyist is trying to frighten him into a favorable vote:

...he will probably deliberately reject the conclusion of the lobbyist as a way of expressing his aggression toward him. Thus, resistance to the communicator's recommendations are increased by a threat which the lobbyist cannot make real. In one state, lobbyists frequently recall one of their colleagues who was observed threatening a legislator with electoral defeat. The episode is looked upon as an example of stupidity, and the lobbyist—although hardly an amateur—is viewed as an 'outsider.' As one lobbyist explains, 'Once you have closed the door, you have no further access to this individual. Once you've threatened an individual, there is no possibility of winning in the future.' (p. 121)

Actually, Frank R. Baumgartner and Beth L. Leech (1998) discovered that those policymakers who were undecided on an issue were targeted by lobbyists who were anxious to sway them to their way of thinking. Other observations made by Ziegler and Baer include noting that labor lobbyists are generally the ones identified as using pressure tactics and are also generally more active in the lobbying process than are those representing business. In fact, they point out that the two are really not alike in their approach to lobbying. Labor lobbyists are more aggressive and persuasive, and spend their time and influence on political, rather than technical information. Business lobbyists, on the other hand, see their role as being more informational than influential,

and concentrate their energies upon information and on the quieter aspects of strategy making.

In their research, Burdett A. Loomis and Eric Sexton (1995) compared the impact of corporate advertising in key publications with the impact of conventional lobbying methods on the decisions made by federal policy makers. Loomis and Sexton found that more financially able corporations and interest groups purchase policy-related advertisements when they stand to gain financially, need to enhance their image, or are advocating for or against a specific legislative issue. While it might be assumed that advertisement may take the place of other types of lobbying, Loomis and Sexton noted that "...most advertising directed at policy elites can be best understood as one component of the broad public relations strategies of those interests that can afford them" (p. 211).

Kenneth M. Goldstein (1999) in his writings about interest groups included some examples of grass roots lobbying, one of which follows:

...consider the dilemma of the "Big Three" automakers during the 1990 debate over the Clean-Air Act. *Newsweek* magazine (1991) described the challenge facing automobile companies: 'How could they [the automakers] squash legislation that improved fuel efficiency, reduced air pollution and reduced dependence on foreign oil without looking like greedy corporate ghouls?' Jack Bonner, a prominent grass roots consultant, reasoned that smaller cars would hurt the elderly, the disabled, and those who must transport children. So, in a matter of days, Bonner's 'shock yuppies' contacted elderly organizations, disabled groups, and the Boy Scouts in the constituencies of key conference committee members and created a torrent of opposition to higher fuel standards. In this way, Bonner helped change what easily could have been framed as an anti-environment vote into a pro-elderly, pro-disabled, and pro-Boy Scouts vote. (pp. 2 – 3)

Similarly, William P. Browne (1988) examined the focus of group lobbyists and determined that they not only lobby the policy-makers and members, but they also target the public with their information in hopes of generating public interest in the issue. Such

activities act as an indirect lobbying effort directed at the legislators with the message being delivered by way of public opinion.

Harmon Ziegler and Michael A. Baer (1969) studied the reasons legislators and lobbyists entered the political arena. They also examined the level of interaction which legislators had with lobbyists. Ziegler and Baer discovered that some legislators became involved in politics because of their desire to improve their community or to provide universal service to the state. However, they also found that other legislators became involved because they were interested in a particular aspect of public policy. In addition, they found that lobbyists generally became involved in politics because of a commitment to a specific organization's aim. Furthermore, Ziegler and Baer discovered the level of relationship between lobbyists and legislators was linked to the reasons each became involved in politics. Those legislators who became involved because of their commitment to serving for the good of the public often find themselves at odds with those lobbyists whose reason for involvement is narrowly focused, while those legislators whose motivation for political involvement was a specific area of public policy were the most receptive to lobbyists. The researchers also found that those legislators who had a specific political interest were more likely to interact with lobbyists and initiate conversation with them. However, they also note that while "...political socialization apparently influences the extent of interaction between legislators and lobbyists, this interaction is still further influenced by components of the general situational context" (p. 59). In fact, Ziegler and Baer determined that the more experienced the lobbyist, the more he/she is considered as a resource for legislators, both in regard to technical information and for an estimate in regard to the possible success of a particular piece of legislation the legislator is considering proposing.

Melvin A. Kahn and Robert L. Allegrucci (1981), who researched interest group lobbying within the state of Kansas as it related to aging programs, identified successful lobbying as "an exchange between interest groups and policy-makers" (p. 1). Kahn and Allegrucci outlined the information that an interest group needs to provide in order to convince policy-makers that the group can be a powerful resource that lawmakers can utilize: (a) The number of constituents which are members of the group. (b) The demonstration of the cohesiveness of all of the sub-groups who are working

together as a coalition to achieve common goals. (c) The demonstration of the group's strengths and desires as well as of the leader's possession of the group's trust and confidence. (d) The group's leadership has the authority to negotiate meaningful policy with policy-makers on behalf of the group, but relies on the members of the group to initially contact their personal legislators. (e) The group is able to show community support and public acceptance for their goals which was gained by involvement of its members in other community organizations (f) The group has a positive relationship with the news media. (g) The group must be able to gain access to legislators and demonstrate a significant level of support for the group's goals by its members.

The structure of the legislative process is important to understand. Kahn and Allegrucci (1981) outline the following important pieces of information: (a) It is important to acquire sponsors for the proposed legislation. (b) It is important to develop a relationship with the individual in the House and the individual in the Senate who assign bills to committees so the bill is more likely to be assigned to a committee which will enhance its chance for passage rather than to a hostile committee that virtually guarantees its death. (c) It is necessary to understand the importance of the committee and that a strong committee recommendation increases the chances a bill will pass so the representatives of the group should develop a good rapport with the chairpersons of every committee to which it could conceivably be assigned. (d) Grassroots lobbying through personal contact by members of the group with their legislator or having large numbers of group members visit the capitol on the day of the committee meetings are also important efforts in the process. (e) Testimony is seen by legislators as being very important, so it is imperative that groups recognize the importance of giving well-prepared, but brief testimony in front of committee members. (f) Also mentioned as important, is working with the staff of the House and Senate leadership. (g) In addition, when groups are lobbying legislators directly, a legislator may agree to help promote the piece of legislation within the legislative body. The more experienced legislators may even be recruited to help develop strategy as well as facilitate access to other legislative colleagues. (h) Making legislators accountable for their votes through roll call votes can then give the group the ability to distribute voting records to the constituents of legislators, as well as secure public commitments from legislators.

Kahn and Allegrucci also indicated that the following strategies tend to result in increased lobbying effectiveness: (a) Significantly expand the number of legislators that are actively lobbied; (b) Developing personal rapport with legislators rather than single attempts at persuasion; and (c) Professionalism (genuine, individualized contacts) exhibited during contacts. The researchers also indicate that lobbying by and for a special interest group is most effective when there is a department with a cabinet level rank and the head of the department has direct access to policy-makers.

de Figueiredo and Silverman (2002) concluded that lobbying is only effective to the extent that the legislator is in the position to deliver the level of funding that is believed to be necessary by the lobbyist(s). The more powerful position a legislator holds, the more likely the lobbying efforts will be effective. In addition, Stephen D. Ansolabehere, John M. de Figueiredo and James M. Snyder (2003) identify the differences between theoretical literature and the empirical evidence on interest group politics. According to Ansolabehere, deFigueiredo and Snyder, theoretical literature on interest group politics claimed that there is a connection between lobbying and the results of legislative votes; however, they point out that empirical evidence provides very little support for such a relationship.

Influence

The Theory of Influence

As previously alluded to by de Tocqueville in his accounts of political activity in the early years of the U.S. government, L. Felli and A. Merlo (2000) found that while policy-making is ultimately implemented by elected representatives, it typically is the outcome of a political process that includes non-elected individuals. They seem to go even a step further than the statement by de Toqueville and point out that in representative democracies, lobbying is an important part of policymaking because it allows citizens to influence the vote of an elected policymaker. The question then is how policy is affected by lobbying. Felli and Merlo concluded that:

Lobbying always influences policy. The elected candidate never implements the policy that would be implemented in the absence of lobbying. Policy is always the outcome of a compromise between the

policy preferences of the elected candidate and those of lobbyists who are included in the bargaining coalition. (p. 3)

If indeed, lobbying always influences policy, it is important to explore the research surrounding the term “influence”. Persuasion has been identified by researchers as being a component of influence. In fact researchers have determined that social influence is a broader concept under which the theory of persuasion is placed. According to Mary John Smith (1982), the theory of persuasion has three components:

(a) a statement specifying the generative force or motivating reason (known as the generative construct); (b) a statement describing a pattern of effects (known as the effects construct); and (c) a connective or linking statement stipulating how and under what conditions the generative force is likely to be joined with its effects (known as the boundary construct). A construct refers to sets of items or events which have some common characteristic. (p. 57)

Smith (1982) also indicates that she believes persuasive communication to have characteristics that distinguish it from more coercive forms of social influence because when a person is exposed to a message he or she has a perception of choice regarding the acceptance or rejection of the communicated appeal. She acknowledges; however, that other researchers believe that persuasive communication is a form of indirect coercion and that there is often little perception on the part of the receiver of the communication that there is choice involved. (pp. 9 – 12)

Kelton Rhoads, Ph.D. (2002) is an adjunct faculty member at the Joint Special Operations University and teaches the Advanced Influence Course for the PSYOP Officer’s Training Course at Fort Bragg. On his website, *Working Psychology- An Introduction to Social Influence: Rhetoric*, Rhoads described the history of social influence and persuasion. Since Aristotle recorded his principles of persuasion, humans have attempted to define and refine the principles of successful influence. Persuasion has been studied as an art for most of human history. (¶ 2)

The comparatively young science of social influence, however, can trace its roots to the Second World War, when a social psychologist named Carl Hovland was contracted by the U.S. Armed Forces to bolster the morale of

soldiers. President Roosevelt was concerned that Americans would lose the will to fight after winning victory in Europe. It was Hovland's job to motivate soldiers to continue fighting against Japan. Since World War II, social influence has become a vastly expanding field of study devoted to discovering the principles that determine our beliefs, create our attitudes, and move us to action. (¶ 3)

Rhoads suggested that persuasion is common in our society, in fact he points out that there are many agents of influence who operate all around us. They make a living out of getting us to think certain ways and to do what they want us to do. In addition, he also indicated that most individuals are either unaware of the attempt to influence their decisions, or they believe that they will be able to resist such an influence. The agent of influence who is successful knows that a situation can be managed by choosing the technique or the bit of information which will trigger the desired response from the targeted individual.

Serge Moscovici (1976) reported that the following are the reasons why and how a group tries to impose its view on an individual or another group, in addition to the reasons why that individual or other group is receptive to the views of a group trying to impose its views. (a) There is unequal distribution of social influence within a group; (b) The purpose of social influence is to retain social control; (c) To establish and continue the need to be a part of a group for the purpose of approval of self; (d) Individuals who are unsure of themselves are easiest to influence; (e) Promotes the idea that social consensus is a way of adapting to the outside world; (f) The purpose of social influence is to promote conformity; (g) Power doesn't cause influence, but power is a by-product of influence; (h) Members of a group both influence others and are influenced by others; (i) Social change and social control sometimes are complements and other times are opposites; (j) In the process of persuasion, one first attempts to make others unsure of their opinions so conflicts can be resolved to the first person's benefit; and (k) Includes normalization, conformity, some concession to validate a certain amount of personal judgment on the part of the other person to guard against rebellion.

According to Rhoads (1997) on his website subject, *Persuasion Peddlers & Magic Elixirs*, there is bad information everywhere. He wrote of the fact that information

used to travel slowly travel from person to person. Today, information is acquired from media broadcasts, newspaper print, radio news and talk shows, the internet through blogs, etc., so-called experts even develop seminars out of bad information, and then the information is passed along in neighborhoods and at work. Rhoads also expressed a concern that misinformation is often presented in a sophisticated way which then “contaminates” common knowledge and changes the understanding of individuals when the masses access the misinformation through media. When the misinformation is not detected and is not corrected by verifiable fact, it can cause errors and mistakes to be implemented which may lead to a disastrous result. Rhoads acknowledges that of those seeking to influence others, some are knowledgeable, thoughtful, and effective, but he also believes that there are a number of individuals who are “brash and ignorant people who mix a little truth with a lot of propaganda and a feel-good philosophy to create their own ‘magic elixirs of persuasion’ ” (§ 10).

Mary John Smith (1982) indicated that there are different concepts of persuasion. One of those concepts is transactional persuasion which is considered to be a developmental process which involves two or more persons who “engage in mutual and simultaneous interaction and influence...With each exchange of messages, the participants grow and change. Each is influenced by his or her interpretation of the others’ messages” (p. 5). According to Smith, the interaction is often dominated by one of the participants. Another concept of persuasion is one of intentional persuasion where one or more persons purposely seek to influence one or more other individuals. She also stated that the person does make a choice as to whether or not they wish to be influenced by the ideas of another. “...Theorists agree that people’s responses to messages may take the form either of cognitive reorganization or overt behavioral change” (p. 7). Smith further states that: “Cognitive reorganization entails creation, reinforcement, or change in internal processes like beliefs or feelings, and behavioral change signifies overt actions prompted by altered cognitive dispositions” (p. 7).

Rhoads (1997) in the section of his website titled, “*Cults: Questions & Answers*”, indicated that social influence includes cults which he defines as a group of people who organize around a strong authority figure. He also indicated that cults, as do other groups, often attempt to expand their influence to gain power or money. In order to reach

such goals they have to make use of a powerful mixture of influence techniques and dishonesty to gain psychological control by some means. Interestingly enough, according to Rhoads, there are four basic types of cults, one of which is political. He indicates that political cults are organized around a political dogma, as was the cult known as Nazism. Rhoads pointed out that, today, in the left and right wings of American politics one can find cults although he does not identify the political cults he believes exist.

Mary John Smith (1982) indicated that the incentive theory of influence “assumes people adopt new ways of believing and behaving because they perceive them as rewarding or goal satisfying. It regards people as active agents who seek to maximize rewards and minimize punishments” (p. 133). The theorists who believe that money influences the vote of policymakers evidently believe such contributions to be an incentive. The statements that are made by those theorists also reference the assumed fear of incumbent policymakers that the organization will work against their re-election efforts therefore imposing a punishment upon the policymaker for not supporting their position.

Types of Influence

Jennifer N. Victor (2002) addresses the inability of scholars to agree on a definition of influence and the difficulty scholars face in understanding interest group influence.

Some argue that previous definitions of influence are so narrowly defined that the results are not applicable to the general population. Whether it is votes, attention, policy change, money or something else, influence is difficult to define, and therefore difficult to study. If groups exert influence over the legislative process, what type of influence is it and what effect does it have? For the same reason that scholars have been unable to agree on a definition of influence, scholars have been unable to determine a single measure of influence; every definition has its own measure. While some studies have made significant contributions to our understanding of interest groups and Congress, their conclusions require

one to believe that influence over votes is equivalent to influence over policy making. This is ironic since most scholars agree that if members are influenced by interest groups, they are *least* likely to be influenced at the voting stage of legislation. (pp. 4 – 5)

Ken Kollman (1998) also discussed the influence of lobbying. In his research, he found that even when the attempts to change the minds of policymakers are blatant and noticeable, it is rare that a legislator switches from opposing a bill to supporting it, or vice versa. The effect is normally more subtle, such as where the policymaker changes from weak supporter to a stronger supporter (or opponent). Outside lobbying efforts by constituents does at times influence policymakers although it is believed that it generally is most effective when legislators are wavering. The policymakers are more likely to respond to straightforward expressions of constituent concern and knowledge than to well-financed lobbyists representing special interests who may mislead a legislator particularly when focusing on the desires of that legislator's constituency.

Kollman related the case of Jim Slattery (D-KS) which is considered a “dramatic example” of the influence of constituents. This example follows:

During the 1994 health care debate, Slattery, a Kansas Democrat and a key member of the House Energy and Commerce Committee who happened to be running for governor of Kansas, changed his mind on policy directly following a vigorous outside lobbying campaign by the National Association of Life Underwriters (NALU), an association of small and medium size insurance companies. Prior to the outside lobbying, Slattery was publicly supportive of Clinton's health care plan. The NALU....organized meetings with constituents in many small towns, and convinced hundreds of Slattery's supporters to write him letters urging him to oppose employer mandates.On April 22, little more than a month after Slattery's public announcement of support for the Clinton plan, he announced publicly that he could not support employer mandates and therefore could not support the Clinton plan. (p. 73)

George Alderson and Everett Sentman (1979) wrote that decisions made by legislators are strongly influenced by those who provide them with information they trust.

Most legislators do not have the time to analyze the information they receive from concerned resources so they rely on their personal staff who have been assigned to monitor the committee which has considered the legislation. That decision often reflects what the staff believe their boss would want to hear. [In Kansas House of Representatives, the only legislators who have personal staff who might be assigned to monitor the committees would be the Speaker of the House, the Speaker Pro-Tem, the Majority Leader and the Minority Leader.] According to Alderson and Sentman, “citizens and citizen groups can fill this gap by providing reliable information on how legislation would affect your community and state” (p. 22).

R. T. Boylan (1996) contended that donations or perks provided by the lobbyist are distributed to a legislator either because the legislator was the main sponsor of a piece of legislation desired by the lobbyist or because of the positive vote of the legislator. These donations or perks are not designed to be campaign contributions to a candidate, but they are a means of influencing a current office holder. This last statement is somewhat corroborated by the conclusions made by Solet and Hutt with the example of lobbyist activities on behalf of the tobacco industry. [However, at this point, it should be noted that K.S.A. 25-4153a prohibits lobbyist and business contributions to campaign funds of any elected state official after January first until after the official end of the legislative session (sine die). Therefore, the donations to federal policymakers as described by Solet and Hutt could not legally occur in Kansas in regard to state legislators.]

In contrast, J.M. de Figueiredo and Brian Silverman (2002) identified the difficulties researchers have in determining the economic returns obtained by lobbying organizations. They indicate that when attempting to collect and measure data there are four challenges:

- (a) It is difficult to measure lobbying expenditures.
- (b) Many government policies lack identifiable pecuniary returns, thus making it difficult to measure the monetary value of policy outcomes that have been influenced by lobbying.
- (c) Organizations typically employ multiple instruments to exert political influence, including lobbying, PAC contributions, and grassroots lobbying, creating statistical challenges to

estimating the returns to lobbying. (d) It is difficult to control for the intrinsic quality differences among competing lobbying interests. (pp. 1 – 2)

Although other researchers had determined that there is little proof of a money and legislative vote connection, Peter Katel (2005) indicated that the lobbying rule-of-thumb is the more money spent lobbying the better off the lobbyist will be. An example of a major piece of legislation that allegedly was influenced by corporate lobbyists “includes the Medicare bill of 2003, which added prescription-drug benefits while limiting government power to bargain for lower prices” (p. 617).

Ideology serves as a source of legislative policy positions. Although there haven’t been many studies that focus on this aspect of influence, Clausen (1973) offered the opinion that one can’t ignore “the fact that one-half of the members of the House can be classified as being liberals or conservatives on the basis of their positions on four domestic policy dimensions” (p. 117). He goes on to point out that

liberals are inclined to support federal government activity on a variety of fronts, without close inspection of specific programs, in the belief that federal government action is needed to solve or mitigate most problems... *conservatives* are inclined to oppose most forms of federal activity as too costly and of dubious merit. Problems are best left to private initiative or to local governments more knowledgeable of their origins and possible solutions. (p. 117)

Interestingly enough, Clausen opined that individuals may be affected by loyalties they have to parties and by ideological points of view but he emphasized that they aren’t controlled by those loyalties because they are too independent in their policy choices. Clausen also indicated that partisan influence is enhanced when there is a decline in constituency pressure, when the legislator’s decisions are less visible, and when roll call votes can be used to develop partisan campaign issues. Clausen repeated the thought that the influence of party changes according to the types of policy to be considered.

Matthew Jarvis (2001) reported that some specific types of publicity are also a factor in state policymaking. Jarvis points out that voting is a public action and an opponent may use that vote to attack the incumbent legislator. He goes on to indicate

that co-sponsorship information is public, but is less likely to be used against the incumbent by a challenger, particularly if the bill didn't pass or it was considered a minor bill. The private and public support provided for the legislator is related to the electoral incentive which the legislators receive for the position they take on a given policy vote which including the receipt of campaign contributions. Jarvis identifies four motivations for decision-making in Congress: campaign contributions, district-interest, ideology and party.

Aage R. Clausen (1973) referred to the importance of the viewpoints of a given legislator's constituency when looking at a legislator's position on an issue. He pointed out that when there is widespread dissatisfaction existing within the constituency regarding the legislator's lack of representation of their views, the legislator will most likely be heavily criticized. In fact, "John Q. Voter may be interested in only one representational relationship, the one between the representative and himself. It is not his concern if the legislator fails to represent this or that constituency, so long as he represents John Q" (p. 127).

Clausen (1973) also identified two forms of constituency influence. They are as follows: (a) the congressman understands and knows a great deal about the political orientation of the constituency he represents; (The congressman makes a habit of regularly surveying constituents and of studying demographic information from his district.) and (b) the congressman perceives the needs and receives the demands of the constituency he represents. (These are communicated by letters, telegrams, signed petitions, delegations to the congressman's office, editorial comments and other means by which constituents seek to influence the congressman.) Clausen concluded that a legislator's constituency appears to be as important an influence on policy as does the party. In fact, Robert W. Becker, Frieda L. Foote, Mathias Lubegas, and Stephen V. Monsma (1962) studied the relationship between certain characteristics of legislative constituencies and the voting behavior of their representatives given certain types of issues. They indicated that state legislators didn't stray from party positions when voting on issues except that those legislators whose party's positions were not typical of their district's demographics were more likely to deviate from their party's position.

While most of the research focuses on Congress, Nathan S. Bigelow (n.d.) studied representation of the citizens by state legislators. He reported the results of his research when he tested three competing theories of representation in state legislatures. He identified the following theories: (a) district *congruence theory* (which refers to the existence of a close connection between legislative roll-call voting and district opinion); (b) *responsible parties theory* (which references the importance of the party affiliation in explaining legislators' votes); and (c) interest *representation theory* (which refers to the interest groups for which a legislator will make favorable votes). He believed that political parties impose on their elected members a certain level of expected support for specific policy positions.

Bigelow (n.d.) also indicated that interest representation occurred most often when legislators face easy reelection. District congruence is found by Bigelow to be somewhat important as well, although curiously, competitive elections do not cause increases in the responsiveness to the district by incumbent legislators. In his research, Bigelow points out that in order for a representative government to fulfill its pledge, it must act in response to public opinion. At the congressional level, evidence supports a connection between legislative behavior and district opinion. Research on the state level found a connection between statewide public opinion and state policy as well. Bigelow found that at the state legislative district level, preferences of constituents directly influenced legislative roll-call positions as did parties acting as a connection for the people and their state legislators. He also determined that party leaders and interest group activists hold much more polarized views of policy than do the public.

Aage R. Clausen (1973) similarly reported that when voting on policy questions, members of Congress tend to look at policy questions and vote on them based on their own belief system, their belief of what the interests and viewpoints of their constituency are, their relationships with interest groups and their loyalties to their party. In the responsible party model, legislators are more likely to vote the party line than represent their districts. Additionally, Bigelow (n.d.) discussed the idea that to truly have responsible party government there must be a firmly disciplined legislative body held to roll-call voting along party-lines. However, he also pointed out that

parties in the United States do not have the ability to control the votes of their members because parties cannot remove a member for voting against their wishes. Party leaders can, however, offer benefits to members who toe the party-line, in other words, parties must use the carrot rather than the stick by offering such benefits as prime committee assignments, chair assignments, help in introducing/passing legislation, etc. Recent research finds that party is still extremely important to understanding representation in the state legislatures. (pp. 4 – 5)

According to Bigelow, not everything is equal. Electoral and institutional variation empowers the principals differently. These variations include the electoral competitiveness of each representative's district and the nature of their legislative institutions. He found that in electorally competitive districts, district opinion is a stronger predictor of legislative voting than it is in uncompetitive districts.

Bigelow concluded that there is no greater judge of the results of a legislative roll-call than party membership. In other words, business may not secure its interests by influencing legislator's roll-call decisions, but instead affects outcomes by controlling what gets considered by working with the leadership of the majority party. If the goal is closeness to the people, then the legislators must connect with their constituents. Thus governmental reforms aimed at what is considered by Bigelow as attempting to amateurize legislatures, including considering proposals for term-limits or suggestions to cut staff and legislative salary, may actually negatively affect the ability of the representative to be a voice for their districts as a whole.

David Lowery and Virginia Gray (2001) report that data about lobbying organizations is more available now because lobbying regulation practices in the states allows scholars to compare populations of the interest organizations. They do, however, express caution when using lists of organizations seeking influence in order to draw conclusions about interest system biases. In fact, they indicate that

these lists give little information to researchers in regard to influence and the potential biases that groups bring with them as they attempt to influence the votes of legislators. In terms of simple numbers, business, especially institutional interests, are dominant and increasingly so. While

arguing about whether the interest system is becoming somewhat more or somewhat less biased, relative little attention has been accorded to the dynamics of bias. Much of what we know about the dynamics of interest communities bears directly on the issue of developing a concept of what interest communities might look like in the absence of bias. (pp. 4 – 5)

Despite the viewpoints of researchers (Katel, 2005; Lowery & Gray, 2001; and Tollison, 1988), there are conflicting viewpoints regarding the impact of lobbyists on policy. Many researchers have found that there is little nexus between the different lobbying strategies and the vote of the policymaker; however, it would stand to reason that there must be at least the perception of some gain or the practice would not continue.

Research to Date and Its Relationship to This Study

The literature points out that lobbying has indeed long been a part of the legislative process both on the federal level and the state level and it continues to currently hold a similar importance. Research has identified many important factors which are connected to influence, lobbying, and lobbyists. Some of the researchers (Katel, 2005; Lowery & Gray, 2001; Tollison, 1988) have developed theories which link legislative votes to lobbyists and contributions to the legislators. Other researchers have indicated that there is little empirical evidence to show those contributions by lobbyists impact the voting patterns of legislators. In fact, several researchers (Becker, Foote, Lubegas & Monsuma, 1962; Bigelow, n.d.) have shown that there are other factors which are more likely to influence the votes made by legislators, including the information provided through the lobbying process. Still another researcher (Clausen, 1973) found that the constituency of legislators imposed the greatest influence on the legislators' votes on policy issues. As Jennifer N. Victor (2002) pointed out, there does seem to be a general inability of researchers to agree on many aspects of influence as it relates to the legislative process. Kishore Gawande (2005) also indicated that although there are several studies which show lobbying influences on farm policy, there are very few studies which have looked at lobbying influences on other policy issues, thus there is a gap in the literature.

In addition, with the exception of two studies, there also appears to be a gap in the presence of literature which specifically references studies of education lobbyists and their attempts to influence education policy. This researcher determined that two research groups (Matthew J. Brouillette & Ann C. Thomson, 2002; and Melvin A. Kahn & Robert L. Allegrucci, 1981) researched some aspects of the involvement of lobbyists in education policy; however, their studies were limited to school finance and retirement issues, respectfully. The research of Brouillette and Thomson (2002) was focused on revealing the structure of the lobbying of the Pennsylvania State Education Association and its ability to command a large portion of state funds. In their research, Kahn and Allegrucci (1981) studied the strategies used by a group of retired educators who had lobbied legislators in order to gain the ability to participate in the Kansas Public Employee Retirement System (KPERs). While these two studies have education issues as a focus, they generally focused on one type of lobbyist and the strategies they used.

Also, there are areas of lobbying about which this researcher has asked questions that were not the focus of either of these two studies or of any of the other research which were studied for the purpose of the Review of the Literature. In the opinion of this researcher, the gaps in the literature are as follows: (a) the influence different types of lobbyists (association, cause, company, contract, governmental, and grassroots) had on the development of any education policy; (b) the perception of legislators on whether or not the attempts to influence their votes on public education policy were successful; (c) the lobbyists perception of the success of the strategies used in their attempt to influence public education policy; (d) the information sources which influence the positions taken by education lobbyists and (e) the potential differences in strategies employed by education lobbyists when working with a legislator with a great deal of experience with education and education issues as compared to strategies used with those legislator who have little or no experience.

In addition, Jeffrey M. Berry (1984) mentioned gender as a possible reason for success or the lack of success by lobbyists, but he does not elaborate on gender differences which may exist within the individual's preferred lobbying strategies. There also is a gap in the research which does not address the perceptions of the legislators who are the recipients of the lobbying strategies in regard to any preference of lobbyist's

gender, nor is there any literature identifying the perception of success or lack of success of education lobbyists in regard to the lobbyists' gender. Also, the information regarding generations provided by William Strauss and Neil Howe indicates differences in the manner in which individuals who are from different generations react to the same external stimuli; however, there is a gap in the research which speaks to the generational differences in lobbyist strategies and the success or lack of success in regard to the interaction of lobbyists and legislators who are from the same generation or from different generations.

The above mentioned gaps in the literature were the focus of this study while using the lobbying strategies identified in the literature as a guide for identifying strategies used by the registered education lobbyists as they sought to influence the public education policy in Kansas from 1995 – 2006. In addition the types of influence identified in the literature review of the theory of influence were used to identify the types of influence used by the education lobbyists as they attempted to influence public education policy in Kansas. The review of the literature provided a guide for determining the research questions.

The methodology which the researcher has selected in order to conduct this study was focused on providing a deeper understanding of the nature of lobbying as it applied to the attempts by registered lobbyists to influence K-12 public education policy in Kansas from 1995 – 2006. The information provided by the Literature Review in regard to lobbying, lobbyists, and the theory of influence served as a resource as this researcher conducted research that was intended to collect data in order to effectively answer the research questions and therefore further the understanding of the role lobbying played in developing education policy in Kansas from 1995 - 2006.

CHAPTER 3 - Methodology

The researcher determined that the design of this study generally would follow the qualitative method of inquiry. The study, in general, exhibited the five features of qualitative research as identified by Bogdan and Biklen (1992). The features are as follows:

1. the direct source of data was the natural setting and the key instrument was the researcher;
2. the data were collected in the form of a narrative or pictures of events, etc.;
3. the process was more important than outcomes or products;
4. the data were evaluated inductively; and
5. the perspectives of the participants were the main focus of this type of research.

This research was completed within a natural setting which was the Kansas State Capitol where the legislators meet and make decisions, where lobbyists testify before committees and where the documents surrounding legislation are generated and stored. Interviews were conducted with legislators who were the chief leadership of the House Education Committee and registered education lobbyists who testified in favor of or in opposition to the bills selected by the Expert Education Panel as being the most important non-school finance legislation considered by the House Education Committee from 1995-2006.

Interview Protocol

The interview protocol included the following: (a) Names and titles of those individuals to be interviewed for each protocol and (b) Settings for the interview varied depending on the convenience of the interviewee and the researcher and the availability of a room in which to conduct the interview. (c) The researcher used a recorder to record the interviews. (d) Also, the researcher prepared a packet of interview questions and any needed accompanying information for each interviewee, thus enabling the interviewee to

read the questions as the researcher asked them if the interviewee desired. (e) Whenever possible, the interview information was sent prior to the interview so the interviewee had prior knowledge of the questions. The interview questions which were demographic in nature were in a format which the interviewee was asked to complete prior to the interview. This allowed the interview time to be focused on questions which needed more probing. (f) Field notes captured information regarding the interview site, the interviewee's body language, etc.

The demographic questions were a part of the interview questions and were attached to the remainder of the interview questions. The legislators had a form specifically designed for them as did the lobbyists. The demographic questions which were asked included the interviewees name, age, gender, length of time they were a legislator or a lobbyist, self-identification of type of lobbyist they are [a list of definitions of types of lobbyists were included], the preparation they had for becoming a legislator or a lobbyist, and legislators were asked to self-identify their philosophy by circling the term they felt best described their viewpoints or they could develop their own description if they chose..

The interview questions for both legislators and lobbyists are found in Appendix A and B. The sources for the proposed interview questions for both legislators and lobbyists are the research questions and the review of the literature. These specific sources for the questions are outlined in Appendix A.1, A.2, B.1 and B.2.

To prepare for the interviews, the researcher familiarized herself with the questions and their order thus maximizing eye contact with the interviewee. In addition, verbal transitions from one question to another were used so the interview will be more conversational. The procedures which were followed at the interview site are outlined in Appendix F.

Interviews were conducted with the legislators who were the Chief Leadership of the House Education Committee from 1995 – 2006. The researcher contacted and set up interviews with all House Education Committee Chairmen, 1995 – 2006 except one of the Chairmen who was out-of-state and was unavailable for an interview. Likewise, all Ranking Minority Members of the House Education Committee, 1995 –2006 were contacted except one of the Ranking Minority Members also was unavailable to be

interviewed. Also participating in interviews were a number of registered education lobbyists. The lobbyists who were contacted for an interview were those registered lobbyists who had testified before the House Education Committee on bills selected by a panel of education experts. As with legislators, two of the lobbyists were unavailable for an interview. One has moved to Washington, D.C. to lobby Congress and another had a very ill parent. A total of 14 interviews were completed. Six of the interviewees were legislators and eight were lobbyists.

The data collected through the interviews were used in order to describe the types of lobbyists who lobbied the Kansas House Education Committee, the strategies used by the lobbyists and the types of influence that they attempted to have on various legislators as education policy was being determined.

Document Selection Process

In order to select the documents related to this case, the researcher took the following steps:

1. The researcher selected four bills which had been granted a hearing before the House Education Committee during each session year from 1995 through 2006. Two of the bills had been recommended for passage by the membership of the House Education Committee and two of the bills did not receive the Committee's recommendation for passage. The criteria used for selecting these bills was as follows: (a) The bills had received the most interest from the press; (b) The bills had received the most interest from the public and practitioners; and/or (c) The potential change the enactment of the legislation would create in the operation of K – 12 schools as documented through testimony and/or committee discussion.

The above factors were determined by looking at news clippings, House Education Committee minutes, and testimony from the years 1995 – 2006 and by determining the number of individuals who testified in favor of the bill and in opposition to the bill.

2. The four bills were then given to a panel of three education experts, one who was a retired superintendent of schools, another who was an active assistant principal of a Kansas high school, and one who was the retired director of a vocational technical school which enrolled high school students as well as post-secondary students. The panel of three educators individually selected from each year, one bill which was recommended for passage by the House Education Committee and one bill which was not recommended for passage by the House Education Committee. The panel members selected the bills that they felt would have impacted K – 12 students and staff the most if it had become law.

3. Legislators who were interviewed also individually selected from each year one bill which was recommended for passage by the House Education Committee and one bill which was not recommended for passage by the House Education Committee. The Legislators selected the bills that they felt would have impacted K – 12 students and staff the most if it had become law.

5. After the panel and the legislators selected the two bills from each year, this researcher studied the testimony provided to the committee for each bill to determine the impact the lobbyists' recommendations had on the action House Education Committee members took regarding the selected bills. The testimony and minutes which referenced the bills selected by the Expert Education Panel and the Legislators were a part of the data collected.

The researcher also allowed the data collected through interviews and from documents to guide the study. For example, additional questions were developed as the interviews were conducted. Studying the documents which referenced the bills also generated questions. The focus of the study was to understand how lobbyists influence legislative policy. The manner in which the data were collected, procedures which were followed during analysis, and the verification of the data followed the case study tradition within the qualitative method of inquiry.

Description of Methodology

The researcher has established that the qualitative tradition of inquiry which formed the framework of this research is a case study. She also has determined that a case study provided the best opportunity to explore the world of education lobbyists and the strategies they used while attempting to influence legislators who made decisions regarding proposed education legislation during 1995 – 2006.

Creswell (1998) indicated that a case study is “an exploration of a ‘bounded system’ or a case (or multiple cases) over time through detailed, in-depth data collection involving multiple sources of information rich in context” (p. 61). The system is “bounded by time and place, and it is the case being studied—a program, an event, an activity, or individuals” (p. 61). The bounded system which applied in this study included the following: (a) the time period covered is 1995 – 2006; (b) the location was the Kansas State Capitol Building in Topeka, Kansas; (c) the activity studied was the lobbying of legislators in order to influence education policy decisions made by legislators; (d) the individuals which were involved in the study were education lobbyists who were registered with the Secretary of State’s office and the chief leadership of the House Education Committee during the years 1995 – 2006; and (e) the documents which were studied were selected bills from each year, the testimony, and the minutes which covered the committee actions that are connected to those selected bills.

Bogdan and Biklen (1992) indicated that a qualitative case study is a thorough assessment of one issue, one site, a collection of documents or one specific event. As mentioned previously, the researcher sought to understand the manner in which lobbyists attempt to influence education policy by conducting a detailed analysis of all collected data. In addition, Bogdan and Biklen pointed out that research activities in such a study are at first “broad exploratory beginnings” (p. 62) which “move to more directed data collection and analysis” (p. 62). Creswell further indicated that the researcher might select several programs which would be considered a multi-site study or a single-site which would be considered to be a within-site study. The phrase, multiple sources of information, as used in a case study, could include “observations, interviews, audio-visual material, documents, and reports” (p. 61). This researcher used multiple sources

of information, including interviews of education lobbyists and interviews of legislators who held leadership positions in the House Education Committee from 1995 – 2006. Also, this researcher studied, the testimony and the minutes which are connected to selected bills [other than school finance] which were introduced from 1995 – 2006.

Bogdan and Biklen also acknowledged that there are different types of case studies and “each type has special considerations for determining feasibility for study as well as procedures to employ” (p. 62). The researchers identified the following as types of case studies: (a) *Historical Organizational Case Studies* which trace the development of an organization over a period of time; (b) *Observational Case Studies* which on a particular organization or some aspect of it; (c) *Life History Case Studies* which generally focus on one person; (d) *Community Case Studies* which focus on a neighborhood or an entire community; (e) *Situational Analysis Case Studies* which focuses on a particular event and the points of view of the participants; and (f) *Microethnography* which focuses on the very small parts of an organization or a particular activity performed by an organization.

The researcher has determined that the design of this study was an observational case study because the study focused on a specific group of people and an activity in which they are engaged (understanding the influence that registered lobbyists had on the policy decisions made by members of the Kansas House Education Committee which is a function of the Kansas House of Representatives.) The study was limited to the years from 1995 – 2006. The years from 1995 – 2006 were selected because they covered a span of time which included legislators and lobbyists that had differences which included the areas of gender, generation, philosophy, and careers.

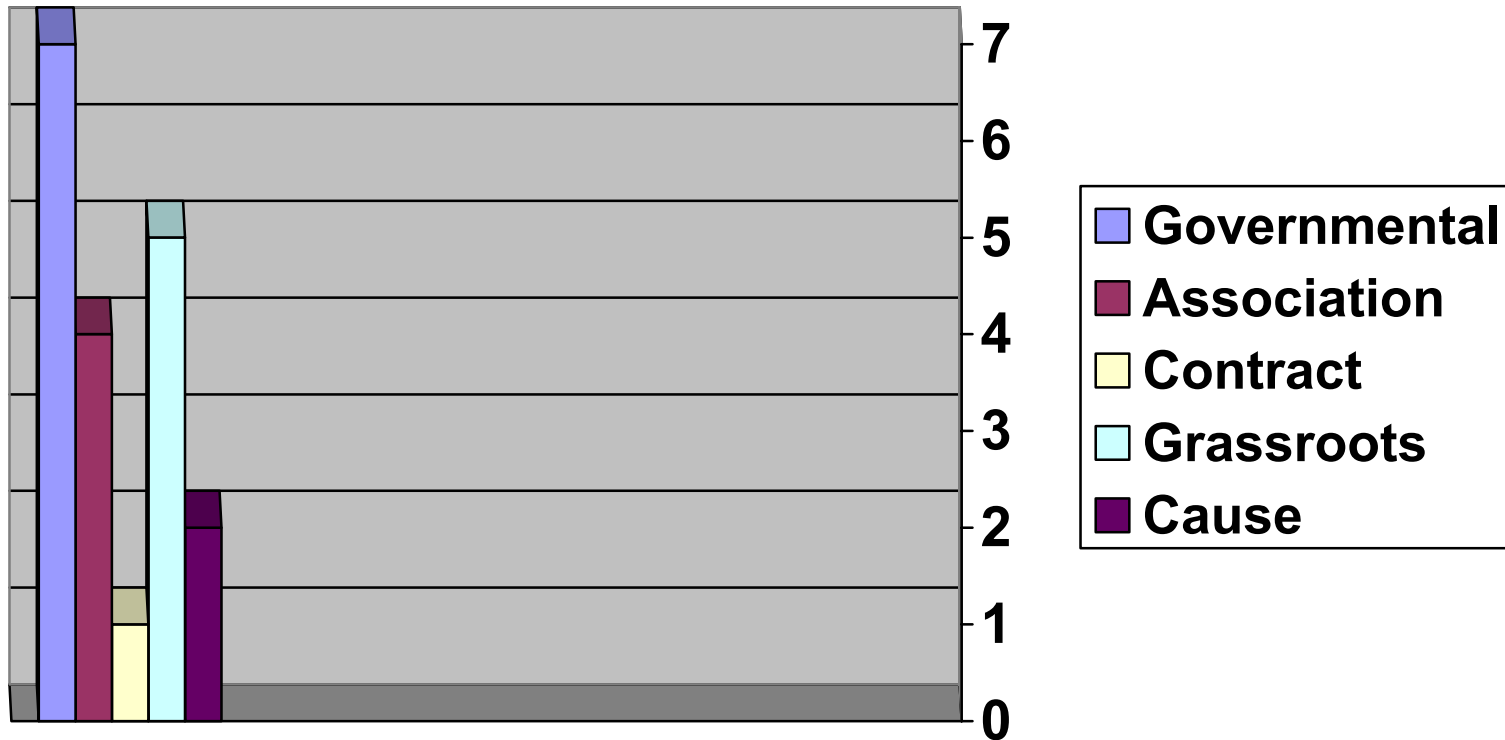
John W. Creswell (1998) also indicated that a case may exist “because of its uniqueness, requires study (**intrinsic case study**)” (p. 62). or the focus of the case “may be on an issue or issues, with the case used instrumentally to illustrate the issue (an **instrumental case study**) (Stake, 1995, as cited by Creswell)” (p. 62). When there more than one case is studied, it is referred to as a **collective case study** (Stake, 1995, as cited by Creswell).” (p. 62) Creswell also addresses the collection of data. He points out that a case study involves wide-ranging data collection and draws on “**multiple sources of**

information such as observations, interviews, documents, and audio-visual materials”.
(pp. 62 – 63)

The case which this researcher conducted focused on an aspect of an organization (the Kansas House of Representatives). That focus was on the points of view of those who were participants (8 registered lobbyists and 6 legislators who were the chief leadership of the Kansas House Education Committee) in the development of education policy and on documents which were generated through the policy-making process. The data were collected in an in-depth manner and involved multiple sources of information that were rich enough in detail to provide a description of lobbying as it applies to education policy-making in Kansas and furthermore, to develop an understanding of the manner in which lobbyists influence education policy in Kansas. (See Figure 3.1, p. 66)

Figure 3.1 Types of Lobbyists Which Influence Legislators

Number of Lobbyists of each Type



CHAPTER 4 - Data Sources and Data Collection

One of the sources of data was the interviews of registered lobbyists who appeared before the Kansas House Education Committee and provided testimony on a selected bill. While there are other types of lobbyists who are not registered who also contact legislators regarding proposed education policy, the researcher determined that only registered lobbyists would be interviewed because of time limitations and the inability to identify all of those individuals who contact legislators. Lobbyists who are not registered with the Secretary of State are considered grassroots lobbyists and although the presence of grassroots lobbyists may be acknowledged, they were not interviewed. Those lobbyists who have registered with the Secretary of State and who had testified in favor of or in opposition to the bills selected by the Expert Education Panel were interviewed by the researcher.

In addition, current and past legislators who have served in a chief leadership position on the Kansas House Education Committee during the years of 1995 – 2006 were interviewed. Again, the researcher determined that because of the limited amount of time available, the interviews of legislators were limited to those who have served in the committee chief leadership positions of Chairman and of Ranking Minority Member.

The documents concerning the selected significant non-school finance education legislation provided the final source of data. The bills were selected by a panel of three educators who had building or district administrative experience during the time frame of this research. The procedures followed by the researcher in regard to the selection of the significant non-school finance education legislation were as follows:

1. The researcher made a deliberate decision to include only those bills which affect general K-12 education policy, excluding any bills regarding school finance. [School finance is an issue in and of itself and likely would dominate this study which is intended to cover the broad scope of school law].
2. A list of introduced bills available for consideration each session from 1995 to 2006 was perused by the researcher.

3. Two bills that received a majority vote of the House Education Committee and two bills that did not receive a majority vote were selected according to the following selection criteria: (a) the amount of interest generated by lobbyists; (b) the amount of attention received from the media; and (c) the potential change the enactment of the legislation would create in the operation of K – 12 schools as documented through testimony and/or committee discussion.
4. Summaries of the bills selected were then submitted to a panel of three education experts who were asked, based on the criteria listed above in number 3. to select one bill that was recommended for passage by the House Education Committee and one bill which was not recommended for passage. (The panel included a retired superintendent, a retired building administrator, who also is a current school board member, and a practicing building administrator.) The criteria the panel membership considered as they determined which bills to select was as follows: (a) the potential change the enactment of the legislation would create in the operation of K-12 schools; (b) the change that would be created for students, the change that would be created for staff; and/or (c) the change that would be created for parents.
5. The documents connected to the bills selected by the panel were then used data collection. In addition to the selected bills, the documents found by the researcher to be of value to this study included, but were not limited to, the testimony to the committee, any amendments, and the minutes which referenced the selected bills. The selected documents were connected to proposed policy considered by the members of the Kansas House Education Committee from 1995 - 2006 and were a data source. The participants, both lobbyists and legislators, were also a source of data collection.

Research Setting

The natural setting of this research was the Kansas Capitol Building in Topeka, Kansas, which was the location where the Kansas Legislature met and made policy decisions. It was in this setting that committees met in order to hear testimony either in

support of or in opposition to a proposed change to current statutes. Each committee had a committee room in which it was assigned to meet. A committee secretary was assigned to each committee. Each week, the secretary, at the direction of the committee chairperson, submitted to the Clerk of the House, the agenda for each committee meeting that week and for the following week. It was then printed in the House Calendar.

In addition, on each day the committee met, the committee secretary was expected to record the committee meeting. The secretary also summarized the testimony and the discussion. Any action taken by the Committee was also to be recorded into the committee minutes of each meeting. The committee secretary was also responsible for providing a sign-up sheet for all non-legislators and non-legislative state governmental staff who attended any part of the meeting. The list became a part of the permanent record of the committee meeting. The committee meeting minutes were printed in draft form and then are approved by the committee at a later committee meeting.

At the end of each legislative session the committee secretary prepared a report which included all of the committee minutes as approved by the committee, written copies of all testimony presented before the committee on all bills which were heard by the committee and any other accompanying documents. After the committee report was filed with the Clerk of the House, the recordings of the meetings were erased, according to long-standing practice and legislative rules. The committee report was then archived and is available on microfiche which is located in the office of Legislative Administrative Services.

In addition, each committee has at least one researcher and one revisor who are assigned to the committee. The researcher was responsible for knowing or being able to access the content of and the history of the current laws. In addition, the researcher was also familiar with the statutory language used by other states regarding the issue(s) being considered by the committee and the positive and negative results experienced by other states which have enacted legislation similar to the legislation under consideration. The researcher was expected to do extensive research of any topic when requested by a legislator. The researcher also was expected to write the Supplemental Notes for the bills as they were passed out of committee. (The Supplemental Notes give the history of the action taken on the bill and a summary of what the bill does. The Supplemental Notes

also summarized the testimony given in support of and in opposition to the bill.) The revisor wrote the language of the bill and also wrote any amendments which were intended to adjust the effect of the bill.

The responsibilities of the leadership of the committee were as follows: (a) The Chairman was responsible for determining which bills would be heard by the committee, for determining which bills would be considered for committee action, for chairing the committee business, for appointing the sub-committee leadership and its members, and for attending the chairperson's weekly luncheon and meeting with the House majority party leadership. As a member of the majority party, the Chairman provided the chief leadership of the committee for the majority party. (b) The Vice-chairman was also a member of the majority party and was responsible for chairing the committee business meeting in the absence of the chairman or when the chairman was giving testimony to the committee. For each bill which has passed the committee, the Vice-chairman was responsible for writing the bill brief that summarized the bill and was presented to the early morning majority party caucus on the day the bill was scheduled to be considered by the entire House of Representatives. (c) The Ranking Minority Member was the chief committee leadership for the minority party and was responsible for preparing for the minority party caucus, the bill brief for each bill which had passed the committee. The Ranking Minority Member was also responsible for advising the Chairman of the minority party's position on issues pertinent to the committee.

In addition to the leadership of the committee, there were other legislators who had been selected to sit on the House Education Committee. The Speaker of the House selected the Chairman and Vice-Chairman and the committee members who were from the majority party and the House Minority Leader selected the Ranking Minority Member and the committee members who were from the minority party. (The above information applied to the House Education Committee, a standing committee, as it did to all House standing committees.) The number of members on the Education Committee totaled twenty-one to twenty-three although it has varied depending on the will of the House Leadership.

During the years from 1995 – 2006, the Republican Party held the majority and the Democrat Party was in the minority. The number of Republicans and the number of

Democrats on the committee was determined by the percentage of the Republicans and by the percentage of the Democrats in the Kansas House of Representatives within a given term. Since the Education Committee Chairman and Ranking Minority Member were most likely to be contacted by lobbyists and party caucus leadership, the researcher included in this study only interviews of those legislators who served as the chief leadership of the Education Committee during the years of 1995 – 2006.

Lobbyists also existed within the research setting. The types of lobbyist who monitored the bills included association lobbyists, cause lobbyists, company lobbyists, contract lobbyists, governmental lobbyists, and grassroots lobbyists. Regular attendees at House Education Committee meetings included most of the above types of lobbyists. The lobbyists who were selected to be a part of the study were lobbyists who were 1) registered with the Secretary of State and 2) had provided oral or written testimony in regard to a bill that was selected by the expert education panel. The bills selected are found in Appendix G.

The researcher planned to meet with the lobbyists and legislators in the researcher's office in the Capitol; however, the researcher's office and other rooms at the Capitol were unavailable because of the on-going restoration of the Capitol which limited access to some areas. As a result, two of the interviews were held in the respective lobbyist's office, one was held in a legislator's business office, one was held at a legislator's home, three were held at restaurants, two were held in the researcher's classroom, two were completed via e-mail, and one was held in a room at a motel. It had been hoped that all of the locations would be free of distractions, however; the restaurants were somewhat noisy at times although other individuals were also conducting interviews so it evidently wasn't unusual for such activity to occur in such venues. The classroom was generally quiet after students had left the building, but on occasion the receptionist would use the intercom in an attempt to locate a missing student.

While all the positions which persons hold within the described setting are of importance to the legislative process, the researcher determined that due to time constraints only those individuals who held certain positions during the years of 1995 –

2006 were interviewed. Those positions which were interviewed were registered lobbyists who provided testimony on selected education bills and the legislators who served in the chief leadership positions of the House Education Committee.

Interviews

Interview Field Notes

Field notes were completed by the Researcher after the interviews. Recorded was information regarding the interview, including, but not limited to the location, the surroundings of the location, the date, the time of day, and the ease with which the interviewee shared information.

The interviews were taped. Once the data were collected from interviews, the transcriptions were provided to the interviewees, who had the opportunity to review the transcript and make any corrections to the transcriptions which were completed by the researcher. In addition, the data collection included the documents regarding the selected bills and the resulting data. The researcher analyzed the data using the interviews of legislators, the interviews of registered education lobbyists, and the documents which represented the selected bills. The interviews ranged in length from 45 minutes to one hour and 20 minutes. The length of answers given by the interviewee as a response to the interviewer's questions was the basic reason for the variance in time.

Lobbyists' Interview: Summary of Field Notes

Of the lobbyists interviewed, two used e-mail to communicate with the researcher while six were able to sit down face-to-face with the researcher. The locations of the face-to-face interviews varied with one being held in the researcher's classroom, two at a restaurant, and three in the lobbyists' respective offices. The offices were quiet locations, while the restaurants were often loud. All of those lobbyists who participated in a face-to-face interview were confident and relaxed, several used lobbying examples to illustrate their point as they answered the interview questions. Several of the lobbyists which with face-to-face interviews gave lengthy answers to the questions, while those participating in an interview via email gave short, succinct answers.

Legislators' Interview: Summary of Field Notes

Of the legislators interviewed, two were interviewed together face-to-face, while four legislators had face-to-face interviews individually with the researcher. The interview with two legislators was held at a restaurant, one was held in the researcher's classroom, one was held in a hotel, one was held at the interviewee's home and one was held in the interviewee's office. The interview location which was at the restaurant was rather noisy, but it was interesting that other individuals were conducting interviews as well. The other locations were generally quiet with few, if any, interruptions. Most gave lengthy answers to the questions, although some gave short, succinct answers. Several used stories or examples to explain the points within their answers to the interview questions. Most were talkative and they all appeared to be at ease with answering the questions. The only time anyone showed any anxiety was when the researcher asked the two legislators being interviewed simultaneously whether there ever was a time that leadership pressured their caucus to vote the same way on issues. In regard to the legislators who were interviewed simultaneously, the researcher alternated who would answer first, but although the second one to answer would begin with some of the same information, he/she would add to the comments made by the legislator who answered first. At times, the legislator who answered first would think of something additional to add. It is possible that neither were as candid as they would normally have been if they would have been separately interviewed.

Interview Data from Legislators

Data were collected from interviews with four members of the Kansas House of Representatives who served as the Chairman of the Education Committee and two members who served as the Ranking Minority Member of the Education Committee during 1995 – 2006. Collectively, the demographic data that were gathered from the interviews with those legislators who served as Chairman of the Education Committee revealed that two were women and three were men. The demographic data that were gathered from the interviews with those legislators who served as Ranking Minority Members of the Education Committee revealed that one was a man and one was a

woman. Two of the Chairmen were from the Silent generation and two were from the Baby Boomer generation. Both of the Ranking Minority Members were from the Silent generation.

One of the chairmen was unavailable during the time period in which the interviews took place and as a result, he/she is not included in the study. All served at least two years in the position, except the chairman, who received an appointment as a Governor's Cabinet secretary, and the Representative who was appointed as chairman for the second year of the term and who also served in that position for only one year. Two of the chairmen each served for four years. Of the four who were interviewed, all had some experience as informal or formal educators. One chairman had home-schooled her/his granddaughter for a year, three chairmen had experience at the post-secondary level...one who was an adjunct community college instructor; one who was an instructor in a college science lab; and one who was a professor and a private college president. In addition, one of the chairmen had served several years as a local school board member. Also, the careers of the chairmen who were interviewed were that of attorney, of real-estate appraiser, of research virologist, and of post-secondary educator. The ages of the chairmen ranged from 55 years old to 80 years old.

Their legislative experience ranged from 8 years to 23 years. Three of the chairmen held prior membership on the committee prior to being appointed to the chairmanship of the education committee. Two of the Representatives had no prior experience on the Education Committee when they became the chairman of that committee, however; they later served as members on either the Education Committee, or on another committee dealing with K-12 education issues. The highest level of formal education achieved by the chairmen ranged from a high school diploma to a Juris Doctorate and a Ph.D. Two of the Chairmen had previously held elected leadership positions within the majority caucus. One had served as Assistant Majority Leader and another had served as Majority Whip. Prior committee chairmanships held by the legislators prior to their appointment as Education Chairman ranged from being

Chairman of the Appropriations Committee, Chairman of the Judiciary Committee, and Chairman of the Rules Committee to having no experience as a chairman of a committee. Two of the Education Committee Chairmen were from the Silent generation and two were from the Baby Boomer generation.

Similarly, data were collected from interviews conducted with two Ranking Minority Members of the House Education Committee. The interviews with those individuals who served as Ranking Minority Member of the Education Committee revealed that one was a woman and two were men. One of the Ranking Minority members was unavailable during the time period in which the interviews took place so as a result he is not included in the study. All served at least two years in the position. One of the members served in the position for a total of 18 years. Of the two members who were interviewed, both had experience as formal educators. Both legislators were high school teachers. One taught in a private school, while the other taught in a public school. Both of the legislators who were interviewed were from the Silent generation. Both of the Ranking Minority Members interviewed were 66 years old. Their legislative experience ranged from 11 years to 30 years. Both members had held prior membership on the Education Committee before being appointed as the Ranking Minority Member of the Education Committee. The highest level of formal education achieved by both of the Ranking Minority Members who were interviewed was a Masters degree. One of the Ranking Minority Members had previously held elected leadership positions within the minority caucus...having served as Minority Whip and when the Democrat Party was the majority party prior to 1995, one of the members served as the Chairman of the Education Committee as well as having served as Speaker Pro Tem. Prior positions of Ranking Minority of a committee were held by one of the Ranking Minority Members, who last served as Ranking Minority Member of the Higher Education Committee.

The legislators provided information regarding their careers and other pertinent demographic information which was collected via the interview process. (See Table 4.1, p. 76) The preparation each legislator had prior to becoming a legislator was also part of the data collected. The information sources accessed by legislators when making decisions were shared during the interviews. During their interviews, the legislators were asked to identify the type of lobbyist which they felt was most likely to influence their

decision, if, indeed they felt that lobbyists did influence their decisions. In addition, the legislators shared, through the interview process, how they felt they had influenced other legislators and how other legislators had influenced their decisions. Legislators also indicated which education issues for which testimony was heard before the Education Committee that they felt were the most important. Successes and frustrations with the legislative process were also shared by the legislators.

Table 4.1 Demographics of Committee Leadership

Committee Leadership Title	Generations	Gender	Highest Level of Education	Careers	Legislative Experience
Committee Chairmen -4	Silent Generation -2 Baby Boomer Generation -2	Male -2 Female- 2	Juris Doctorate & PhD. Bachelors degree High School graduate	Attorney Researcher Retired College Administrator Real Estate Appraiser	Range: 8 years to 23 years
Ranking Minority Members -2	Silent Generation - 2	Female- 1 Male -1	Masters Degree – 2	Retired Secondary Educator -2	Range: 11 years to 30 years

Interview Data from Registered Education Lobbyists

In addition, demographic data were collected from those education lobbyists who had testified before the House Education Committee on one or more of the selected bills. The education lobbyists who were selected also were registered with the Secretary of State’s office, Two lobbyists were out-of-state during the interview time, both, either in the past lobbied or currently lobby for an association. The age of the lobbyists interviewed ranged from 45 years to 66 years old. Six of the lobbyists interviewed were male and two were female. Five of the lobbyists, represent or represented associations and were considered association lobbyists; two of the lobbyists represented school districts and were considered governmental lobbyists; and one lobbyist was a contract lobbyist who was hired to represent an association among other interests for whom he lobbies.

The associations represented include school boards in general and in specific, small and medium-sized districts, and education employees. As with the legislators, interviews were conducted to gather demographic information as well as other pertinent

data about education lobbyists and lobbying. A question was asked regarding each lobbyist's highest level of formal education. Three lobbyists held a Bachelors degree. One of them had a focus in business, another in education and another in accounting. Five of the lobbyists held a Masters degree, two in public administration and three in education. One of those holding a Masters degree in education had a focus in education administration, while another had his/her Masters degree in special education.

Of those lobbying, three are retired legislators. The experience in lobbying and/or being a legislator ranges from four years to thirty-three years. One of the lobbyists was from the Silent Generation, six of the lobbyists were from the Baby Boomer Generation and one of the lobbyists was from the Generation X or the Thirteenth Generation. Lobbyists also revealed the source(s) of information they use when they form their positions. (See Table 4.2, p. 78) Other data which were collected included information prepared them to be a lobbyist. In addition, lobbyists provided information regarding influence which they believe they have on the development of education policy and the strategies they use. In addition, lobbyists provided information regarding the successes and challenges they have experienced while they lobbied for or against issues which were strategies they use. Also, lobbyists provided information regarding the successes and challenges they have experienced while they lobbied for or against issues which were considered by the House Education Committee during the years of 1995 – 2006. Lobbyists and legislators were also asked about differences in the manner in which men and women approach lobbying.

Data from Selected Bills

Another source of data used by the researcher were documents representing the two non-school finance education bills selected from each session held during the years 1995 – 2006. One of the bills selected from each session was recommended for passage by the Kansas House Education Committee. The other bill selected from each session had a hearing in the Kansas House Education Committee, but it was not recommended for passage. The two bills were selected by an expert panel comprised of three educators. (See Appendix G)

Table 4.2 Demographics of Registered Education Lobbyists Who Testified Before the Kansas House Education Committee 1995 - 2006

Type of Lobbyist	Generation	Gender	Highest Level Of Education	Clients	Experience With The Legislature
Association	Baby Boomer generation – 4 Gen X generation – 1	Male – 4 Female - 1	Masters degree – 3 Bachelors degree –2	Local School Board Members District Administrators School Employees Small and Large Business Owners and Managers Small Rural Schools	Range from 4 years to 27 years as a Lobbyist
Contract	Baby Boomer generation – 1	Male – 1	Masters degree – 1	Schools for Fair Funding and others	23 years as a Legislator and a Lobbyist
Governmental	Baby Boomer generation – 1 Silent generation - 1	Male – 1 Female –1	Masters degree - 1 Bachelors degree -1	School Board Members, Patrons, District Employees	Range from 22 years to 33 years as a Legislator and a Lobbyist

Bill Selection Process

Pre-Selection of Bills By Researcher

Prior to the selection by the expert panel of educators, the researcher selected two bills which were recommended for passage by the Kansas House Education Committee and two bills which were not recommended for passage by the Kansas House Education Committee. The procedures followed by the researcher in regard to the selection of the bills that would be considered by the expert panel of educators were as follows: (a) The researcher was provided copies of the Education Bill Section from the final Senate and House Actions Reports and Subject Index Reports from the 1995 – 2006 sessions. (At least 50 bills were introduced during each session.) (b) The researcher searched through the minutes of the House Education Committee from the 1995 – 2006 sessions in order to find the bills which were granted hearings before the committee, the testimony, other documents that were a matter of record in regard to each bill that was heard by the committee, and the action taken by the committee. This information is stored on

microfiche which is found in Legislative Administrative Services located in the Kansas State Capitol Building. (The committee generally heard testimony for at least 20 bills each session.) (c) Once those bills and related documents were located, the researcher selected, from each year, two bills which passed and two bills which had not passed out of committee. Those four bills were selected because they had received the most attention from the media and lobbyists. (d) In the next step, the list of the selected bills was sent to a panel of three present or former school administrators so they could select from the bills that passed each year, the one bill which they thought would have the greatest impact on the students, the parents, the teachers, and the administration. (e) In addition, the panel was sent the list of the selected bills so they could select from the bills that did not pass each year, the one bill which they thought would have the greatest impact on the students, the parents, the teachers, and the administration.

Expert Education Panel Selection of Bills

The Expert Education Panel included the following individuals: a retired superintendent; a practicing assistant principal; and a current member of a small school district, who also was a retired director of a technical school which yearly enrolled a number of area high school students. For each year, each panel member was individually asked to select one bill from the two bills that were recommended for passage by the Kansas House Education Committee and one bill which was not recommended for passage. In order to determine which of the bills were the most important, the criteria the panel members were to use in their selection of the bills was the impact that passage of the bill would have on the operations of the school district, on the staff, the students, and the parents.

Selection of Bills by the Education Committee's Chief Leadership

The chief leadership of the Kansas House Education Committee were also asked to select the bill which they felt was the most important of the two bills which were passed by the Committee during their leadership. They were also asked to select the bill which they felt was the most important of the two bills which were not passed by the Committee during the years of their leadership. The bill selection by the Chairman and Ranking Minority Members of the Education Committee gave some indication of areas of

agreement and areas of disagreement between the highest ranking majority member and minority member of the committee. The bill selection by the chief leadership of the committee and the educators who were members of the panel also gave some indication of the areas of agreement and areas of disagreement between those who make policy and those who implement the policy.

The Chairman and the Ranking Minority Member of the Kansas House Education Committee agreed thirteen of eighteen times on which were the most important of the bills which had either passed or that did not pass out of the Education Committee. Similarities were found in gender. Both the Chairman and the Ranking Minority Member were male during seven legislative sessions. During two legislative sessions both the Chairman and the Ranking Minority Member were female. A difference in gender was found during three legislative sessions when one of the members of the Chief Leadership of the Education Committee was male and one was female. Similarities were found during four legislative sessions when both the Chairman and the Ranking Minority Member of the Education Committee were members of the Silent generation. During eight legislative sessions one of the members of the Chief Leadership of the Education Committee was a member of the Silent generation and the other was a member of the Baby Boomer generation.

Differences were found during each session with the self-determined philosophy of the Chairman and the Ranking Minority Member. The following differences were found: (a) During 1997 – 1998 one of the members of the Chief Leadership of the Education Committee was self-identified as fiscal and social conservative and the other member was self-identified as a liberal. (b) During 1999 – 2000 the one of the members of the Chief Leadership of the Education Committee was self-identified as a fiscal conservative and a social moderate. (There was no other member of the Chief Leadership who was interviewed.) (c) During 2001 – 2002 one of the members of the Chief Leadership of the Education Committee was self-identified as a liberal and the other member was self-identified as a fiscal conservative and a social moderate. (d) During 2003 – 2004 one of the members of the Chief Leadership of the Education Committee was self-identified as a fiscal and a social conservative and the other member was self-identified as a liberal. (e) During 2005 – 2006 one of the members of the Chief

Leadership of the Education Committee was self-identified as a moderate and the other member was self-identified as a fiscal and social conservative.

Other similarities and differences were found. They are as follows: (a) In 1995 although, they were of different genders, both members of the Chief Leadership of the Kansas House Education Committee selected the same two bills which they felt would have the most impact on the teachers, students, and parents. Although one was self-identified as being a moderate and the other was self-identified as being a liberal, the Chief Leadership of the Committee agreed 100 percent of the time on which two bills were the most important non-school finance education bills considered during 1995. Both of the two Education Committee leaders were from the Silent generation which may have contributed to their 100 percent agreement when selecting the bills. (b) In 1997 – 1998, although the Chief Leadership of the House Education Committee were both of the same gender, they disagreed 75 percent of the time on which bills were the most important. There were differences between the two leaders which may have contributed to the differences in the bills selected. One was a Baby Boomer and the other was a member of the Silent generation. Also one legislator was self-determined to be a fiscal and social conservative while the other was self-determined to be a liberal. (c) In 1999 – 2000, the Chairman was the only one of the Chief Leadership who was interviewed. (d) In 2001 – 2002, the Chairman and the Ranking Minority Leader agreed 75 percent of the time in regards to which two non-school finance education bill that were determined to be the most important passed during that session. The two committee leaders were of the same gender and both were members of the Silent generation which may have contributed to their agreement in regard to which bills were the most important. The difference in philosophy may have contributed to the one difference in opinion in regard to the bill selection. One legislator was self-determined to be a fiscal conservative and a social moderate. The other legislator was self-determined to be a liberal. 4) During 2003 – 2004, the Chief Leadership of the House Education Committee selected the same bill 75 percent of the time. Despite their agreement on the bills, the leaders were of different genders, one was from the Silent generation and the other was from the Baby Boom generation, and one self-determined to be a fiscal and a social conservative and

the other was self-determined to be a liberal. 5) In 2005 – 2006, the leadership of the committee selected the same bill 75 percent of the time. They both were of the same gender which may have contributed to their similar selection. Differences found between the two were that one was a member of the Silent generation and one was a Baby Boomer. Also, one was self-identified as a fiscal and social conservative while the other was self-identified as a moderate.

During the interviews of legislators who were the Chief Leadership of the Kansas House Education Committee from 1995 – 2006 the researcher asked the interviewees to select the bill from the list of two bills which were recommended each year by the House Education Committee for passage by the House of Representatives that they felt would have the most impact on the teachers, students and parents. The legislators, who were the Chief Leadership of the education committee, were also asked to select the bill from the list of two bills which were not recommended each year by the House Education Committee and which they felt, if passed, would have had the most impact on teachers, students and parents. Based on the decisions made by the Expert Education Panel, two bills were designated as the most important non-school finance bills which the Legislature considered from 1995 – 2006.

In 1995 – 1996 the legislators who were the Chief Leadership of the Kansas House Education Committee and the members of the Expert Education Panel agreed on which bills were the most important slightly more than 58.3 percent of the time. During 1997 – 1998, the legislators and the members of the panel selected the same bills as the most important during that time period 83.3 percent of the time. During the 1999 – 2000 legislative term the Chairman of the Kansas House Education Committee and the members of the Expert Education Panel agreed 66.6 percent of the time. From 2001 – 2002 the legislators and the panel members agreed on the bills which were the most important during that legislative term 75 percent of the time. Legislators and panel members agreed 91.6 percent of the time during the 2003-2004 legislative term. Legislators and panel members also agreed 91.6 percent of the time during the 2005 – 2006 legislative term. Legislators agreed with the panel of educators an average 77.7 percent of the time regarding the importance of bills considered from 1995 – 2006. (See Table 4.3, p. 83)

Table 4.3 Expert Panel and Committee Leadership Selection of Most Important Education Bills Heard By the Education Committee From 1995 - 2006

Legislative Terms	Expert Panel and Agreement With Legislator(s) Regarding Importance of Bills Passed and Not Passed By Committee	Agreement of Chief Committee Leadership Regarding Importance of Bills Passed and Not Passed By Committee	Gender-Chief Committee Leadership	Generation-Chief Committee Leadership	Philosophy-Chief Committee Leadership
Sessions 1995 – 1996	Agreed 7 of 12 times on bills	1995 = Chairman and Ranking Minority Member agreed on four of four bills 1996 = Only Ranking Minority Member interviewed	1995 = 1 Female 1 Male 1996 = 2 Males	1995 = Silent generation - 2 1996 = Silent generation - 2	1995 = Moderate - 1 Liberal – 1 1996 = Liberal - 1
Sessions 1997 - 1998	Agreed 10 of 12 times on bills	Chairman and Ranking Minority Member agreed on one of eight bills	2 Males	Silent generation – 1 Baby Boomer generation - 1	Fiscal & Social Conservative -1 Liberal - 1
Sessions 1999 – 2000	Agreed 8 of 12 times on bills	Only the Chairman was interviewed.	2 Males	Silent generation -1 Baby Boomer generation - 1	Fiscal Conservative & Social Moderate-1
Sessions 2001 - 2002	Agreed 9 of 12 times on bills	Chairman and Ranking Minority Member agreed on eight of eight bills	2 Males	Silent generation - 2	Fiscal Conservative & Social Moderate-1 Liberal – 1
Sessions 2003 - 2004	Agreed 11 of 12 times on bills	Chairman and Ranking Minority Member agreed on seven of eight bills	1 Male 1 Female	Silent generation –1 Baby Boomer generation - 1	Fiscal & Social Conservative-1 Liberal - 1
Sessions 2005 – 2006	Agreed 11 of 12 times on bills	Chairman and Ranking Minority Member agreed on seven of eight bills	2 Females	Silent generation – 1 Baby Boomer generation – 1	Fiscal & Social Conservative – 1 Moderate - 1

CHAPTER 5 - Data Analysis

Creswell (1998) described the process of data analysis by pointing out that three authors (Bogdan & Biklen, 1992; Huberman & Miles, 1994; Wolcott, 1994b as cited in Creswell pp. 140 - 142) promoted some comparable procedures that should be used in the process of analyzing qualitative research. He pointed out that the three authors suggest “first, a general review of all information, often in the form of jotting down notes in the margins of text (e.g., observational fieldnotes, interview transcriptions, notes about photographs or videotapes)” (p 140) should be completed.

Creswell; however, suggests that it may be preferable to first read “through all collected information to obtain a sense of the overall data” (p. 140). He then suggested that, as a preliminary procedure of organizing the information, the researcher might write “findings in the form of memos and reflective notes.... . One also might begin to write summaries of field notes.” (p.140) In addition, Creswell suggested that “the researcher might obtain feedback on the initial summaries by taking information back to the informants” (p. 140) which Creswell pointed out can be used “as a key verification step in research as well as an analysis step.” (p. 140) He also mentioned other steps that a researcher might take. They are as follows:

....at this point a researcher looks closely at the words used by the participants in the study, such as the metaphors they use, or the researcher translates participants’ ideas into metaphors. The process of reducing the data begins. It is followed by creating displays of information such as diagrams, tables, or graphs—means for visualizing the information and representing it by case, by subject, or by theme. Another important approach to reducing the data is to develop codes or categories and to sort text or visual images into categoriesResearchers develop a short list of tentative codes (e.g., 12 or so) that match a text segment, regardless of the length of the database. (pp. 140 - 141)

Creswell also suggested that the researcher might “begin with a short list—5 or 6 categories” (p. 142). He cited Wolcott (1994b) (as cited in Creswell, p. 140-141) who indicated that qualitative researchers do not use all of the data collected and so it is at this point where the researcher can determine that some of the data will not be included in the study. Huberman and Miles (1994) suggested another technique: “that investigators make preliminary ‘counts’ of data and determine how frequently codes appear in the database.” (as cited in Creswell, p. 142)

In this study, data collected through lobbyist and legislator interviews were first transcribed and accompanying field notes summarized. Next, the researcher read through the data collected to get a sense of all of the data collected from the interviews. The researcher also sought feedback on the transcriptions and initial summaries of the field notes from the interviewees. As suggested by Creswell (1998), data were managed by creating and organizing files in addition to notes being made. Next, the data were coded and sorted into categories. The first coding categories were organized around the research questions. As was anticipated, other categories emerged as the researcher reviewed the data. The coding process ceased when the majority of the data had been sorted and subsequently coded into clear and distinct categories.

As the coding process was completed for the interviews of lobbyists and legislators and the coding of the data collected from the documents was completed, the researcher looked for a pattern of corresponding categories. Observations about the case were made from the analyzed data. The narrative was enhanced by use of tables and figures. Some of the interview data were placed in a file because the researcher determined that the data, while interesting, were the result of thoughts unrelated to the questions being asked by this study. There was also data which did not correspond with the question being asked, so that data were also placed in a file.

The coding categories are found in Appendix C, D and E. The categories found on the coding lists for the lobbyists and the legislators were related to the interview questions which were matched with the research questions (Appendix A.1, and B.1) and then with the literature (Appendix A.2 and B.2). After the completion of the coding of the collected data, the researcher reported in tables, figures, or other graphic representation, the collected data.

Creswell (1998) stated that “analysis consists of making a detailed **description** of the case and its setting” (p. 153). He also cited Stake (1995) who suggested four types of data analysis and understanding be used in case study research.

In **categorical aggregation**, the researcher seeks a collection of instances from the data, hoping that issue-relevant meanings will emerge. In **direct interpretation**....the case study researcher looks at a single instance and draws meaning from it without looking for multiple instances. It is a process of pulling the data apart and putting them back together in more meaningful ways. Also, the researcher establishes **patterns** and looks for a correspondence between two or more categories.... . Finally, the researcher develops **naturalistic generalizations** from analyzing the data, generalizations that people can learn from the case either for themselves or for applying it to a population of cases. (Stake as cited in Creswell, pp. 153 – 154)

In addition, Creswell indicates that a part of the data analysis should be a description of the case that includes a detailed view of the facts surrounding the case. Generalizations about the case in relationship to the patterns, including comparisons and contrasts of patterns which were established should also be included in the account of the study.

Analysis of Data Collected

The plans to analyze the research data collected through use of coding categories gave the opportunity, through categorical aggregation, for the emergence of what was relevant when identifying the lobbying strategies used and when working toward understanding the manner in which the lobbyists had attempted to influence legislators as they determined education policy. There were instances when direct interpretation was used to pull the details from the larger piece of data, code it and then put it back together through narrative and visual presentations. The visual presentations were in the form of tables and figures. Patterns also emerged as the collected data were compared and contrasted, thus enriching the answers to the research questions. In addition, it was the intent of this researcher that the presentation of the analysis of data collected from this

research will further the understanding of the readers of the study regarding the perceived influence of lobbyists on legislators who determine education policy. Finally, the details of the case were a significant part of the analysis because of the importance of understanding the facts that surrounded lobbying and the influence it had on Kansas education policy. The procedures this researcher used during the analysis of data were also intended to contribute toward establishing the trustworthiness of the research.

Analysis of Demographic Interview Data from Legislators and Lobbyists

Data were collected from interviews with four members of the Kansas House of Representatives who served as the Chairman of the Education Committee and two members who served as the Ranking Minority Member of the Education Committee during 1995 – 2006. Much of the demographic data is found in Table 4.1 (p. 76) and Table 4.2 (p. 78) An examination of the demographic interview data which reflected the answers to questions asked of both legislators and lobbyists revealed the following: (a) Four legislators and one lobbyist were from the Silent generation. Two legislators and six lobbyists were from the Baby Boomer generation. One lobbyist and no legislators were from the Generation X or the Thirteenth generation. (66.7 percent of the legislators and 12.5 percent of the lobbyists were from the Silent generation; 33.3 percent of the legislators and 75 percent of the lobbyists were from the Baby Boomer generation; and 0 percent of legislators and 12.5 percent of the lobbyists were from the Generation X or Thirteenth generation) (b) There were three women and five men (two of the men were unavailable for interviews) who were in the Kansas House Committee Leadership from 1995 – 2006. (37.5 percent were women and 62.5 percent were men.) There were three women and seven men who were registered lobbyists and who lobbied on behalf of education interests from 1995 – 2006. (One woman and one man were unavailable for interviews). (30 percent were women and 70 percent were men) (c) The highest level of formal education of the legislators interviewed was as follows: two held a Doctorate degree, two held a Masters degree, one held a Bachelors degree, and one had a High School Diploma. (33.3 percent earned a Doctorate degree, 33.3 percent earned a Masters degree, 16.7 percent earned a Bachelors degree and 16.7 percent earned a High School

Diploma) The highest level of formal education of the lobbyists interviewed was five had a Masters degree and three had a Bachelors degree. (62.5 percent earned a Masters degree and 37.5 percent earned a Bachelor's degree) (d) The legislative experience of the legislators ranged from 8 years to 30 years. The legislative experience of lobbyists ranged from 4 years to 33 years. (Three of the lobbyists indicated that they had been a legislator prior to becoming a lobbyist. Of the three, one was a contract lobbyist and two were governmental lobbyists.)

Comparing the Demographic Data From Lobbyists and Legislators

The age of the lobbyists interviewed ranged from 45 years to 66 years old. The difference between the oldest and the youngest was 21 years. The age of legislators ranged from 55 to 80 years old. The difference between the oldest and the youngest was 25 years. As a group, the lobbyists are, in some cases, younger than the legislators, however; the range of age differential was similar. When comparing the age of the youngest lobbyist to the age of the oldest legislator, the difference is 35 years. The difference in age for the youngest legislator and the oldest lobbyist is 11 years. The difference in age between the youngest lobbyist and the youngest legislator was 10 years while the difference in age between the oldest lobbyist and the oldest legislator was 14 years. The difference in age becomes most dramatic when the researcher looked at the generation differences and noted that 66.6 percent of the legislators were from the Silent Generation and 12.5 percent of the lobbyists were from the Silent Generation; 75 percent of the lobbyists were from the Baby Boomer Generation and 33.3 percent of the legislators are from the Baby Boomer Generation; and 12.5 percent of the lobbyists were from the Generation X or Thirteenth Generation while there was 0 percent of the legislators who were from that generation. As was mentioned by Strauss and Howe (1991, 1997), the generations often have conflicting expectations, therefore, it should be of no surprise that some lobbyists and legislators appeared to be frustrated with one another. It is possible that they did not understand the urgency or the hesitancy felt by the other because they are from different generations.

The experience of legislators interviewed ranged from 8 years to 30 years with the differential in experience being 22 years, while the experience of the registered education

lobbyists ranged from 4 years to 33 years of experience lobbying and being a legislator, with the differential being 29 years. The legislators and lobbyists both had a similar range in years of experience in their position; however, when lobbyists and legislators are compared one on one, many of the lobbyists have a great deal more experience with the legislature and the legislative process than do a number of the legislators who were in the Education Committee's chief leadership. Two of the Chairmen and one of the Ranking Minority Members had as much or more experience with the legislature and the legislative process as did the lobbyists. One of the lobbyists mentioned that it was sometimes more difficult to influence a legislator with a lot of experience in education than one with little experience, because the legislator may truly have more experience in the field than does the lobbyist or may have been in the Legislature for longer than a lobbyist had been lobbying. A lobbyist could have difficulty convincing a legislator who has more knowledge about the legislative process and procedures than does the lobbyist.

The formal educational background of the legislators who were in the chief leadership positions of the education committee revealed that 66.6 percent had earned a Doctorate degree or a Masters degree, 16.7 percent had earned a Bachelors degree and 16.7 percent had earned a High School diploma. No legislator had earned less than a High School diploma. In comparison, the highest level of formal education of the lobbyists who were interviewed was a Masters degree which was earned by 62.5 percent of the lobbyists while 37.5 percent had earned a Bachelors degree. No lobbyist had earned less than a Bachelors degree.

Although there was no education prerequisite which must be met to be a lobbyist or to be a legislator, it was probable that to be a lobbyist, those individuals and organizations who hired lobbyists expected them to have at least a Bachelors degree. According to the research, the lobbyists quite often have superior levels of expertise in the area which they lobby; however, in this case, several of the legislators have more experience in education-related careers than do many of the lobbyists. The lobbyists did, in some cases, have higher degrees and more experience than did some the legislators who held chief leadership positions on the House Education Committee.

The fact that in some cases legislators had more experience and more knowledge in the area of education than did the lobbyists could be both a positive and a negative for

lobbyists. On one hand, the lobbyist didn't need to spend a great deal of time explaining an issue to those legislators who had as much, if not more, expertise in education as they did. On the other hand, the lobbyist may have discovered that the legislator didn't agree with their position and because of the legislator's expertise and knowledge, that legislator will have arguments which are difficult for the lobbyist to overcome. Of the education lobbyists, one worked as a public relations officer for the school district as well as lobbying during the legislative session; four had been educators; three also had been legislators, and one had been a member of the Kansas Board of Education. As discussed in the literature review, the registered education lobbyists in Kansas, during the years of 1995 – 2006, have backgrounds that are common to the field of lobbying, including having expertise in the field and having been former legislators. (Ziegler and Baer, 1969; Berry, 1984; and Solet and Hutt, 2001)

Analysis of Data Regarding Preparation for the Legislature and for Lobbying

The experiences which legislators felt prepared them to be a legislator were varied, as were the experiences which lobbyists felt prepared them to be a lobbyist. In fact, some of the experiences were similar for both legislators and lobbyists. Two legislators specifically mentioned that having a spouse or other family members involved in politics and who had been an elected official helped prepare them for at least some of the reality of campaigning as well as the actual time and personal commitment that they were making. One of those individuals issued a word of caution with the following statement, "...but I had a lot to learn when I got to the Legislature. I sure wasn't as prepared as I thought I was." (Interview Legislator Six) Legislators and lobbyists indicated that their experience in serving in student government and as leaders of professional, political or community organizations provided them the opportunity to develop the leadership skills and the broad base of knowledge that they felt was needed to serve in the legislature or to be a lobbyist. In addition, each legislator indicated that their career had provided them with a wealth of knowledge that assisted them in making informed decisions in their area(s) of expertise.

Lobbyists who had been legislators also mentioned that the elected offices in which they had served had assisted them in terms of understanding the process, knowing

the rules, knowing the protocol, understanding how legislators think...their thought processes, what's important to them, and even when its important to leave them alone and not bother them with other issues. A lobbyist who had been a legislator mentioned that having such experience helps in understanding when not to bother a legislator. "If you've got a big bill on the floor at 10:30 which I know you're carrying, I know 10:00 is not a good time to pop into your office and talk to you about something that isn't related to that bill" (Interview Lobbyist Six) Lobbyists and legislators also referenced having served as a school board member and/or a classroom teacher which prepared them for the issues that surround education policy. Having a scientific research background gave one legislator "the perspective of examining the facts and trying to reach conclusions based on those facts." (Interview Legislator Two) One of the legislators mentioned that having grown up in a home where tall stories were often told was an assistance in becoming better able to detect reality vs. fiction. The ability to detect reality was a tool this particular legislator found useful. In addition, several legislators pointed out that the post-secondary education they received assisted them in their legislative pursuits.

Lobbyists who also had been legislators mentioned that when they became a lobbyist they tried to remember how the best lobbyists operated. The attributes they mentioned were: (a) always accessible; (b) always had reliable information; (c) never led the legislator to believe his/her information was the absolute truth and that the information provided by someone else was totally wrong; and (d) seemed to recognize that the decisions legislators make are seldom 100 percent one way or the other. In other words, recognizing that the legislator understands both sides of the argument, but his/her vote is based on his/her district and his/her personal philosophy.

Both lobbyists and legislators mentioned the importance of involvement with organizations because it gave them the opportunity to organize various functions whether they were political or civic. As a result of work at the local level, the benefit for those who are legislators is name-recognition, for those who are lobbyists it became a way for them to move to bigger responsibilities within the organization.. One of the lobbyists pointed out that people do not go to school to become a lobbyist although most of them indicated that they had an interest in the issues that they worked on, as well as having had some experience in politics. Many of those lobbyists who had not been legislators or

legislative staff prior to becoming a lobbyist alluded to what they perceived as a disadvantage because they had not served in such a capacity. In fact, it was mentioned by lobbyists who had not served in the legislature that former legislators knew the system and did not have to first learn how the Legislature operates.

There are; however, little nuances that even lobbyists who once were legislators must learn as evidenced by experiences of a long-term legislator upon becoming a lobbyist. The lobbyist indicated that after dealing with education lobbyists for 30 years, one would think that there would be little to learn. However; the legislator stated, “Obviously being in the legislature and dealing with that particular type of lobbyist did help me a lot, but I wasn’t 100 percent prepared that’s for sure and there was a learning curve involved. Just like seeing an education lobbyist talking to you and I would walk up...well, I was told that if a lobbyist is talking to a legislator....you do not walk upthat is an unwritten rule about lobbying I didn’t know. If they grabbed you first...wait in line. There were just a lot of little things that I learned.” (Interview Lobbyist Seven) (See Table 5.1, p. 93)

Comparison of Lobbyist and Legislator Preparation

Both lobbyists and legislators who were interviewed indicated that they had been involved in activities and careers which helped them develop the knowledge and leadership skills which gave them the opportunity to be elected to the Legislature or to be hired as an education lobbyist. Four of the lobbyists indicated that they had previously been either a member of the legislature or a member of the Kansas State Board of Education. Having that type of background provided them with the knowledge of how to operate within the system in which they had served and they personally knew most of the legislators and the legislators knew them. It also gave them knowledge of how successful lobbyists operate and if they had been a legislator, they were likely to be more sensitive to the busy schedules of legislators than lobbyists who did not have such experience. It was often mentioned by lobbyists and legislators that they had been former local school board members which they felt assisted them in knowing how schools operate. Legislators often mentioned community involvement, including holding leadership positions in organizations which provided a basis for the development of their leadership

skills. Lobbyists were more likely to mention prior involvement in organizations which related to the profession or business which they represented. Both lobbyists and legislators mentioned their post-secondary training as a valuable part of their preparation for their position. (See Table 5.1, p. 93)

Table 5.1 Preparation to be a Legislator or Lobbyist

Preparation to be a Legislator	Preparation to be a Lobbyist
Student government in high school and/or college	Student government in college
Legislative internship	Interest in history, government and politics
School board member	Past employee of a state college student association
Scientific research background	A teacher and department chairperson
Community organization leadership	Field staff for a professional organization
Political party leadership	President of a professional organization
Owning a small business	President and CEO of business organization
Being a taxpayer	Worked on political campaigns
Family member was an elected official	Lobbied legislature for local highway enhancement
Law school attendance and/or completion	Local and state school board member
Political Science studies	Having been a legislator
Professional organization leadership	Likes legislative process
A teacher	Learning from more experienced lobbyists
A coach	Served on education committee when a legislator
Professional career	Experience gained from chosen career
Post-Secondary education	Remembering how the best lobbyists operated
	Post-Secondary education

Analysis of Data Regarding Information Sources When Forming Positions

When asked about how their personal belief and philosophy about issues assisted or hampered their ability to lobby on any given issue, the educational lobbyists indicated that their views were closely aligned with the organization or school district they represented. (See Table 5.2, p. 99) If there was a difference of opinion, and the lobbyist was unable to change the prevailing opinion, then the lobbyist presented the case as

determined by the organization or institution for which he/she worked. One lobbyist characterized this concept in this way, “When I became a full-time release president, I learned to change my language and the way I behaved and that helps me in my job today. My phraseology went from ‘I’ in the classroom to ‘we’ or ‘our’ because I was representing 1100 other folks and sometimes I strongly believed something different than the majority of my members did, but if I couldn’t convince them of my viewpoint then it was incumbent upon me to represent them as their President as best as I could.”

(Interview Lobbyist Three)

Legislators were asked during the interview how their personal beliefs and/or philosophy influenced their vote on all of the issues with which they are confronted. Several legislators indicated that their own opinions play a large role in their decisions and that those personal beliefs and philosophy have roots in the education structure which they experienced, the size of community in which they were raised, and their parents’ philosophy. As an illustration of that point, one of the legislators stated, “I am very much an advocate for public schools...I came from a high school graduating class of 98 where I was able to participate in three sports during the school year, another sport during the summer, speech, debate, band, drama, choral...anything I wanted to be involved in, I could be involved in...so I appreciate all of the extracurricular things that go along with class work and I think those things are important for kids to at least have some exposure to...so that also has colored my thinking and probably my votes on education issues.”

(Interview Legislator One)

Some legislators also mentioned their belief that strong family values and parental involvement were important and they never voted for anything that went against their core values of integrity. Still another legislator described how his/her personal belief influenced his/her votes with the following statement, “Well, I became a teacher because I felt like education was the biggest single agent for change in society. So that’s how I went into the legislature thinking that government can make things better and the most effective way of making things better is education. And that was my highest priority. That attitude certainly did affect the way I voted on legislation ...education issues and non-education issues. (Interview Legislator Six)

According to the education lobbyists, their most respected sources of information varied with the purpose of the organization which they represent. Those lobbyists who represented teachers, generally mentioned classroom teachers as their source of information, while those representing local school boards and Superintendents, gathered their information from local school board members and Superintendents. Those representing businesses were concerned with the education experiences and the education preparation of their employees. (See Table 5.2, p. 99)

The lobbyists representing school districts were likely to seek out information from multiple sources depending on the issue, including the Superintendent; school board members; those district office staff with expertise in a specific issue area, such as special education; and associations to which the school districts may belong, such as the Kansas Association of School Boards and Great City Schools. A few lobbyists mentioned the staff at the Kansas Board of Education; attendance at National Conference of State Legislators and the Council of State Governments; and national publications such as *Education Week* as trusted sources of information. Students also were mentioned by some lobbyists as being a source of information for some issues. Legislative staff in the Legislative Research Department and the Revisors' Office were mentioned as sources used by several lobbyists. In-house lobbyists indicated they often use the experiences of their organizations' membership to explain the reason for taking a particular action on proposed legislation. To illustrate that caution needs to be exercised by lobbyists when using examples to prove their point, one of the interviewees shared the following quote made by another association's staff member, " 'The plural of anecdotes is not data' ." (Interview Lobbyist Four)

When asked to discuss their most trusted sources of information and advice regarding education issues, including personal experiences, party platforms, research sources, etc. that have influenced their decisions, legislators mentioned the following: their school, college, and university experiences; the Department of Legislative Research; the State Department of Education; National Conference Of State Legislatures; National Association of Scholars; family members who are teachers; the party platform, when it says something that is reasonable; personal contact with local educators; parents; and *Education Week*. One legislator indicated that the best anecdotal information comes

from local classroom teachers, school board members, and administrators; not the KNEA, United School Administrators, or the Kansas Association of School Boards. The same legislator also mentioned the Legislative Research Department as an important information source: “The plug I’ll put in for them right now is that my experience over the past 23 years is that they are truly non-partisan. They may have their own personal views about an issue, but they don’t inject those views...it doesn’t matter what party the Representative is from who is asking the questions, they’re going to get you the answer to the question in a factual, and a straight forward and non-biased way and I respect that and so that’s the best, most solid information I get, is from them. It’s not filtered, it’s not colored, it’s not biased, it’s pretty good data.” (Interview Legislator One) (See Table 5.2, p.99)

Another legislator agreed with many of the previously mentioned sources and made the following observation about the party platform: “I really leaned very heavily on Legislative Research to go out and find non-partisan research on an issue because the party platform was based more on gut feeling instead of research. I would try to look at the non-partisan things. I very seldom thought of the [...] Party Platform in my decisions on education.” (Interview Legislator Three) One legislator said that when research was from a personally trusted source, legislators are more likely to strongly consider the information provided by that research. The same legislator indicated that when one doesn’t have personal experience with an issue, the data needed to come from individuals who are trusted by that legislator, which may not be a lobbyist, but may be a staff person who possesses a lot of knowledge in the area. In addition, the legislator indicated that association lobbyists do influence his/her decisions because they help provide a broad picture of the entire state’s needs. Still another legislator said that individuals, whether they are lobbyists or legislators, needed to have the ability to interact with each other, to ask questions and get an answer, and then to have the ability to ask follow-up questions.

How each legislator personally makes decisions about education issues was discussed by the legislators interviewed. Several legislators indicated that they first sought out the opinion of others before finalizing their own opinion, in fact, they tried to

not develop a firm opinion on an issue until all of the facts were presented. One legislator said that learning should include a “period of fact-gathering and weighing of one side against the other... Common sense is not in unusually heavy supply in most places including the legislature. Emotion gets in the way of common sense and we do tend to be emotional about things, maybe even about common sense. I think that a lot of problems ought to be resolved through negotiations rather than through a set of standardized rules that were arrived at by a committee somewhere or arbitrarily by an individual who was in authority.” (Interview Legislator Four)

Other legislators said that many of their decisions are based on their personal experiences or biases developed because of those experiences. If they are unsure; however, they will seek additional data to assist in the decision-making process. Other legislators spoke of asking questions, calling people, talking to other legislators that you learn to trust on issues. One legislator made decisions about education issues in this way, “I start off by first looking at my personal experience ...Number one - Does it need to be done? Number two - Will it make a difference and can it be done? I always think about money...probably more than what it costs in money, I think about what it costs the school districts in time, efficiency...” (Interview Legislator Five) Yet another legislator indicated that it was important to remember that the title is state legislator, not district legislator, meaning that it was important to look at how the entire state would be affected, not just an individual district. The same legislator indicated that it was also important to read all of the research and listen to the testimony of all those dealing with the issue.

Legislators were asked to identify the one person whose information about education they respect the most. While one legislator said that there is no one person who can be given the title of “guru of education”, others did name individuals or groups of individuals, including several Department of Education staff members; college professors; past legislators; researchers in the Department of Legislative Research; and a superintendent in a mid-sized school district. (See Table 5.2, p. 99)

Comparison of Legislator and Lobbyist Sources of Information When Forming Positions

There are some similarities in the sources that are mentioned by legislators and by lobbyists. Both lobbyists and legislators mention relying on staff at the Kansas Board of Education and on the staff in Legislative Research for unbiased information. Some legislators mentioned getting input from classroom teachers, local school board members, and building and district administrators before making decisions. Likewise, those lobbying for organizations which represent each of those groups have also received input from those same groups although they would be from the viewpoint of individual groups, such as teachers or administrators or board members, rather than a comprehensive view which could include teachers, administrators, board members, parents, etc. Also, several legislators and lobbyists referenced attendance at meetings sponsored by the National Conference of State Legislatures and the Conference of State Governments and the organizations' publications as sources which they also used. Some legislators and lobbyists also mentioned *Education Week* as a source of information.

Differences in the sources include an understandable emphasis placed by lobbyists on representing the viewpoints of the membership of the organizations which they represent. On the other hand, legislators admitted to leaning on their own opinions and their own experiences when they made decisions. Most also indicated that they relied on several other sources of information, particularly when there were differing opinions on how to solve an issue or, for that matter, whether or not there was an issue to solve. Those other sources included local educators, school board members, parents, research that they had read, and to the information provided by lobbyists. (See Table 5.2, p. 99)

How Lobbyists Influence Policymakers of Different Philosophical Beliefs

Most lobbyists referenced the importance of developing a relationship with legislators while recognizing that legislators are not always going to agree with their organization's position. Gaining legislators' trust and having a reputation for providing quality information was an important part of establishing such a relationship. However, lobbyists also recognized that on occasion even the least likely of the legislators may be a

Table 5.2 How Legislators’ and Lobbyists’ Positions on Bills are Developed

How Legislators Determine Positions Regarding Education Issues	How Lobbyists Determine Positions Regarding Education Issues
<p>Use own experiences and/or experiences of constituents or how believe it should be.</p> <p>Read research and listen to testimony prior to making decision</p> <p>Do research, study the issue, ask questions, call constituents, listen to other legislators, including those in other party</p> <p>Seek the opinions of others, engage in fact-finding and work to find middle ground when needed</p> <p>Consider personal experience and ask three questions based on need, making a difference and cost</p> <p>Ask questions: what is best for district? for the state?</p> <p>Use the following resources in helping determine position on bills:</p> <ul style="list-style-type: none"> Local educators for anecdotal information Legislative Research Department for hard data Department of Education <i>Education Week</i> Local State Board of Education member for Information about the State Board positions Political party position, if reasonable Local parents Superintendent in District(s) School, college and university experiences National Conference of State Legislatures Staff National Association of Scholars Spouse who is a teacher Research from seminars and workshops Personal experience Kansas National Education Association (KNEA) Education lobbyists 	<p>Organization membership determines positions prior to session</p> <p>Staff discusses each bill and may suggest amendments in testimony</p> <p>Staff and leadership discuss each bill and may develop amendments and give to select committee members</p> <p>Ask for input from members after checking with Department of Education to verify bill’s affect on districts represent</p> <p>Work with clients to develop legislative positions</p> <p>School board determines positions taken on bills</p> <p>District staff give direction on issue</p> <p>Use the following resources in helping determine position on bills:</p> <ul style="list-style-type: none"> Kansas Board of Education Attendance at legislative meetings of National Conference of State Legislature (NCSL) Council of State Governments (CSG) NCSL and CSG Publications <i>Education Week</i> Legislative Research Department Staff and the Revisor’s Office Meetings of the education lobbyists for sharing positions and development of joint testimony. Kansas Association of School Boards Great City Schools Interaction with legislators Personal teaching experiences College professors

supporter of an issue so it was important to continue to develop a positive relationship with every legislator. Several lobbyists indicated that they use constituents to contact their legislators to further inform them of the importance of issues and the desire for them to be resolved in a way which will not be injurious to the practitioners and other stakeholders.

Therefore, the registered lobbyists often employed the assistance of grassroots lobbyists to provide to the legislators the anecdotal information which further communicated the registered lobbyist's message and had a better chance of influencing a legislator's vote because the message was also conveyed by constituents.

One lobbyist shared that, "in some respects, you approach every legislator the same.you try to develop a relationship where they feel comfortable seeking you out, talking to you about the effects on the local...most legislators, regardless of their philosophical position on issues...they really want to understand how issues affect them locally." (Interview Lobbyist Six) Another lobbyist quite bluntly indicated that if lobbyists have an issue that they believed socially and fiscally conservatives were likely to support then they focused on them. If lobbyists were working on an issue where they thought they would probably not ever convince them, then they won't waste a lot of time on socially and fiscally conservatives.

Yet another lobbyist, whose background was in organizing, discussed the importance of developing relationships with legislators "...To me, influence is a part of relationships. I know there is a lot made out of the political action piece of it...in terms of PAC contributions which is part of my job...it's part of [colleague's] job. I think part of the influence comes from our ability to organize our members and to get them to respond to something in the legislature...either have them call you or have you call. My perception is...the fantasy I live with, is that if my members know their legislator and are emailing him or her, their e-mail will be much more effective than if their legislator gets a 100 emails from people when they have no idea who they are." (Interview Lobbyist Three) By getting members to develop relationships with their legislators so they will recognize the member's name when the member emails them, the lobbyist's hope is that another goal will be met and that is to have the legislator also think about the number of other people that the member makes contact with in a day. "One of our tasks is to get our members to develop those relationships with their legislators so when they send out an email they'll think that they'd better take notice because they have 10 cousins, brothers, sisters, etc. They're a mover and a shaker in my county, they're whatever...and that is part of relationships, too. That's a part of relational organizing, too. It doesn't matter in

which philosophical category a legislator falls, it's the relationship the lobbyist develops with the legislator that is important in all categories. For example, I consider [Representative J] to be very conservative and he probably will never vote the way we want him to on school finance, but I believe because of the relationship we have established with him, he will vote with us on a few issues as he has in the past."

(Interview Lobbyist Three) The following statement reflects what many lobbyists said about the differences between informing a legislator who regularly supports their issues and a legislator who usually is non-supportive, "When you have a dialogue with someone who is a big supporter, it is so different, the tone is different, you have to use much fewer words, because they get it faster... they understand it. ..."

(Interview Lobbyist Eight)

One lobbyist, who lobbied previously for an organization which represented business and industry and who now lobbies for an education-related organization, shared an interesting observation about changes in the civility of the process, "...it's got to be tougher to work with legislators with different philosophical viewpoints, not because of the groups you have mentioned, but because society has become much more divisive. The ability to sit down and debate issues has been somewhat diminished by those who say, 'If you don't agree with me, you're bad.' When I first started lobbying in 1982, the issues for which I lobbied were Liquor by the Drink, Pari-mutuel Wagering, and the Statewide Lottery. There was divisiveness not only between legislators and lobbyists, but also between lobbyists and lobbyists. There are lobbyists who used to talk to me when I was with [Organization Y], who will not talk with me now because now, I'm the 'enemy'. I would go out to supper with [Reverend X] even though we were on opposite sides of the issues of liquor by the drink, pari-mutuel wagering and the lottery. We did our battle in the committee room, but when we walked out we would talk with one another. You had legislators ...and I remember some of the Senate debates when I first got here and in the House as well... people could have debate and do it with a rational basis and it's not that way today. So it makes that tougher because there are some which are in...not so much in the socially conservative, but in the fiscally conservative pocket that won't even talk to me. It's become much more difficult to work

within the process because there are those who say ‘you don’t agree with me, so don’t even come to my office’. Government mirrors society.” (Interview Lobbyist Four)

One of the lobbyists who represents one of the state’s largest school districts shared that spending time with all of the twelve legislative members from that area of the state was a goal because “...I never assume...make an assumption that this person is a conservative so they will never agree with anything I have to say. I try to play the role of teacher...if you haven’t been on the education committee even those of us who have been teachers and have served on it, the issues are not always the same, so it’s not like its boring because I know all of the answers...so I seize the opportunity to put on my teacher hat more than my lobbyist hat sometimes. For example, I have a relationship with [J. B.] ...I talk to him about stuff...we know we aren’t going to agree on many things...but he’ll ask me to explain how this or that works...I try to be as objective as I can because I want him to keep asking me... I try to utilize my background as a teacher to build relationships with legislators and become a source of information...and that would apply to any of the philosophical types. If you do a good job of being an information source, you could have, at least to a limited degree, influence on individuals who have a different philosophy than you, if you realize that you just need to provide them information. I often provide the information and then they ask ‘What do you think?’ and I always like that segue. I often tell them what I think even if they don’t ask, but if it’s non-confrontational, I’ve found they will keep coming back to you to get more information because sometimes I think we forget that school issues, in general, and school finance, in particular, are difficult.” (Interview Lobbyist Seven) (See Table 5.3, p. 104)

How Lobbyists Influence Policymakers with Different Levels of Education Experience

Most lobbyists found that the more experience with education issues that legislators have, the less time that normally must be spent with them. For those who do not have a background with education issues, the majority of lobbyists found they needed

to spend more time explaining the mechanics of the issue than with more experienced legislators. “Those who understand education issues, the ones with whom you can use fewer words, the people who know it and get it quickly, you can grab in the hall and say ‘this is coming up’ and they get it...the other folks you have to spend more time on foundation and then some will bird-walk around the issue as we discussed earlier.” (Interview Lobbyist Eight) Another legislator described the situation by sharing the following: “The way I approach legislators is based on how knowledgeable they are on the issue. Just like with kids, if they are pretty advanced, you don’t want to be covering stuff that’s just going to bore them. Just like with kids sometimes you don’t know how much they know.” (Interview Lobbyist Seven) One lobbyist answered differently by making the following comment: “...sometimes it is harder to influence a policymaker who has a lot of experience with education, because they may be on the opposite side of the issue. I learned a long time ago that there are two sides to every issue so sometimes it is the person who has no experience in education who can be the easiest to work with...you are giving them the information and they aren’t saying... well I’m just as involved with education as you are and that isn’t what I agree with.....” (Interview Lobbyist Four) (See Table 5.3, p. 104)

Extent to Which Lobbyists Influenced the Vote of Legislators

Many people think that lobbyists buy legislators’ votes on issues; however, according to a long-time legislator “.....it was never what I thought they would offer me in terms of financial support. But they have been important to me as a source of knowledge...if they had information I didn’t have, I tried to make myself aware of the fact that they had a point of view ...or they had a client with a point of viewThey were an influence, if they could provide me with information... knowledge is power.... information is power....so they influenced me with knowledge, but not with dollars.” (Interview Legislator Six) Other legislators also mentioned that they allow their treasurer to take care of donations, so they don’t even know who gives them money, therefore, campaign contributions are not a factor in their decisions. Most legislators agreed that the most important thing a legislator receives from a lobbyist is the information they provide because there are issues about which legislators need more

information in order to make an educated decision.. Some legislators indicated that lobbyists really didn't influence their vote as much as they provided education ensuring that the legislators had information on both sides of an issue. The lobbyists' influence was related more to how the legislators processed the factual information lobbyists provided on issues rather than the lobbyist telling them how to vote on the issue.

Table 5.3 Strategies Education Lobbyists Use To Influence Legislators With Different Philosophies and Education Experience

Strategies Lobbyists Used to Influence Legislators With Different Philosophies	Strategies Lobbyists Used to Influence Legislators With Different Levels of Education Experience
<p>Spend time visiting with those legislators who will at least consider your position</p> <p>Be trustworthy, provide only that information that a legislator can trust is the truth</p> <p>Use testimony and personal arguments</p> <p>Have local school board members contact their legislators</p> <p>Have constituent teachers contact the legislator</p> <p>Keep constituents informed of how their legislator voted</p> <p>Develop a relationship with them if you want to have influence on legislators</p> <p>It is important to have a relationship with all legislators because at some point you may need their vote</p> <p>Have constituents develop a relationship with their legislator</p> <p>Provide legislators with all the information they need</p> <p>Keep in contact with the legislators who have an open mind</p> <p>Inform the legislator of how the legislation affects their local school(s)</p> <p>Become a resource for legislators whose districts are your client</p> <p>Play the role of teacher</p>	<p>Lobbyists need to get to know legislators, including what their background is</p> <p>Teachers do not always understand all education issues</p> <p>Those with little experience took a great deal more time</p> <p>To educate, those with education experience already knew the information</p> <p>Shorthand can be used with someone with an education background, it takes longer with someone who has little to no education background</p> <p>Sometimes it is harder to influence a policymaker with a lot of experience with education than it is influence a policymaker who has no education experience</p> <p>Have a brief conversation with those with an education background, printed material and an offer to visit with those who do not have an education background</p> <p>Listen to a legislator with a lot of educational experience and relate your points to their experience</p> <p>Assist newer legislators in understanding how something in education works</p> <p>First, determine how much they know; if you determine they are knowledgeable, give them what they need to fill in the gaps. If they are not knowledgeable, then they need all the information you can assist them in absorbing.</p>

A long-term legislator shared the following assessment of the influence lobbyists had, "Lobbyists have influenced my vote to the extent that I have needed additional information to form an opinion about how I should vote...and the information I have

been provided and perhaps even the persuasive manner in which that information has been provided may have tipped the balance. I don't look for them to assist me in making decisions because, again, I am pretty much very independent about that, but I would have to say, I rely upon many lobbyists, for whom I have a lot of respect, to get me good data to either back up decisions that I'm likely to make or to help me make decisions when I don't have all of the information." (Interview Legislator One)

Another long-term legislator summed up what a lobbyist needed to provide in order to influence opinions, "Lobbyists, to me, have always been a source of information and I need more from some lobbyists than I do from others. ...I have been involved with schools for some time and have opinions on what I think, but my opinions are not always correct and I can be shown...if you can show me by facts figures that things are actually different from what I have believed they are, then, yes, you can have an influence on me and can be influential. To me, information is what a lobbyist provides ...I couldn't care less whether they ever buy me a dinner or whatever...or give me a monetary contribution or gifts. Even if you gave me money for my campaign with the idea you were going to influence my vote, you were probably in deep doo-doo....because most of the time I didn't know who gave me money or the amount they gave...and I, at different times, during my political life reduced the amount of money I would take from any one lobbyist anyway...below the contribution limits...just because I didn't want it to appear that anyone had undue influence over me. Yes, I do think that lobbyists do influence your vote, if they are capable of providing good information. And that is what I expect from a lobbyist and you build trust, too, with them.. I think that as a result of that, as I have said, [an Education Department Staff Member] could nearly always influence me...[that person], of course, does not think [they are] a lobbyist, and would be really upset, but [that person] is." (Interview Legislator Two) A few legislators initially denied any influence from lobbyists but then either directly indicated that lobbyists did influence their view or described an instance during which a lobbyist did influence them through the information the lobbyist shared. (See Table 5.4, p. 109)

Differences in Strategy Used by Lobbyists to Acquire a Majority Vote vs. a Minority Vote

The examples given by lobbyists regarding how they acquired a majority vote for the issues they were promoting or trying to defeat were varied since what the lobbyist sought to accomplish in each was different. One of the lobbyists let legislators know that they couldn't hide their vote on a controversial issue during a vote in committee. "Let me give you an example, there was an anti-immigration bill which was in the House Education Committee and it was voted on...not a recorded vote...but it was a show of hands and my strategy that I employed on that...I knew we were going lose a vote...but my strategy was...I stood up where everyone could see me and I was writing names down, and that got noticed...I got called on the carpet out in the hall by a couple of Reps, but that's okay because there is nothing wrong with what I was doing, but there are strategies that you can use when you're losing which let people know that they can't do this and go unnoticed and they weren't ...I had a Rep follow me all the way up to the fourth floor, talking to me the whole way and I said, 'I'll listen to you ...I'm not trying to walk away from you, I just have another committee meeting.' Once again, it's all relational, you can't hide ...I can't hide and you guys can't hide. He was incensed that I was writing his name down. He got on his phone and called someone and asked if it was legal. This is America with a c, not a k, it's okay." (Interview Lobbyist Five)

Another lobbyist described the process of shepherding a change in law through the process, including getting it included in a conference committee report so it would become law. "Obviously, if you want it, you have to get in several different places....the point of the story...You find that the diagram they show in government class really isn't a smooth path....I actually diagrammed it once with all of the deviations, where you can...and of course, once the bill became conferenceable ...then I was golden...because then I could get it into any conference committee report and that was the reason that every time I walked into a room where [Representative A] was running the conference committee ...he would put it into the next report. It passed and it saves us about a \$100,000 a year." (Interview Lobbyist Eight)

In addition, a lobbyist who also has been a legislator described a process of trying to amend changes to law into bills as they were on General Orders. "Much as when I was

in the legislature...if there was a bill my district was interested in having passed... and it failed in the committee...I would begin talking to legislators about floor amendments on a germane bill. That I had a lot of practice doing...something I have had a whole lot more practice at than you,...You know why? Because when you are in the minority party, most of your bills don't make it out of committee so you get lots of practice getting amendments made up for the floor. A lot of the time, you use various people to carry the amendments you develop. I started becoming more successful when I had other people carry them. If you aren't concerned about who gets credit.... I think both legislators and lobbyists have similar strategies when they lose. They look for opportunities to get the concept passed. They develop amendments for the floor and if it isn't too late for introduction of bills, they may go to the other house and have the bill introduced there or they may attempt to amend it into a germane bill in committee or on the floor" (Interview Lobbyist Seven) (See Table 5.4, p. 109)

Strategies Lobbyists Used to Influence Legislators in Regard to Selected Bills

Strategies employed by lobbyists in an effort to influence legislators included (a) attempting to achieve a compromise which would be workable as the bill was implemented; (b) encouraging individual legislators to work together as a coalition; and (c) informing legislators and others about how legislation will affect their community, including encouraging members to communicate with legislators. Other strategies used included (a) adding so many amendments to the bill that it won't pass or filibustering; (b) involving legislators in the solution rather than issuing a threat of defeat at election time; (c) working with the Speaker of the House and the President of the Senate to send bills to the right committee; (d) testifying about details of bills that are problematic, including providing examples of problems some bills may cause; and (e) working with legislators on subcommittees to develop workable solutions to issues.

The following statements are excerpts from lobbyist interviews: "In the bullying bill our effort was to strike a compromise, because it was written with a whole list of things that they put together without talking to schools about what might work and what wouldn't work...so our approach was to question those things that were not workable...." (Interview Lobbyist Eight) "...During the legislative session, we have daily reports on

the issues and what has occurred with them that are sent to members and administrators. What we try to do is to tie the issues to the policies they have developed. If they have a desire to come up to testify, we tell board members and administrators that legislators like to hear from their constituency instead of the lobbyists. We also ask them to communicate through eggs & issues; through phone calls or emails....(Interview Lobbyist Four) “The approach I took with HB 2134 was, I told my delegation and others I talked to that I was a high school basketball coach for 34 years...and freshman high school football coach for 6 years. As a coach there were a lot of things I’d liked to have changed.... like more games in the season, blah, blah, blah, but I see this as one of the biggest Pandora’s boxes that the Legislature could ever deal with. If you want to say, we’re the governing body in the state and we’re going to make the decisions on sports...if you open that Pandora’s Box, I think it would be the greatest mistake the Legislature could ever make. If you want to change the By-Laws of the Activities Association and put different members on there, I think that is in the purview of the legislature, but when they make a decision, you don’t want to be overturning their decisions or they [the public] will be coming to you all the time...they come a lot now even though they seldom get recourse. If you responded on their behalf, then they’d really be unbearable. That was kind of my approach and I would just present it as a question...Do you, as a legislator, really want to get involved with this? Because if you do [get involved], every time they don’t like something, they will come back to you on everything....” (Interview Lobbyist Seven) (See Table 5.4, p. 109)

Types of lobbyists and Their Influence on Legislators

The types of lobbyists that several of the legislators indicated influence them the most are those lobbyists who work within the organizations and have knowledge about the needs of their communities, whether it be the school district lobbyists, community college lobbyists, city or county government lobbyists. Legislators also mentioned an employee of the Department of Education and a retired education researcher in Legislative Research all of whom they considered to be governmental lobbyists. Other legislators believed that the lobbyists who held the most influence in providing

Table 5.4 Strategies Used by Registered Education Lobbyists to Influence Votes

Strategies Used on Selected Bills	Strategies Used With Bills With Majority Votes Vs. Minority Votes
<p>Proposed amendments to bills to ensure that districts were not overwhelmed with mandates</p> <p>Opposed bills that were duplications of other statutes or were unfunded mandates</p> <p>Find committee members to “bottle up” bill in committee</p> <p>Develop a large number of amendments for selected legislators to attach to bill during meeting of the Committee of the Whole to defeat bill.</p> <p>Mobilize members to email, make phone calls, etc.</p> <p>Target grassroots lobbying to legislator who sponsors a bill which will harm district</p> <p>Work through sub-committee to make needed changes</p> <p>Work with the Speaker’s office</p> <p>Education lobbyists meet and coordinate when association goals allow</p> <p>Worked with a coalition of legislators to develop and pass needed changes to bills</p> <p>Have association members testify</p> <p>Made daily reports to members</p> <p>Provided information regarding how each bill would affect the school district(s) they represent</p> <p>Ensure that bills that are passed are workable within the district I represent</p> <p>Arrange for legislators to visit schools in district</p>	<p>Strategies were only different because of the subject of the bill.</p> <p>When in the minority, if voted by raising hands, I stood and recorded votes</p> <p>Shared information on how a bill would affect the schools in a legislator’s district</p> <p>If bill fails that we are supporting, we start looking for a germane bill that has passed onto which to amend the failed bill</p> <p>Believe that used the same strategies whether or not the vote on the bill agreed with our position</p> <p>Be vigilant that the amendments that were defeated in committee aren’t offered and passed during the meeting of the Committee of the Whole</p> <p>Once a bill has passed out of one body it can be amended into a germane bill that has been placed in a conference committee...when have a bill which meets this criteria, another bill that was in conference to which to attach that bill</p>

information were the association lobbyists, while the actual influence of votes more likely came from the grassroots lobbyists who informed legislators about how a particular decision would affect their community.

One legislator shared the dilemma in which legislators find themselves, particularly when they are the chairman of a committee, “...Its hard when you are a legislator, especially when you are a chairman of a committee, because you kind of have to look at the big picture...you can’t just look at your district that you are going to represent. So I had to look at both sides of that...Is it good for everyone in the state? Or is it good for the majority in the state? Or is it just good for my district?... So to look at the broad picture there was much different than I had because I only had all small rural

schools because [the larger district] was such a different animal than any school district in the state. So when [the larger district] would call, you really wanted to pay attention because of the impact the schools there had on decisions at the federal level, etc. that you really tried to step up and help them with issues...At least, I did.” (Interview Legislator Three) Additionally, a legislator, who served as Education Committee chairman, as well as chairman of another standing committee, indicated that, to some extent, all types of lobbyists have had some influence on decisions made and the key to how much influence was related to whether they had fulfilled the need the legislator had for information in order to make a sound decision. Those lobbyists which the legislator felt had less influence on the development of positions were governmental lobbyists and cause lobbyists while those with the most daily influence were association and contract lobbyists because they had a daily presence and showed an interest in the legislative process. Grassroots lobbyists also held a lot of influence when they were the legislator’s constituents. (Table 5.5, p. 112)

Additional Lobbyist Efforts to Influence Policymakers

One fact was shared that all lobbyists have their own philosophy about how to influence legislators so the thoughts are varied. The following suggestions were shared by lobbyists regarding lobbyist efforts to influence policymakers:

1. Credibility is an attribute you must have if you expect to influence policymakers.
2. Lobbyists need to understand that no two legislators are alike so it is necessary to work with each of them on their terms. Also, it is helpful to try to understand what the motivation of a legislator is.
3. Lobbyists need to appreciate and respect the legislative staff, including researchers, revisors, and secretaries. One lobbyist suggested that it is important to “get in good with the secretaries, for example, handing out testimony.”
4. Because of the large volume of proposed legislation, lobbyists assist legislators in understanding the complexities of proposed legislation.

5. Success in influencing a legislator, is developing the ability to see an opportunity to influence a legislator on an issue and you take advantage of that opportunity.
6. The team effort is important within lobbying because there are more individuals working to accomplish the same outcome.
7. Education lobbyists are committed to children in Kansas and the human potential they represent.

“For those that are concerned about us spending money on a lobbyist...well, look at how many bills impact us...those bills may be in nearly every committee, it’s not just in education.” (Interview Lobbyist Eight) (See Table 5.5, p. 112)

How Policies Promoted By Lobbyists Are Determined

The education lobbyists who were interviewed shared the following steps they take in order to arrive at their position on issues: (a) The entity hiring the lobbyist generally determines the positions that the lobbyist takes on bills. (b) There often are amendments offered in committee that have not been discussed by the governing board of the entity, so the lobbyist often must make decisions without the direct input of the organization which they represent. (c) The lobbyists indicated that they base their decision on the entity’s overall position which was determined at meetings where representatives from local organizations and boards develop the positions that guide the organization’s policies. (d) The larger organizations have lobby team meetings at least once a week. The lobby team goes over pending legislation and discusses the options available to them and decisions are then made regarding testimony, etc. In addition, larger organizations have attorneys as part of their staff who serve as a resource for the lobby team. (e) Some organizations that are represented by lobbyists have a formal procedure by which policy positions are developed. They directly involve the membership of the organization on the local level and then delegates from those local organizations attend statewide meetings to make final decisions about specific issues. (f) Other organizations may select a board of directors which represent the membership and it is the board of directors that determine the positions which are promoted by the

Table 5.5 Education Lobbyist Duties and Efforts to Influence Legislators

Duties as a Lobbyist	Lobbyist Efforts to Influence Policymakers
<p>Governmental relations activities work</p> <p>Oversee general interest publications, journal, newsletters, and media outreach</p> <p>Communicate with legislators, state board members and some, with Federal legislators</p> <p>Assist association members in working with their legislators and their board of education member</p> <p>Direct the political action department</p> <p>Assessed all bills, prepared testimony and discussed issues with legislators</p> <p>Director of Political Action and assist with Instructional Advocacy...try to bridge the gap between policymakers and those implementing the policy</p> <p>Attend committee meetings, writing testimony, developing bills, monitoring the House and Senate activities during session and monitoring interim activities</p> <p>Assistant Director of Development and assist with advocacy</p> <p>Lobbyist</p> <p>Work with the Board of Directors of the organization</p> <p>Lobby for the children of Kansas</p> <p>Work with clients, understand their needs and help them understand the legislative process, what is possible, and how they can use it to further their goals.</p> <p>Assist clients in developing testimony</p> <p>Provide a written and oral report to the district school board</p> <p>In-house governmental affairs for a school district</p>	<p>Find the facts, not allegations</p> <p>Interact with legislators</p> <p>Influence is a two-way street</p> <p>Promote legislative policy as determined by members</p> <p>Sometimes on offense and sometimes on Defense...take advantage of opportunities to sell my position to the policymaker</p> <p>Worked on economic issues and education issues for business organization, now work on education issues and economic issues for education organization</p> <p>Be a resource for legislators</p> <p>Be credible</p> <p>Communicate with legislators whether or not they are likely to agree with our position</p> <p>Share clients' point of view with legislators</p> <p>Work with delegation from area on specific issues that they work on in sub-committees</p> <p>Share district's point of view with delegation and with other legislators</p>

lobbyist representing that organization. (g) Within each of the larger organizations, their lobbyist informs the staff of issues that are before the legislature. The staff then develops a response which is then conveyed back to the legislators via the lobbyist. One lobbyist

indicated that he/she believes “it is important to try to find real factual evidence to back up whatever position we take as an association, I think it’s important that we try to find the facts to justify it.” (Interview Lobbyist One)

A contract lobbyist pointed out that there are differences between clients which are associations and those which are corporations in regard to the manner in which legislative positions are developed. The associations generally use a democratic process involving their membership when developing their legislative positions for the coming year versus those corporations which involve an owner, a public relations director, or a board of directors who first seek the lobbyist’s advice and then an individual or a small group determines the position the corporation wishes to take on legislative issues and then the lobbyist is directed to promote their positions with legislators. (See Table 5.6, p. 115)

Lobbyists and Legislators and the Perception of Lobbyist Influence

Legislators who were interviewed for this study were influenced to some degree by lobbyists. All legislators agreed that the information provided by lobbyists was valuable because it broadened their perspective and assisted them in making better decisions. Where legislators tended to draw the line was in regard to any belief that lobbyists directly influenced their vote. There was generally an agreement that the information provided by a lobbyist who had garnered respect for providing quality facts tended to increase the level of influence the information provided had on legislators’ decisions. Several legislators also indirectly mentioned that the relationships that lobbyists have cultivated with legislators held some importance in how the information shared by any of those lobbyists was accepted. Lobbyists seemed to agree that the relationships which were developed with legislators often held dividends, particularly when they continually provided quality information. Several lobbyists voiced concern that society’s focus on single issues had changed the face of the policy makers from those interested in serving for the common good of the state to those only interested in promoting a special interest. (See Table 5.6, p. 115)

Changes in Ability to Influence Policymakers on Education Issues

Some lobbyists felt that in more recent years, more people had been elected based on single issues and special interests than in the more distant past, when people were elected because they had a long list of community service and they had been well-respected in their jobs. The job is much broader than the one special interest they thought they were promoting so that “.....makes it more of a challenge for a lobbyist to understand and work with legislators than it once was.” (Interview Lobbyist Six)

Another lobbyist mentioned the change in where the battles are. When the lobbyist first began lobbying, the House and the Senate were much more moderate. Today lobbyists must work with “.....three blocks rather than the traditional majority - minority blocks we have seen in the past.” (Interview Lobbyist One) Some lobbyists felt that the make-up of the legislature had changed so that many more of the Legislators would prefer that public education not succeed and private education take precedence, making it more difficult to pass legislation which assisted public education.

Other lobbyists felt that the legislative process wasn't the only place where divisiveness was found; it was a factor in the nation as a whole. How to get to the point “where we can sit down with those whom we disagree and discuss our differences and discover our similarities and that which we agree with...instead of just focusing on our disagreement and being intolerant of those with whom we disagree. That is probably the biggest change and difficulty I've seen and for me, I can't even imagine this legislative body trying to deal with Liquor by-the-Drink, Para-mutual Wagering and the Lottery. There were constitutional issues on the ballot that year. The difference was you could go and sit down with people who are polar opposites to what you supported and you could accept the person even though you differed on the position you took on a given issue.” (Interview Lobbyist Four) (See Table 5.6, p. 115)

How Legislators Viewed Lobbyists' Attempts to Influence Them

First, the legislators recognized the attempts that were being made by lobbyists to influence their vote. While they recognized the need for those lobbyists to exist, because they serve the purpose of providing a balanced view of the facts surrounding a piece of legislation., they were cautious about providing a perception that lobbyists either told

them how to vote or provided so much financial support that the expectation is that the legislator feels obligated to support the positions of certain lobbyists. Most legislators are emphatic that while they appreciate the information which has been provided and believe

Table 5.6 Lobbyists’ Position Development and Changes Observed by Education Lobbyists From 1995 - 2006

How Lobbyists Arrive at the Position They Take on a Given Issue	Changes Seen by the Lobbyists Since They Began Lobbying
<p>Yearly, members develop broad policy positions on issues....until they are changed by the membership they stay in place.</p> <p>Staff meets every Friday during session to determine position and amendments to recommend on bills. (Positions are guided by policies determined by members. Sometimes there is no position so take a neutral position and tell what the bill’s effect will be.)</p> <p>A legislative platform is developed by members and Board of Directors establish resolutions on topics that are referred to by staff and elected executives. Work with committee members and with other individuals to carry amendments to bills instead of recommending them in testimony.</p> <p>Work with clients to help them develop their legislative programs for the year and determine how to get a law changed</p> <p>The district decides what their position is and informs me. If amendments are proposed, their basic position is considered to determine if it fits with their philosophy.</p>	<p>The House has become more conservative which has made it more difficult to advance pro-education legislation than it was prior to the ‘Summer of Mercy’ issue in Wichita and those individuals became involved in politics and many were elected to the House.</p> <p>A number of individuals who were elected recently would like to see public education fail so private education can flourish., making it difficult to pass legislation that assists public education.</p> <p>Work to elect more individuals who are public education friendly by doing grassroots organizing</p> <p>Bigger businesses have begun to come to power. Their issues are not the same as small business whose needs are being overlooked.</p> <p>Divisiveness is a concern in other venues as well. The nation is divided and it won’t change until we focus on our similarities and our agreement instead of our differences and our intolerance of those with whom we disagree</p> <p>More individuals are elected on the basis of a single interest than when I began. Candidates are recruited based on their position on an issue instead of being recruited because they are respected for their community service and in their jobs. When they get here they find that the legislature deals with 800 different issues each session.</p> <p>The national legislative organizations tend to promote trendy legislative suggestions and there is no determination regarding how workable they are before the bill is written and promoted.</p>

that it is important that they do receive such information, they also believe that they need to consider the information with other pieces of information that they have received so they can make a balanced decision about education issues. For example, Legislator One commented, “We all need to understand that lobbyists are there to try to not only provide information, but to use that information to influence a particular outcome. As long as we understand that’s what they are doing, we will have a good arm’s length relationship. Doctors, I think can rest easy at night knowing that [Lobbyist A] understands their issues and can effectively communicate their needs and expectations to the Legislature. I’m not sure that same connect is still there with the average teacher in the classroom, knowing that their needs and wants and frustrations are getting translated the way they really want it to be to a legislative committee. If you interview ten teachers this afternoon, is their number one issue the amount of money the Legislature sends or is their big issue that the Legislature needs to do something to cut down on the amount off paper work to give them more time in the classroom actually teaching kids?”

Another legislator who has a background in research made the following comment: “I guess the thing that I have said to you is that I depend upon professionals who do not express opinions but provide information. That is probably because of my research science background which in the education world, means that those who lobby on actual issues have less influence on me....You need to be able to present me with the data so that I can judge the data and try to come to a response in some sort of a logical manner. Present me with the facts, not the emotion of an issue.If you are going to make decisions which affect an entire state, you need to have a logical basis on which to base your decision.” One legislator pointed out that lobbyists do not spend time communicating with the ones to whom they should visit and also mentioned that some association newsletters made disrespectful comments about policy-makers who were trying to do the right thing. That legislator stated, “I never understood though, why they thought calling people names or doing anything like that was going to get anyone to listen to them...because most of the time, people would then shut the door and they wouldn’t even let them in their office.”

One of the legislators summed up what most of the other legislators had said, “There are lobbyists who represent interests with money to use toward the lobbying process which they use in legal ways, including as a subtle influence. Education lobbyists have no money, but what they do have going for them in this process is a) education is the largest single expenditure in the state and b) the distribution of that money is the most complex aspect of state government ...school finance. Most Education Committee members rely on the education lobbyists for the knowledge. So the education lobbyists are dealing in knowledge instead of dealing in dollars.” (Interview Legislator Six) (See Table 5.7, p, 119)

Legislators View of Lobbyist Efforts to Influence Policymakers

Most legislators recognized that, as a group, there are few education lobbyists who contribute to campaigns. There was little of the arm-twisting and conflict that other legislators seem to experience with lobbyists. Also mentioned by legislators was the lack of the wining and dining that committee members in other areas supposedly experience in order to convince legislators to vote for the lobbyist’s position. It was also mentioned that lobbyists have a tendency to communicate only with those who generally agree with them instead of having a dialogue with someone who doesn’t always agree with them. In addition, instead of working for a compromise with those in leadership, they worked behind the scenes and often made the people who they needed to have on board with them, mad, so they were less likely to vote the way the lobbyists wanted.

It was also mentioned by a couple of chairmen that they knew that individuals were voting as they did and proposed changes based on what they thought was right, but newsletters from at least one education organization were “scathing about those people....they would just crucify those people” (Interview Legislator Three) and the lobbyists were then not allowed in the office door of those individuals. In fact, it was mentioned that attempts were made to keep an open mind, to be fair, hear and work bills which those lobbyists were interested in passing, but there were never any kudos for those efforts, just ridicule when the chairs didn’t agree with the leaders of the organization.

In addition, some Chairmen indicated that it is important for all legislators, including themselves, to recognize that the lobbyists are not only at the Capitol to provide information, but they're also there to try to convince legislators so there will be a particular outcome and, in the case of education, several indicated they sought out the opinions of constituents who are teachers to make certain that the organization's line was really the teachers' belief as well. There seemed to be some uncertainty in regard to whether the majority of classroom teachers would agree with the positions taken by KNEA.

One chairman compared KNEA and the KMS. "Doctors, for example, I think, can rest easy at night knowing that [the lobbyist] with the Kansas Medical Society understands what they're going through and can effectively communicate their needs and expectations to the Legislature. I'm not sure that same connect is still there with the average teacher in the classroom, knowing that their needs and wants and frustrations are getting translated the way they really want it to be into a legislative committee... I don't know if you interview ten teachers this afternoon, that their number one issue is...the Legislature needs to give us another dollar or is their big issue that the Legislature needs to do something to cut down on the amount of paper work to give me more time in the classroom actually teaching kids? What are the things we can do to actually get more education services delivered to our kids ... that's the real issue and I see that not translating to the lobbying that is going on in Topeka, it's all about.... and maybe it's because they don't feel they have any other choice but to chase the dollars and let everything fall....take its own course. It may beg the question, because to better understand lobbying efforts, I guess what I'm saying is, to me, the lobbying efforts in Topeka, in the education area, are all about chasing dollars for crumbling classrooms or chasing dollars for base state aid...adding dollars to the base state aid per pupil. Yet, again, I go back to the hypothetical interview of ten teachers...is that where they would put the next extra dollar of funding or is that what they would think the legislative priority for 2008 would be, as it relates to their classroom?...I don't know." (Interview Legislator One)

Another legislator pointed out that to have an impact, lobbyists can't just talk about the issue and expect legislators to vote in favor of their position, there must be data provided so the legislator can come to a conclusion after studying the facts. The emotion rarely convinces a legislator, the facts do. Also citing a few cases and extending those facts to all like cases is incomplete data upon which to make a decision. The decisions that legislators make affect the entire state so they need facts not opinions and emotion to drive their decisions.

Still another chairman pointed out that legislators need to guard against being too influenced by lobbyists because a legislator who votes a certain way in order to acquire a campaign contribution or an invitation to dinner or to some sort of recreation, has violated the trust placed in him/her. No person's vote should be for sale. (See Table 5.7, p. 119)

**Table 5.7 What Legislators Say About the Influence of Lobbyists
On Their Decisions**

How Lobbyists Attempted to Influence Legislators According to the Legislators
<p>Understand that lobbyists are there to try to not only provide information, but to use that information to influence a particular outcome. As long as legislators understand that's what lobbyists are doing, we will have a good arm's length relationship. (Has a concern that education lobbyists do not know the needs, wants and frustrations of the average teacher and therefore that information isn't being adequately communicated to the legislators.)</p> <p>Lobbyists didn't express opinions but presented data without emotion so can make a logical decision</p> <p>Education groups made little effort to lobby the committee chairman. Lobbyists have a tendency to contact only the people who agree with them instead of having dialogue with someone who doesn't agree. Mentioned were newsletters which made scathing comments about people who the group had not lobbied.</p> <p>Listened to lobbyists, but then reached own conclusions.</p> <p>Education lobbyists deal in knowledge rather than in dollars.</p>

Successful and Frustrating Moments of Lobbyists

Lobbyists shared several frustrations that they had with the process. One lobbyist shared that if you're watching the full body debate something and information that you don't believe is factually correct is given during the debate on the floor, it's frustrating because it is very difficult to correct. Lobbyists who were former legislators seemed to

have the most frustration with such events “because as a legislator, you can just go and believe that is up and try to clarify it yourself, but, as a lobbyist, obviously, you can’t do that.” (Interview Lobbyist Six)

Another lobbyist told of an experience with a legislator when the lobbyist had been sent by the association to give testimony at a hearing without being fully prepared. “I will tell you what was one of my worst moments as a lobbyist...It taught me a lesson I’ll never forget. It was about 10 years ago...well, maybe not quite that... Remember [first-year legislator]? I think [the first-year legislator] was the main sponsor of an ethics bill and one of our legal staff had put together a couple of points and I was sent down to testify. I didn’t really understand the bill and [the first-year legislator] really went after me and really challenged a lot of what was in my testimony. I think [the first-year legislator] had problems with our organization and decided to attack...as a lobbyist I felt humiliated, partially because I wanted to snap back, but that is something a lobbyist doesn’t do. I also knew I didn’t know what the bill was about and I didn’t understand the testimony well enough to defend myself. I vowed then, I was never going to go in and testify without knowing what the bill was about and understanding it.” (Interview Lobbyist One) In addition, other lobbyists mentioned frustrations because of (a) an inability to acquire more of the needed changes to the School Finance Law after the law was approved in 1992; (b) the building based budget never seemed to go away...in fact one lobbyist compared it to the Energizer Bunny; and (c) an inability to persuade legislators that it was inappropriate to provide funding for non-proficient students who aren’t qualified as at-risk.

Successes referenced by lobbyists included helping some legislators understand a previously misunderstood issue; ability to put together and deliver good testimony and then to defend statements made; convincing legislators who disagree with them philosophically; and the Special Education reauthorization because everyone could agree. (See Table 5.8, p.122)

Legislators’ Successes and Most Frustrating Moment(s)

Legislators indicated that their frustrations are often that other legislators have a different philosophy about what is important to accomplish for society through actions

taken by the Legislature. For example, some legislators prefer putting money into highways because they can see that the money was being used as intended. When the Legislature puts money into education some legislators said that they did not know if it was being used in the manner that they intended. Also mentioned were (a) the frustration of dealing with school finance and the need for a special session in order to pass a bill that the Supreme Court would deem acceptable; (b) the frustration of discovering that after working to get input from everyone, some legislators work behind your back instead of trying to reach a compromise; (c) the frustration that, although it was legal, the usual Legislative process was circumvented during the adoption of the expanded gaming bill and (d) the frustration of having to follow the Augenblick and Myers Report which was considered to be poor research by a former Education Committee chairman who had earned a PhD. Another frustration mentioned was an issue related to the reapportionment of the House. “We were within one vote of passing a bill that would have made a difference in the 2nd Congressional District.... and one of the Conservative legislators was bought off, not for money, but for power. He changed his vote.” (Interview Legislator Two) The most successful bills or amendments mentioned were (a) passing the in-state tuition for undocumented immigrants; (b) reaching a compromise on a controversial issue; and (c) the rewriting of the mediation laws.

One of the legislators summed up the difference between frustration and success quite well. “The difference between frustration and success was the breaking of trust by another Legislator. Successes were nearly always about people working together...the vast majority of the time the relationships that are established grow and if we have differences we sit down and work them out and we trust each other to try to do the best we can...sort of a mutual respect.” (Interview Legislator Two) (See Table 5.9, p. 123)

Comparison of Successes and of Frustrations Shared By Lobbyists and Legislators

Both lobbyists and legislators mentioned compromises that they considered to be a sign of success. The lobbyists and the legislators also listed bills on which they had

worked and, in the case of legislators, that they had authored or helped sponsor which they felt made a difference, although there were no bills mentioned by both lobbyists and legislators.

Table 5.8 Education Lobbyists’ Successes and Frustrations

Lobbying Successes	Lobbying Frustrations
Putting together good testimony and being prepared enough to defend my statements	Not being prepared enough to defend statements made in testimony
Passage of the Teacher Due Process Act in 1991	Not getting needed changes in the school finance legislation in years following 1992
Special education legislation passage because people are generally on the same side	Going before the Tax Committee, it is like being before the Siegfried Line in World War I
Having a legislator sit down with you to work on a compromise even though he/she doesn’t usually agree with you	The building-based budget which never seems to go away
Getting additional money put in the BSAPP (Base State Aid Per Pupil)	Not getting enough additional money put in the Base State Aid Per Pupil (BSAPP)
Having some of the most conservative members see that if the state was going to put additional money into the formula, then the part of the formula in which it is placed is very important for their district	When you watch the whole body debate an issue and incorrect information is given and as a former legislator it is frustrating not to be able to go to the podium to provide the correct information
The court case which caused the state to focus more money toward the at-risk student	Providing at-risk money to non-proficient students who do not qualify for traditional at-risk money
	Having the state appropriate money to Special Education funding to offset losses of Medicaid funding but my district, because of the way the dollars will be distributed, will still lose 4 million dollars

Table 5.9 Legislators’ Successes and Frustrations From 1995 – 2006

Legislators’ Successes	Legislators’ Frustrations
<p>Re-writing of the mediation laws</p> <p>Successes are always about people working together to work out our differences, trusting each other to do the best we can... a type of mutual respect.</p> <p>To reach a compromise</p> <p>Passage of qualified admissions</p> <p>The in-state tuition for immigrants was the most successful and it was exhilarating when it passed because it was so difficult and even with repeated attempts to dismantle it... it has prevailed. I was so proud of some of my colleagues who were willing to do the right thing, even if they took a beating.</p>	<p>The passage of gaming legislation</p> <p>Well-vetted issues that have someone talk for long periods about it and they have no idea what they are talking about</p> <p>Legislators who change their vote for power thus breaking of trust by that legislator</p> <p>When there was considerable work done to get input from everyone only to have people work behind your back instead of trying to reach a compromise.</p> <p>My most frustrating times were connected with the Augenblick and Myers report. It was boiler plate research, instead of being unique and they only interviewed a few people instead of many.</p> <p>One frustration came whenever anyone would try to repeal the in-state tuition for immigrants ...again and again ...However, school finance and the special session to deal with it have been the most frustrating.</p> <p>It is frustrating that there are people from both parties who do not believe that education is the most important thing in society</p>

Legislative actions generated feelings of success and of frustration. For example, the recent Supreme Court Decision, the subsequent Special Session, and the resulting legislation were mentioned as being both a success and a frustration by both groups. Some individuals even mentioned school finance as a success and a frustration.

One legislator referenced feeling betrayed by the actions of another legislator who changed his/her vote for a promise of power. One of the lobbyists mentioned being embarrassed in a committee meeting because of an inability to answer the questions a sub-committee chairperson asked and then because of the lobbyist’s inability to answer

the questions asked, the legislator proceeded to berate the lobbyist. It was obvious that the successes brought back positive memories while, in the case of the frustrations, several brought back some rather painful memories for legislators and for lobbyists. (See Table 5.8, p. 122) (See Table 5.9, p. 123)

Educational Issues Lobbyists Found to Be the Most Enjoyable

Lobbyists mentioned several educational issues that they found the most enjoyable. A few lobbyists found that being able to get more attention placed on the achievement gap in education was the most enjoyable. Another lobbyist mentioned that the most enjoyable issue was when QPA was begun and that it had been good to see that continually requiring greater performance outcomes has made a difference. Several lobbyists mentioned that they received the greatest enjoyment from school finance issues even though they are often the most challenging as well. One of the lobbyists mentioned the reauthorization of IDEA because "...I'm familiar with it and it's easy to talk about and this state does very good things over and above the basic law that other states don't do such as gifted and transition that ...it's kind of fun to have seen the law implemented in '75 and then seeing the changes and being at this point and juncture of my career, and to watch how policymakers make those regulations come into statute was fun..." (Interview Lobbyist Three) Other lobbyists thought the most enjoyable was the court case which focused on school finance issues. (See Table 5.10, p. 125)

Educational Issues Lobbyists Found to Be the Most Challenging

A few lobbyists felt that the most challenging issue was trying to provide the means to deal with those students that don't acquire the necessary skills and information during the regular school day or during the year and need to be in school longer so the achievement gap can be narrowed. Other lobbyists felt that the issue which was the most frustrating was when the court said the legislature had to spend more money on K-12 schools but the House Leadership had a different view of what needed to occur. Legislators who were angry at the Supreme Court for the decision the Justices made regarding school finance would avoid the education lobbyists which made it frustrating for the lobbyists who wanted to visit about other education issues. "...they weren't angry at me...they were so angry at the Supreme Court." (Interview Lobbyist Eight)

Several lobbyists acknowledged that they enjoyed school finance issues, but also found that they were the most challenging. Also mentioned in regard to the past unrest regarding school finance and other issues was this statement, "...The general mistrust of some is probably the most challenging." (Interview Lobbyist Five) In addition, some lobbyists mentioned, as the most challenging, the general lack of recognition of what is good for Kansas kids by a number of legislators. A former member of the Kansas State Board of Education, who now is a lobbyist, summarized the feeling of the lobbyists in the following statement:

"Kansas has a very strong education system. I found out when I was on the State Board that that was not true of all states. No Child Left Behind has been effective in raising standards in states that needed to do so. It has been very costly for all states and has shifted our focus to testing, testing and more testing. It will be responsible for teachers, who find joy and success in teaching, not to a test, but to inquiring minds, leaving the field [of teaching]. Setting policies at the state level to assure that there are high expectations for all children is wise, but local boards should be able to decide how best to meet those expectations." (Interview Lobbyist Five) (See Table 5.10, p. 125)

Table 5.10 Education Lobbyists' Joys and Challenges From 1995 – 2006

Lobbying Joys	Lobbying Challenges
QPA and the improvements that have been made in education	As the biggest part of the state budget, education is always expected to do more
School finance issues	School finance issues
Reauthorization of IDEA because this state does good things over and above the basic law	Building Based Budget for school districts
Building Based Budget for school districts because of my training	The general mistrust of some
Getting more attention placed on the education achievement gap and allotting additional resources for kids needing extra help	Getting the resources needed to get more attention targeted toward the achievement gap
School finance because the court case caused a new focus to be placed on the issue	School finance because of the new dynamic created by the court case
The ability to get a bill passed though the entire process which is difficult	The special session because people were very angry, not at the lobbyist, but at the Supreme Court.

Legislators' View of Differences Between Male and Female Lobbyists

It was pointed out that everyone has personal talents which need to be utilized and that there may be differences in personality but there is little difference in the manner in which lobbyists go about their work regardless of their gender. Most legislators responded that there isn't much difference today, but some who have been in the Legislature for a longer period of time related some of the following comments or perceptions that were common at an earlier time in their legislative careers.

“...I remember when...this may be a little bit off the subject...women lobbyists began to become more prominent...one or two women were lobbyists. [Carol] lobbied in [a standing committee];...then firms began to hire young women...and I can remember thinking, I think that's kind of a sexist thing...I'd hear the men and some women saying... they just hired her because she's young and good looking and she's going to take the men out...I thought that was kind of a sexist statement...I don't hear that much any more. There are some women who are lobbyists that people don't like and some they like just as there are men lobbyists that aren't liked and those who are well-liked...it has to do with individuals. That's the answer my [spouse] and three daughters told me to give and I think I said it like they wrote it!” (Interview Legislator Six)

In addition, the following is a comment from an Education Chairman, “Women lobbyists have grown up a lot...there weren't many of them in the legislature when I first came to the legislature...the ones that were, sometimes used their smiles and their bodies, don't mean that they were promiscuous...they just were not as professional as they should have been...I think they are now...I think they understand what a lobbyist does a little better. I think women choose their issues in a different manner...I think they are drawn to social issues, children's issues, education issues...where men are drawn to where is it they can make a living and whether they actually...They both present testimony well. When I was at [a state agency] I used to get very aggravated at people trying to manipulate systems on an emotional basis, but I think that sometimes that is because they care about their issue more...they personally care about it. Men, who are lawyers, will tell you they can argue both sides of the issue a lot of the time...women usually choose their issue...often because of personal experience. I think of [Linda] who

lobbies now for [a well-known charity] after her personal experience. I had a lot of people who lobbied for social issues when I was at [a state agency] because they were personally affected in some way...themselves, a family member, a child...etc. At one time women lobbyists would take on at least one cause which was non-paying or very low-paying simply because they felt they had a responsibility to do that.” (Interview Legislator Two)

The researcher asked whether there were men who also chose a cause to represent without reimbursement and the answer was that “[George] did similarly...the Highway Patrol was the one he did. I would suspect that he may have taught others that he taught to lobby to have at least one cause they would lobby for, also. I hadn’t really thought about it until I realized that [P.B.] used to lobby for the Accessible Arts. She never got paid anything for that and there were a couple other women who had ‘pets’ that they didn’t get paid anything for, in fact, it is doubtful that they even got their printing costs paid. I think there have been, in the past, I’m not sure about now, but there was a little difference there because women are inclined to get involved with projects. [Women] want to save the world.” (Interview Legislator Two)

Other legislators, at first, also thought there was little difference, but then, some indicated that male lobbyists lobbying male legislators may be more competitive than their dealings with women legislators. Within the course of the interview some legislators commented as follows: “I think there are differences but it is generally personality instead of gender that is a factor.....Most of the women lobbyists I know don’t represent business as much as they represent education and causes. They are usually very passionate about those causes and there more women lobbying for causes than there are men.” (Interview Legislator Five) “I’m sure there might still be sexism in the capitol and I suppose there would be some legislators who would prefer to deal with a lobbyist of the same gender...A male lobbyist who may prefer to deal with male legislators and visa versa ...but I don’t see that, I don’t perceive that and it certainly is not the case with me.” (Interview Legislator One) (See Table 5.11, p.130)

Lobbyists and Legislators on Differences Between Male and Female Lobbyists

Several lobbyists indicated that, in their opinion, there were no differences in the way men and women approach and prepare for lobbying; however, other lobbyists shared information which would indicate that there is, at least, a perception of the existence of differences in some instances. Some lobbyists indicated that they didn't believe there was any difference in the way education lobbyists operate, but there are "definitely cliques within the lobbyist ranks...out-of-town, gender, Topeka, ..." (Lobbyist Interview Eight)

One of the lobbyists indicated that while many women are very professional, it is known that some of the women who lobby acquire votes in a way that isn't professional. This same lobbyist indicated it may be more difficult for women lobbyists to lobby men because assumptions and suspicions may run amuck; however, when male lobbyists lobby female legislators it is more likely to be perceived as being just part of their job and therefore the assumptions and suspicions are not present. A few lobbyists acknowledged that there probably is little difference in the way either gender approaches lobbying, but that perception gets in the way when the accomplishments of women lobbyists are viewed.

One lobbyist stated, "...in terms of social issues, women may be more willing to work for less in some cases...but in terms of capabilities, research done, etc., I see no difference." (Interview Lobbyist Seven) Another lobbyist indicated that "All lobbyists have their own style or approach." According to this same lobbyist, the size and the resources of the group a lobbyist represents is more likely to create bigger differences in lobbying than gender differences. (Interview Lobbyist Five)

Both legislators and lobbyists indicated an acceptance of lobbyists of the opposite gender. One legislator; however, did mention there had been some consideration of banning a female lobbyist from the legislator's office because she became angry and was disrespectful toward the secretary who would not let her come in to the inner office because the legislator was working on a piece of legislation that did not concern that lobbyist. (See Table 5.11, p. 130)

Influence Legislators Had On Other Legislators

At first, most legislators found it difficult to identify any influence they had on other legislators and as one legislator stated, "...you'd have to ask another people....we might be the last to know what influence we've had on other legislators..." (Interview Legislator Six) There were a few legislators who shared instances when they felt they had some influence. Those instances follow: "People do ask me what the [legislator's delegation's] position is...particularly within my own party. I try to explain our position.... but one thing that has happened....I was privileged to carry amendments to bills that might be a little far out there, but they were still the right thing to do....people were embarrassed not to vote for it." (Interview Legislator Five)

"When I was Assistant Majority Leader, I held Legislation 101 groups for legislators.... I influenced them in that way. I've tried to teach people about leadership over the years and how to be a good leader. [A new Education Committee chairman] ...called me....and said 'I need a list of those committee rules you had'I said ...committee rules...I have no idea what rules...[the new chairman] said, 'Yeah, they were good ones that you used to keep everyone going the right way.' If there is a list...if Research [referring to the Department of Legislative Research] doesn't have a list of them, I have no idea....[that legislator] was convinced that there were printed rules that I followed...but I always felt that you need to be fair to everyone and to be polite..." (Interview Legislator Two)

Quotes from other legislators follow: "There were times when I was able to influence people enough to get a majority vote on some things. I always felt rather good about that. when it comes to people who are in your camp or who can be counted on, again... that all has to do with integrity, persuasion, and some of those kinds of things." (Interview Legislator Four) "We had an opportunity to persuade each other through the process.And maybe that's where the influence that I had on other legislators came from, because I always had the policy of being very open, very candid, very honest, and people learned that they could trust that and it bothered me when people felt like they

Table 5.11 Observed Gender Differences in Lobbying Strategies

Gender Differences Observed By Legislators	Gender Differences Observed By Lobbyists
<p>Doesn't believe there is a difference in their effectiveness and have been professional; however, there may be sexism and those who prefer to deal with someone of their own gender</p> <p>Women have become more professional than when first came to the Legislature. Some used their smiles and their bodies instead of intellect.</p> <p>Women are drawn to social issues, children's issues, and education issues. Men are drawn to issues from which they can make a living.</p> <p>Women may use more emotion because they deeply care about that issue.... they were personally affected in some way.... themselves, family members, a child, etc.</p> <p>I didn't notice a lot of difference in how I was treated by either gender.</p> <p>Men are more assertive in the way they approach one another ...winning is a factor. Women more likely to represent causes....men are more likely to represent business.</p>	<p>Had not noticed differences between genders</p> <p>Indicated that had seen differences in the things that men and women do and in the places they show up. Female lobbyists sometimes get into the motherly role and take care of perceived needs of legislators They bring baked goods, etc. to offices, something a male is unlikely to do.</p> <p>There are women who are very successful and who, in general, approach lobbying in a very professional manner, however; there are people who believe that some women lobbyists are securing votes through a means other than just providing information. Such a perception may make it tougher for women lobbyists to lobby men and could be true of a male lobbyist who is lobbying a female legislator but it is more likely to be viewed as just being part of his job.</p> <p>All lobbyists have their own style or approach. The biggest difference is more likely to be the resources they have and the size of the group they represent rather than gender.</p> <p>Women may be more willing to work for less in some cases, but in terms of capabilities, research done, etc. I see no difference.</p> <p>Don't see differences in those who lobby for education, but there are definitely cliques within the lobbyist ranks....out-of-town, gender, Topeka lobbyists...not in education</p>

couldn't trust me. They knew I was going to be up-front with them...." (Interview Legislator Three) A long-time legislator observed that "as they gain more experience, the legislator is less likely to be influenced by other legislators and the more confident they feel in making decisions." (Interview Legislator Six) (See Table 5.12, p. 138)

Influence Other Legislators Had on Legislators Being Interviewed

The influence other legislators had on the legislator being interviewed seemed to be more easily identified. Legislators mentioned the influence that veteran members had on them during their first two years. Some of the legislators noted that they believed you really never “ever reach the point where you don’t talk to other legislators to find out where they are on a bill. We’re all on three committees and although we get some information during the morning caucus, I’m always asking someone in committee where they are on an issue...and sometimes I ask a [colleague from the other party] to get their perspective.” (Legislator Interview Six) Other legislators also indicated that they ask individuals, regardless of their party, for their advice when those legislators have a background in certain issues. “On some issues that I’m not clear on that are local like city government, the water district or something like that...we have one legislator in our delegation who is a [colleague from the other party], obviously, whose integrity is just a step beyond, I think, so I ask [C.T.] advice on a lot of issues...but [C.T.] never pressures me to vote any certain way. I really respect [C.T.]...[C.T.] was on the city council. I also ask [C.T.] about school issues....” (Legislator Interview Five)

Another legislator had the following answer: “When I first started, I knew that because having watched [a former legislator] ...I knew there was no way that you could know everything about every issue and maintain any kind of sanity or get any sleep and so I sort of just started watching legislators and forming opinions about their character and if I felt that this was a person who was going to tell me something and they really meant it and they were very sincere and honest about things and had integrity, I would pay attention to what that person said. I learned very quickly that there are some who you just ...I just never dealt with those individuals because I couldn’t trust them and I think that is a very big piece in the legislature...is finding which legislators you truly can trust and its kind of sad that not everybody figured that out. I would say [J. B.] had a big influence on me. [J.B.] had been there a long time and had been a committee chairman for a long time and I learned how to run a committee meeting from [J.B.], by sitting on the [another standing committee] and watching how [J.B.] did things...I thought [J.B.] treated people fairly. There were times you could see that [J.B.] was mad,

but [J.B.] would control that, and [J.B.] tried to be open with people and [L.Q.] was the same way.” (Interview Legislator Three) In answer to this question, one legislator said the following: “[C.T.] was someone who I also had a lot of respect for, because of [C.T.’s] actions which we discussed earlier ...[C.T.’s] integrity. That made [C.T.] more influential in other venues as well...[P.B.] was always a good source for me, also, because [P.B.] was a good friend and [P.B.] probably understood school issues as well as anybody I knew.” (Interview Legislator Two)

In relation to this question, the researcher also asked the Chairpersons and the Ranking Minority Members if they had ever been pressured by their leadership to follow a specific position on an issue or identify certain pieces of legislation which they wanted to be passed out of the committee. “Yes, but basically only one time, during the special session and it was so-o-o-o necessary that we stick together ... when some thought the Supreme Court had overstepped its bounds...that was a hard vote for a lot of people to make... even if you thought you were doing the right thing...it still was a struggle....but it was important that we stick together with the moderates on [the other] side of the aisle, and we did it... it was really tough for some...” (Interview Legislator Five) “I did not have a Speaker that came to me and said now that you’re chairman I want you to do X...this is what I want you to accomplish ...it was basically my committee and if by some stroke of luck I could get something out of committee then we’d run it on the floor.” (Interview Legislator One)

“When I was Chair of the Education Committee there were two Speakers both of whom bulldozed me on one point or another and I totally ...well I threatened to resign from the Education Chair, twice, with one of our Speakers. If I told you who that was, you are probably are going to say, well, you and he were philosophically closer together than any of the other Speakers we had. In any case...that was [J.E.]...and [J.E.] was meddling and I just...and [C.D.] meddled to a degree, but [C.D.] would back off...I could make a point to [C.D.} and he would back off. So this Speaker, that I was closer to philosophically than any of the three that I served under, gave me more trouble than any of the three. I don’t know whether he knows that, even today. [J.E.]wanted it the way [J.E.] wanted it...well, [J.E.] and I put forward...I don’t know if you will remember

this...[J.E.] and I put forth [an education program] and I was very much in favor of that bill.” (Interview Legislator Four)

According to the assessment of several members of the chief leadership of the House Education Committee, some legislators sought to be of assistance while others sought to reach their ambitions without regard to how their actions affected others. As one legislator said “When I started in the Legislature I found a scripture, James 3:16, ‘Where there is jealousy and selfish ambition, there is every evil thing.’ Boy, you can just see that played out every day. You knew who was trying to step on you to get to somewhere else.” (Interview Legislator Three) (See Table 5.12, p. 138)

Legislators and Their Influence Over Other Legislators

When legislators answered the question regarding the level of influence they have over other legislators, most legislators expanded the context to include why any legislator would be able to influence another legislator, rather than focusing on their ability to influence others. Their answers, in general, referenced several reasons that legislators have influence on other legislators. One of the reasons mentioned by legislators was that they, first, must have earned the respect of their colleagues. They also may have a great deal of information they can share on an issue, so they are respected for their knowledge of the issue. Also mentioned was the fact that a legislator’s longevity may also be an influence, because they know the history regarding an issue that may ultimately influence how other legislators develop their positions on that issue. In addition, being a stakeholder in an issue, was also given as a reason why a legislator was able to influence the outcome of proposed solutions regarding that issue.

Another viewpoint was that when one legislator has the same values and views as other legislators, they tend to be able to influence one another. One long-term legislator provided the following answer: “...in some respects...you would say that I haven’t had much influence. I’ve had some feedback that I’ve been a good chairman over the years and that people have learned from my leadership style on the committee and my way of chairing a committee has helped them when they have gone on to be chairs of their committees and maybe this thought that there is nothing that’s black or white. I think that a lot of people come to the Legislature with the idea that there is a right answer and a

wrong answer. The committee that I have had the privilege of chairing for a long time is certainly one where there is no black and white, in fact there are several shades of gray, and we'll argue an issue and then I will argue for the other side. I think people that I've served with learned that there are two sides to every issue. I give people equal time and listen to their view. In the end of the day it is black and white or yes or no or is there some compromise that maybe adversaries don't see. It is having the skill which, at the end of the day, you can reach consensus and craft a bill that both sides can agree upon. It doesn't have to be someone loses and someone wins. You can actually have a win-win situation. Hopefully, you can disagree without being disagreeable. I try to lead by example and remember that once you lose your integrity, you have lost everything. Many of the legislators who are no longer here because of something they have done that has caused them to lose their integrity with their colleagues." (Interview Legislator One) (See Table 5.12, p. 138)

Legislators To Whom the Interviewed Legislators Listen Prior to Making Decisions

Legislators referred to several sources they use before making decisions. Some said that if it is a controversial issue they may first determine what stance their political party has taken. They then are likely to determine the position their delegation was going to take on the issue before making a decision on how to vote on an issue. One legislator indicated that he was likely to confer with the leadership of the House, the Commissioner of Education, as well as other members of the committee when making decisions. Others mentioned listening to their constituents' views on issues before making decisions. One legislator spoke of listening to the chairpersons of other committees, many who had been the chairperson for a number of years. The reason the legislator listened to these legislators was because they knew what was in the bills before their committees and they knew the positives and negatives that had been revealed during testimony and during the committee's debate. The chairperson could also share with other legislators the philosophy behind amendments which had been made to the bill.

"It kind of depends upon the issue...even to this day...even though I am kind of a co-senior member in the House and I don't have very many mentors left to look to. For

example, my co-Dean of the House...I don't know to this day very much about [specific legislative area] issues, so after hearing both sides and after knowing what the issue is. When we get right down to it, I want to know what [T.T.] thinks of it because [T.T.'s] the one with the expertise. Just like someone might ask me about some bill on which I have expertise; there are legislators, to this day, that I will go to and confer with prior to making decision. Usually it isn't a political decision, it is the issue, such as health. I've even relied on a Freshman, [G.B.], when we've dealt with some issues such as health insurance; Medicaid reimbursements, etc. I've been able to ask [G.B.] how it works in the real world and how it affects Doctors. The thing I like about the Kansas Legislature is that we're a citizen legislature and we're part-time and so all of us, unless you are retired from whatever, still have real jobs so, at the end of the day, if you are unsure of how to vote on an issue, you can go to a colleague who you trust and who actually lives that stuff and ask them." (Interview Legislator One)

When asked if they had been given directives by their leadership to vote one way or the other, legislators indicated that they had called members into their office to visit with them regarding the leadership's belief that the party caucus needed to have a position the party caucus should take on an issue. But the individual is always told; however, that if they have problems taking that position or have questions they needed to let the leadership know. If a legislator had difficulty with taking the caucus position, that individual wasn't the recipient of an arm twisting session or an ultimatum to vote with the caucus. "One time I had an amendment on a tax issue...the party position was a higher percentage than the amendment I successfully got passed and had roll called it. I was called into the [party caucus] leader's office. ...once in [a number of] years...that's not bad. It is a little off of the subject, but. for [most of my years] I was in the minority and [a number of] years I was in leadership...part of that time I was the whip...I was supposed to hold the party position...it may be unique to being the minority party...we were in the minority so much, the [party caucus] decided that we had to stick together, we're already a [small in numbers]. If we splinter further, we're not going to have any influence....so I think it was easier for us without putting on any pressure...folks decided that they would swallow hard because they wanted the caucus to have influence in the

future. I would think that in [the] party which is in the majority....people are a little more emboldened to go their own way.” (Interview Legislator Six)

In fact, another member of the House, indicated that caucus members were asked to follow the caucus position “....during the special session and it was so-o-o-o necessary that we stick together.....when some thought the Supreme Court had overstepped its bounds...that was a hard vote for a lot of people to make... even if you thought you were doing the right thing...it still was a struggle....but it was important that we stick together with the moderates on [the other] side of the aisle, and we did it. It was really tough for some.” (Interview Legislator Five) Legislators who were Education Committee Chairmen revealed the management style of the Speakers who had selected them to chair the committee by their comments regarding each Speaker’s style of leadership.

As Education Chairman, one of the legislators believed the Speaker who had selected that legislator to be chair had no intention of having any legislation of consequence come from the committee during the Chairman’s two-year tenure. The philosophical views of the members of the committee were such that getting majority agreement would have been unlikely. So a particular bill that the legislator had opposed could be passed out of a committee the new Education Committee chairman had previously chaired, the legislator was placed as the chairman of the Education Committee.

Speakers often asked questions of the chair on a regular basis so they were always updated regarding progress on issues assigned to the Education Committee or to the Select Committee on Education Finance. As a result of this interest, at times a Speaker was updated daily or even on an hourly basis regarding the developments surrounding the more visible issues. Some Speakers seemed to trust the chair’s judgment and never pressured the chair to do that which made that chair uncomfortable. Another Chairperson shared the following about the Speakers under which she/he had served. The chair shared that one of the Speakers under which she/he served had seldom tried to influence what bills came from the Education Committee because that individual didn’t have a controlling-type personality. Although the former Representative is no longer an active member of the Legislature, but is a chairperson of a Commission, the former

legislator indicated that the current Speaker controlled the selection of all of the sub-committee chairs and members and then shared the following: "...I did all of that when I was [another standing committee] chair and they've tightened and changed the rules and taken control away from the Committee Chairs. My buddy, a former Ranking Minority Member, made the decision about who would be the [party] ranking member of each sub-committee and who would be members of the committee. As chair, I had the ability to refuse the ranking committee member's appointments, but I would never have done that. We did blame me; however, for one legislator the ranking member didn't want to appoint and who was being promoted by others. The ranking member was able to say no, [the chair] won't let us do that. When I ran a committee and it was time to set the next week's agenda, I always had my vice-chair and my ranking minority and the three of us sat down together and I would usually say, this is what I am thinking we ought to do...and that's pretty much the way we operated. But if my vice-chair or if my ranking member said we at least really need to at least hear a specific bill than I would. I'll hear darn near anything. ...I think everyone deserves an opportunity to be heard."

(Interview Legislator Two)

Another of the Education Chairmen, indicated that both Speakers under which that legislator served indicated had attempted to pressure the Chairman to work certain pieces of legislation. When one of the Speakers would pressure the legislator, and the chairman resisted, that Speaker would not insist. The Chairman indicated that the one Speaker that was most philosophically aligned with the Chairman was the one who caused the most grief. This Speaker was insistent on bills being run and passed as well, as insisting upon the development of bills that promoted that Speaker's ideas for education. This Chairman revealed that because of the extreme pressure that was received from this Speaker, the Chairman had threatened to resign twice. (Table 5.12, p. 138)

Table 5.12 Influence of Legislators on Other Legislators

Influence Interviewed Legislator Had On Other Legislators	Influence Other Legislators Had On Interviewed Legislator
Had feedback that others who have chaired own committees have learned from his/her leadership	Look to chairs of committees generating legislation and conferred with them if unsure of how to vote on an issue
Legislation 101 influenced new legislators when was Assistant Majority Leader	A former legislator who refused to determine how own district would fare under bill until bill had passed so was doing what was best for the state instead of what was best for own district
Influenced those with similar views and values	Learned from watching other legislators who could rely on for advice
Every legislator has the opportunity to influence other legislators	A colleague from different party but from same community gives good advice
People ask what city representatives' position is on issues	Those with more expertise in an area and those with more legislative experience

The Importance of Selected Non-school Finance Educational Issues

According to the legislators, the following non-school finance but education issues were the most important:

1. Special Education issues;
2. Truancy laws;
3. NCLB;
4. In-state tuition for undocumented high-school graduates who meet the qualifications to attend higher education institutions;
5. Negotiations; and
6. Early Childhood Reading Program.

The following non-school finance education issues were thought by legislators to be the least important:

1. Required School Attendance through eighteen years of age [unless their parent signed a release form];
2. Vending machine issues;

3. Centralized accounting for school districts; and
4. Zero tolerance on weapons in the vicinity of schools.

***Documents Related to the Selected Non- School Finance Bills: Lobbying Legislators
Decisions About Selected Bills Considered by the House Education Committee
During the 1995 – 2006 Sessions***

The panel of three educators selected from each year one bill which passed with recommendation from the committee and one bill which did not pass with the recommendation of the House Education Committee. Each member of the panel personally selected the one bill from each year which had passed the committee and which they felt would impact K-12 students and staff the most. In addition, each member of the panel personally selected one bill which did not pass each year, the one bill which they felt would have impacted K-12 students and staff the most if it had become law. This researcher also studied the testimony provided to the committee for each bill to determine the impact the lobbyists recommendations had on the action members of the House Education Committee took regarding the selected bills. A table presenting the two bills selected from each year and a narrative concerning the organizations who lobbied the House Education Committee through their testimony, the proponent and the opponent rationales, and the action taken by the committee follow:

1. *1995 Session:* (a) HB 2288 which required that all students receiving a diploma pass a test which would prove that they had mastered the basic skills was revised by the House Education Committee and recommended for passage by the House of Representatives despite the recommendation by all but one of the lobbyists to defeat the bill. The lobbyist in favor of the bill indicated that employers were more likely to hire a person with a GED than a High School Diploma, because the GED requires the mastery of certain skills before it is granted. (b) HB 2092 removed the statutory requirement that all accredited schools participate in Quality Performance Accreditation and take state-wide assessments. Several lobbyists supported the removal of these two requirements, but several lobbyists supported leaving the statutes as they were written. The House

Education Committee chose to follow one of the lobbyist’s suggestion that QPA and the assessments should be fully implemented and evaluated prior to reversing the action of a previous legislature. (See Table 5.13, p. 140)

Table 5.13 1995 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2288- Kansas mastery of basic skills program	Legislator; Lobbyists from Kansas Chamber of Commerce and Industry, Kansas Association of School Boards, Kansas National Education Association, United School Administrators and Schools for Quality Education	KCCI Require Mastery of Basic Skills of all students receiving a diploma. All other lobbyists....defeat [Passed favorably from committee]
HB 2092- Rescinds statutory requirement for quality performance accreditation and statewide assessment of pupils	Social Studies Teachers; Superintendent of SE of Saline; Teacher, parents, Director of Kansas Education Watch. and Kansas Chamber of Commerce and Industry	All these lobbyists (grassroots, governmental, and association) supported the legislation to remove QPA and statewide testing from the statutes. except KCCI Requested that the committee not remove from statute, QPA and state-wide assessments, but instead that they should be periodically reviewed and updated [Didn’t consider.]

2. *1996 Session:* (a) HB 2668 set admission standards to the Regents Schools. The testimony introduced data to show the number of students who ‘flunk out’ of post-secondary schools in Kansas and it showed the data to indicate the increasingly larger number of students who were taking remedial classes. According to testimony, high school graduates seem to consider enrollment in post-secondary schools to be a right rather than a privilege. There were individuals who testified with concerns that the bill would limit student access to post-secondary education. As per the suggestion of several lobbyists, amendments to lower the ACT score requirement from 23 to 22 and exempt 10% of the Freshman from the ACT score requirement were added to the bill and then the amended bill was recommended favorably for passage by the House Education Committee. This would be the first time that requirements other than a High School

Diploma would be required of incoming Freshman who would be attending a four-year Regents Institution. (b) SB 636 would only require a school district to provide programs for special needs students at the public school facilities and would not require those services to be delivered at the school location where the special needs child was enrolled. The lobbyists requested that the bill be looked at more closely before taking action. The committee took no action because of the lobbyists' request and since the due process action, which the bill was in response to, was being appealed. (See Table 5.14, p. 141)

Table 5.14 1996 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2668- State educational institutions' admission requirements[aka qualified admissions]	KCCI, Kansas Independent College Association, Kansas Board of Regents and a KU student. State Council on Vocational Education; KASB; USA; Kansas Vocational Agriculture Teachers Association, Topeka Public Schools; KSU Student Body President	<ul style="list-style-type: none"> * Changed the ACT score requirement from 23 to 22. * Not more than 10% of the freshman of the total number of freshman can be exempted from the requirement Other amendments attempted but were not passed. [Passed favorably from committee as amended....]
SB 636- School district not required to provide services to special need students at the private school site	An attorney for the Wichita Public Schools; Kansas Association for School Boards; a State Representative; Kansas Catholic Conference; a parent; Kansas Commission for the Deaf and Hard of Hearing; Kansas Advocacy and Protective Services, Inc.; and Kansas Association of Non-government schools	Bill would help contain cost of Special Education to school districts. The bill would take away the ability of private school students to receive services at their school. [Bill not considered]

3. *1997 Session:* (a) HB 2285 required that state assessment tests be a normed test. There were numerous amendments including one which was requested by lobbyists to remove the requirement that American History documents be posted in the classroom. Also one amendment required that the National Assessment of Educational Progress (NAEP) be given. The concern from lobbyists that the test would be expensive was considered but the belief that the tests should be nationally normed tests outweighed the concern so the bill was recommended favorably for passage as amended by the House Education Committee. (b) HB 2147 was designed to fix a possible conflict between the school board and the Family Medical Leave Act regarding non-renewal of a contract. The

lobbyist opposing the bill indicated that anyone on leave who was being dismissed would not know until early August that their contract wouldn't be renewed. The bill was tabled and not reconsidered. (See Table 5.15, p. 142)

Table 5.15 1997 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2285-Concerning school districts, relating to accreditation, curriculum, pupil assessments	State Representatives; Kansas Family Research Institute; Emporia, State University Professor; Kansas School Board Association; Kansas-National Education Association; Wichita Public Schools	<ul style="list-style-type: none"> -Replace 'registered voter' with each local school board with the information being made a public record' -The state board is to select a test to be administered within a consistent time frame. -To strike New Section 2. which had to do with the posting of American History documents in the classroom. -Adding "National Assessment of Educational Progress [NAEP]" in line 34 and reinserting the original language on line 39 from "skills" through section (b). <p>(Passed as amended)</p>
HB 2147 -Contract renewal notification dates	Kansas Association of School Boards; and Kansas National Education Association	The bill was tabled and not brought forth again

4. *1998 Session:* (a) SB 446 was designed to provide more flexibility to school personnel allowing them to remove dangerous or disruptive students from the classroom and then determine the best course of action for the student. Some lobbyists were concerned that no educational alternatives were required. SB 446 would have placed in statute certain requirements regarding student short-term suspension which would have put in greater jeopardy of failure, those students who would be from the classroom without any requirement by the state of any educational alternative and as a result could find themselves on the street where they would be likely to find even more trouble in which to occupy their time. The bill was reported without recommendation. (b) HB 2671 (Kansas Autism Information Act): Because two lobbyists pointed out in their written testimony that some of the required action in the legislation is already part of federal law and that the lobbyists also were concerned that this bill would open the door for requiring unrestricted amounts of district funds to be expended at the request of parents of autistic children. In addition, after the hearing, there was a concern that the bill was promoting

only one intervention. As a result of those concerns no action was taken on this bill by the House Education Committee. (See Table 5.16. p. 143)

Table 5.16 1998 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
SB 446- Student Short – Term Suspension	Kansas Association of School Boards; United School Administrators of Kansas; Schools for Quality Education; and Kansas National Education Association	The minutes show that action on the bill included the following: * an attempt to pass it adversely, but that attempt was defeated * an attempt to table the bill failed * a motion to report the bill without recommendation, passed
HB 2671-Kansas Autism Information Act	Kansas Autism Foundation; Kansas University Professor; and New England Center for Children; a parent; Wichita Public Schools; Kansas Association of School Boards; and Commission on Disability Concerns	Minutes show no action taken after the hearing

5. *1999 Session:* (a) HB 2236 required school records to be immediately forwarded to a student’s new school. Testimony was heard that schools who received foster children often didn’t receive their records until weeks after the child had arrived. Often SRS would then move the child’s placement so they once again were leaving a school. Members of the committee wanted to ensure that children in foster care will receive seamless services as needed and because of a point made by one of the lobbyists in his testimony, the committee voted to amend the bill, regardless of whether they were wards of the state or children living with their parents, no child’s records would be held for return of school property or for unpaid fees, etc. The bill was amended to remove all language that allowed records to be held under certain circumstances and then was recommended favorably for passage by the House Education Committee. There were reportedly some children whose records had never been forwarded from the first school the child attended in a given year and they had been moved several times. The Committee felt that the education of our at-risk children was more important than the book or the money owned and therefore, changed the law to reflect that belief. (b) HB 2304 would have required a community service course to be successfully completed by

all Kansas students before graduation. Lobbyists opposed to the requirement acknowledge the benefit, but believed it should be a local board decision and noted that it would be an unfunded mandate. As a result, no action was taken by the House Education Committee. (See Table 5.17, p. 144)

Table 5.17 1999 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2236 – Transfer of school records of pupils in custody of SRS	Social and Rehabilitation Services; Kansas Association of School Boards; and Kansas Advocacy & Protective Services, Inc	The bill was amended as follows: * Removes all language in current law that refers to the holding of records until the pupil has returned all property or paid for the property not returned. * Clarifies that when a school district receives a request for records the school authority must immediately prepare and send a certified copy of all of the requested records of any student and send it directly to the requesting school district. It also reiterated that a school district shall not require return of property or payment for the property prior to sending the records as requested.
HB2204- Community Service Credit Required for High School Graduation	State Representative; several students; Lakeview Village; Inter-generational Advisory Board; and Kansas Association of School Boards	While the bill promotes a program which most liked, but, as written, the bill becomes a state curriculum mandate which most members seemed to be in agreement with several lobbyists, that curriculum decisions are best left up to the local school board, the staff, the site council and the community. [No action taken on the bill.]

6. *2000 Session:* (a) HB 2591/2635 established a technology network for the state of Kansas. Testimony and research was initially provided by a researcher which was assigned to the bill. The bill was dual-referred to the House Education Committee and the House Utilities Committee. The members of the broadband provider industry influenced the final draft of the bill which was amended to recognize the current involvement of the industry with schools and libraries and sought to recognize those provider agreements in development of the KAN-ED structure and expand to those areas of the state where broadband is not available. Legislators were concerned about their schools and libraries, some of which already had broadband availability and had contracts with private contractors. The amended version of the bill which had been developed through a sub-committee and members of the industry working together, removed much

of the doubt from most legislators and the fact that the members of the industry who were current providers were satisfied that KAN-ED was not going to compete with them, then legislators became more comfortable with the idea. The substitute bill passed favorably for consideration by the House Committee of the Whole. (b) HB 2811 would have implemented the Kansas Competency in Basic Skills Program. The testimony that was shared regarding what districts were doing for at-risk students, indicated that districts were already doing most of what the legislation was trying to implement. In addition, there were concerns expressed by lobbyists regarding lack of clarity of some of the language. The lack of determination of how to provide the additional funding necessary for full implementation also raised the concern of many committee members. There was no action taken by the House Education Committee. (See Table 5.18, p. 145)

Table 5.18 2000 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2591/2635- Establishing KAN-ED	KANREN; Sub-committee testimony: State Independent Telephone Association of Kansas; Kansas Cable Communications Association; AT&T; State Library; Kansas NEA; KTEC; Kansas Catholic Conference; United School Finance Coalition [Kansas Association of School Boards, Kansas NEA, Unified School Administrators of Kansas, Schools for Quality Education, the Kansas Education Coalition, Kansans for Local Control, the Kansas Association of Educational Services Agencies, and the individual school districts of Blue Valley, Kansas City, Shawnee Mission, and Wichita.]	A sub-committee was appointed by the Chairman. Proposed amendments were developed by the sub-committee... Definition of terms; provides for the Executive Chief Information Technology officer to provide guidelines for implementation of the information technology project plan for KAN-ED. The guidelines include, but not be limited to: * leveraging existing state telecommunication infrastructure * operated by information technology providers doing business in the state. * every three years, statewide public library and school district interconnection services shall be bid * existing contracts between information technology providers and individual school districts and public libraries allowed; * the Kansas agency network may take advantage of existing or future state contracted fiber-optic technology; and * information technology providers must comply with the adopted information technology architecture [The substitute bill, including the above amendments, was passed favorably.]
HB 2811-Kansas Competency in Basic Skills Program	Kansas Association of School Boards; Kansas NEA; and Wichita Public Schools	No action taken

7. *2001 Session:* (a) HB 2546 created a readiness indicator which was designed to help identify children who need extra help when they begin school. Lobbyists who were opponents were concerned that there wasn't provision made for those children who don't meet the readiness indicators to automatically qualify for programs which will assist the children in meeting the readiness indicators as soon as possible. There were many other issues with the bill as well which clarified the procedures which would be followed to ensure that students met readiness indicators. There were a number of amendments to the original bill designed to address the concerns of the lobbyists. Committee members followed the elected legislative leaders on this bill instead of following the comments of lobbyists whose information conflicted with the anecdotal information gathered by the House leadership which showed that many students were unable to read, write or do math at grade level. Many of the lobbyists continued to oppose the bill, however it was a high priority for the majority leadership and the bill, as amended, was recommended favorably for passage by the House Education Committee. (b) HB 2335 would have implemented a specific program for alternative certification of teachers. The information shared during testimony indicated that the State Board has already redesigned their licensure requirements to include alternative routes to certification. Lobbyists who were opposed to the bill pointed out that the State Board of Education has already approved the redesigned alternative certification program. As a result the House Education Committee took no action as was requested by the lobbyists. (See Table 5.19, p. 147)

8. *2002 Session:* (a) HB 2353 required the State Board of Education to provide information regarding community service classes and to ensure that it would be counted as a credit by the State Department of Education. Kansas high schools would have the option to offer a community service class. Those opposed were concerned that it was an unfunded mandate. Amendments were made to the bill to address concerns raised by lobbyists. For example, there was concern with the legislature mandating to local districts what their curriculum should be. There were attempts to table the bill which was defeated, as was the first attempt at passing the bill favorably. On the third attempt at action on this bill, the bill passed favorably. The bill was ultimately recommended favorably for passage. (b) HB 2973 required school districts to adopt policies on pupil

Table 5.19 2001 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2546 –Kansas Skills for Success in School Program	Legislators; Help Our Students Succeed; Blue Valley School District; Olathe School District; United School Administrators; Kansas Association of School Boards; Kansas Learning First Alliance; Kansas NEA; Kansas State Board of Education; and Shawnee Mission School District	<p>Amendments to the bill are as follows:</p> <ul style="list-style-type: none"> * Adding to the requirement that a child be retained: unless a parent or person acting as parent, in writing, waives the child’s retention * Adding K- 3 teachers to the requirement of who the state board should consult * Encourage school districts and schools to utilize community volunteers or community-based organizations * Encourages State Department of Education to consult with other citizens and organizations knowledgeable about early education. * On or before October 31, 2001, the State Department of Education, in consultation with other state agencies who deal with children’s issues, and pre-kindergarten through grade 3 teachers, shall determine a school readiness definition. * Clarification that the state board will determine whether the accomplishment exam is in addition to or in lieu of any other state assessments. [Passed favorably House Substitute for HB 2546.]
HB 2335 –Initial teacher licensure – alternate teacher preparation program	State Representative and Kansas NEA	No action taken

discipline. The lobbyists pointed out that there are already laws covering student discipline and the provision for legal defense for employees who obey district policy. They also indicated that this bill was overly prescriptive and could cause unintentional consequences. When there are no proponents to a bill, the legislature has no reason to pass it. As a result there was no action taken by the House Education Committee. (See Table 5.20, p. 148)

Table 5.20 2002 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2353 – Optional Community Service Credit for High School Graduation	Students; Kansas Department of Education; Dodge City High School; ECKAN; Kansas Association of School Boards and Legislator	Amendments made are as follows: * To allow service outside the school day. * To clarify that the offering of a community service program was not mandatory There was a motion to table the bill which was defeated A motion to pass the bill out favorably also was defeated. The bill was later reconsidered and passed favorably
HB 2973 –Required USD adoption of policies on pupil discipline	Kansas Association of School Boards	Kansas Association of School Boards.

9. *2003 Session:* (a) SB 74 required that financial literacy be taught to K-12 students within an existing course. The bill was amended to include accredited private schools and to require the state board to develop a curriculum and make materials and guidelines available when districts need assistance. The bill was seen as one which would address a growing concern regarding the number of college students who have high credit card debt and it is hoped it will help reduce the incidence of financially troubled individuals, With the accessibility of credit cards to everyone, members were aware of the financial difficulties of an increasingly larger number of the population and this bill seems to include an education solution to an ever-growing problem. The bill was recommended favorably as amended for passage by the House Education Committee. (b) HB 2256 promoted the idea of regional school districts. Many lobbyists representing smaller schools were very concerned about what the bill meant for their schools and communities and listed several concerns which will be studied. Although several testified against the bill, several legislators found the proposal to be unique and worthy of studying; however, rather than passing the bill from the committee, it was determined that the committee would ask the Legislative Coordinating Council (LCC) to assign the topic for an interim study (See Table 5.21, p. 149)

Table 5.21 2003 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
SB 74 – Personal Financial Literacy Program	Kansas State Treasurer; State Senator; Financial Fitness Foundation; Wichita Area Chamber of Commerce; Consumer Credit Counseling Service; Office of the State Bank Commissioner; Kansas State University; Kansas NEA; Kansas State Board of Education member; Kansas Council on Economic Education; Kansas Credit Union Association; and Kansas Bankers Association	Amendments made are as follows: * To add ‘and the governing bodies of accredited non-public schools’ to the curriculum, materials and guidelines that may be used in implementing the program of instruction on personal financial literacy. The bill passed favorably as amended.
HB 2256 – Regional education districts feasibility study	USD # 225 Administration; USD # 488 Administration; USD #358 Board Members; parents; Kansas Association of School Boards; Weskan School Board Member; Kansas Recreation and Park Association; and School District Administrators	Amendment to the bill is as follows: * To authorize the chair of the committee to LCC requesting the formation of a sub-committee which would study the possibility of consolidation and reorganization. The motion passed.

10. *2004 Session:* (a) HB 2258 was a bill which dealt with charter schools. The bill was sent to a subcommittee which developed language as a compromise with those lobbyists who were opposed to the bill. The subcommittee heard from the stakeholders. As a result, when the bill came before the House Education Committee for action, there was no opposing testimony or questions that hadn’t been answered...and the majority of committee members determined that the changes in charter school law were needed. The subcommittee had worked with the interested parties and had developed a bill with which most could agree. The compromise language was recommended favorably for passage.

(b) HB 2872 required districts to include high school students’ evaluations of their teachers in the overall evaluation of the teachers. A lobbyist pointed out that such a bill would open the possibility of student attempting to blackmail the teacher and such a change would be contrary to quality practice in teacher evaluation. The research and examples mentioned by the opposition (association lobbyists) lobbyist) was considered by the committee to be such that questioned the wisdom of changing the law to mandate high school student participation in the evaluation process. There was no action taken on the bill as a result of the testimony. (See Table 5.22, p.150)

Table 5.22 2004 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2558 – Charter Schools	<p>A subcommittee was appointed following a presentation to the whole committee regarding charter schools. There were no other conferees and there were no other conferees when the sub-committee presented it's report; however, the report does indicate that the sub-committee held a round-table discussion with interested parties although the interested parties were not named in the report</p>	<p>The sub-committee made the following recommendations as changes to current law:</p> <ul style="list-style-type: none"> * Change the application process by adding a requirement that the application include the estimated amount of federal funding expenditures and a description of how the school will operate after the federal funds are no longer available. * Require the State Board of Education to, in writing, specify why a petition is denied and allow 30 days for the petitioner to make the necessary correction and the State Board will provide reconsideration within 60 days. * Require the local board to specify, in writing, why a petition is denied and allow 30 days that the petitioner can make the necessary corrections and have a second reconsideration by the board. * Allows the renewal process to be held in five years instead of in three years. * Requires a local board to file a statement with the State Board of Education listing the reasons why a charter school was discontinued or did not seek renewal. <p>It was moved to favorably pass the bill with the recommended changes as suggested by subcommittee.</p>
HB 2872 –Evaluation of Education Employees	High School Students and Kansas NEA	No action taken.

11. *2005 Session:* (a) HB 2331 is a bill which brings Kansas law into compliance with changes made to IDEA. Lobbyists listed several concerns, most of which were already addressed by the bill or by the technical amendments which were introduced by the State Board of Education. Those areas which were not already a part of the bill were addressed by amending the bill to accommodate the concerns. Changes made to the law, at times, reflected some of the changes suggested by lobbyists; at times, the specific concerns of some of the lobbyists were either addressed by the committee or the concerns were found to already be addressed by the bill. The concern that the committee members were moving too quickly was expressed by several who testified, as the bill was worked

and their concerns were addressed, that concern was no longer heard. The bill was recommended favorably for passage by the House Education Committee. (b) HB 2212 shortened the time allowed for each step of the hearing process as related to teacher contract non-renewal procedures. Opposing lobbyists pointed out that there were a number of details in the bill which are cause for concern, including removal of arbitration as an alternative to the more lengthy process. The committee had a concern that the changes proposed could cause more difficulties since those favor of the legislation were not able to show that there was a great need for changes in the law. As a result of the questions raised regarding the bill, no action was taken by the House Education Committee. (See Table 5.23, p. 151)

Table 5.23 2005 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2331- State Compliance With IDEA Changes	Kansas State Board of Education; Topeka Independent Living Resource Center; Disability Rights Center of Kansas; Shawnee Mission Public Schools; Statewide Independent Living Council of Kansas; Families Together; Kansas Council on Developmental Disabilities; Kansas Association of Centers for Independent Living; Kansas Association of Special Education Administrators; and Kansas Association of School Boards,	<p>The bill itself included many of the changes suggested by opponents and proponents. It should also be noted that the Kansas law reflects the changes made in Federal Law and this bill includes the specifics within the allowed flexibility of Federal Law and is intended to fully implement Federal Law.</p> <p>Amendments made to the bill included the following:</p> <ul style="list-style-type: none"> * Clarified that the process of transition planning will begin at age 14. * Made certain that when children with IEPs are placed either in foster care or in the care of juvenile justice or corrections that the student's records will be sent immediately so the child can continue to receive the services needed. <p>The bill was passed favorably, as amended.</p>
HB 2212- Teacher Contract Non-renewal Procedures	State Representative; Kansas Association of School Boards; United School Administrators; and Kansas NEA	No action was taken.

12. *2006 Session:* (a) HB 3012/2625 allowed school districts to enter into an inter-local agreement to build a central location where all high school age students would attend. A subcommittee was formed to develop a compromise piece of legislation which would clarify the language, etc. The Committee members saw potential in this idea as a

way that districts can ease into merging into a more permanent relationship. It also was refreshing for committee members to see such an idea come from the potential participants, instead of the idea being imposed by the Legislature. The initial bill needed to be adjusted to make it workable within other sections of the law. The chair assigned two attorneys who sat on the Education Committee at that time to work with the legislator who sponsored the bill and the revisor to make the changes needed. Consequently, HB 3012 was written to make the needed changes. One of the superintendents who was proposing the agreement indicated that the districts would possibly, at some point, consolidate, but instead of being told that they have to merge, they would rather move in small steps instead of a giant leap. The voters in each of the three districts would have to approve it before it became reality. One of the superintendents indicated that he believed it was sort of like dating. It would give the patrons of the three districts an opportunity to see that it is a positive for everyone. While it is an intriguing concept, many members had concerns about what would happen if one of the districts decided that it no longer wanted to be a part of the agreement. Who would be responsible for the proposed building, etc.? Each time the superintendents had a credible answer to the question. The resulting substitute bill addressed many of the concerns which had been raised and as a result the bill was recommended favorably for passage by the House Education Committee. (b) HB 2684 was an another intriguing concept which established an incentive for students to graduate early and learn a trade. The committee thought the idea had merit and didn't want to "kill" the idea, so instead of taking an up or down vote on the bill, [which would have doomed it to failure, since there were many members who were planning on voting "no'] the committee members chose to try to keep the idea alive by recommending to the Legislative Coordinating Council that it select the bill as a topic of study by an interim committee. (See Table 5.24, p. 153)

Table 5.24 2006 Selected Bills

Bill Number & Title	Lobbyists	Action/Amendments
HB 2625/3012 Allowing USD's to enter into interlocal agreements	State Representative; USD 406; USD 486; USD 425 USD 433; and USD 429; and Kansas Association of School Boards	The Chair asked that the two Representatives who were attorneys to work with the sponsoring Representative and the revisor to clarify the language in the bill (HB 2625). The resulting bill and the balloon to it was re-introduced as HB 3012 which brought back two of the Superintendents for the purpose of answering questions. The balloon amendment was passed. HB 3012 was passed favorably, as amended.
HB 2684 -Early High School Graduation Incentive Program	State Representatives; Association of General Contractors; and Kansas Association of School Board	The committee decided that the bill should be further studied during the interim by a committee, chosen by the Legislative Coordinating Council

Establishing Trustworthiness of Research

The researcher has provided the essential data collected from the interviews with lobbyists who testified before the Kansas House Education Committee and the legislators who were the chief leadership of the Kansas House Education Committee. Also included are the documents which are connected to the selected bills for which testimony was heard by the Kansas House Education Committee. The time frame studied was from 1995 – 2006. It is important to establish that the research is trustworthy and the researcher has worked toward that end by using the methodology suggested by experienced qualitative researchers.

Creswell (1998) cites Lincoln and Guba (1985) as follows:

Lincoln and Guba (1985) use *alternative terms* that they contend adhere more to naturalistic axioms. To establish the ‘trustworthiness’ of a study, Lincoln and Guba use the terms ‘credibility’, ‘transferability,’ ‘dependability’, and ‘confirmability’ as the naturalist’s equivalents’ for ‘internal validity,’ ‘external validity,’ ‘reliability,’ and objectivity’ [p. 300]. To operationalize these new terms, they propose techniques such as prolonged engagement in the field and the triangulation of data of sources,

methods, and investigators to establish credibility. To make sure that the findings are transferable between the researcher and those being studied, thick description is necessary. Rather than reliability, one seeks dependability that the results will be subject to change and instability. The naturalistic researcher looks to confirmability rather than objectivity in establishing the value of the data. Both dependability and confirmability are established through an auditing of the research process. (p. 197)

Creswell also discusses at length what is meant by each of the verification procedures or the means by which trustworthiness is established. He cites and credits several researchers [Ely et al., 1991; Erlandson, Harris, Skipper, & Allen, 1993; Glesne & Peshkin, 1992; Lincoln & Guba, 1995; Merriam, 1988; Miles & Huberman, 1994; Patton, 1980, 1990] with having promoted some or all of the following procedures:

1. *Prolonged engagement and persistent observation* in the field refers to building trust with participants, learning the culture, and checking for misinformation that stems from distortions introduced by the researcher or informants....
2. In *triangulation*, researchers make use of multiple and different sources, methods, investigators, and theories to provide corroborating evidence ... Typically, this process involves corroborating evidence from different sources to shed light on a theme or perspective.
3. *Peer review or debriefing* provides an external check of the research process. This reviewer may be a peer, and both the peer and the researcher keep written accounts of the sessions, called *peer debriefing sessions*. [Lincoln and Guba, 1985]
4. In *negative case analysis* ... The researcher revises initial hypotheses until all cases fit, completing this process late in data analysis and eliminating all outliers and exceptions.
5. *Clarifying researcher bias* from the outset of the study is important so that the reader understands the researcher's position and any biases or assumptions that impact the inquiry [Merriam, 1988]. In

this clarification, the researcher comments on past experiences, biases, prejudices, and orientations that have likely shaped the interpretation and approach to the study.

6. In *member checks*, the researcher solicits informants' views of the credibility of the findings and interpretations ... This technique is considered by Lincoln and Guba [1995] to be 'the most critical technique for establishing credibility.' [p. 324] This approach.... involves taking data, analyses, interpretations, and conclusions back to the participants so that they can judge the accuracy and credibility of the account.
7. *Rich, thick description* allows the reader to determine transferability....because the writer describes in detail the participants or setting under study. With such detailed description, the researcher enables readers to transfer information to other settings and to determine whether the findings can be transferred....
8. *External audits* allow an external consultant, the auditor, to both the process and the product of the account, assessing their accuracy. The auditor should have no connection to the study. In assessing the product, the auditor examines whether or not the findings, interpretations, and conclusions are supported by the data. (pp. 201 – 203)

In addition, Creswell indicated his preference that qualitative researchers use at least two of the eight procedures to establish trustworthiness or verification.

Creswell (1998) also discussed the need for extensive verification to be completed when using the tradition of case study. He cites Stake [1995] who focuses on triangulation and member checking as the procedures which need to be pursued if verification and trustworthiness are to be established. For 'uncontestable description' the researcher should expend little effort toward triangulation, whereas 'dubious and contested description' requires confirmation through triangulation. When 'assertions' are made and 'key interpretations' are offered, the researcher needs to provide extra effort

toward confirmation. However, for the author's persuasions, little effort toward confirmation and triangulation is needed.... For member checking, Stake (1995) recommends that the researcher ask actors or participants to examine rough drafts of writing in which the actions or words of the actor are featured. ... Finally, to complete his discussion of verification, Stake provides a checklist' [p. 131] for a case study report.... (p. 213)

As is suggested in Creswell (1998), the researcher used triangulation of information in order to determine that the data has credibility. In this study, triangulation of information referred to "searching for the convergence of information" (pg. 213) that is found within the data collected from multiple sources (lobbyist interviews, interviews of the House Education Committee leadership, and pertinent documents). For example, the data gleaned from the lobbyist interviews, the legislator interviews, and the testimony on selected bills (pertinent documents) does refer to the influence that lobbyists have on developing education policy.

In addition, it is suggested in Creswell that member checking be employed, meaning that "the researcher asks actors or participants to examine rough drafts of the writing in which they are featured" (pg. 213). In order to ensure that the information gathered is correct and believable, the researcher shared with each interview participant, the interview transcripts, rough drafts of any narrative where the participant is featured both during the analysis procedures and after the process of analysis was completed. To date none of the participants has requested a major revision of the information provided. The revisions suggested have been changes of misspelled proper names and some grammatical changes. Member checking also is intended to assist in ensuring the data and the data analysis has credibility. In addition, to give the reader the opportunity to determine transferability, a detailed description of the setting and the participants in the study has been provided. These procedures were implemented in order to establish the trustworthiness of this research.

Role of Researcher

The researcher's role in this study was to collect the data, including conducting interviews of both the legislators and the lobbyists. In addition, the researcher selected collected, and analyzed the data provided through interviews and documents which were the part of the history of each selected piece of legislation. Finally, the researcher presented the data in a manner with the intent that it be useable by other individuals.

In addition, as suggested in Creswell (1998), information regarding the experiences of the researcher is being shared in order that readers of this study understand the experiences of the researcher in relation to the study, the decisions that have been made and the analysis of the interview data and the document data. At the time of the data collection, the researcher was a practicing middle school art teacher who also served as the representative from the 69th District to the Kansas House of Representatives.

The researcher has partially completed her eighth term in the position of state representative and has been a member of the Kansas House Education Committee since 1995. She currently serves as the Vice-Chairperson of this Committee. As was previously mentioned in the segment on the Research Setting, the Vice-Chairperson of the Committee holds none of the power of determination of which bills will be considered by the Committee, as does the Committee Chairperson. The Vice-Chairperson performs the following functions: (a) chairing the committee business in the absence of the chairperson or when the chairperson is providing testimony before the committee; and (b) preparing for the majority party caucus, a bill brief for each bill which has passed the committee. It also seems appropriate to note that the only legislation which will be the focus of this study will be from past legislative terms. In order to ensure that lobbyists and legislators participating in the study would suffer no harm, the study did not focus on any legislation that was proposed during the 2007 session, the previous term of office (2008 – 2009) or the current term of office (2009 – 2010).

Finally, since the researcher does work within the research setting, she should be considered a participant-observer. Robert C. Bogdan and Sari K. Biklen (1992) indicate that participant-observers “...enter the world of the people he or she plans to study, gets

to know them, be known, and trusted by them...” (p.2). Although the researcher is an insider and holds a committee position of some importance, it is believed that since the legislation which was discussed in this study included only legislation from past legislative sessions that lobbyists and legislative colleagues will experience no harm. The benefit of being an insider was particularly beneficial during the data analysis because as an insider the researcher was able to use her knowledge of the legislative process to analyze the data acquired. The researcher’s knowledge of the legislative process was used to guide the development of understanding the nature of the influence lobbyists have upon education policy. Her insider knowledge was also employed as she shared her research with the reader in the form of narrative and graphic representations of analyzed data.

The data and analysis of the data led this researcher to reach certain conclusions. Those conclusions are drawn from the collected data that were recorded in Chapter Four and the analyzed data as were reported in Chapter Five and guided by the researcher’s knowledge of the legislative process.

CHAPTER 6 - Conclusion

In the preceding chapters and in the conclusion, the researcher followed a narrative format and shared the following information: (a) a detailed account of the data collected, (b) an analysis of the data, (c) the interpretation of that data, and (d) understandings as drawn from the analysis of the collected data. Included is a discussion of the implications of the understandings drawn from the analysis of data, suggestions for future research, and as Creswell (1998) suggested, the inclusion of a note “reminding the reader that this report is one person’s encounter with a complex case” (p. 187); an analysis of the data; a discussion of the implications of the understandings drawn from the analysis of data, and suggestions for future research. Using the research questions as a guide, the conclusions that the researcher has made regarding the data that were collected and the analysis of that data are first presented in a table format and then the text which follows each table is intended to provide more detail.

Most Important Non-School Finance Education Issues From 1995 – 2006

The most important non-school finance education issues were found to be (a) the mastery of basic skills; (b) attempts to rescind Quality Performance Accreditation (QPA) and statewide assessments; (c) qualified admissions for high school graduates wishing to enroll in Regent Universities; (d) providing special education services to private school students; (e) teacher contract non-renewal notification date change; (f) changes in length of student short-term suspension; (g) private school students allowed to participate in public school interscholastic activities; (h) transfer of records of pupils in SRS custody; (i) requirement of a community service credit for high school graduation; (j) established KAN-ED; (k) alternate teacher licensure preparation program; (l) personal financial literacy program; (m) feasibility study of establishing regional education districts; (n) charter schools; (o) changes to education employee evaluation; (p) state compliance with IDEA changes (q) changes to the teacher contract non-renewal procedures; (r) allowing

USDs to enter into inter-local agreements; and (s) early high school graduation incentive program. Some of the ideas were proposed more than one time although on this list they are only mentioned once.

Lobbyist Interest In the Selected Bill Topics

The association lobbyists represented organizations of which the membership included teachers, building and district administrators; other school personnel; school board members; and large and small businesses. The issues in which they were interested was of little surprise to the researcher, with the exception to the involvement of the business lobbyists with Qualified Performance Accreditation (QPA) and graduation issues. A little further research revealed that the organization which employed one of the business lobbyists was very supportive of the development of QPA which explained that lobbyist's drive to keep it as a means to ensure that the state educators were following a certain set of standards. The one graduation issue which garnered interest from the business community was early graduation. It was designed to benefit the construction industry and that industry, as was expected, exhibited great interest in the idea.

The interest of contract lobbyists in district and school structure can be explained by the fact that the contract lobbyist was hired by a coalition of several school districts. School districts were concerned with the KAN-ED proposal and how it would affect the existing contracts some districts had with internet providers. Although school districts were also interested in teacher-related issues, it was the KAN-ED proposal on which all of the registered education lobbyists who testified were focused.

As in-house lobbyists, the governmental lobbyists work exclusively for the one district who has hired them. Their interest in such areas as financial literacy education, charter schools, and KAN-ED were of no surprise to the researcher because these bills specifically affected the areas of district operations and expenditures. In an effort to have input into the changes which had been proposed, the lobbyists monitored the bills of which the above-mentioned issues were the topic.

The types of K – 12 non-school finance education issues which garnered the most interest from 1995 – 2006 with the types of registered lobbyists were as follows:

1. Association lobbyists seemed to be most interested in student-related issues, including qualified admissions, QPA (Qualified Performance Accreditation), graduation, school readiness and special education related issues; district and school structure issues, including KAN-ED; and teacher-related issues.
2. Contract lobbyists were most interested in district and school structure issues, including KAN-ED and teacher-related issues.
3. Governmental lobbyists were most interested in student-related issues, including special education issues and personal financial literacy; and school and district structure issues, including charter schools, KAN-ED, and regional school districts.

Success of Lobbyists' Attempts to Influence Legislative Decisions

In an attempt to influence the committee members' positions on the bills which were selected as being the most important non-school finance issues from 1995 - 2006, the registered lobbyists mentioned above testified numerous times before the Kansas House Education Committee. There were a total of 24 selected bills for which hearings were held before the committee. The five association lobbyists testified in support of the bills 26 times and encouraged defeat of selected bills 16 times; the one contract lobbyist testified in support of selected bills 2 times and encouraged defeat of selected bills 1 time; and the two governmental lobbyists testified in support of selected bills 28 times and encouraged defeat of selected bills 10 times.

There are numerous times when only one association lobbyist would testify which was a curiosity for this researcher until the interviews with lobbyists revealed that they regularly meet as a team and if they agree on the position that should be taken and agree on the points to be made, often only one of the association lobbyists who regularly testifies on education issues will provide testimony on behalf of all or some of the other associations. If the governmental lobbyists agreed and had no anecdotal information to add, they also chose to not provide testimony.

The level of influence the lobbyists had on the members of the Kansas House Education Committee when taking a position on the selected bills was evidenced by their

success at convincing the legislators to adopt their position or to introduce the necessary amendments to the bill which will make it more palatable to the lobbyist(s). Association lobbyists were successful in promoting the passage of selected bills 73 percent of the time and the defeat of selected bills 56 percent of the time; contract lobbyists were successful in promoting the passage of selected bills 100 percent of the time and they did not recommend defeat of any of the selected bills; and governmental lobbyists were successful at promoting passage of selected bills 82 percent of the time and defeat of selected bills 50 percent of the time.

At first, most legislators claimed that the lobbyists had no affect on their votes; however, reading the testimony and the minutes that recorded the action taken by legislators indicated otherwise. Members did pay attention to the testimony. There were times when the lobbyists successfully urged the Education Committee to slow the progress of a legislator's bill and study it during the interim or to defeat it. Despite the protest of their legislative colleague, the committee generally chose to follow the advice of lobbyists because there were too many unanswered questions posed by the lobbyists. There were times also when one lobbyist would side with a legislator and the testimony of the lone lobbyist was compelling enough to cause the Committee membership to agree with that one lobbyist instead of the majority of lobbyists. The data also show that at least one of the lobbyists was always a catalyst in the committee's majority decision, except when the Speaker had a bill which was being heavily promoted by his/her staff, in which case, lobbyists were often ignored by the majority of members when the committee vote occurred.

Lobbyist and Legislator Perception of Lobbyist Influence

Lobbyist's perception of the selected bills which they had successfully influenced legislators are as follows

1. Association lobbyists felt they were successful with special education and working on compromises with legislators who often were opposed to association positions. In addition, the charter school bill was specifically referenced by those lobbyists as one where they were able to work with legislators who often were opposed to association positions.

2. A contract lobbyist felt he/she had been successful in working on achievement gap issues.
3. The governmental lobbyists also felt they had been successful in working on the achievement gap issues as well. In addition, one of the governmental lobbyists indicated that he/she felt some success in working with a legislator who rarely agreed with the district position, because that individual was using him/her as a resource regarding votes on bills.

As mentioned previously, most legislators, at first, indicated that lobbyists never influenced their vote on any bills. As the interview progressed; however, most at least mentioned that the data provided by lobbyists were of importance as they made decisions because the information provided by the lobbyists was needed in order to make good, balanced decisions on education issues. One legislator indicated that because of a personal concern that lobbyists for certain organizations weren't accurately representing the priority concerns of teachers, administrators and board members, he/she preferred to go directly to the source instead of getting data through the education lobbyists. Another legislator indicated that he/she had observed scathing remarks about some legislators written in official communications sent to association members and the fact that even if the association offers the best data available on education issues, such actions cause doors to close on lobbyists from that organization. Other legislators opined that when the lobbyists provide facts, rather than their opinion or the emotion of an issue, they are the most effective. Most legislators indicated that they listen to lobbyists, but draw their own conclusions from the information the lobbyists provided. In the opinion of a few of the legislators, education lobbyists generally provide information instead of dollars.

In conclusion, the data regarding the selected bills documented that the lobbyists do influence the legislators at the committee level. The documents showed that in the case of nearly all of the bills that were recommended for passage by the entire House of Representatives, amendments were suggested by those lobbying for the bills and those amendments were then added to the bills as the committee 'worked the bills' prior to deciding whether or not to recommend them to the entire House for passage. When a bill didn't receive the recommendation of the committee, the testimony of the lobbyists opposing the bill generally cast enough doubt on the bill that the committee members

Table 6.1 (continued)

Lobbyist Influence on Legislators’ Decisions (Continued)

Lobbyist Activity	Types of Registered Lobbyist
Legislators perceived effectiveness of lobbyists attempts at influencing their positions on selected bills from 1995 – 2006 (Non-school finance only)	One voiced concern that lobbyists for certain organizations weren’t accurately representing the priority concerns of teachers, administrators and board members. When the lobbyists provide facts, rather than opinion or the emotion of an issue they are most effective. When write scathing remarks about individual legislators in newsletters, doors close instead of remain open. Listen to lobbyists, but draw own conclusions from their information. Education lobbyists provide information so can make an educated decision

Lobbyists’ Strategies

The testimony given in Kansas House Education Committee is one of the strategies identified by lobbyists as being important in their efforts to influence the members’ decisions. Lobbyists identified several strategies they used when they were actively involved in attempting to influence the decisions made by legislators. Several lobbyists who had been lobbying prior to 1995 indicated that they had observed changes in the philosophy of the majority of legislators, in particular those who were first elected in 1994 and after 1994. They reported that many of the new members were more cautious in their acceptance of the successes of public education and were not as accepting of the education lobbyists and the organizations which they represented. A lobbyist who had lobbied during the year when gaming and liquor-by-the-drink were passed mentioned the difference in the atmosphere. He indicated that the lobbyists who were on different sides of the issue debated and promoted their side of the issue in the committee rooms during the day, but went out together for evening meals. She remembers that as a time when people held different views but were still civil to one another. The lobbyist commented that today lobbyists that were friendly then won’t even acknowledge her because he lobbies for the “enemy”. The lobbyist indicated

that she/he believed it is a sign of the times and reflects the anger felt by many U.S. citizens.

Strategy Adjustments Made by Lobbyists

Strategy adjustments which have assisted the lobbyists as they attempted to influence public education policy in Kansas between the years 1995 – 2006 included making certain they were prepared for questions after providing testimony regarding their employer's view of a bill. One of the lobbyists shared that the importance of being prepared in this manner became evident after having survived the experience of providing testimony for which he/she felt unprepared and the chairman of the sub-committee took that lobbyist to task. Another lobbyist pointed out that seeking a point of agreement was one way he/she had dealt with a legislator's concerns about a bill and concerns about the viewpoints promoted in the lobbyist's testimony. After determining the legislator's interests, the lobbyist indicated that he/she pointed out some portion of the bill which would be of interest to that individual, and indicated a willingness to amend the bill to make the it more acceptable to the legislator.

Lobbyists also indicated that strategies of importance included being trustworthy and having credible data. They indicated that they always want legislators to consider them to be a resource whether or not the legislator agrees with their position on an issue. In addition, lobbyists mentioned that they often arranged for their members to testify so the local impact of a bill could be heard by legislators. The lobbyists also indicated that it was quite important for constituents who are members of the association to build relationships with their legislators. Those constituents are then asked to contact their legislators and promote the organization's positions.

Another strategy shared by one of the lobbyists was if a bill passes out of committee and the lobbyist doesn't want it to become law, the best way to kill it was to have a multitude of amendments drafted and when the bill is being considered in the Committee of the Whole to begin adding amendments to the bill until it either is re-referred to a committee or it advances to final action at which time it generally is defeated. The death of bills by amendment has been observed by this researcher, but

until this information was shared by a lobbyist, I hadn't known that they were being orchestrated by lobbyists primarily because, as another of the lobbyists reminded me, I am not a member of the minority party and those legislators who are a part of the minority party are the individuals who generally are asked to participate in such an activity.

Some lobbyists said that the strategies which they employed when a bill received a majority of the Committee vote and the strategies they used when a bill did not receive a majority vote in the Education Committee weren't that different; however, a few of the lobbyists shared what they did when they had a bill about which their employers felt strongly must either be passed or defeated. One of those strategies mentioned was one that often occurred when the bill was being considered by the Committee of the Whole. The strategy was to look for a germane bill that has passed out of a committee and when it was considered by the Committee of the Whole, the needed amendment was available to be amended onto the bill by a legislator who had been asked to introduce the amendment.

Another strategy which was mentioned by a lobbyist was one which this researcher hadn't previously observed. When the lobbyist realized the position for which he/she advocated was being lost at the committee level and if there is a show of hands, the lobbyist stood up, and recorded the votes of committee members. Although this was a legal accountability measure, it could be viewed, as it most likely was intended, as an attempt to intimidate the legislators into a different vote and then perhaps even ask for a reconsideration so they can change their vote if their constituents might disagree with their earlier vote and hold them accountable during the next election cycle.

Gender Differences in Lobbying Strategies

There were differences in strategies of which half of the lobbyists and legislators have attributed to gender. One legislator indicated that women are more professional today, but that a few continue to use their gender to attract votes. An example of such attempts to attract votes included dressing in a provocative manner, etc.

Another of the legislators indicated that women lobbyists were more likely to play the emotional card and then the legislator related an experience which caused him/her to come to that conclusion. When she/he was working on a bill introduction, her/his secretary was not allowing lobbyists to see him/her that day. A woman who was lobbying on a controversial issue was very angry that she was not being allowed to see the legislator. In addition to making her point, she was treating the secretary in a disrespectful manner, an act which caused the legislator, by his/her own account, less likely to support her position.

Those lobbyists who believed that there were differences in the strategies used by men and women lobbyists also agreed that the majority of the women lobbyists are professional in their approach to lobbying. Even so, a lobbyist shared with this researcher that women lobbyists do things for legislators that men wouldn't do. They play a motherly role for some legislators and in addition, bring baked goods to the offices, etc.

In addition, a lobbyist who has lobbied for a number of years indicated that some women lobbyists secure votes through means other than just providing information. Although this researcher has heard rumors of such behavior, what seemed unusual was that some lobbyists seemed to know that certain individuals were engaged in activities which are of questionable behavior for lobbyists who want to be seen as credible, yet other lobbyists did not indicate that they were aware that such behavior occurred.

It was mentioned that there are differences in the entities which women and men represent as well. Women tended to lobby for causes for which more emotional responses may be in order while men tended to lobby for business concerns. One legislator indicated that men seemed to be more competitive than most women lobbyists and willing to go nose-to-nose with other lobbyists and legislator. Legislators also observed that most male lobbyists tend to represent those entities which are financially able to offer greater financial remuneration than those entities which are represented by many female lobbyists.

Based on what legislators said about their acceptance of lobbyists of any gender, the gender of lobbyists would not affect their influence with a legislator of their own gender or of a different gender. That fact; however, would possibly change if it were

common knowledge that a lobbyist was using his/her gender in order to influence the votes of a legislator(s) and that would likely be the case whether they were a male or a female. Such activities would likely undermine the lobbyist's credibility and trustworthiness with many legislators.

Does A Legislator's Experience With Education Impact Lobbying Strategies?

Another area where the discussion of differences in strategies used by lobbyists occurred was with the level of experience legislators had with education. Several lobbyists indicated that they normally tried to build a relationship with legislators and then determine their level of experience with and understanding of education law and of school finance. Those lobbyists indicated that they tried to fill in the gaps when they determined a legislator had a lack of knowledge or understanding of an educational issue.

Other lobbyists indicated that there was a difference in the amount of time a lobbyist spent with an individual who had little experience with education and one who had a lot of experience. One of the lobbyists pointed out; however, that there are educators who know little about education law or how school finance works, so it was also important to determine the level of understanding of individuals who have classroom experience as well. Yet another lobbyist commented that, at times, it was easier to influence the vote of a legislator who had little experience with education than it was to influence the vote of a legislator who had a lot of experience with education. According to the lobbyists, the legislators with education experience often argue that they know as much about education as the lobbyist and they disagree with the position taken by the entity they represent. They also do not hesitate to debate the lobbyist in an attempt to convince the lobbyist that he/she is in error.

Generational Differences in Lobbying Strategies

Since the question wasn't posed to the lobbyists individually in regard to the differences in strategies that they might use when legislators are of a different generation than themselves, the researcher has instead looked at the frustrations which were felt by lobbyists and legislators to determine how the general characteristics of each generation according to Strauss and Howe (1991, 1997) can be found within some of their answers.

For example, the lobbyists who are Baby Boomers are members of what Strauss and Howe have referred to as an idealist generation. One of the lobbyists who is a Baby Boomer indicated that he/she tried to develop a relationship with all legislators regardless of their philosophy because ideally, at least at some point in time, all legislators will agree with a lobbyist's position.

According to Strauss and Howe, the lobbyist who is from the Silent generation is a member of the adaptive generation. An example of how the lobbyist from the Silent generation adapted is demonstrated in her/his answers regarding how he/she would attempt to influence policymakers with different levels of education experience. Using a technique he/she used as a teacher to determine the level of student knowledge, the lobbyist determined how much information the legislator actually knew about an issue prior to sharing information with the legislator. This approach ensured that the information shared was of value because it was not a repeat of that information which the legislator already possessed. The manner in which the lobbyists reacted was likely related to the characteristics of their generation and was demonstrated by the reactions of two lobbyists. One lobbyist who is a member of the Boomer generation, expressed a concern regarding the direction of the country because individuals reacted angrily without fully exploring the positives and negatives of legislation. That lobbyist seemingly looked for an external reason for such reactions which is another characteristic of the Boomer generation. Another lobbyist, who is from the Silent generation and who, when frustrated with the vote on an issue, blamed himself/herself for not making a better case for his/her point of view. Looking at oneself for the reason for an activity's end result is another characteristic of the Silent generation.

Another of the lobbyists from the Baby Boomer generation had a vision of how Kansas education policy should look and she/he pursued that end, informing constituents when a legislator strays from that vision. In general, a lobbyist from the Baby Boomer generation who has a particular view of what education should look like and is a trained educator could have a conflict with another Baby Boomer who said that he/she makes decisions on education issues based on personal experiences and biases from those experiences. "If I am terribly conflicted, I will talk to the people mentioned on the left hand column [referring to a list of individuals provided at the interview] to get additional

data to help make some decisions...but for the most part, decisions are based on my own thinking about how the world ought to be.” (Interview Lobbyist One)

There are many conflicts between individual legislators as well as between legislators and lobbyists. The disagreement between legislators who have a different philosophy is likely at the root of many of the conflicts. Difference in philosophy were also usually a factor in disagreements between legislators and lobbyists. Legislators and lobbyists who are Boomers are passionate about their viewpoint and want the laws to reflect their viewpoint despite the viewpoint of another legislator or lobbyist. Legislators and lobbyists who are from the Silent generation seem to be more likely to look for ways to accommodate differing views and are willing to compromise in order to have that accommodation occur. Legislators and lobbyists from the Baby Boomer generation, because of their idealism and belief that their view is the correct one, are often less likely to be willing to find common ground and allow the remainder of their idea to be set aside. The Boomers are likely to keep resisting any change to their proposals, believing that their idealistic view is the only one that is correct. If the proposal isn't accepted as they have drafted it and a compromise is developed, some of the Boomers are likely to work to defeat the compromise. In fact, the researcher has observed such scenarios occur in the Kansas Legislature on several occasions. (See Table 6.2, pp. 172 – 173)

Sources of Information

The sources of information which influence the lobbyists and legislators are varied and many individuals have multi-sources which they consider to be the sources which influence their position on education issues that are considered by the education committee.

The information sources that have been identified by the legislators and lobbyists to be the sources which are most likely to influence positions that they take on specific public education policy issues are at times the same sources. For example, both lobbyists and legislators mentioned legislative staff, certain members of the staff at the Kansas Department of Education and specific legislative organizations. Association lobbyists mentioned that some of their sources of information were members of their organization

which were also mentioned by legislators because those members are the constituents of those legislators.

Table 6.2 Lobbyist-Identified Strategies Used To Influence Legislators

<p>Changes in Lobbying Strategies Implemented from 1995 – 2006</p>	<p>Make certain are prepared for questions Seek information from several sources in association Operate in an opportunistic manner Develop a relationship with all legislators</p>
<p>Lobbying Strategies Used to Influence Legislators’ Positions on Selected Bills From 1995 – 2006</p>	<p>Use of facts to prove point Amend bill till its death Willingness to amend bills Showing a commitment to children Have credibility and be trustworthy Be a resource for legislators Approach legislators on their terms Talk about the area of a bill in which they’re interested Used testimony and members to contact legislators Members developed a relationship with legislators Individual visits with legislators First, developed a relationship with legislators Provided facts regarding bills’ affect on their districts Played the role of teacher when needed Had members testify on bills to give local impact</p>
<p>Lobbying Strategies Used on Bills Which Received a Majority Vote vs. Bills Not Receiving a Majority Vote in the Kansas House Education Committee</p>	<p>When losing vote stood up and during a vote by show of hands recorded how members voted If the bill is defeated, look for a germane bill that has passed out of a committee and will be on the floor.</p>
<p>Gender Differences in Lobbying Strategies and Perceived Affect On Influence of Legislators</p> <p style="text-align: right;">(Continued)</p>	<p>Little gender difference in the strategies used Women more likely to play emotional card Some women do things for legislators that men wouldn’t do including playing a motherly role, bring baked goods to offices, etc. Some women lobbyists secure votes through means other than providing information Differences in who men and women represent Men are more competitive and nose-to-nose in dealings Women of ten have a more passionate approach Affects lobbying effort negatively if men are overly aggressive or if women are whiny or ...it reflects on the concept of women lobbyists when some women inappropriately use their gender to gain influence</p> <p style="text-align: right;">(continued)</p>

Table 6.2 (continued)

Lobbyist-Identified Strategies Used to Influence Legislators

<p>Lobbying Strategies Used With Legislators Who Have Different Levels of Experience With Education</p>	<p>Don't assume that legislators with education experience understand education law Those with little experience require longer explanations than those with experience Sometimes it is harder to convince a legislator with experience than one without experience if the legislator says that their experience is different and they are opposed to your position Listen to the legislator who has experience Find out what the legislator knows about education issues and only fill in the gaps</p>
<p>Generational Differences in Lobbying Strategies and Perceived Affect On Influence of Legislators</p>	<p>The Silent generation is Boomers generally want government to do what they have decided is right and become frustrated with legislators who believe differently and with lobbyists who promote a position more likely to take personal responsibility for that which they are unable to control thinking if they just worked harder or if they had just made a different argument the results of a vote would have been different.</p>

While I didn't find the contents of the list surprising, I did find it curious that the lobbyists who had been legislators added the researchers and revisors to their list. During one of the interviews with one of these individuals, he/she said that one of the things that is available to former legislators is access to the researchers and revisorssomething of which I was unaware and is one of the things that I learned from this study. (See Table 6.3, p. 174)

Table 6.3 Information Sources Which Influence The Positions Lobbyists and Legislators Take on Education Issues

Lobbyists' Information Sources	Legislators' Information Sources
<p>Association members who work as educators or who are school board members</p> <p>The legislative process which includes committee work, questions, working on bills and interaction with legislators</p> <p>Staff member at Department of Education for funding information</p> <p>Own personal teaching experience</p> <p>Classroom teachers</p> <p>College professors</p> <p>Association staff research</p> <p>Association staff with expertise in a given area</p> <p>Other lobbyists who have expertise in a given area</p> <p>Legislative Research</p> <p>Revisor's Office</p> <p>National education publications</p> <p>Federal Government</p> <p>National legislative organizations</p> <p>Client school districts</p> <p>Meetings sponsored by National Conference of State Legislature (NCSL) and Council of State Governments (CSG)</p> <p>Teacher organizations</p> <p>Administrator organizations</p> <p>School board organizations</p> <p>Experience as a legislator</p> <p>District staff with expertise in many areas</p>	<p>Constituent teachers and administrators instead of their organizations</p> <p>Legislative Research Department</p> <p>Staff member at the Department of Education</p> <p><i>Education Week</i></p> <p>State Board Member</p> <p>Party platform when it is reasonable</p> <p>Local educators (teachers and administrators)</p> <p>Parents</p> <p>Superintendent of a mid-sized district</p> <p>School, college and university experiences</p> <p>Past Commissioner of Education</p> <p>NCSL staff members</p> <p>National Association of Scholars</p> <p>Spouse</p> <p>Research presented at seminars and workshops</p> <p>Legislative staff</p> <p>Kansas National Education Association (KNEA)</p> <p>Lobbyists</p> <p>Other legislators who have a lot of experience and expertise in an area</p>

Reflections of the Researcher

After completing this study and reflecting on what I have learned, it is amazing to me that I could be sitting in the midst of all legislative action which was occurring from 1995 – 2006 yet I was not aware of the origin of some of the activity that took place around me. The major things that I learned from this study include the following:

1. The analysis of the documents that surrounded the bills which were selected by the expert panel indicated that legislators had been influenced by the testimony of lobbyists to the extent that the committee often followed the advice of the lobbyists. Committee members also often added the amendments suggested by the lobbyists. In addition, the majority of Education Committee members usually didn't vote to recommend a piece of legislation for passage when lobbyists had suggested in their testimony that education employees or students could be harmed in some manner or that the concept needed more study.

Without the available documents, the fact that the legislators were often influenced by the lobbyists would have been muted by the initial statements made by the legislators which generally claimed that they were not influenced by the lobbyists. On the other hand, legislators indicated during their interviews that they appreciated receiving information from lobbyists because having facts and experiences shared through multiple sources were helpful as they made decisions about proposed legislation. Although lobbyists consider providing testimony on a bill to be one of their strategies in their attempt to influence legislators, it was not clear that all of the legislators viewed the information provided by lobbyists as an attempt at influencing their decisions.

As I examined the minutes and testimony associated with the selected bills, I was surprised by the number of times which legislators followed the recommendations found in the testimony of the lobbyists, including making the suggested changes in language as was proposed in the testimony. Such information demonstrated that testimony is an effective strategy for lobbyists to

use and is usually worth their effort to spend time in preparation prior to its delivery.

2. One of the strategies mentioned by education lobbyists in their interviews was their attempt to build relationships with all legislators, focusing, in particular, on those with whom they usually disagree. This was an interesting revelation because many of the same legislators who would have been the focus of those legislators voiced concerns in their interviews that the education lobbyists only contact the legislators who agree with them.

In addition, at least one of the lobbyists who mentioned this strategy represented an organization which, according to one of the interviewed legislators, had printed disparaging remarks about some legislators in one of the communications that was sent to organization members. To have the communication arm of an organization using negative terminology regarding legislators within its messages that were sent to those legislators' constituents at the same time the organization's lobbyists were attempting to build a positive relationship with legislators who held opposing viewpoints seem to be counter-productive. When the negative comments become common knowledge, attempts at building a positive relationship would most likely be immediately rejected by the legislators with whom the lobbyists had been working.

Building relationships certainly also includes being trustworthy. Trust is not easily regained with legislators who have been attacked by negative communications. If building bridges of positive relationships is the ultimate goal of lobbyists, it is important to remember that negative attacks on legislators is a form of burning bridges and will likely ensure that the bridge of positive relationships they are attempting to build will not be built.

3. As a legislator I have observed the practice of bills being defeated by amendment during the debate on the floor of the Kansas House of Representatives. Until a lobbyist mentioned that one of the strategies he/she used to defeat a bill was to add so many amendments it would not be passed, I was not aware that such activity was being orchestrated by lobbyists. I had suspected that at times the minority caucus used that strategy in an attempt to defeat a bill which

the minority members found offensive; however, such activity was evidently done in collaboration with lobbyists. At times it was likely the handiwork of lobbyists who opposed the bill and who subsequently had enlisted the assistance of the members of the minority caucus.

4. The fact that the education lobbyists regularly met together to discuss legislation was another surprise to me. At times the lobbyists would mention in their testimony that they were also testifying on behalf of another organization but the fact that they actually met together to discuss pending legislation was not shared publicly with legislators. The lobbyists indicated that they viewed themselves as a team. The large organizations have staff who study the proposed legislation which affects students, schools, and school employees. The opinions of those staff members were shared with the lobbyists who represented small organizations which either have few or no staff members. If there were multiple committees where legislation which affected education was being considered, the lobbyists shared the responsibility of providing testimony when they agreed on the position to be taken. When the lobbyists disagreed regarding the position to be promoted, the lobbyists developed and presented their own testimony.

5. Another fact that was discovered during an interview with a lobbyist was that when legislators retire, they retain their ability to access the Legislative Research Department and the Revisor's Office. Such availability was undoubtedly very beneficial to lobbyists who have been legislators. It was mentioned by lobbyists who had not been legislators that they believed that it was an advantage to have been a legislator because they had knowledge of the process. If the lobbyists who have been legislators also have greater access to the Legislative Research Department and the Revisor's Office than do those lobbyists who have not been legislators, that also would be an advantage. The fact that a number of former legislators are now lobbyists may be related to the fact that they do have access that lobbyists who have not been legislators do not have.

Understanding the Influence of Lobbyists

The focus of this study was to understand the influence which lobbyists had on the development of education policy from 1995 – 2006. The documents which referenced the selected bills indicated that the committee membership was influenced by the testimony provided by lobbyists. An analysis of the lobbyist and legislator interviews and of the documents further pointed out that the policy-making process is surrounded by many lobbyists and fellow legislators who would like legislators to agree with their position on any given specific piece of legislation.

Lobbyists Promotion of Positions On Legislation

Understanding that lobbyists are expected to promote their position to legislators as a means of acquiring the legislation desired by their employer is of value to legislators. Recognizing the motive of lobbyists assists legislators in separating lobbyist attention from that which is social interest and that which is business interest. Although building relationships is a positive move for legislators and lobbyists, it should always be understood by legislators that lobbyists consider relationship building to be a strategy which enables them to have greater access to legislators. Sharing information with legislators is also considered by lobbyists to be a strategy of influence. Legislators should view such strategies positively because if the information is credible, it is a necessary part of the manner in which a legislator gathers information in order to make sound decisions. It should also be understood that lobbyists are often successful in their attempts at influence otherwise there would be few lobbyists working in Topeka to influence the votes of legislators.

Information Provided by Lobbyists a Resource for Legislators

Understanding the influence that lobbyists have on the development of education policy includes recognizing the fact that lobbyists are a resource for legislators. Lobbyists have access to information which is helpful to legislators as they make decisions. Understanding the influence that lobbyists have on education policy also includes an understanding that the focus of legislation should always be on the students who will benefit from the passage of legislation or the defeat of legislation.

Trustworthiness and credibility are qualities that need to be nurtured whether one is a legislator or a lobbyist. These are the most important commodities that either should possess. Once trustworthiness and credibility are lost, they are unlikely to be regained. There was an indicator from a legislator during his/her interview that actions by organizations do affect the legislators' view of how much trust can be placed in the lobbying activities of an organization. There was also legislative concern regarding not only the trustworthiness of certain education organizations, but also the credibility of the information they provide. While some legislators raised such concerns, others pointed out the trustworthiness of the information and the credibility of the same lobbyists. It appears that the relationships lobbyists have with legislators does have an impact on the level of trust a given legislator has in the information provided by the education lobbyists.

There were a number of positive ideas that were discovered as the research was conducted. Those positive ideas included the discovery that the education lobbyists had formed a team and the attempts by lobbyists to build relationships with all legislators including those legislators who are seldom in agreement with the education lobbyists' positions. There were, however, negative aspects of lobbying that were mentioned in the course of the interviews as well. Those negative aspects mentioned included comments made by legislators and lobbyists which indicated a lack of trust and even anger between legislators and lobbyists.

Those negative aspects appeared to the researcher to be related to a lack of understanding or acceptance that lobbyists are trying to accomplish a goal that their employers have asked them to reach and that legislators are trying to represent the majority of individuals within their district. That lack of understanding or acceptance can be extended to why certain strategies are being used by lobbyists or why certain philosophies are promoted by legislators. The frustrations which are felt by legislators and by lobbyists are often related to the actions of the other party. For example, when lobbyists become frustrated by legislative action they often resort to strategies that then cause legislators to become frustrated. When both legislators and lobbyists become frustrated with the other, anger seemed to evolve from that frustration.

Legislators and lobbyists appear to have a need to understand and accept what the other entity is attempting to accomplish by the actions each takes. Why certain strategies are used by lobbyists and why the legislator who is the recipient of those strategies responds as he/she does should be a part of the attempt at understanding and acceptance of the other. Such attempts at understanding the other entity could result in less frustration on the part of both legislators and lobbyists.

Recommendations for Lobbyists and Legislators

Within both the frustrations and successes mentioned by interviewees who were both legislators and lobbyists, there are concerns regarding how lobbyists and legislators interact with each other. This researcher believes that a training session regarding lobbying and lobbyists would be beneficial for newly elected legislators and for the lobbyists who have not previously served in a lobbyist position. Lobbyists should receive training regarding what they should know when lobbying legislators. Legislators should receive training regarding what they should know regarding the processes of lobbying. This researcher believes that there should be developed a potential training session for newly-elected legislators and a session for lobbyists who have not previously lobbied legislators. By providing this information to new legislators and lobbyists perhaps there would be a greater understanding and less frustration with the actions of each entity.

As a result, this researcher has taken the opportunity to develop suggested training sessions (a) for newly elected legislators and (b) for lobbyists who have not previously served in a lobbyist position. Consideration should be given to having the session for legislators be a part of the general training session held bi-annually for newly-elected legislators. The session for lobbyists should be a part of a general training session held for new lobbyists. These two proposed training sessions are found in the Appendix. The Suggested Legislator Training Session is found in Appendix H and the Suggested Lobbyist Training Session is found in Appendix I. A summary of each follows.

Summary of Suggested Training Session Content: Newly Elected Legislators

In the opinion of this researcher, the following areas should be included in a training session which newly elected legislators would participate in an attempt to better understand lobbyist attempts to influence the legislator's vote as well as how lobbyists can assist them in promoting a bill. The suggested areas which should be included are as follows:

1. Types of lobbying and the types of lobbyists.
2. Information about influence and how it is used to affect legislative decisions.
3. Information about assistance and information provided by lobbyists.
3. How to work with contract, association, and governmental lobbyists.
4. How to work with grassroots lobbyists.

It is suggested by this researcher that this training be run in conjunction with the basic training provided for newly-elected legislators immediately following the bi-annual Legislative Re-organization Meeting which is the meeting at which the majority and minority parties in both the House and the Senate elect the leadership for the next two years. (See Appendix H)

Summary of Suggested Training Session Content: First-Time Lobbyists

This researcher believes that lobbyists who are new to lobbying should also receive training on effectively working with legislators. The training should be held in conjunction with a general course on lobbying. The researcher recommends that the following areas be included in the training session for lobbyists:

1. Types of lobbying and the types of lobbyists.
2. Information about influence and how it is used to affect legislative decisions.
3. Strategies used to influence legislators as reported in this study.
4. Concerns legislators expressed about lobbyists and the strategies lobbyists employ.
5. How to work with legislators

The researcher suggests that this information be provided in conjunction with the basic training provided for those individuals who haven't served in a lobbyist position.

Suggested Further Research

Suggested further research includes the following:

1. Many states have imposed term limits on legislators. Kansas does not have term limits for legislators and the state has a number of long-time legislators, many of whom have been a member of the Legislature for many more years than a majority of the lobbyists. In states with term limits, is the relationship between legislators and lobbyists similar or is it very different from the relationships between legislators and lobbyists in Kansas? Why or why not? Also, how does the relationship between legislators and lobbyists affect the development of education policies in states with term limits?
2. Focus research on a specific study which compares the manner in which women and men approach lobbying. While determining if there is a difference in the way both genders lobby, also determine whether or not those differences have any impact on the development of education policies. Also, is there a difference in the acceptance of lobbyists by legislators when they are of same gender versus when the lobbyist is of a different gender than the legislator?
3. Develop a specific study which would focus on the comparison of the discrepancies between different generations to determine if there is a general difference in the manner in which the members of those generations perceive the needs of K – 12 education and if so, how do those differences impact education policies as promoted by both lobbyists and legislators of the same generations or of different generations?
4. Conduct a study which follows a specific education policy bill in Kansas through the legislative process and documents the impact of the involvement of the lobbyists, as well as key legislators, in shaping the legislation.

Dissertation References

- Alderson, George and Sentman, Everett. (1979). *How you can influence congress: The complete handbook for the citizen lobbyist*. New York, NY: E.P. Dutton.
- Alexander, R. and A. Nownes. (2003). *Interest groups, initiatives, and referenda*. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, IL. (April, 2003).
- Alexander, Robert and Nownes, Anthony. (2004) *Organized interests and direct democracy in the states*. Paper presented Annual Conference on State Politics and Policy, Kent State University, Kent, OH Retrieved on March 25, 2006 from <http://www.fsu.edu/~statepol/conferences/2004/papers/Alexander.doc>
- American League of Lobbyists. (n.d.). *What is lobbying?*. Retrieved February 10, 2006, from www.alldc.org/lobbying.htm
- American League of Lobbyists. (n.d.). *Lobbying as a career*. Retrieved February 10, 2006, from www.alldc.org/career.htm
- Ansolabehere, Stephen D., de Figueiredo, John M., & Snyder, James M. (2003). Why is there so little money in politics? *Journal of Economic Perspectives*, 17 (Winter), 105 – 130.
- Apollonio, D.E. (n.d.) *The decision to lobby*, Public Policy Institute of California, University of California, Berkeley. Retrieved March,10, 2006, from www.ppic.org/ Presented at the Annual Convention of the Midwest Political Science Association, Chicago, IL (April 27, 2002),
- Baumgartner, Frank R. and Beth L. Leech. (1998). *Basic interests: The importance of groups in politics and in political science*, Princeton: Princeton University Press.
- Baumgartner, Frank R., Jeffrey M. Berry, Marie Hojnacki, David C. Kimball, and Beth L. Leech. (2001) *Issue advocacy and interest-group influence*.

Dissertation References (Continued)

- Political Research, University of Kent, Canterbury, England. (September 6 – 8, 2001).
- Becker, Robert W., Frieda L. Foote, Mathias Lubegas, and Stephen V. Monsma. (1962). Correlates of legislative voting: Michigan house of representatives, 1954 – 1961. *Midwest Journal of Political Science*, 6, 384 - 396.
- Berg, Bruce L. 1995. *Qualitative research methods for the social sciences*. Second Edition. Needham Heights, MA: Allyn & Bacon.
- Berry, Jeffrey M. (1977). *Lobbying for the people: The political behavior of public interest groups*. Princeton, N.J.: Princeton University Press.
- Berry, Jeffrey M.. (1984). *The interest group society*. New York: Boston: Little, Brown and Company.
- Bigelow, Nathan S. (n.d.) *Representation in the statehouse: The responsiveness of state legislators to their constituents, their parties, and their supporters*. Working paper. Department of Government and Politics. University of Maryland.
- Bigelow, Nathan S. (2006) *Representation in the statehouse: The responsiveness of state legislators to their constituents, their parties, and their supporters*. Dissertation. Department of Government and Politics. University of Maryland.
- Bogdan, Robert C. and Sari Knopp Biklen. (1992) *Qualitative research for education: An introduction to theory and methods*. Second Edition. Needham Heights, MA: Allyn and Bacon.
- Boylan, R. T. (1996) *An optimal auction perspective on lobbying*. Washington University, Olin School of Business, St. Louis, MO Retrieved on March 22, 2006 from <http://129.3.20.41/eps/pe/papers/9602/9602001.pdf>
- Brouillette, Matthew J. and Ann C. Thomson, J.D. (2002) *The Pennsylvania state education association: compelling teachers, lobbying politicians, and*

Dissertation References (continued)

- increasing taxes*, Policy Brief, The Commonwealth Foundation for Public Policy Alternatives, Harrisburg, PA.
- Browne, William P. (1988). *Private interests, public policy, and American agriculture*. Lawrence, KS: University Press of Kansas.
- Byrd, Senator Robert C. (1987, updated 1989). Lobbyists, *Briefing us senate: Legislation and Records*, 1 – 11. Retrieved on March 27, 2006 from http://www.senate.gov/legislative/common/briefing/Byrd_History_Lobbying.htm
- Calicchia, Marcia and Sadowski, Ellen. (1984). *The lobbying: A guide to effective lobbying in New York state*. Albany, NY: Cornell University
- Che, Yeon-Koo. and Gale, Ian L. (1998) Caps on political lobbying. *American Handbook Economic Review*, 88(3), 643 – 651.
- Cigler, Allan J. and Burdett A. Loomis. (1998) From Big Bird to Bill Gates: Organized interests and the emergence of hyperpolitics, In Allen J. Cigler and Burdett A. Loomis. (Eds.), *Interest group politics*. 5th ed. Washington, DC: CQ Press
- Cigler, Allan J. and Anthony J. Nownes. (1998) Public interest entrepreneurs and group patrons, In Allan J. Cigler & Burdett A. Loomis,(Eds.), *Interest group politics*, 4th ed. Washington, DC: CQ Press.
- Clausen, Aage R. (1973) *How congressmen decide: A policy focus*. New York: St. Martin's Press.
- Clifton, Brett (2004) Romancing the GOP: Assessing the strategies used by the Christian Coalition to influence the Republican party, *Party Politics*, 10: #5, 475 – 498.
- Cobb, R. W. and C. Elder (1972) *Participation in American politics: The dynamics of agenda-building*. Boston, MA :Allyn and Bacon, Inc.
- Congressional Research Service. (1975) *Lobbying reform*. Government Division, Library of Congress.

Dissertation References (continued)

- Creswell, John W. (1998). *Qualitative inquiry and research design: Choosing among five traditions*. Thousand Oaks, CA: SAGE Publications, Inc.
- de Figueiredo, John M. (2004). *The timing, intensity, and composition of interest group lobbying: An analysis of structural policy windows in the states*. Massachusetts Institute of Technology, Working Paper 68, The Berkeley Electronic Press. Retrieved on March 21, 2006, from <http://law.bepress.com/alea/14th/art68>
- de Figueiredo, J.M. and de Figueiredo, R. J. P., Jr. (2002) *The allocation of resources by interest groups: lobbying, litigation and administrative regulation*. Sloan School of Management, Massachusetts Institute of Technology. Retrieved on March 23, 2006, from http://web.mit.edu/jdefig/www/papers/allocation_resources.pdf
- de Figueiredo, John M. and James J. Kim. (2001) *Strategic information transmission in lobbying*, Massachusetts Institute of Technology, 1 – 20
- de Figueiredo, J. M. and Brian Silverman (2002), *Academic earmarks and the returns to lobbying*. Working paper 4245-02 from Massachusetts Institute of Technology, Sloan School of Management. Retrieved on March 21, 2006, from Social Science Research Network Electronic Paper Collection. <http://ssrn.com/abstract id=310901>
- Eicher, Theo and Thomas Osang (2002) *Protection for sale: And empirical investigation: Comment*. JEL Classification: F13, D72, P16. Department of Economics, University of Washington, Seattle, WA and Department of Economics, Southern Methodist University, Dallas, TX. Retrieved on March 24, 2006, from <http://faculty.washington.edu/~te/papers/eicherosang.PDF>
- Felli, L. and A. Merlo (2000). *Endogenous lobbying*, Working paper # 00-03, New York University, Department of Economics, New York, NY Retrieved on March 21, 2006, from <http://www.econ.upenn.edu/centers/CARESSpdf/00-03.pdf>

Dissertation References (continued)

- Fiorina, Morris P. (1974). *Representatives, roll calls, and constituencies*.
Lexington, MA: Lexington Books.
- Gais, Thomas. (1996). *Improper influence: Campaign finance law, political interest groups, and the problem of equality*. Ann Arbor, Michigan: University of Michigan Press.
- Gawande, Kishore (2005) *The structure of lobbying and protection in us agriculture*, World Bank Policy Research Working Paper 3722, Bush School of Government, Texas A&M. Retrieved on March 21, 2006, from <http://econ.worldbank.org>
- Ghate, Chetan. (2001). *Lobbying, the composition of government expenditures, and the politics of fiscal policy*. Department of Economics, The Colorado College, Colorado Springs, CO and University of Adelaide, Australia, 133 – 145.
- Goldstein, Kenneth M. (1999). *Interest groups, lobbying and participation in America*. Cambridge, UK: Cambridge University Press.
- Green, J.C., J. L. Guth, C.E. Schmidt, & L.A. Kellstedt (1996) *Religion and the culture wars: Dispatches from the front*. Lanham MD: Rowman & Littlefield.
- Harder, Marvin. (1983) *Interest groups and lobbyists in Kansas state government*. Essay. Lawrence, KS: Center for Public Affairs, University of Kansas.
- Hrebenaar, Ronald J., and Clive S. Thomas (eds) (1993). *Interest group politics in the northeastern states*. University Park, PA: Penn State Press.
- Huntley, Susan and Kerns, Peggy. (2006) The Maze of Lobbying. *Legisbrief, V.* 14, N. 31, Denver, CO: National Conference of State Legislatures.
- Iaryczower, Matias, Pablo T. Spiller and Mariano Tommasi. (2005) *Judicial lobbying: The politics of labor law constitutional interpretation*, USC Law School and California Institute of Technology, Working Paper No. 42. NBER Working Paper No. W11317.

Dissertation References (continued)

- Jarvis, Matthew. (2001) *The phantom menace: Ballistic missile defense in congress*, Working paper 2001 - 4. Department of Political Science, University of Berkeley, Berkeley, CA. Retrieved on March 23, 2006 from <http://repositories.edlib.org/igs/WP2001-4>
- Kahn, Melvin A. and Allegrucci, Robert L. (1981). *Lobbying at the state level a handbook for older citizens*. Wichita, KS: University Gerontology Center, Wichita State University.
- Katel, Peter. (2005) Lobbying boom. *The CQ Researcher*, 15, 26, 613 – 636.
- Kollman, Ken. (1998). *Outside lobbying: Public opinion and interest group strategies*. Princeton, NJ: Princeton University Press.
- Loomis, Burdett A. and Sexton, Eric (1995) Choosing to advertise: How interests decide, In Allen J. Cigler and Burdett A. Loomis (Eds.) , *Interest group politics*. Washington, D.C: CQ Press.
- Loomis, Burdett A. (1998) *The contemporary congress*. Boston: Bedford/St. Martin's.
- Lowery, David, and Virginia Gray (2001). *Bias in the heavenly chorus: Interests in society and before government*. Paper presented at the Annual Meeting of the American Political Science Association, Department of Political Science, University of North Carolina at Chapel Hill, Chapel Hill, North Carolina.
- Maag, James. (1983) *Interest groups and lobbyists in Kansas state government*. Essay. Lawrence, KS: Center for Public Affairs, University of Kansas.
- McCain-Feingold Act. (2002) *Bipartisan campaign act of 2002*, Public Law No. 107-155. Retrieved on January 31, 2007, from http://www.fec.gov/pages/bcra/_update.shtml
- Maclay, Senator William (1779) *Personal diary*. Retrieved on January 31, 2007, from <http://memory.loc.gov/ammem/amlaw/lwmj.html>
- Moscovici, Serge. (1976). *Social influence and social change*. (Published in

Dissertation References (continued)

cooperation with European Association of Experimental Social Psychology) London, England; New York, NY; San Francisco, CA: Academic Press.

Nownes, Anthony J. and Jacqueline Giles. (2002) *Big city lobbyists: Who they are and what they do*. Paper presented at the annual meeting of the Western Political Science Association, Long Beach, CA.

Reichley, A. J. (1995) Republican ideology and the American future. In J. K. White and J.C. Green (Eds.), *The politics of ideas: Intellectual challenges to the major parties after 1992*, 70 – 84, Lanham, MD: Rowman & Littlefield.

Rhoads, Kelton (1997-2004) *Working psychology website*. Retrieved on November 26, 2006 from <http://www.workingpsychology.com>

Rich, Andrew and Weaver, R. Kent (1998) Think tanks and the politicization of expertise. In Allen J. Cigler and Burdett A. Loomis (Eds.), *Interest group politics*. 5th Ed. Washington, D.C.: Congressional Quarterly Press, 235 – 254.

Rich, Andrew and Weaver, R. Kent. (2000) Think tanks in the U.S. media. *The Harvard International Journal of Press/Politics*. Volume 5, Number 4, Fall, 2000, 81 – 103.

Riker, William H. (1986). *The art of political manipulation*. New Haven, CT: Yale University Press.

Ross, Donald K. (1973) *A public citizen's action manual*. New York, NY: Grossman Publishers.

Salisbury, Robert. (1969). An exchange theory of interest groups. *Midwest Journal of Political Science*, 13 (1), 1 – 32.

Salisbury, Robert. (1986). Washington lobbyists: A collective portrait. In Allan J. Cigler and Burdett A. Loomis, Eds.) *Interest group politics*, 2nd ed. Washington, DC: Congressional Quarterly Press.

Dissertation References (continued)

- Sahuguet, Nicolas and Nicola Persico. (2006) Campaign spending regulation in a model of redistributive politics. *Economic Theory*, Red. Nr. 1119. Department of Economics, University of Pennsylvania, Philadelphia, PA Retrieved on March 21, 2006, from www.econ.upenn.edu
- Sebelius, Kathleen. (1983) *Interest groups and lobbyists in Kansas state government*. Essay. Lawrence, KS: Center for Public Affairs, University of Kansas.
- Smith, Mary John. (1982). *Persuasion and human action: A review and critique of social influence theories*. Wadsworth Publishing Company, Belmont, CA.
- Solet, D and P. B. Hutt (2001). *Strategies of influence: How corporate power directs and constrains the fda*. Harvard Law School. Retrieved on March 21, 2006, from <http://leda.law.harvard.edu/leda/data/413/Solet.html>
- Strauss, William and Neil Howe (1991). *Generations: The history of America's future, 1584 to 2069*. New York: William Morrow and Company, Inc.
- Strauss, William and Neil Howe (1997). *The fourth turning: An American prophecy*. New York: Broadway House
- Suranovic, Steven (1997 – 2004). *The nature of lobbying*. International Trade Theory and Policy Lecture Notes.
- Thompson, Margaret Susan (1985) *The spider web, congress and lobbying in the age of Grant*. Cornell University Press, Ithaca, NY.
- Tollison, R.D. 1988. Regulation and interest groups. In Jack High, (Ed.), *Regulation*. Ann Arbor: University of Michigan Press.
- Truman, David B. (1951, 1971). *The governmental process: Political interests and public opinion*. 2nd edition. New York: Knopf.
- United States Senate website. (n.d.) <http://www.senate.gov>
- Victor, Jennifer Nicoll (2002) *Interest groups do influence congress (but it's not about money)*. Working paper #442. Presentation at 2002 Midwest

Dissertation References (continued)

Political Science Association Meeting, Chicago, IL and Washington University, St. Louis, MO.

Weaver, R. Kent (1989). The changing world of think tanks. *PS*, 22, 563 – 78

White, John K. and Green, John C. (eds) (1995). *The politics of ideas: Intellectual challenges to the party after 1992*. Lanham, MD: Rowman & Littlefield Publishers, Inc.

Wooten, Robert. (1983) *Interest groups and lobbyists in Kansas state government*. Essay. Lawrence, KS: Center for Public Affairs, University of Kansas:

Wright, Gerald. 2005. Website: http://www.indiana.edu/~ral/ral_papers.htm.

Wright, J. R. (1996) *Interest groups and congress: Lobbying, contributions, and influence*. Boston: Allyn and Bacon.

Zeigler, Harmon and Baer, Michael A. (1969). *Lobbying: Interaction and influence in American state legislatures*. Belmont, CA: Wadsworth Publishing Company, Inc.

Appendix A - Lobbyist Interview Questions

General Demographic Information:

1. Please state your name, age and gender.
2. Please state your highest level of education.
3. Please identify your employer.
4. Please describe your involvement with education; your own and the education of others.
5. Other than your own education, how many years have you been directly involved with education interests?

General Lobbyist Information:

1. Please describe your job, including the portion which gives you the opportunity to be an education lobbyist.
[The interviewer will share the definitions of different types of education lobbyists as defined in the study and will ask that the interviewee select the one which he/she believes best describes the type of lobbyist he/she is.]
2. Please describe your preparation to become a lobbyist.
3. How long have you been a lobbyist?
 - A. How long have you represented the organization for which you work?
 - B. If you are a contract lobbyist, what interests do you represent?
4. If you are a grassroots lobbyist, describe your interest in lobbying policy makers about education.
5. Please describe your duties as a lobbyist.

Appendix A (continued)

Influences of Others on Lobbyists

1. In what ways does your personal belief/philosophy about any given issue assist or hamper your ability to lobby on that issue?
2. Discuss your respected sources of information, such as writers, research sources, personal experience, etc. that have influenced the development of your philosophy about any given issue.
3. Please describe how you as a lobbyist arrive at the position which you take on any given issue.
4. Please describe your philosophy regarding the responsibility of the federal government in determining education issues? The state government? The local government?

Lobbyist Influences on Others:

Assuming your goal is to convince policymakers to support or defeat a particular issue...

1. Describe how you influence legislator/state board members who are considered socially conservative? Fiscally conservative? Moderate? Liberal?
2. Elaborate on the differences between the manner in which you might seek to influence a policymaker with a great deal of experience with education and educational issues vs. a policymaker who has no experience beyond his/her own education or with educational issues.
3. As a lobbyist, what educational issues have you found the most enjoyable? The most challenging?
4. Since you began lobbying for educational interests, discuss any changes you have seen in the ease or difficulty presented in your attempts to influence policy makers. If changes have occurred, in your opinion, why do you think those changes have occurred?

Appendix A (Continued)

5. Describe your most frustrating moment(s) as a lobbyist,
 - A. Describe your successes as a lobbyist.
 - B. In your opinion, why were the outcomes different?

If a person came to you today and expressed an interest in lobbying for education interests, what advice would you give them?

Please share any other information that you feel would be helpful in my quest to better understand lobbyist efforts to influence policymakers.

Would you be willing to be contacted again, if additional questions are needed for an additional study?

Thank you for your time and the valuable information you have shared!

Appendix A.1 Lobbyist Interview Questions

– Match With Research Questions

- I. General Demographic Information: [Please complete this section and bring with you to the interview.]

Name _____ Age _____ Gender _____

2 D. 1 & 2

Highest level of education _____ *3 A* _____

Name of employer _____ *3 A* _____

How long have you been a lobbyist? _____ *3 A* _____

How long have you represented the organization for which you work? _____ *3 A* _____

Other than your own education, how many years have you been directly involved with education interests? _____ *3 A* _____

From the attached list of definitions of the types of lobbyists, select the type you believe you are and then from the following list please circle the type you have selected. *I*

Association lobbyist Cause lobbyist Company lobbyist

Contract lobbyist Governmental lobbyist Grassroots lobbyist

If you are a contract lobbyist, what interests do you represent? *I A*

If you are a grassroots lobbyist, describe your interest in lobbying policy makers about education. *I A*

- II. General Lobbyist Information:

Please describe your job, including the portion which gives you the opportunity to be an education lobbyist.

Describe your preparation to become a lobbyist.

Please describe your duties as a lobbyist.

Appendix A.1 (continued)

III. Influences of Others on Lobbyists:

In what ways does your personal belief/philosophy about any given issue assist or hamper your ability to lobby on that issue? 3 A

Discuss your respected sources of information, such as writers, research sources, personal experience, etc. that have influenced the development of your philosophy about any given issue. 3 A

Please describe how you as a lobbyist arrive at the position which you take on any given issue. 3 A

Please describe your philosophy regarding the responsibility of the federal government in determining education issues? The state government? The local government? 3 A

IV. Lobbyist Influences on Others:

Assuming your goal is to convince policymakers to support or defeat a particular issue...

Describe how you influence legislators who are considered 2; 2 A

*Socially conservative? *Fiscally conservative? *Moderate? *Liberal?

*Other? _____

Elaborate on the differences between the manner in which you might seek to influence a policymaker with a great deal of experience with education and educational issues vs. a policymaker who has no experience beyond his/her own education or with educational issues. 2 E

As a lobbyist, what educational issues have you found the most enjoyable? The most challenging?

What strategies did you use as you sought to influence legislators in regard to the selected bills. [A list of the selected bills will be provided.]

2 B

Appendix A.1 (continued)

Since you began lobbying for educational interests, discuss any changes you have seen in the ease or difficulty presented in your attempts to influence policymakers. If changes have occurred, in your opinion, why do you believe those changes have occurred? *2 A*

Describe any differences in strategy you used when bills received majority votes in the House Education Committee vs. those that do not receive a majority vote. *2 C*

Describe your most successful moment and your most frustrating moment(s) as an education lobbyist. Also, indicate why you believe the outcomes were different. *1 C*

Please share any other information that you feel would be helpful in my quest to better understand lobbyist efforts to influence policymakers.

Would you be willing to be contacted again, if additional questions are needed for an additional study?

Thank you for your time and the valuable information you have shared!

Appendix A.2 Lobbyist Interview Questions

– *Match With Literature Review*

- I. General Demographic Information: [Please complete this section and bring with you to the interview.]

Name _____ Age _____

Gender Lobbyist

Highest level of education _____ Lobbyist _____

Name of employer _____ Lobbyist _____

How long have you been a lobbyist? _____ Lobbyist _____

How long have you represented the organization for which you work? _____ Lobbyist _____

Other than your own education, how many years have you been directly involved with education interests? _____ Lobbyist _____

From the attached list of definitions of the types of lobbyists, select the type you believe you are and then from the following list please circle the type you have selected.

Association lobbyist Cause lobbyist Company lobbyist

Contract lobbyist Governmental lobbyist Grassroots lobbyist

Definition

If you are a contract lobbyist, what interests do you represent?

Definition & Lobbyist

If you are a grassroots lobbyist, describe your interest in lobbying policy makers about education. *Definition & Lobbyist*

- II. General Lobbyist Information:

Please describe your job, including the portion which gives you the opportunity to be an education lobbyist. *Lobbying*

Describe your preparation to become a lobbyist? *Lobbying*

Please describe your duties as a lobbyist. *Lobbying*

Appendix A.2 (continued)

III. Influences of Others on Lobbyists:

In what ways does your personal belief/philosophy about any given issue assist or hamper your ability to lobby on that issue?

Lobbying/Ideology/Influence

Discuss your respected sources of information, such as writers, research sources, personal experience, etc. that have influenced the development of your philosophy about any given issue.

Lobbying/Ideology/Groups

Please describe how you as a lobbyist arrive at the position which you take on any given issue. *Lobbying/Ideology/Groups*

Please describe your philosophy regarding the responsibility of the federal government in determining education issues? The state government? The local government? *Ideology/Groups*

IV. Lobbyist Influences on Others:

Assuming your goal is to convince policymakers to support or defeat a particular issue...

Describe how you influence legislators who are considered

*Socially conservative? *Fiscally conservative? *Moderate?

*Liberal? *Other? _____ *Lobbying/Ideology/Influence*

Elaborate on the differences between the manner in which you might seek to influence a policymaker with a great deal of experience with education and educational issues vs. a policymaker who has no experience beyond his/her own education or with educational issues. *Lobbying/Influence*

As a lobbyist, what educational issues have you found the most enjoyable? The most challenging?

What strategies did you use as you sought to influence legislators in regard to the selected bills. [A list of the selected bills will be provided.]

Influence

Appendix A.2 (continued)

Since you began lobbying for educational interests, discuss any changes you have seen in the ease or difficulty presented in your attempts to influence policy makers. If changes have occurred, in your opinion, why do you believe those changes have occurred?

Influence

Describe any differences in strategy you used when bills received majority votes in the House Education Committee vs. those that do not receive a majority vote.

Lobbying/ Influence

Describe your most successful moment and your most frustrating moment(s) as an education lobbyist. Also, indicate why you believe the outcomes were different. *Lobbying/Influence*

Please share any other information that you feel would be helpful in my quest to better understand lobbyist efforts to influence policymakers. *Lobbying*

Would you be willing to be contacted again, if additional questions are needed for an additional study?

Thank you for your time and the valuable information you have shared!

Appendix B - Legislator Interview Questions

General Demographic Information:

1. Please state your name, age and gender.
2. Please state your highest level of education.
3. Please identify your employer/career.
4. How many years have you served in the Legislature?
 - A. What leadership positions have you held?
5. What is your party affiliation?
6. How many years have you served on the Education Committee?
7. Please describe your involvement with education; your own and the education of others.
8. Other than your own education, how many years have you been directly involved with education interests?

General Legislator information:

1. Do you consider yourself to be a social conservative, fiscal conservative, moderate, a liberal, other?
2. Describe your preparation to become a legislator?
3. How do your personal beliefs and/or philosophy impact your vote on all issues? On education issues?
4. Please describe your philosophy regarding the responsibility of the federal government in determining education issues? The state government? The local government?

Influence of Lobbyists on Policy Development:

1. To what extent have lobbyists influenced your vote?
2. Which of these types of lobbyists do you feel influenced you the most?
[The interviewer will share the definitions of different types of education lobbyists as defined in the study and will ask that the interviewee select the one which he/she believes best describes the type of lobbyist that you are most likely to listen to.]

Appendix B (continued)

3. Discuss your most trusted sources of information and advice regarding education issues, including writers, research sources, personal experience, etc. that have influenced the development of your philosophy about any given issue.
4. Describe how you make decisions about education issues.
 - A. What impact did lobbyists have on determining which bills were heard by the education committee?
 - B. If there were others who had an impact on the decisions made regarding which bills were heard by the education committee, what position(s) did they hold?

Legislator Influences on Others:

1. Describe the influence you have had with other legislators?
 - A. If there are some legislators you feel you have had more influence over than others, what caused you to have more influence with those individuals than with the others?
2. Describe the influence other legislators have on your decisions
 - A. If there are some legislators you feel have influenced you more than others, what caused them to have more influence on you than other legislators?

Additional Questions:

1. As a legislator, what educational issues have you found the most enjoyable? The most challenging?
2. Describe your most frustrating moment(s) as a legislator.
 - A. Describe your successes as a legislator.
 - B. In your opinion, why were the outcomes different?

Please share any other information that you feel would be helpful in my quest to better understand lobbyist efforts to influence policymakers in regard to education issues.

Appendix B (continued)

Would you be willing to be contacted again, if additional questions are needed for an additional study?

Thank you for your time and the valuable information you have shared!

Appendix B.1 Legislator Interview Questions

– Match With Research Questions

I. General Demographic Information:

Name _____ Age _____ Gender *2D*

&2 _____ Party *3B* _____

Highest level of education _____

Job/career other than a legislator _____ *3B* _____

How many years have you served in the Legislature? *3B* _____

What leadership positions have you held? _____ *3B* _____

Years served on the Education Committee? *3B* _____

Other than your own education, how many years have you been directly involved with education interests? _____ *3B* _____

Please circle which term below most closely describes you *social conservative

*fiscal conservative *moderate *liberal * other _____ *3B*

II. General Legislator information:

In your opinion, what experiences prepared you to become a legislator?

How do your personal beliefs and/or philosophy impact your vote on all issues? On education issues? *3B*

Please describe your involvement with education; your own and the education of others. *3B*

Please describe your philosophy regarding the responsibility of the federal government in determining education issues? The state government? The local government? *3B*

III. Influence of Lobbyists on Policy Development:

To what extent do lobbyists influence your vote? *1 E; 2 A; 2 B*

Which of these types of lobbyists do you feel influence you the most? *1B*

Discuss your most trusted sources of information and advice regarding education issues, including writers, research sources, personal experience, party platform, etc. that have influenced the development of your philosophy about any given issue. Who were the individuals who influenced you the most? *2B; 4*

Explain how you make decisions about education issues. *2 B*

Appendix B.1 (continued)

Please name the one person whose information about education you respect the most?

Please share any other information that you feel would be helpful in my quest to better understand lobbyist efforts to influence policymakers.

IV. On Being A Legislator:

Describe the influence you have with other legislators and other the influence other legislators have with you? *2 A; 2 B*

A. If there are some legislators you feel you have more influence over than others, what causes you to have more influence with those individuals than with the others?

B. If there are some legislators who you are likely to confer with prior to making decisions, why do you listen to their views prior to making decisions.

As a legislator, what educational issues have you found the most enjoyable? The most challenging?

Describe your most frustrating moment(s) as a legislator.

A. Describe your successes as a legislator.

B. In your opinion, why were the outcomes different?

Would you be willing to be contacted again, if additional questions are needed for an additional study?

Thank you for your time and the valuable information you have shared!

Appendix B.2 Legislator Interview Questions
– Match With Literature Review

I. General Demographic Information:

Name _____ Age _____

Gender *Lobbyists* _____ Party *Influence* _____

Highest level of education _____

Job/career other than a legislator _____ *Lobbyists* _____

How many years have you served in the Legislature? _____

What leadership positions have you held? _____

Years served on the Education Committee? _____

Other than your own education, how many years have you been directly involved with education interests? _____

Please circle which term below most closely describes you

*social conservative *fiscal conservative *moderate *liberal

* other _____ *Ideology/Groups*

II. General Legislator information:

In your opinion, what experiences prepared you to become a legislator?

Lobbying

How do your personal beliefs and/or philosophy impact your vote on all issues?

On education issues? *Influence*

Please describe your involvement with education; your own and the education of others.

Please describe your philosophy regarding the responsibility of the federal government in determining education issues? The state

government? The local government? *Ideology/Groups*

III. Influence of Lobbyists on Policy Development:

To what extent do lobbyists influence your vote? *Lobbying/Influence*

Appendix B.2 (continued)

Which of these types of lobbyists do you feel influence you the most?

Lobbyists/Influence

Discuss your most trusted sources of information and advice regarding education issues, including writers, research sources, personal experience, party platform, etc. that have influenced the development of your philosophy about any given issue.

Who were the individuals who influenced you the most? *Lobbying*

Explain how you make decisions about education issues. *Lobbying*

Please name the one person whose information about education you respect the most? *Lobbying*

Please share any other information that you feel would be helpful in my quest to better understand lobbyist efforts to influence policymakers. *Lobbying*

IV. On Being A Legislator:

Describe the influence you have with other legislators and other the influence other legislators have with you? *Lobbying/Influence*

A. If there are some legislators you feel you have more influence over than others, what causes you to have more influence with those individuals than with the others?

B. If there are some legislators who you are likely to confer with prior to making decisions, why do you listen to their views prior to making decisions.

As a legislator, what educational issues have you found the most enjoyable? The most challenging?

Describe your most frustrating moment(s) and your most successful moment(s) as a legislator.

Appendix B.2 (continued)

Would you be willing to be contacted again, if additional questions are needed for an additional study?

Thank you for your time and the valuable information you have shared!

Appendix C - Lobbyist Code Chart

Interviewee Demographics

Age

Gender

Highest Level of Education

Degree

Employer

Job Description

Clients

Education Experience

Experience With The Legislature

Preparation To Be A Lobbyist

Type of Lobbyist That Influenced The Development of Public Education Policy

Working With Clients

Working With Legislators

Personal Belief/Philosophy (Ideology) And Lobbyist Position On Education

Issues

How Lobbyist Develops A Position On An Issue

Information Sources Influencing Position Of Lobbyist

Influence of Lobbyists On Public Education Policy

Successful Attempts At Influence

Unsuccessful Attempts At Influence

Reasons Why/Why Not Successful

Observed Gender Differences in Lobbying

Generation

Literature vs. Lobbyist Statements/Actions

Change In Influence of Lobbyists On Public Education Policy

Trends of Change

Advice For Those Interested In Lobbying

Strategies Used

Appendix D - Code Chart...Legislator

Interviewee Demographics

Age

Gender

Highest Level of Education

Degree

Employer/Career

Legislative Experience

Leadership Positions

Party Affiliation

Education Experience

Self-Identification of Personal Belief

Conservative

Moderate

Liberal

Working With Education Lobbyists on Development of Education Policy

Lobbyist Influence On Education Policy Votes

Personal Belief/Philosophy and Impact On Votes On Education Issues

Type of Lobbyist With The Most Influence on Education Votes

Reason For Their Influence

How Develop A Position

How Develop A Position on An Issue

Information Sources Influencing Positions On Education Policy

Gender Differences in Manner Were Lobbied

Generation

Literature vs. Legislator Statements/Action

Influence of Legislator Has On Other Legislators in the Development of Public

Education Policy

Observed Gender Differences in Lobbyist Approaches

Appendix D (continued)

Successful Attempts At Influence	Reasons Why Not Successful
Unsuccessful Attempts At Influence	Reasons Why Successful

Appendix E - Code Chart...Documents

Document Demographics

Type of Document

Date on Document

Type of Lobbyist Providing the Document

Focus of the Document

Content of Document

Position Taken in Document

Influence of Document on Education Committee Members

Influence of Document on Entire Membership of the House of Representatives

Sources Cited By Document

Personal Experience

Empirical Research

Observation

Hearsay

Appendix F - Interview Procedures And Field Notes

The following procedures were followed at the interview site:

- Coffee, Pop, Water, Tea made available, if possible.
- Explained the purpose of the study, the amount of time expected to need in order to conduct the interview, my plan for use of the information gained from the interview (I offered an abstract of the dissertation to the interviewee; and indicated how I will address confidentiality concerns, etc.) In addition, when the transcription of the interview recording was completed the interviewee will receive a copy so he/she can revise as is deemed necessary.
- Had the interviewee complete a consent form.
- Asked the permission of the interviewee prior to recording the interview.

During the interview, the following practices will be followed:

- Stick to the questions unless probing seems appropriate Refocus questions if necessary. [This was done frequently.]
- Endeavor to complete the interview within the time indicated.
- Be respectful and courteous.
- Be a good listener.

After the interview, the following will be communicated to the interviewee:

- The interviewee was verbally thanked
- Ask if he/she would be available if additional questions need to be asked at a later time.
- Assured the interviewee of confidentiality of responses.
- Sent a thank-you note to the interviewee.

Interview Field Notes:

Project:

Date:

Place:

Appendix F (continued)

Time of the Interview:

Interviewer:

Interviewee:

Position of the Interviewee:

(In addition to the interview questions or each interview, the researcher briefly described the interview setting, the location, body language exhibited during questions, in general, and in specific. Also included was any other information which seemed relevant to the interview and for further understanding of the responses provided by the interviewee.)

The individual was thanked for participating in the interview. The researcher assured the interviewee of the confidentiality of the responses shared with the researcher and also asked the interviewee if he or she would be available for additional questions if needed.

Appendix G - Expert Panel and Committee Leadership Selection of Most Important Bills

**Table G.1 Expert Panel and Committee Leadership Selection of Most Important Bills
Heard by the Education Committee of the Kansas House of Representatives From 1995 - 2006**

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
1995- HB 2359 (School Safety and Security Act) Passed	EE-2		
1995- HB 2288 (Kansas Mastery of Basic Skills Program)* Passed	EE-1, EE3	Legislator-2	Legislator-6
1995- HB 2092 (Rescinds QPA and Statewide Assessments) * Didn't Pass	EE-1, EE-2	Legislator-2	Legislator-6
1995- SB 160 (Allowed KSBE to receive information about persons convicted of crimes who hold teaching certificates) Didn't Pass	EE-3		
1996 – HB 2855 (Authorizes the use of historical documents in classrooms) Passed			
1996 – HB 2668 (Set university admission requirements for high school graduate)* Passed	EE-1, EE-2 & EE-3		Legislator - 6

Appendix G (continued)

**Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the
Kansas House of Representatives From 1995 - 2006**

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
1996 – HB 2857 (Changes the due process hearing procedures) Didn't Pass			
1996 – SB 636 (School District not required to provide services to special need students at private school site) Didn't Pass	EE-1, EE-2 & EE-3		
1997 – HB 2285 (Accreditation of schools, curriculum and pupil assessments) Passed	EE-1, EE-2	Legislator- 1	
1997 – SB 38 (Compulsory Attendance Act) Passed	EE-3		Legislator - 6
1997 – HB 2147 (Contract non-renewal notification dates)* Didn't Pass	EE-2, EE-3		Legislator - 6
1997 – HB 2494 (Change of local Board member terms to begin immediately after election) Didn't Pass	EE-1	Legislator-1	

Appendix G (continued)

Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the Kansas House of Representatives From 1995 - 2006

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
1998 –SB 298 (Prohibits KSBE from issuing teaching certificates to certain persons) Passed		Legislator-1	
1998 - SB 446 (Student Short-Term Suspension)* Passed	EE-1, EE-2 & EE-3		Legislator- 6
1998 – HB 2827 (Private school students allowed to participate in interscholastic activities) Didn't Pass	EE-1, EE-2		
1998 – HB 2671 (Kansas Autism Information Age)* Didn't Pass	EE-3	Legislator-1	Legislator - 6
1999 – HB 2196 (Suspension/revocation of drivers licenses if student is expelled) Passed	EE-3		
1999 – HB 2236 (Transfer of School Records of pupils in custody of SRS)* Passed	EE-1, EE-2	Legislator - 4	

Appendix G (continued)

Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the

Kansas House of Representatives From 1995 - 2006

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
1999 – HB 2211 (Teacher Hearings upon contract termination or non-renewal) Didn't Pass		Legislator-4	
1999 – HB 2304 (Community Service Credit Required for High School Graduation)* Didn't Pass	EE-1, EE-2 & EE-3		
2000 – HB 2591/2635 (Establishing KAN-ED)* Passed	EE-1, EE-2 & EE-3	Legislator –4	
2000- HB 2799 (Kansas Mentor Teacher Act) Passed			
2000 – HB 2791 (Offenses committed at school by juveniles and juvenile offenders) Didn't Pass			
2000 – HB 2811 (Kansas Competency in Basic Skills Program)* Didn't Pass	EE-1, EE-2 & EE-3	Legislator-4	

Appendix G (continued)

**Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the
Kansas House of Representatives From 1995 - 2006**

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
2001 – HB 2023 (Truancy) Passed	EE-2		
2001 – HB 2546 (Kansas Skills for Success in School Program) * Passed	EE-1, EE-3	Legislator-4	Legislator- 6
2001 – HB 2335 (Initial teacher Licensure –alternate teacher preparation program)* Didn't Pass	EE-2, EE-3	Legislator-4	Legislator- 6
2001 – HB 2448 (School District Elementary School Guidance Program) Didn't Pass	EE-1		
2002 – HB 2353 (Community Service Credit Required for High School Graduation)* Passed	EE-1, EE-2 & EE-3	Legislator-4	Legislator- 6
2002 – HB 2844 (Allows inter-local cooperatives to merge) Passed			

Appendix G (continued)

Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the Kansas House of Representatives From 1995 - 2006

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
2002 – HB 2070 (School Board Development Program) Didn't Pass	EE-1		
2002 – HB 2973 (Required USD adoption of policies on pupil discipline) Didn't Pass			
2003 – SB 74 (Personal Financial Literacy Program)* Passed	EE-1, EE-2 EE-3	Legislator-3	Legislator-6
2003 – SB 82 (Rescinded several out-of-date statutes) Passed			
2003 – HB 2256 (Regional education districts feasibility study)* Didn't Pass	EE-2, EE-3	Legislator-3	Legislator- 6
2003 – SB 57 (Local control for school boards) Didn't Pass	EE-1		

Appendix G (continued)

Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the Kansas House of Representatives From 1995 - 2006

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
2004 – HB 2558 (Charter Schools)* Passed	EE-1, EE-2	Legislator-3	Legislator- 6
2004 – HB 2592 (Transfer of territory and Mediation) Passed	EE-3		
2004 – HB 2803 (False or misleading enrollment information) Didn't Pass	EE-3	Legislator-3	
2004 – HB 2872 (Evaluation of Education Employees*) Didn't Pass	EE-1, EE-2		Legislator- 6
2005 – HB 2331 (State Compliance With IDEA Changes)* Passed	EE-1, EE-2, EE-3	Legislator-3	Legislator- 6
2005 – SB 154 (Food and Beverages Available to Students) Passed			

Appendix G (continued)

Expert Panel and Committee Leadership Selection of Most Important Bills Heard by the Education Committee of the Kansas House of Representatives From 1995 - 2006

Session Year and Selected* Non-School Finance Legislation That Passed/Didn't Pass the Kansas House of Representatives	Selected By Expert Panel	Selected by Committee Chairperson	Selected by Committee Ranking Minority Member
2005 – HB 2134 (Kansas State High School Activities Association Rules) Didn't Pass	EE-1		
2005 – HB 2212 (Teacher Contract Non-renewal Procedures) * Didn't Pass	EE-2, EE-3	Legislator-3	Legislator- 5
2006 – HB 3012 (Allowing USD's to enter into inter-local agreements)* Passed	EE-1, EE-2 & EE-3	Legislator-3	Legislator- 5
2006 – SB 485 (Suspension or expulsion of pupils) Passed			
2006 – HB 2652 (Appeal of Charter School Denials to KSBE) Didn't Pass			Legislator - 5
2006 – HB 2684 (Early High School Graduation Incentive Program)* Didn't Pass	EE-1, EE-2 & EE-3	Legislator-3	

Appendix H - First-Year Legislator Training in Regard to Lobbyists and Lobbying

Statements made by both lobbyists and legislators during their interviews with the researcher indicated that there are concerns regarding how lobbyists and legislators interact with each other. With the knowledge of these concerns, this researcher believes that a training session regarding lobbying and lobbyists would be beneficial for newly elected legislators and the lobbyists, particularly those who have not served in a lobbyist position, should receive training regarding what they should know when lobbying legislators. This researcher has taken the opportunity to develop a potential training session for newly elected legislators and a potential training session for those lobbyists who have not previously lobbied legislators. Each would be a session which would be a part of the general training session held bi-annually for newly-elected legislators and a general training session held for new lobbyists. The proposed training session for legislators follows:

First-Year Legislator Training in Regard to Lobbyists and Lobbying

Legislators should recognize the differences in the types of lobbying and in the types of lobbyists. Also knowing about influence and how it is used to affect legislative decisions is another important piece of information that legislators need when trying to understand lobbyist attempts to influence your vote as a legislator.

Definitions to Remember:

Lobbying is defined as being the activity by which the interests of members of the public are represented within the governmental policy-making process (Thompson, 1985, Suranovic, 1997).

Casual lobbying refers to the actions of a person who uses their personal time to communicate to government officials their point of view about an issue(s) (Suranovic, 1997).

Professional lobbying refers to the actions of an individual or company hired by an individual or organization to promote the point of view of that individual or organization to governmental officials (Suranovic, 1997).

Appendix H (continued)

Lobbyist is defined as an individual who wishes to influence public policy in favor of personal viewpoints or the viewpoints of a particular organization which the individual represents (Sebelius, 1983, Hrebena & Thomas, 1993).

Association lobbyist refers to an individual who is employed in-house by a single organization to influence the decisions of policy-makers in cases when changes in policy are proposed. They often have other duties in addition to lobbying (Rosenthal, 1998, 2001).

Cause lobbyist refers to an individual that represents a public-interest, non-profit or single-issue group. The focus of such organizations is usually philosophical and ideological in nature and they generally are concerned with moral principle (Rosenthal, 1998, 2001).

Company lobbyist refers to an individual who works for and is employed by a business concern located within the state. In addition to other duties, the individual works to influence the decisions made by policy-makers (Rosenthal, 1998, 2001).

Contract lobbyist refers to an individual or a firm who is hired to promote the viewpoint of their client. They usually advocate for multiple clients and may be a sole owner of a lobbying firm; a partner in a lobbying firm; or a partner or associate in a law firm (Hrebena & Thomas, 1993, Rosenthal, 1998, 2001).

Governmental lobbyist refers to individuals who are employed by local government or a local school board. They represent the interests of those local governmental officials and bodies. These individuals often have other jobs in the local government entity in addition to advocating for the interests of that entity (Rosenthal, 1998, 2001).

Grassroots lobbyist refers to an individual who is a constituent of a legislator and is interested in the effect a proposed policy will have

Appendix H (continued)

on the public, including himself and voluntarily seeks to influence the legislator's decision about that policy. The individual expresses support for or opposition to the proposed law through communications to the legislator (Goldstein, 1999).

Interest groups are individuals who, because of shared interests and attitudes have come together to protect or to improve something which they value. The group then makes certain claims on other societal groups in order to accomplish the group's goal (Harder, 1983, Truman, 1951, 1971).

Social influence or influence refers to the science of influence, persuasion, and compliance. Knowledge of influence can help an individual develop the means by which to persuade another person to adopt a new attitude, belief, or action. Such knowledge can also help individuals resist the attempts of others to influence them (Rhoads, 1997).

Level of influence, for the purpose of this study, refers to the amount of clout any given lobbyist or group has in their attempt to affect legislative decisions.

Nature of influence, for the purpose of this study, refers to the ways in which lobbyists seek to affect legislative decisions. It is intended to include the tactics used during lobbying, the tasks surrounding the lobbying, the networks and other relationships that were established, the success or lack of success of lobbying strategies, the perceptions of the legislators and lobbyists. It also will include any perceived gender differences in the strategies used and other decisions which may be made by lobbyists and legislators.

How To Work With Contract, Association, and Governmental Lobbyists:

1. Recognize that the main purpose of a lobbyist is to influence you, the legislator, so you will vote in the manner that their client desires.
2. Be aware of the statutes, rules and regulations which govern legislator-lobbyist relationships. (K.S.A. 46-215 et seq.)
3. Try to find a picture of the lobbyists so you will recognize them.

Appendix H (continued)

4. Be congenial. Even though you may generally disagree with the positions taken by the lobbyist and the organization he/she represents, being polite in your disagreement may be beneficial to you and your constituents at some point. [In order to pass a piece of legislation vital to your constituents, you may, at some point in your legislative career, need the support of this lobbyist and the group he or she represents.]

5. Keep an open mind and listen to the points made by the lobbyist. Remember it is their job to provide support information for their position on an issue. You may find that you can agree with some of their points at which time you might indicate what you support and what you do not support. Be open to compromise.

6. Try to keep your relationship with a lobbyist and his or her clients, business-like. Always remember that lobbyists are in the business of promoting their client's or their point-of-view. When your position and the lobbyist's client's position are radically different, it is unlikely that they are focusing on you personally, just your position on an issue. When your position and the client's position are the same, they usually share that fact with their client as well. Focus on enjoying the presence of another person while keeping disagreements about policy in the realm of legislative business and out of the non-legislative business sector of human relationships. In other words, keep your disagreements at the office. Pouting, not speaking, ignoring a lobbyist when you see them, etc. is, in the end, more likely to reflect poorly on you rather than on the lobbyist or on his or her clients.

7. A part of the job of the lobbyist is to keep their client informed of the votes and the position of the members of the Legislature, so do not be surprised when your support or lack of support for the client's position is reported to some of your constituents who may be clients' of the lobbyist or members of an organization represented by the lobbyists. Keep in mind that your votes are an open record. [While you may 'scream' behind the scenes, remember that

Appendix H (continued)

publicly you need to be forthright in regard to your position on an issue, but also with a complete understanding and recognition of the right of others to hold a different point of view.] Always be respectful of others.

8. Remember that even contract and association lobbyists are guests of the committee when they testify. Although tough questions are appropriate. Attacks are unnecessary. Show the respect you would hope that you would be shown if you were to appear before them.

9. Relationships are generally developed on mutual respect rather than mutual agreement. It is possible to develop a mutual respect without having mutual agreement on a issue. Most likely, lobbyists will want to develop a business-type relationship with legislators. Along with building a relationship, lobbyists will most likely share information pertinent to the issues being considered during the legislative session. Within the framework of building a business-like relationship, the lobbyists will also most likely ask for support of their position on an issue. [It is wise to not provide support until you have examined the information provided by both sides of the issue.]

10. Keep your word. If you have changed your mind, let the individuals who you have informed of your planned vote, know of changes you plan on making in your vote. Lobbyists are counting the votes they have for their point of view and your change of vote may necessitate a change of strategy on their part.

11. It is best to have an open door policy where you politely welcome even the lobbyists with whom you disagree.

12. Be fair and consider the information presented to you by supporters of both sides of an issue. Pre-conceived notions that your cursory observations are always correct, may be easily proven to be incorrect. It is wise to analyze the information provided by each side of the argument before making your final decision. Next, you may wish to verbalize and/or write of your path to making the decision which ultimately will impact your vote on a given issue.

Appendix H (continued)

13. Become aware of differences in generations. Some of the issues which you may be asked to consider may be viewed differently by individuals from diverse generations. Many issues have ties to organizations for which the focus is on one or two generations of individuals. What one generation may view as necessary and helpful to all generations may be viewed as being condescending or insulting by one or more generations for which the issue is intended to benefit. Knowledge of such general beliefs by specific generations will assist you in making decisions which are acceptable to those intended to benefit from the decision.

14. Likewise, be aware of differences in the viewpoints largely held by different genders. What may seem as a perfect decision, may be viewed differently by males and females. Although well-intentioned, it is possible that legislation will be seen as an insult to one gender or another. An awareness of points of view generally held by each gender will assist you in future decision-making efforts.

15. Keep in mind that contract, organizational, and governmental lobbyists often have a number of grassroots lobbyists at their disposal. Lobbyists who are able to generate support from the general populous are generally able to generate emails, phone calls, and letters to demonstrate the support for a position they are promoting. These individuals may well be your constituents so remember to be kind. Thank them for their interest and consider the points and personal stories they relate as you make your decision.

Again the need to be respectful of the opinions of others is very important. Remember you do not need to agree with the individual to show them respect. They will remember whether or not you listened to their point of view in a respectful manner. They will also remember whether or not you gave them time to visit with you. In addition those individuals will remember if, in their opinion, you were disrespectful in your response. Positive public relations on your part will be of great benefit to you.

Appendix H (continued)

16. Remember that other people give you power, so use it wisely and humbly. Abuse of power generally results in removal of that power by those who provided it to you. When making decisions, always seek input from those who gave you the power you enjoy. Remember, in a sense, they are grassroots lobbyists and deserve your respect whether or not you agree with their viewpoints.

How To Work With Grassroots Lobbyists:

1. Again, recognize that the main purpose of a grassroots lobbyist is also to influence you, the legislator, so you will vote in the manner that they desire. Grassroots lobbyists are generally the legislator's constituents or at least from an area located close to the legislator's district.
2. The contract, association and governmental lobbyists often energize the grassroots lobbyists who are connected to their clients or members of the organization they represent. That effort is designed to get the grassroots lobbyists to send emails, write letters and make phone calls to their legislators. Because legislators are more likely to pay closer attention to what their constituents are saying, the lobbyists involve those individuals who are not paid to lobby, but instead are volunteer to be grassroots lobbyists.
3. Legislators are often even acquainted with those individuals who are the grassroots lobbyists who write letters, send emails, and make the phone calls to them.
4. Be congenial to those individuals who are grassroots lobbyists just as you would if they would be one of the lobbyists that are daily in the Capitol . Even though you may generally disagree with the positions taken by the grassroots lobbyists, be polite in your disagreement. Showing such respect may be beneficial to you and your other constituents at some point. [Since grassroots lobbyists are volunteers, they may be even more sensitive to a perceived lack of respect from a legislator so remember to show respect to them.]

Appendix H (continued)

5. As you should with association, contract and governmental lobbyists, remember to keep an open mind and listen to the points made by the grassroots lobbyist. You may find that you can agree with some of their points at which time you might indicate what you support and what you do not support.

6. As you would with those lobbyists who are seen daily at the Capitol, try to keep your relationship with a grassroots lobbyist as business-like as possible when dealing with legislative issues. Remember that they are promoting their point-of-view regarding a specific issue or issues. When your position and the grassroots lobbyist are radically different, keep in mind that it is unlikely that they are focusing on you personally, just your position on an issue. Therefore, when your position and the grassroots lobbyist's are the same; they are likely to share that fact with their colleagues, family members and friends as they most likely will do when you disagree with them as well. Try to keep policy disagreements in the office. Again, pouting, not speaking, ignoring a person when you see them is most likely to be thought of as being somewhat an immature response to a grassroots lobbyist.

8. Remember that all types of lobbyists are guests of a committee when they testify. Although tough questions are appropriate. Attacks are unnecessary. Show the respect you would want to be shown if you were to appear before them.

9. Relationships are generally developed on mutual respect rather than mutual agreement. Remember that it is possible to develop a mutual respect without having mutual agreement on a issue.

10. Keep your word. If you have changed your mind, let the individuals who you have informed of your planned vote, know of changes you plan on making in your vote. Lobbyists are counting the votes they have for their point of view and your change of vote may necessitate a change of strategy on their part.

Remember, also, that grassroots lobbyists are generally from either your district or from a near-by district so keep them informed if you change your mind.

Appendix H (continued)

11. It is best to have an open door policy where you politely welcome even those individuals from your district with whom you disagree when they come to lobby you on an issue or issues.
12. Be fair and consider the information presented to you by supporters of both sides of an issue. You may find that your initial observations or assumptions are incorrect after studying all of the information. Remember, it is always wise to analyze the information provided by each side of the argument before making your final decision
13. Even with those who are grassroots lobbyists from home and nearby, it is important to be aware of differences in generations. Some of the issues which you may be asked to consider may be viewed differently by individuals from different generations. Remember what one generation may view as necessary and helpful may be viewed as being condescending or insulting by one or more generations for which the issue is intended to benefit. Knowledge of such general beliefs by specific generations will assist you in making decisions which are acceptable to those intended to benefit from the decision.
14. Likewise, be aware of differences in the viewpoints largely held by different genders. What may seem as a perfect decision, may be viewed differently by males and females. Although well-intentioned, it is possible that legislation will be seen as an insult to one gender or another. An awareness of points of view generally held by each gender will assist you in future decision-making efforts.
15. Keep in mind that contract, organizational, and governmental lobbyists often have a number of grassroots lobbyists at their disposal. These lobbyists come from the general populous and provide support via emails, phone calls, and letters to demonstrate their support for an position they are promoting. These individuals may well be your constituents so remember to be kind. Thank them for their interest and consider the points and personal stories they relate as you make your decision. Again, there is a need to show grassroots lobbyists respect.

Appendix H – (continued)

Remember you want them to remember that you gave them time and listened to their point of view in a respectful manner whether or not you agreed with their opinion. If, in their opinion, you were disrespectful in your response, they are likely to let everyone they know of that fact, just as they will most likely let others know that you were polite and listened to their point of view. Positive public relations on your part will be of great benefit to you.

16. Remember that other people give you power, so use it wisely and humbly. Abuse of power generally results in removal of power by those who provided it to you. When making decisions, always seek input from those who gave you the power you enjoy. Remember they are grassroots lobbyists and deserve your respect whether or not you agree with their viewpoints.

Note: It is suggested that this training be run in conjunction with the basic training provided for newly-elected legislators immediately following the bi-annual Legislative Re-organization Meeting which is where the majority and minority parties of both the House and the Senate elect their leadership for the next two years.

Appendix I - What Lobbyists Need To Know About Lobbying Legislators

Statements made by both lobbyists and legislators during their interviews with the researcher indicated that there are concerns regarding how lobbyists and legislators interact with each other. With the knowledge of these concerns, this researcher believes that a training session regarding lobbying and lobbyists would be beneficial for newly elected legislators and the lobbyists, particularly those who have not served in a lobbyist position, should receive training regarding what they should know when lobbying legislators. This researcher has taken the opportunity to develop a potential training session for newly elected legislators and a potential training session for those lobbyists who have not previously lobbied legislators. Each would be a session which would be a part of the general training session held bi-annually for newly-elected legislators and a general training session held for new lobbyists. The proposed training session for lobbyists follows:

About Lobbyists and Lobbying Legislators:

All lobbyists should recognize the differences in the types of lobbying and in the types of lobbyists. Also knowing about influence and how it is used to affect legislative decisions is another important piece of information when beginning to lobby legislators. Also all types of lobbyists should recognize that the purpose of all lobbyists and lobbying is to influence policy-makers so that the lobbyist's point-of-view prevails in policy development.

Lobbying is defined as being the activity by which the interests of members of the public are represented within the governmental policy-making process (Thompson, 1985, Suranovic, 1997).

Casual lobbying refers to the actions of a person who uses their personal time to communicate to government officials their point of view about an issue(s) (Suranovic, 1997).

Appendix I (continued)

Professional lobbying refers to the actions of an individual or company hired by an individual or organization to promote the point of view of that individual or organization to governmental officials (Suranovic, 1997).

Lobbyist is defined as an individual who wishes to influence public policy in favor of personal viewpoints or the viewpoints of a particular organization which the individual represents (Sebelius, 1983, Hrebenar & Thomas, 1993).

Association lobbyist refers to an individual who is employed in-house by a single organization to influence the decisions of policy-makers in cases when changes in policy are proposed. They often have other duties in addition to lobbying (Rosenthal, 1998, 2001).

Cause lobbyist refers to an individual that represents a public-interest, non-profit or single-issue group. The focus of such organizations is usually philosophical and ideological in nature and they generally are concerned with moral principle (Rosenthal, 1998, 2001).

Company lobbyist refers to an individual who works for and is employed by a business concern located within the state. In addition to other duties the employee works to influence the decisions made by policy-makers (Rosenthal, 1998, 2001).

Contract lobbyist refers to an individual or a firm who is hired to promote the viewpoints of their client. They usually advocate for multiple clients and may be a sole owner of a lobbying firm; a partner in a lobbying firm; or a partner or associate in a law firm (Hrebenar & Thomas, 1993, Rosenthal, 1998, 2001).

Governmental lobbyist refers to individuals who are employed by local government or a local school board. They represent the interests of those governmental officials and bodies. These individuals often have other jobs in the local government entity in addition to advocating for the interests of that governmental entity. (Rosenthal, 1998, 2001).

Appendix I (continued)

Grassroots lobbyist refers to an individual who is a constituent of a legislator and is interested in the effect a proposed policy will have on the public, including himself and voluntarily seeks to influence the legislator's decision about that policy. The individual expresses support for or opposition to the proposed law through communications to the legislator (Goldstein, 1999).

Interest groups consist of a number of individuals who, because of shared interests and attitudes have joined together to protect or to improve something which they value. The group then makes certain claims on other societal groups in order to accomplish the group's goal (Harder, 1983, Truman, 1951, 1971).

Social influence or *influence* refers to the science of influence, persuasion, and compliance. A knowledge of it can help an individual develop the means by which to persuade another person to adopt a new attitude, belief, or action. Such knowledge can also help individuals resist the attempts of others to influence them (Rhoads, 1997).

Level of influence, for the purpose of this study, refers to the amount of clout any given lobbyist or group has in their attempt to affect legislative decisions.

Nature of influence, for the purpose of this study, refers to the ways in which lobbyists seek to affect legislative decisions. It is intended to include the tactics used during lobbying, the tasks surrounding the lobbying effort, the networks and other relationships that were established, the success or lack of success of lobbying strategies, and the perceptions of the legislators and lobbyists. It also will include any perceived gender differences in the strategies used and other decisions which may be made by lobbyists and legislators.

Appendix I (continued)

Strategies Used to Influence Legislators As Reported in Study:

During their interviews, lobbyists shared a number of strategies they had used in their quest to influence legislators' votes on issues. Some of the strategies were mentioned by more than one lobbyist and some were strategies mentioned only by one lobbyist. A list of those strategies as shared by education lobbyists are as follows:

1. Strategies change based on the issue and the bill.
2. 'Bottle up' a bill in committee by tabling the bill, lengthy discussion, numerous amendments, etc. arranged with committee members by a lobbyist.
3. In the House, arrange with members to 'Christmas Tree' a bill with multiple amendments which usually causes the bill to be defeated on final action.
4. Arrange for filibustering of bill until it is removed from the Senate Calendar.
5. Mobilize organization members by emailing them and keeping them vocal on the targeted issue. When a bill that will hurt his/her district is sponsored by a legislator, the lobbyists use grassroots lobbying and target that legislator.
6. Work directly with committee members by using organization members, if necessary, to either advance or defeat a bill.
7. Work with sub-committees to make needed changes in bills such as removing objectionable language, making clarifications in language, etc.
8. Work with the House and Senate leadership and the Committee Chairman to ensure that bills of interest to the organization are considered.
9. Education lobbyists meet together to discuss positions on bills and those in agreement work together in a coalition and share lobbying responsibilities.
10. When monitoring a committee take down names of those legislators voting in opposition to the organization's position on a bill.
11. Make daily reports to the organization membership on the issues and what has occurred with those issues.
12. Share printed material with legislators and ask the organization membership to speak with their legislator.

Appendix I (continued)

13. When a bill fails in committee, draft an amendment which includes the bill which failed then have a legislator amend that concept into other bills before the education committee or before the committee of the whole. Record the vote of legislators on the amendment.
14. Have legislators visit schools [guided tour with information provided by school staff followed by a visit with that school's staff]
15. If concept has passed only one of the legislative bodies, work to get it amended into a germane Conference Committee Report.
16. When have a concern about a bill, the lobbyist will possibly develop an amendment(s) to fix a problem or to fix a concern about a bill.
17. Regardless whether or not legislators agree with their position, lobbyists want legislators to see them as a resource.

Concerns Legislators Expressed About Lobbyists:

In their interviews, legislators voiced several concerns about the actions of some of the lobbyists. Those concerns are as follows:

1. Lack of respect shown by a lobbyist toward a legislator's secretary when that individual is monitoring the appointments and walk-ins that the legislator sees during a day. Being rude to a Legislator's secretary is not a positive action.
2. Lobbyists who do not visit with a legislator regarding his/her position on a bill but then hold that legislator responsible for a vote on that bill when they didn't even inform the legislator of the organization's position.
3. Lobbyists who try to sell their position on an issue based on emotion rather than on facts and merit.
4. When the legislator works to get input from all interested parties and lobbyists work behind the scenes to negate attempts to find a compromise position instead of participating in the development of that compromise position.

Appendix I (continued)

5. When associations which the lobbyists represent make scathing comments about legislators in their newsletters and in other communications and then complain when those legislators don't welcome them into their offices.
6. Lobbyists tend to spend too much time with those who agree with their positions, instead of spending some time with those who may not always agree with the positions they take.
7. Lobbyists who insist on referring to research which, although it may have been commissioned by the State, has raised the concern of a legislator who was a researcher who taught research methods and who contended that the study wasn't properly validated and therefore, in the opinion of that legislator, the findings should not be used as the basis of law.

How To Work With Legislators:

1. Recognize that the main purpose of a lobbyist is to influence the legislators so they will vote in the manner that your client desires.
2. Be aware of the statutes, rules and regulations which govern legislator-lobbyist relationships. (K.S.A. 46-215 et seq.)
3. Provide a picture of each of the lobbyists so legislators will recognize them. [Often phone calls are made to make an appointment with a legislator, but when the legislator arrives at the location there are other lobbyists who are present and when legislator doesn't know the lobbyists it can be very confusing for the legislator because they have yet to put a face with the name.]
4. Be congenial. Even though the legislator may generally disagree with the positions you and your client have taken, being polite in your disagreement may be beneficial to you and your client at some point. [In order to pass a piece of legislation vital to your clients, you may, at some point in your lobbying career, need the support of those legislators with whom you disagree.]
5. Remember it is your job to provide to legislators support information regarding your position. You may find that legislators can agree with some of your points while they may disagree with others. Thank legislators for their

Appendix I (Continued)

support of the points with which they agree and be respectful of their opinions despite their disagreement with other positions you are promoting.

6. Try to keep your relationship with a legislator, business-like. Always remember that you are in the business of promoting your organization's viewpoint or your point-of-view. When your position and the legislator's position are radically different, the legislators are usually focusing on the position not the lobbyist as a person. Likewise, when your position and the legislator's position are the same, you may wish to share that fact with your client and suggest that they thank the legislator for their support. A thank you promotes more positive action from legislators than do threats of retribution. Focus on enjoying the presence of another person while keeping disagreements about policy in the realm of legislative business and out of the non-legislative business sector of human relationships. In other words, keep your disagreements at the office. Pouting, not speaking, ignoring a legislator when you see them, etc. in the end, is more likely to reflect poorly on you rather than on the legislator.

7. Also, consider that when your client endorses a competitor and the incumbent is re-elected there are often hard feelings. Your relationship with that legislator may be forever harmed. Many times that individual is placed in a leadership position which may enable them to cause your organization to lose the opportunity to acquire needed legislation for quite some time.

8. When testifying before a committee, make certain that you check with the committee secretary to determine the number of hard copies of your testimony and any other supporting information which you are providing to committee members are required. Also, make certain you are prepared for questions that may be asked by members of the committee. If you don't know the answer, say so. Offer to find out the answer and inform the committee through the committee chairperson or the committee secretary. As noted by an interviewed lobbyist, being unprepared can result in embarrassment and places you in a vulnerable

Appendix I (continued)

position, including lowering the value of the information presented within your testimony. It also could call into question any credible information which you would share with legislators that they can use in developing needed changes. Also, when testifying before a committee, refrain from attacking another community leader in the presence of legislators. Such comments have been known to elicit letters from legislators to the lobbyist's client or employer regarding what was viewed as being inappropriate statements made in front of a legislative committee.

9. Relationships are generally developed on mutual respect rather than mutual agreement. Remember that relationship is an important part of the legislative process. It is possible to develop a mutual respect without having mutual agreement on a issue.
10. If a legislator changes their vote without your knowledge, visit with the legislator to determine why that change was made before jumping to conclusions.
11. Always be respectful of the legislator's staff. In particular, you should show respect to the legislator's secretary. If that individual indicates that the Legislator can't be disturbed, be polite and come back another time. [The legislator may be working on a presentation and the Secretary is protecting the legislator's time.]
12. Become aware of differences in generations. Some of the issues with which you may be asked to consider may be viewed differently by individuals from diverse generations. Many issues have ties to organizations for which the focus is on one or two generations of individuals. What one generation may view as necessary and helpful to all generations may be viewed as being condescending or insulting by one or more generations for which the issue is intended to benefit. Knowledge of such general beliefs by specific generations will assist you in making decisions which are acceptable to those intended to benefit from the decision.

Appendix I (Continued)

13. Likewise, be aware of differences in the viewpoints largely held by different genders. What may seem as a perfect decision, may be viewed differently by males and females. Although well-intentioned, it is possible that legislation will be seen as an insult to one gender or another. An awareness of points of view held by each gender will assist you in future decision-making efforts.

14. Being respectful of the opinions of others is very important. Remember you do not need to agree with the individual to show them respect. They will remember whether or not you listened to their point of view in a respectful manner or whether you gave them no time to visit with you or whether, in their opinion, you were disrespectful in your response. Positive public relations on your part will be of great benefit to you.

Note: It is suggested that this training be run in conjunction with the basic training provided for those individuals who haven't served in a lobbyist position.

Appendix J - Research Data For This Study

The raw data collected for this study are available from the researcher. The researcher's contact information follows:

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