Interest Group Lobbying in the 1967 New Mexico State Legislature

Richard Gordon Frederick

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INTEREST GROUP LOBBYING IN THE 1967

NEW MEXICO STATE LEGISLATURE

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INTEREST GROUP LOBBYING IN THE
1967 NEW MEXICO STATE LEGISLATURE

BY

RICHARD GORDON FREDERICK, JR.
A.B., Washington University, 1966

THESIS

Submitted in Partial Fulfillment of the
Requirements for the Degree of
Master of Arts in Political Science
in the Graduate School of
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Albuquerque, New Mexico
June, 1968
INTEREST GROUP LOBBYING IN THE
1967 NEW MEXICO STATE LEGISLATURE

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Richard Gordon Frederick, Jr.

ABSTRACT OF DISSERTATION
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ABSTRACT

This thesis is an investigation of interest group lobbying in the 1967 New Mexico State Legislature. Although the study principally describes interest group activity, a theoretical background of group study is its point of departure.

From a consideration of the group approach to politics, the research design of the investigation, which emphasizes personal interviews, is developed. This design is then related to the geographical and political setting of the study, which includes social, political, and economic factors which affect lobbying. After this formal background, the thesis commences to describe New Mexico lobbies and their principal method of operation.

In this description, several general statements about New Mexico lobbyists are made. They play informative and socializing roles, and can be separated into multi-issue or one-issue lobbyists; they exhibit many of the personality characteristics of a professional salesman. Lobbyists work in three distinct time periods to influence legislators and affect legislation before the legislature adjourns. Toward these latter goals, particular time and effort is expended at the committee levels on most bills. Active lobbies, who
emphasize direct contact methods, are found to be the more influential.

Legislators, who were interviewed, describe effective lobbyists and their method of operation. These legislators also relate their individual attitudes toward lobbyists. Two main trends are definable: a) party differences in New Mexico exist as Republicans clearly have more favorable attitudes toward lobbyists, and b) in correlating legislator characteristics with attitudes, experience and contact relate to more favorable legislator images of lobbyists.

The thesis also tests its generalizations through a study of three controversial New Mexico political issues. In substance, these issues confirm the roles lobbyists play in the New Mexico legislature. As a time-saver, research provider, and errand boy to legislators, the lobbyist is considered invaluable by many legislators. As is demonstrated in this thesis, New Mexico state legislators, for the most part, appreciate the roles lobbyists play in the legislative process.
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CHAPTER I

THEORETICAL BACKGROUND

INTRODUCTION

This thesis examines interest group lobbying in the 1967 New Mexico State Legislature. The lobbying process consists, in part, of interest groups who compete and cooperate to influence legislation. The legislative arena, an essential part of the democratic process, provides the showcase where these lobbyists can be observed.

This chapter discusses group analysis as used in previous interest group studies. A general outline of the different approaches to the study of interest groups is presented here. The historical and contemporary works are discussed in some detail. The chapter summarizes the assumptions that group theory makes. The second half of this chapter formulates a research design for this thesis; the design is based upon an evaluation of the possible approaches and the objectives of the study. Several hypotheses are also discussed as relevant to this thesis. Finally the limitations upon this study are stated.

This study implies the use of a group approach, since primarily organized groups lobby in any legislative arena.
Contemporary political scientists, for example David Truman, have made extensive use of this analytical tool; for, "men, wherever they are observed, are creatures participating in those established patterns of interaction that we call groups . . . the great task in the study of any form of social life is the analysis of groups."\(^1\) The group method implies using a collective unit—social, business, fraternal, political, or economic—as the basis for the study of segments of the social system. In political science, group study is employed to provide insight into the intricate workings of the political process. Groups are clearly structures of organized power. If, therefore, politics is characterized by power relationships, groups play an important role in the study of politics, or political science. Although the group is not the only area for study in political science, it is an important one.

Certain assumptions are essential to justify using the group method of analysis. Before discussing these assumptions however, this chapter summarizes the major historical contributions of political scientists in the development of group theory.

GROUP THEORY

Group Analysis in Retrospect

The explicit use of group analysis in political
science began in the early twentieth century. Arthur Bentley, in *The Process of Government* (1908), first attempted to make group analysis a tool for political scientists. To Bentley, groups were "the raw materials" which described acts within society, in general, and politics, in particular. Bentley thought group conflict explained the process of compromise in the formulation of public policy. If the democratic process is essentially compromise between competing or cooperating groups, then Bentley's argument for using groups or, "collectives of action," as a tool for analysis is impressive indeed. But Bentley's conclusions on group analysis have been subject to two criticisms: he delegated the role of the individual as a unit of analysis to minor importance, if any; and he emphasized the group as a creator of conflict, rather than as a contributor to social integration, which it sometimes is.

Several variations on Bentley's method appeared in publications by other political scientists within the next three decades. Pendleton Herring, in *Group Representation Before Congress* (1929), analyzed Congressional action on bills in terms of competing group pressures. In describing the Congressional scene, Herring used a "pluralistic conception of the state" with pressure groups as "the integral units in the political structure." Herring's study employed a general survey approach of all pressure groups in the broad legislative arena.
Peter Odegard, in *Pressure Politics: The Story of the Anti-Saloon League* (1928), used group analysis in a specific study of one interest group as it attempted to pass legislative bills. Since he limited his study to one group, the Anti-Saloon League, and their many attempts to pass prohibition legislation at the federal and state levels, Odegard modified the analytical tool of Bentley in that no group conflict is discussed in his study. Odegard showed that group analysis need not describe conflicting groups, but could concentrate on the methods, finances, and actions of one particular group over a period of time. This one group study, which covered a series of bills and the period from 1832-1928, was duplicated with varying success by studies of several other specific pressure groups.  

A third variation on Bentley's basic tool of analysis appeared in E.E. Schattschneider's *Politics, Pressures, and the Tariff* (1935). Schattschneider studied a single piece of legislation, the Smoot-Hawley Tariff of 1928, and described the interaction and techniques of economic pressure groups in the ensuing bargaining process over the bill. Schattschneider's book established a new methodological approach, the analysis of group conflict on one particular issue.

Three variations on Bentley's group analysis technique developed: (1) Herring's general survey approach; (2) Odegard's one-group approach over a series of bills; and (3) Schattschneider's single-bill approach with a series of groups. The
acceptance of group study as an important approach to analysis was confirmed with the publication of David Truman's *The Governmental Process* in 1950. Truman supported Bentley's basic arguments with such statements as: "... significant amounts of power are wielded in American politics by those formations usually known as pressure groups. Most people recognize, in fact, some dimly and some sharply, that these groups are critically important elements in the political process."8 Truman further stressed the importance of groups in the political process by arguing that: "... behaviors that constitute the process of government cannot be adequately understood apart from the groups, especially the organized and potential interest groups, which are operative at any point in time."9 Truman demanded the acceptance and widespread use of the group as an analytical tool by political scientists. Several recent publications which use this tool are discussed below.

**Contemporary Group Analysis**

Donald Blaisdell, in *American Democracy Under Pressure* (1957),10 is another proponent of Herring's general survey approach to interest group study in the legislative arena. Blaisdell contributes to the basic technique with the introduction of standard categories for group analysis. In any broad survey, Blaisdell provides a framework for uniform analysis with the use of the relationships between interest
groups and political parties, public opinion, public administration, the judiciary, and the legislature. Blaisdell's general survey approach facilitates the correlation of pressure politics to the various institutions within and outside the formal governmental structure. Besides pointing out basic techniques used by groups, Blaisdell describes the "shifting coalitions" of groups, no one of which can permanently dominate the government. As a method of classifying groups, he lists some general categories, such as agriculture, labor, business, and veteran's organizations. Thus, Bentley's group analysis tool can relate interest groups directly to formal governmental structures, as Blaisdell has done. Blaisdell's work provides the categoric framework for general survey analysis of groups in differing environments—foreign or state governments, for example.

To provide the first detailed study of lobbyists as a distinct group, Washington Lobbyists (1963), by Lester Milbrath, surveys representatives of several interest groups. Deriving his data from legislator and lobbyist interviews, Milbrath does not concentrate on one particular piece of legislation or one particular lobbyist group, but rather studies lobbyists as a single skilled group. In doing this, Milbrath could a) distinguish the roles of these political actors, b) elaborate upon Blaisdell's correlating of governmental structures and special interests, c) describe the communication process between lobbyists and legislators, and d) explain the problems
of lobbyists. In short, Milbrath provides an approach to the study of groups in action. Any particular interest group could be analyzed within this active framework. For example, Odegard's lobbyists on prohibition might fit into Milbrath's general summary of how lobbyists operate.

The third variation of Bentley's original tool is E.E. Schattschneider's one-issue approach to group study. More recent work also uses this approach. For example, Wilder Crane, Jr., in an article, describes a case on the issue of bank regulations in the Wisconsin State Legislature. Crane states that interest group pressures on this issue critically affected legislative votes on the final passage of the bill. In a doctoral dissertation, Walter DeVries describes the effectiveness of lobbyists in Michigan upon the 1960 state legislature. DeVries presents data on the effectiveness of lobbyists as perceived by legislators and lobbyists themselves. These two state studies reinforce Schattschneider's earlier description of the importance of pressure groups on a particular issue.

John Wahlke, in a chapter in The Legislative System (1962), makes another useful contribution to the group approach in politics. Although Herring and Blaisdell had described the general relations between legislators and lobbyists, Whalke employs a unique approach to the study of lobbyists—he samples only legislative attitudes at the national level. With four state legislatures as the source of his data,
Wahlke describes the differing legislator perceptions of lobbyists. In addition to this, Wahlke compares differences between the relative salience of various interest groups in four vastly different states.\textsuperscript{16}

Belle Zeller, in \textit{American State Legislatures} (1954), interviews legislators, as Wahlke later does. She finds group techniques and influences more subtle at the state level than at the national level. (Wahlke does not discuss this difference between lobbying at different levels.) For example, she finds the indirect lobby, which attempts to influence legislators by molding public opinion, to be prevalent.\textsuperscript{17} Pressure group activity is less obviously exerted on legislators and more oriented toward publicity and creating public pressures on certain issues. Thus the experience of group pressures differs at the state level from that at the national level.

Bentley's basic approach to groups in conflict is a beginning of the relevant literature on competing groups as analytical tools. Herring's general survey approach, Odegard's one-group approach, and Schattschneider's one-bill approach modified Bentley's tool and facilitated a broader scope of analysis with more varied and useful techniques.

More recent modifications were developed by Blaisdell's categories in a general survey framework, by Milbrath's general model of the lobbyist as a distinct group, by the issue-oriented models of state lobbyists, and by the Wahlke
and Zeller models, which are based upon the legislative image of lobbyists. 18

The widespread usage and importance of group study as an analytical framework have caused many of these variations. Henry Ehrmann, in 1958, said that "everywhere today interest groups have become the research vogue recognized by scholars and political analysts as critical centers of power in the political process. In his day, Lord Bryce perceived the parties as the great moving forces of politics; today interest groups would certainly share this status." 19

The Assumptions of Group Theory

After accepting the importance of group analysis in political science, the student of pressure group activities must ascertain its relevance in his particular study. This determination necessitates, in this case, a brief summary of the weaknesses and the assumptions of the group approach to politics. Thus this chapter clarifies the aspects of the general techniques relevant to this study.

In a democracy, group analysis involves several assumptions about the nature of the groups and their interaction. To be an effective collective unit, a group must share a common goal. As used in this study, an interest group is "... any group, that on the basis of one or more shared attitudes, makes certain claims upon other groups in the society for the establishment, maintenance or enforcement
of forms of behavior that are implied by the shared attitudes." Group study assumes that group norms dictate individual roles. Thus the individual in a group situation may lose much of his separate identity and influence. Political Science is not merely the study of power relationships between groups; it includes the study of relationships between individuals and groups. The group approach to politics ignores this last possibility. According to sociological theory, a secondary group, such as a pressure group, has common values, norms, and desires. The members of a group find self-expression and security in the cohesiveness of the group. Collective behavior towards a goal is an assumption of group theory. These assumptions ignore individual differences between members of a given group.

Another assumption of the group approach is that stable patterns of group interaction take the form of either conflict or cooperation. Group conflict arises as each party attempts to pursue its own interests. These interests conflict in the legislative arena through each group's attempt to promote legislation in its favor. Group cooperation occurs when two separate interests combine for their mutual benefit in promoting legislation. These shifting coalitions of groups are often influential in determining public policy. In a democracy, majority rule means a coalition of minority factions who compromise their individual interest in the hope of increasing their composite group influence.
The primary weakness of group analysis is that it ignores the individual's contribution to the political process. Individual needs may be fulfilled in groups to a great degree. Group theory, however, can only deal with a narrow range of phenomena which cannot completely explain the political process. "Group theory can principally study only behavior characterized by specific groups in a specific political system." Since the implications of this study are limited to the specific New Mexico political system and its interest groups, this weakness is not crucial.

There is no single group analytical technique which can be applied to every study of groups. There are many variations and differing approaches which could be employed in an analysis of pressure groups. Specific analytical approaches are applicable only to specific studies. Correlating these two particulars is the objective of the next section of this chapter.

RESEARCH DESIGN

Formulation of Study

The previous section has stressed the value of group analysis as an approach to describing and understanding the political process. The many varieties of group approaches to politics present a dilemma to the researcher: which approach is most appropriate to his study? In determining the most efficient research design, the principal consideration
is the stated objectives of a study. After these are
determined, the available research methods are correlated
to the desired objectives to determine the most appropriate
research design.

The principal purpose of this study is to describe the
structure and functions of interest group lobbying in the New
Mexico State Legislature in 1967. Through observation,
teaches, and research materials, this study shows how,
when, where, and for whom New Mexico lobbyists work. This
study chiefly provides information about New Mexico interest
groups and their activities.

While the primary objective of this study is descriptive
in nature, the measurement of legislative attitudes toward
lobbyists is a secondary objective. Key writes that legis-
lators view interest groups as generally beneficial. Yet
Crawford states that the public image of interest groups is
that of unscrupulous, self-centered pressure boys. This
study establishes the legislator image of New Mexico lobby-
ists as between these two extremes. By measuring these
images, differences in attitudes between groups of legislators
are discussed. The research design keeps these two objectives
in mind.

An equally important factor in this design is the
setting in which the study takes place. In considering this
setting, two facts are relevant: a) little background data
is available on New Mexico interest groups, and b) there were
no lobby registration laws in effect during the 1967 legislative session in New Mexico. The first factor, an absence of information, forces the study to depend heavily upon empirical data which the author can gather. Due to this factor, an in-depth, comprehensive study such as Blaisdell's is impractical. The second factor, the absence of registration laws, hinders identification of the principal lobbyists in New Mexico. Although a registration law was enacted in the 1967 session, none was in effect during the session.\(^{26}\) Identification of less publicized and less active lobbyists is difficult as there is no listing of their names and their activities are known by only a few people. The circle of contacts of these lobbyists is smaller than their well-known counterparts. A limited sample of interviews is less likely to include these lobbyists because interviewers usually relate well-known and active lobbies. Although the activity of these lobbyists is relatively small when compared to others, their influence on a particular issue is not always small. Some important issues and lobbyists could be ignored because of this factor.

The one-group technique of analysis, used by Odegard, is impractical in this study of New Mexico interest groups because of time, expense, and identification limitations. Milbrath's study, however, suggests a feasible method of research—that is, interviewing lobbyists who are identified by legislators.
The one-issue approach, used by Schattschneider, DeVries, and Crane, studies various groups which interact on one issue. This approach involves the accumulation of detailed information describing the interplay between lobbyists and legislators. In addition, accessibility is required to "inner circle" conferences with this approach. In this manner, surface analysis of two or three issues is feasible within the scope of this paper. Three issues—a gasoline tax, the liquor fair trade laws, and the passage of a lobby registration law—are studied. The issue approach only illustrates the group in action.

Wahlke and Zeller study interest groups from interviews with legislators. This approach is practicable here for two reasons. First, the university where this study is being attempted is only sixty miles from the state capital, Santa Fe, the primary scene of lobbyist and legislative interaction. Second, the university provides many occasions to talk to legislators who visit friends or lecture to groups on campus. A series of legislator interviews is the primary source of data for this thesis.

A research approach which stresses groups as integrating, as well as competing, forces is appropriate to this study. This approach allows a wider and less detailed information base on particular groups, yet a degree of useful analysis is still possible. General statements about many groups are feasible without obtaining confidential information from the
groups themselves. By studying interest groups from the viewpoints of legislators and lobbyists, a general model of inter-group conflict and cooperation indicates the probable roles of lobbyists. Detailed information on one group or one issue is not available. Data on many groups and issues, however, is available and provides a general picture of the roles of lobbyists for this thesis.

To describe the actions of New Mexico interest groups in the legislative arena, the legislator and lobbyist interviews provide the principal data. Two types of lobbyist interviews are utilized: lobbyists who were designated in the legislator interviews as being more effective, and other lobbyists who were active on the three issues discussed in Chapter V. Their perceptions of their roles as lobbyists and their own descriptions of the structure and functions of their own organizations are determined and evaluated through the interviews.

In order to accomplish both objectives of the study, the interviews consist of two groups: formal leaders and Bernalillo County (Albuquerque) legislators. The formal leaders (Speaker, Majority Whip, and so forth) of the House and Senate were chosen because they have had the most contact with lobbyists. The Bernalillo County legislators comprise a reasonable cross-section (as to age, experience, and party affiliation) of the legislature, except for the factor of common geography. (The bias incorporated by geography is
less significant in the conceptualization of this project due to the easier accessibility of this group and also the correlation of the group results with data from the formal leaders' interviews, i.e., results of formal leaders vs. Bernalillo County legislators.) In this manner, descriptions of lobbyist activities and measurements of group attitudes are made.

Hypotheses

The principal objective of this study is to describe the lobbying of New Mexico interest groups in the state legislature. In doing this, several hypotheses are taken from the existing literature, especially from the Wahlke and Milbrath studies.

Wahlke presents a general salience ranking of broad interest classes. This ranking lists business, education, and labor as the most salient groups in the four states which he studied. He also discovered, as one might suspect, that the saliency of a particular interest group chiefly exists in certain areas of policy; for example, the medical association may not have much influence upon the formulation of school budgets. Wahlke's conclusions are examined in the New Mexico setting by asking his questions in the legislator interviews. Wahlke also mentions the problem of legitimacy: do legislators feel that lobbyists accurately reflect the public interest? As he presents it, the problem has two
answers: a) "conflicting private interests are inimical to the public interest" or b) "the public interest is the harmonization of partial interests and that organized groups play an indispensable part in defining the public interest." Through legislator interviews, the position of New Mexico law-makers on this question is established.

The questionnaire used in the interviews ascertains the general attitude of New Mexico legislators towards lobbyists. A Likert scale measures legislators' image of lobbyists. Each respondent was given thirteen general statements about lobbying and lobbyists. These statements are ranked on a scale of one through five, as to the degree of each legislator's agreement or disagreement with the statement. In this manner, some of the Wahlke hypotheses are tested and a general rating of the attitudes of New Mexico legislators towards lobbyists is established.

Further, Wahlke determined that more highly educated and more experienced legislators tended to be friendlier to lobbyists. This hypothesis is tested through the general numerical rating, which is derived from each questionnaire. After comparing the average numerical rankings of different legislator groups, such as experienced and freshmen groups, the role of legislator experience is related to the image of a lobbyist which a particular group had.

The principal Milbrath hypothesis which is examined deals with the lobbyist's perceptions of their roles. Most
lobbyists feel that lobbying is a healthy and essential part of the democratic process and that they perform a service for the public. Is this the case with New Mexico lobbyists? Interviews with these lobbyists demonstrate the validity of this hypothesis. In his lobbyist interviews, Milbrath examines the problem of illegal lobbying practices such as bribery. According to Milbrath, lobbyists feel the morality of lobbyists depends entirely upon the morality of elected officials. To them, lobby regulation cannot prevent bad practices; only honest legislators can do this. This questionnaire tests the validity of these findings in the New Mexico setting.

Milbrath's study also doubts that lobbyists accomplish their goals by softening up their marks with food, liquor, and entertainment, as is commonly believed. This determines the importance of these techniques in New Mexico. In general, the specific techniques used by New Mexico lobbyists are discussed through specific questions during the legislator interviews. Another Milbrath hypothesis is that lobbyists generally enjoy their work. Are effective lobbyists those lobbyists who also enjoy their work? Some light is shed on this correlation, if one exists, between lobbyists' attitudes and their effectiveness in the fourth chapter of this thesis.

In order to accurately test these hypotheses, consideration is given to the meaning of the word "lobbyist." A lobbyist is usually the agent of an interest group. But
some lobbyists work entirely on their own incentive without formal compensation from anyone. In effect, they are their own agents. What then is a lobbyist? As many legislators will admit, a strict definition of a lobbyist is difficult to formulate. 37 Milbrath defines lobbying as "... the stimulation and transmission of a communication by someone other than a citizen acting on his own behalf directed to a government decision maker with the hope of influencing his decision." 38 The United States House of Representatives has had much difficulty defining lobbying clearly; for all their definitions have some limitations and problems. 39 Lobbying has never been tightly and satisfactorily defined by anyone. This problem is merely mentioned here. It will be dealt with more conclusively in Chapter III.

Limitations

Certain limitations are inherent in a study of this type. First, the study is limited by the relative absence of information on lobbyists in New Mexico. The only previous research on New Mexico lobbyists was a by-product of some University of New Mexico theses written in related fields. 40 Although they list the major interest groups in the state, neither of these studies contributes much detailed information to my research. By identifying the main lobbying groups, however, this list helps make up for the absence of registration laws. But the background information for this study
is definitely absent.

Second, the time and financial limitations upon the author prevent a larger sample size which could include all legislators and all lobbyists in New Mexico. The use of Bernalillo County legislators as the principal sample saves time and expense. If properly correlated with the results from the interviews with the formal leaders of the legislature, this sample does not adversely affect the accuracy of the results. The proposed final sample approximates one-fourth of the entire legislature.41 The limitations upon the number of lobbyist interviews are obvious. For the purpose of this study, it is necessary only to interview lobbyists mentioned in legislator interviews as being particularly effective or as being important in the three issues studied.

General Outline

The remainder of this thesis includes a general discussion of the setting of the study. This discussion examines the implications which the context of the study places upon the results. In general, existing data on New Mexico politics is summarized in the second chapter. In particular, previous research on New Mexico lobbying is discussed. Following this broad discussion, Chapter III surveys the main interest groups and their lobbyists for the state legislature. A list of active and powerful interest groups in the legislature is presented. Before
discussing the general classes of groups found in New Mexico, the basic method of operation which these groups use is summarized.

The fourth chapter examines legislator attitudes towards lobbyists with regard to the Wahlke and Milbrath hypotheses. Comparisons are made between legislator and lobbyist perceptions of the roles of lobbyists. After making general statements as to the nature, functions, and attitudes of lobbyists, this thesis then tests its own hypotheses through a close examination of three particular issues. These case studies check the accuracy of earlier general statements. The final chapter summarizes the conclusions of this thesis.
CHAPTER I FOOTNOTES


8Truman, op. cit., p. vii.

9Ibid., p. 502.

11 Blaisdell, op. cit., chapter one.

12 Ibid., chapter four.


18 A more interesting study is Harmon Zeigler's Interest Groups in American Society, Englewood Cliffs, New Jersey: Prentice-Hall, 1964. Zeigler set up a model of group conflict and cooperation, as it exists in American legislatures. In doing this, Zeigler attempted to meet some of the criticism of Bentley's conflict model. Zeigler's previous work in this area aided this author in the conceptualization of his study.


20 Truman, op. cit., p. 33.


24 Key, op. cit., p. 45.


26 In the Albuquerque Tribune, October 30, 1967, the first lobbyists to register under the lobbyist registration act are listed. As of that date, only eleven lobbyists had registered.

27 Special contacts on these issues include: two Republican sponsors of a lobby registration bill; leading advocates and opponents of liquor fair trade laws; and protagonists in the interest group coalition which passed the gasoline tax increase.

28 To be sure, lobbying is not limited to the state legislature in New Mexico; it occurs in other branches of the government. However, this study deals only with lobbying within the 1967 legislature.

29 Wahlke, op. cit., p. 314. Some of the other broad classes he used were agriculture, professionals, governmental, ethnic, religious, charitable, civic, and other minor groups.

30 Ibid., pp. 321-322.

31 Marie Jahoda, Stuart Cook, and Karl Deutsch, Research Methods in Social Relations, New York: Dryden Press, 1951, p. 175. A detailed explanation of this scale is available in the appendix of this thesis.


33 Milbrath, op. cit., p. 305.

34 Ibid., p. 327.


36 Ibid., p. 144.

37 Several legislators stated in interviews that much of the difficulty with lobby registration bills in the past has been the inability of legislators to agree on a definition of a lobbyist.

38 Milbrath, op. cit., p. 13.


41 The final usable sample was twenty-eight interviews, which is exactly one-fourth of the total legislature. (A breakdown of the sample is given on Table 6.) Although the original sample was to be thirty-six legislators (twenty-eight Bernalillo County and eight formal leaders), four legislators refused to cooperate and four legislators could not keep appointments, making the final sample size twenty-eight. Each legislator and lobbyist agreed to provide information for use in the thesis with the stipulation that no direct quotes, by name, would be used. (Dr. Judah agreed to be quoted.) Interviews took place at Santa Fe at the Legislature and in Albuquerque at legislators' homes and businesses.
CHAPTER II

SETTING

INTRODUCTION

This chapter outlines the general setting of this study. First, the relevant elements of the New Mexico political system in general are summarized. Second, a synopsis of the New Mexico legislative system, including its structure and composition, presents the formal political structure as it relates to the legislative branch. This chapter sets the stage for the discussion of New Mexico interest groups and their method of operation which is presented in Chapter III.

THE POLITICAL SYSTEM

Background

New Mexico became a state in 1912. Her state politics began in 1910 when the constitution was drawn up by Republicans of a conservative bent.¹ In those first years, the state was Republican. Once both parties established effective political tactics, however, the formal power shifted among the Republicans and Democrats at both the congressional and gubernatorial levels from 1915-1930. The
state became overwhelmingly Democratic during the depression and war years and has remained mainly Democratic in the post-World War II era.

Certain political facts in the state’s history are helpful in understanding its political life. New Mexico has always voted for the winning presidential candidate. The Republicans have elected governors in 1918, 1920, 1926, 1928, 1950, 1952, 1956, 1960, and 1966. The legislatures from statehood through 1930 were solidly Republican, with the exception of the 1923 and 1925 sessions which saw Democratic majorities in the House. From 1932 to 1967, the legislature has been solidly Democratic, except for the 1952 session during which the Republicans had a one-vote margin in the House.2

The history of party control in any state is only one of several factors that constantly interact to create its political system. Social, economic, and political factors are all relevant to the composition of a political system. Some characteristics of these three factors are discussed in the following sections.

Social Aspects

Two important sociological facts play integral parts in the New Mexico political system: the existence of a large minority group of Spanish-Americans, and the rapid urbanization of the state. These realities greatly influence
New Mexico politics; hence, they are likely to influence lobbying in the state.

Comprising approximately forty-five (45) percent of the population in 1930, the number of Spanish-Americans was estimated at twenty-eight (28) percent of the population in 1960. Though decreasing, their influence is nevertheless still significant.\(^3\) The presence of this ethnic minority group has produced important geographic, religious, and ideological results within the New Mexico situation.\(^4\)

For the most part, the Spanish-American voters live in the northern counties of the state. According to Jack Holmes, from 1911 to 1958, the Hispanic vote of these counties becomes increasingly more Democratic. Holmes classifies ten counties as Hispanic because fifty (50) percent or more of their population was Spanish-American in 1950.\(^5\) Further, the percentage of registered citizens voting in these ten counties usually averages about fifty-five (55) percent, which is higher than the statewide average.\(^6\) Thus, the influence of this bloc is significant whenever they are, indeed, a bloc. In fact, "some organizational leaders (of the Democratic party) depend traditionally upon well organized native (Spanish-American) precincts to deliver a more or less foreseeable vote" in those counties.\(^7\) These people vote more regularly and more predictably than any other group in New Mexico.

The power of this minority fluctuates according to its
size or cohesiveness at a particular moment. This group has the capacity and the will to influence legislation and politics to a great degree. For instance, if Spanish-Americans vote across party lines, does this act create factionalism within each party? Factionalism increases the effect of interest groups upon the party. An interest group may align itself with a faction of a party and promote its interests to the detriment of party unity. Thus, the effect of this bloc upon lobbying by interest groups is an important part of this thesis.

The second sociological factor is urbanization. In New Mexico, urbanization takes two forms: rural state residents who move to urban centers within the state, and non-residents who migrate into the state. A significant political consequence is that the three most urbanized counties, Bernalillo, Chavez, and Dona Ana, control forty (40) percent of the vote in a gubernatorial election.

The partisan implications of urbanization are twofold. First, the Republican percentage of a statewide vote is highest in urban areas, such as Bernalillo County. As urbanization increases in New Mexico, usually the Republican vote increases. Many factors, however, are involved in voting behavior. One cannot absolutely state this correlation; these are only suggested effects of urbanization. The future will determine whether or not continuing urbanization will mean increasing Republican strength in New Mexico.
A second implication of urbanization in New Mexico is that the traditional loci of political power have been changing. Reapportionment of the state legislature has grossly changed representational trends in favor of such counties as Bernalillo. For example, traditionally, Spanish-Americans elected a large percentage of the legislators. Today, the relatively new migrants to the state are electing a significant portion of the state legislature. The attitudes of the migrants and the traditional Spanish-American attitudes differ widely as to who should hold office. Dr. Irion, a veteran observer of New Mexico politics, describes this Spanish-American attitude by stating that: "there is a political hierarchy of which the Spanish-Americans are much more aware than the Anglos. This hierarchy, from the precinct on up, is admired by the Spanish-Americans. To be a part of it confers prestige."¹¹ The migrants to the state, on the other hand, are less aware of any long-standing hierarchy and tend to be less traditional in their political attitudes than the Spanish-Americans. Relative newcomers to the state tend to support relative newcomers for political office. In Bernalillo County, a 1959 study showed that the competitors for the legislature had, for the most part, been in the state for less than ten years.¹² A 1966 public opinion poll showed that thirty-two (32) percent of the voters in Bernalillo County had lived in the state less than ten years.¹³ The impact of these new arrivals is in part measured by the
importance of Bernalillo County in statewide elections. The present governor, a resident for only ten years, was given sixty-three (63) percent of the Bernalillo County vote, which contributed greatly to his small statewide margin. New arrivals and urbanization have had a significant effect upon New Mexico politics.

**Economic Aspects**

Karl Marx wrote that economic power was the basis for all power, including political power. As a primary, or even contributing, factor, the value of economics in political study is not questioned. In New Mexico, economics is less capitalist than in other states. The political system, and the lobbying, is different because of this economic factor, as this study points out later. Dr. Irion describes New Mexico's economic system by saying that "a considerable amount of business is non-competitive in terms of prices. For instance, fair trade laws establish the minimum prices for alcoholic beverages and cigarettes. Transportation, public utilities, and certain other enterprises use the state public service and corporation commissions to fix prices. Through licensing laws, many professional and trade groups have a good deal to say about money charges." The extensive price-setting which occurs limits the areas in which capitalism and Adam Smith's "invisible hand" can affect competition. Dr. Irion continues his discussion, stating that "probably a
fourth of the economic activities come within the protection of state laws prohibiting or limiting direct economic competition of various kinds. When these (state-protected) activities, which are sheltered from direct price competition, are added to those paid for by the government (about one-half of all economic activity is paid by the federal government), probably only one-fourth of New Mexico's economy operates in terms of traditional free enterprise. . ."16

The political impact of this economy manifests itself in a concentrated effort by the favored groups to retain the status quo. The success that many non-competitive industries have had in retaining their preferred positions was demonstrated by the state legislature's recent passage of a bill fixing minimum prices on retail milk.17 However, the governor, opposing the traditional interests, vetoed the bill. As a result, milk remained competitive. This study points out later the strong impact the lobbyists of these protected industries have in the legislative arena.

The main sources of New Mexico's income are federal funds, tourism, mining, and ranching, in that order. It is estimated that forty (40) percent of New Mexico's total income is from federal loans and expenditures by the Atomic Energy Commission, armed forces, and other agencies.18 Moreover, since the federal government owns forty-five (45) percent of the state's land, private enterprise is further hindered.
The tourist industry is an important rising factor in the economy of New Mexico. Albuquerque, in fast-growing Bernalillo County, is the crossing place for the state's two main highways and is a major tourist center. Part of the city's growth must be attributed to tourism. Thus, its political power is also due to tourism. The mining industry of New Mexico consists of potash, oil and gas, and uranium ore deposits; the latter was once estimated to comprise sixty-eight (68) percent of all the U. S. reserves.\(^{19}\)

While its relative importance has declined of late, the ranching industry is still an important source of power and income. The amount of land and jobs controlled by this industry makes it an important voice in New Mexico politics. The political struggle for the office of land commissioner illustrates this point. One Democratic legislator who investigated this subject in depth suggested much money is presently made in federal funds for grazing lands. The land commissioner, through the distribution of federal funds and land, and the ranching interests, through the distribution of land to tenants, have considerable access to political and economic power.\(^{20}\)

The economy, then, is in part supported by federal funds and tourist dollars. What are the corresponding political changes caused by this type of economy? Is the legislature merely "a battle between monopolistic economic interests," as one legislator describes the impact of
economics upon politics in New Mexico? This study of lobbying tests the validity of his statement.

**Political Aspects**

One of the more important elements in any democratic political system is the nature of its party politics. As one contemporary anthology stresses, political parties "stand astride the socio-economic environment and the political system itself, in which authoritative decisions are made for society. . . their ability to organize popular protest and to threaten the regime with displacement through constitutional processes becomes a centrally important function in democratic systems, or even an essential part of the definition of democratic systems." Studying party politics in an American democratic setting implies that a political system has a basic one-party or two-party structure. The competition for public office resides in one party, as in Democratic primaries in the South, or in two parties, border-state inter-party competition.

This thesis determines which form of competition exists in New Mexico; or, if indeed competition for public office exists at all. Dr. Judah states that inter-party competition did not exist in New Mexico in 1959. The New Mexico parties, in Judah's eyes, are purported to be "like Tweedledum and Tweedledee" in that there are no significant differences between the parties. The New Mexico parties
"have stood for the same things, served the same interests, and employed the same political techniques. The party leaders have been similar, frequently interchangeable."24 Dr. Judah further suggests all issues of consequence in New Mexico are not primarily party issues. He cites the example of the liquor fair trade laws, which have been a political issue for years and are the fulcrum around which the bad image of lobbyists has been built, as not being a party issue.25 If Dr. Judah is correct, then the absence of inter-party competition has definite implications with relation to lobbying activities in the state. Judah explains the possible implications as follows: ", . . .The organized pressure groups have not found it necessary or perhaps possible to distinguish between the parties as instruments through which they might gain their ends. Both Democrats and Republicans have been sympathetic toward the New Mexico Taxpayers' Association, the Cattlemen's Association, the New Mexico Educational Association, and other professional and business groups that have sought favorable legislation. On the other hand, labor, the consumer, and low income groups generally have received scant consideration from either party."26

To Judah, interest groups greatly influence political parties in New Mexico. However, the major influences upon these parties are the special interest groups, such as the cattlemen. Judah laments that there are few interest groups in New Mexico representing large sectors of the public, such
as consumers. Accordingly, there are few influences upon the political parties from these sectors. Judah claims this lack of representation and influence is due to the lack of competitiveness between the political system's two parties.

His argument has interesting and widespread implications; but this study cannot ascertain the validity of his hypotheses. Rather, the emphasis in this thesis is placed upon the perceptions of those involved in the political processes of the state. Therefore, this thesis is not concerned with attempting to measure the actual degree of political competitiveness in the New Mexico system. A more fruitful analysis would be to correlate these perceptions of Dr. Judah with those of legislators. Do the legislators feel that competition does exist between the two parties? Do legislators feel interest group represent large or isolated segments of the public? What effect do these perceptions have upon lobbying activities? These are the questions to which this study is directed.

In discussing the party politics of any state, consideration must be given to the relative internal strengths of the respective parties. In this study, the internal strength of a party is assumed to be the importance of party responsibility to its members.\textsuperscript{27} On a legislative vote, can either or both of the New Mexico parties be assured of an average amount of party support?\textsuperscript{28} To what extent are the parties unified in their support of issues and policies?
The alternative to party responsibility is "voting one's own conscience," which means a legislator is unconcerned with the party line in his vote decision. This is the "trustee" representative, which Edmund Burke defined in the eighteenth century.29

The importance of party responsibility can be seen in its possible effect upon the votes of legislators. If a legislator feels obliged to follow the party line on an issue he is less likely to be strongly influenced by interest groups. Clearly an effective party system needs to have its members responsive to party demands, rather than interest group demands.

Dr. Judah relates the lack of party competition, or identical parties, to a corresponding lack of party responsibility.30 In a non-competitive system, members of the majority party need not be responsive to the broad range of public demands. As long as they control the majority party, the entire public matters not. Yet Judah maintains that members of a majority party will not be responsive to their party if they are not responsive to a broad range of public demands. He then claims such members are responsive to specific lobbies and vested interests, which may represent only a narrow section of the public. He feels that "so long as both parties and legislators maintain the historic alliance between politics and the vested interests of the state, it is highly doubtful if effective measures will be

37
taken to control lobbies." To Judah, party responsibility in New Mexico is weak because the legislators are indebted to specific interest groups rather than to the entire public or to their party. In a non-competitive system, the party is less essential. Interest groups can influence a candidate by threatening to shift to another primary candidate. This study describes how legislators view their relationships with lobbies and their own constituencies. How tightly do New Mexico legislators bind themselves to lobbies, their parties, or their districts?

THE LEGISLATIVE SYSTEM

Introduction

The second half of this chapter summarizes the New Mexico legislature’s structure and operations. It describes the legislative setting, which provides the data in Chapter III.

Structure and Composition

The New Mexico legislature meets on odd-numbered years for sixty calendar days and on alternate years for thirty days. The House, composed of seventy Representatives, was reapportioned in 1964 by an order from the State Supreme Court. A county may have from one Representative (for example, Hidalgo and Luna Counties) to eighteen (Bernalillo
County). The forty-two (42) member Senate has also been reapportioned. A Senator may represent several counties or he may represent only a part of a county. For example, Bernalillo County has ten Senators. Representatives serve two years; Senators serve six.

Both as to individuals and parties, the composition of the legislature varies greatly from year to year. As in many states, the legislative turnover is great. A recent estimate suggests a fifty (50) to seventy (70) percent turnover in the House and a forty (40) to fifty (50) percent turnover in the Senate annually. The Senate is usually the more experienced of the two bodies.

As is usually the case, the relative party strength of the legislature in 1967 favors the Democrats. A contributing factor is the two and one-half to one registration advantage the Democrats have in New Mexico. The 1967 legislature was composed of forty-five Democrats in the House and twenty-five Republicans, while the Senate had twenty-five Democrats and seventeen Republicans.

New Mexico legislators differ considerably by occupation, age, and education. Donald Matthews, a long-time student of legislatures, points out the importance of these differing characteristics: "Frames of reference and attitudes are of course heavily influenced by the dominant values and beliefs of the society in which a person lives. But the frames of reference and attitudes of members of the
same society vary considerably. Each belongs to or identifies himself with different groups; each has different experiences and a different life history. Identical events will take on different meanings and will therefore result in differing behavior."^{36}

A legislator's frame of reference is instrumental, then, in formulating his values. "The conviction that the political decision maker's behavior and decisions are influenced by his personal life experiences not only has a long and honorable history, but also is substantiated by modern psychological and sociological research."^{37}

The New Mexico legislature is, and has been, greatly diversified in the life experiences of its members. Three indicators of life experiences are the age, education, and occupations of the legislators. Both the 1967 legislators as a group and, according to the sub-group used in this study, as individuals, vary in these three characteristics. As the tables on the next page point out, there is no description of a typical New Mexico state legislator. Table 1, which lists the occupational classes exhibited by the 1957 and the 1967 state legislators, points out the diverse characteristics of the sample used in this study and provides the age, education, and occupation groups of the interviewed legislators. Although later data show there are many subtle common interests at work in the New Mexico legislature, the principal analytic categories indicate the composition of the current legislature.
### TABLE 1

<table>
<thead>
<tr>
<th>COMPARATIVE OCCUPATIONAL CLASSES</th>
<th>1957</th>
<th>1967</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>House</td>
<td>Senate</td>
</tr>
<tr>
<td>Professional</td>
<td>16 (24%)</td>
<td>9 (28%)</td>
</tr>
<tr>
<td>Semi-Professional</td>
<td>2 (3%)</td>
<td>3 (9%)</td>
</tr>
<tr>
<td>Own Business</td>
<td>24 (36%)</td>
<td>9 (28%)</td>
</tr>
<tr>
<td>White-Collar</td>
<td>7 (11%)</td>
<td>4 (12%)</td>
</tr>
<tr>
<td>Sales</td>
<td>12 (18%)</td>
<td>7 (22%)</td>
</tr>
<tr>
<td>Manual</td>
<td>5 (8%)</td>
<td>0 (0%)</td>
</tr>
</tbody>
</table>

### CHARACTERISTICS OF THE SAMPLE

<table>
<thead>
<tr>
<th></th>
<th>Senate</th>
<th>House</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25-34</td>
<td>2 (18%)</td>
<td>4 (23%)</td>
</tr>
<tr>
<td>35-39</td>
<td>3 (26%)</td>
<td>6 (36%)</td>
</tr>
<tr>
<td>40-44</td>
<td>4 (38%)</td>
<td>0 (0%)</td>
</tr>
<tr>
<td>45-49</td>
<td>0 (0%)</td>
<td>5 (30%)</td>
</tr>
<tr>
<td>50-59</td>
<td>2 (18%)</td>
<td>2 (11%)</td>
</tr>
<tr>
<td>Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>High School</td>
<td>2 (18%)</td>
<td>3 (17%)</td>
</tr>
<tr>
<td>Some College</td>
<td>2 (18%)</td>
<td>3 (17%)</td>
</tr>
<tr>
<td>College Degree</td>
<td>4 (38%)</td>
<td>6 (34%)</td>
</tr>
<tr>
<td>Graduate Work</td>
<td>3 (26%)</td>
<td>5 (30%)</td>
</tr>
<tr>
<td>Occupation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional</td>
<td>2 (18%)</td>
<td>3 (17%)</td>
</tr>
<tr>
<td>Semi-Professional</td>
<td>3 (26%)</td>
<td>2 (11%)</td>
</tr>
<tr>
<td>Own Business</td>
<td>3 (26%)</td>
<td>3 (17%)</td>
</tr>
<tr>
<td>White-Collar</td>
<td>1 (10%)</td>
<td>3 (17%)</td>
</tr>
<tr>
<td>Sales</td>
<td>2 (18%)</td>
<td>5 (30%)</td>
</tr>
<tr>
<td>Manual</td>
<td>0 (0%)</td>
<td>1 (6%)</td>
</tr>
</tbody>
</table>

*aSources: Interview data, Legislative Council Service (1967), Santa Fe, and Frederick G. Irion, The State of New Mexico Twenty-third Legislature, Division of Research, Department of Government, University of New Mexico, 1957, p. 66.*
is diverse indeed.

The Legislature and the Executive

The relationship between the executive and legislative branches of government is an important part of pressure politics in many states. A state governor often stakes his prestige on legislative action. As one legislator put it, the executive branch in New Mexico is considered "one of the busiest lobbyists." But this branch is by no means the most effective lobbyist.

Traditionally, New Mexico governors are weak chief executives, with regard to their ability as legislative leaders. The legislative usually solves its own problems, irrespective of executive directives. The term, weak governor, applies in New Mexico partly because there have been many situations in the past decade in which Republican governors and Democratic legislatures have been elected. The New Mexico legislature is not a tool of the executive.

The Expectations of the Legislators

The nature of a legislature involves the expectations of its members, i.e., what the legislators expect to accomplish during the session. A further query is what are the motives of persons who run for the legislature. Their expectations often control their actions in the session. A legislator who seeks election to serve an interest group has different
relations with lobbying and other legislators than a legislator who seeks election to represent his constituency. Some legislators do run for office and win with the intent of serving an interest group.⁴⁰

A 1959 study of legislative candidates in Bernalillo County showed that seventy (70) percent of the candidates desired to "represent the interest of the community, or that their own interests were synonymous with those of the community." Here, the community was described as "everyone," "the working people," "the consumers," "the businessmen," and "most of the people most of the time."⁴¹ Twenty (20) percent of the candidates listed some interest group, purpose, or piece of legislation as their specific motivation for running.⁴²

A 1957 study of New Mexico legislators described the legislators as "idealistic, . . . having a desire to preserve the status quo, and a view of government as an inhibitor to social change."⁴³ This study also suggested that many legislators had prior commitments to private interests, friends, and acquaintances before the session began.⁴⁴ Indeed, some legislators ran for office to protect certain interest groups.⁴⁵

The general legislator attitude is an idealistic one; he hopes to get something done for the "general welfare of the state." Most legislators feel they represent the general public; but there is a significant minority, admitted and
otherwise, who are responsive to private interests. New Mexico legislators are not overly defensive about being influenced by interest groups. Interest groups and lobbyists are a reality to these men. To them, private interests are not the villains who some would say they are. This thesis determines whether or not 1967 New Mexico legislators agree with these general conclusions of earlier studies.

The Public Image of the Legislature and Lobbyists

The previous section mentioned some legislator's relationships with interest groups. These legislator-lobbyist relationships are often looked upon as detrimental to the workings of a legislature. A common attitude is often that legislators should not work too closely with interest groups; the public does not approve of such interaction. As a part of this attitude, lobbyists are viewed with disdain by the public.

In general, the attitude described above is that of an influential New Mexico newspaper. It is not necessarily the attitude of the New Mexico legislature toward lobbying and interest groups. This thesis determines what the legislator attitude is, and whether legislators feel this newspaper attitude accurately reflects public opinions.

Relating to this public image, a 1955 study produced the following public attitudes towards the legislature:

a) the public expects the legislature to act for all the
people; b) apparently, few people understand how the legislature actually works; and c) few people believe legislative procedures are fair and reasonable. Thus the public hopes for a legislature which represents all the people. However, a feeling of resignation and possible alienation towards the legislature is present. In their view, the legislature is simply a group of special interests gathered together. Thus, the newspaper image has some truth in relation to the actual public image. But do legislators agree?

Interviews for this thesis confirm the view that legislators perceive the public to have a special interest view of the legislature. It is freely admitted by legislators that this attitude is due to the efforts of local newspapers to make villains out of special interests.

The legislative attitude toward interest groups is summarized by the following: "Since no one can define a public interest which is not a composite of specific or special interests, there was no serious challenge ... to the theory that each group seeking aid is entitled to aid, as long as the aid sought is not unreasonable."48

The predisposition that this study assumes is twofold: the public image of both legislators and lobbyists is somewhat exaggerated and negative; and the legislator view of lobbyists is more realistic and cooperative. Chapter IV of this thesis discusses these attitudes in depth.
Summary

This chapter has highlighted the factors in the New Mexico legislative and political systems relevant to this study. With this basis, the next chapter discusses the major interest groups active in the 1967 New Mexico legislature and their principal methods of operation. Further chapters relate this background material to the empirical data from the legislator interviews. In this manner, a picture of New Mexico lobbyists is presented.
CHAPTER II FOOTNOTES

1 Frederick C. Irion, "New Mexico: The Political State," in Dr. Frank Jonas, Western Politics, Salt Lake City: University of Utah, 1961, p. 224.

2 Ibid., p. 225.

3 Ibid., p. 229. See also: Dorothy Goldberg and Charles F. Judah, The Recruitment of Candidates from Bernalillo County to the New Mexico House of Representatives, 1956, Division of Research, Department of Government, University of New Mexico, 1959; and T. Phillip Wolf, "The 1966 New Mexico Elections," Western Political Quarterly, (XX) June, 1967.

4 Irion in Jonas, op. cit., p. 224, argues there is no Spanish-American bloc vote in a general election. He claims this vote splits on every important political issue. Fifteen legislators, who were interviewed, indicated there was a bloc vote of Spanish-American legislators. These legislators, who were not directly asked to comment but brought this up themselves, were willing to make the assumption that Spanish-American legislators reflect a bloc of Spanish-American citizens.


7 Goldberg and Judah, op. cit., p. 2.

8 The liquor issue in New Mexico is a good issue to illustrate this. The forthcoming discussion in Chapter V concerns the influence of the Spanish-Americans on this issue.

9 The Chapter V discussion also points out the split in the Democratic party because of the liquor lobbyists.
This is based on projected vote turnouts on the 1966 election returns. The data was examined from the Secretary of State's office and analyzed by Theodore S. Arrington of the Political Science Department of the University of New Mexico.

Irion in Jonas, op. cit., p. 231.

Goldberg and Judah, op. cit., p. 13.

A public opinion poll conducted by a University of New Mexico class in political science in Bernalillo County, July, 1966.

A good example of this point is Charles Beard, *An Economic Interpretation of the U.S. Constitution*, New York: Macmillan, 1935.


Idem.

The legislature passed this bill establishing minimum prices for retail milk sales, but the bill was vetoed by the governor. The bill is discussed in some detail in Chapter III.

Irion in Jonas, op. cit., p. 225.

Ibid., p. 226.

Ibid., p. 225.

This legislator is a Senate Democratic Formal Leader.


A private conversation between Dr. Judah and the author on May 10, 1967.

Judah and Irion, op. cit., p. 7.
27 Other factors may enter into the internal strength of the party, but the author assumes party responsibility is the main one.

28 The average party unity score is seventy (70) percent, according to Congressional Quarterly Almanac, 1955, (XI), p. 74.

29 Edmund Burke, as quoted in Dell G. Hitchner and William H. Harbold, Modern Government, New York: Dodd, Mead, and Co., 1965, p. 393, in referring to the English Parliament defined a trustee as: "Parliament is not a congress of ambassadors from different and hostile interests which interests each must maintain as an agent, and advocate, against other agents and advocates; but Parliament is a deliberative assembly of one nation, with one interest, that of the whole—to guide not by local purposes, nor local prejudices, but by the general good, resulting from the general reason of the whole."

30 Judah and Irion, op. cit., p. 13. The actual quote is "Although identical parties is not the only reason for voting for the man and not the party, to the extent that such a system encourages it, it (identical parties) weakens responsible, that is party rather than personal, government." Party government implies party responsibility.

31 Ibid., pp. 13-14.

32 Holmes, op. cit., p. 148, suggests the New Mexico Senate turnover is greater than that of the states of Washington and Wisconsin. Belle Zeller, op. cit., p. 40, suggests that the marked turnover in state legislatures may indicate, in these states, the general political instability of our time. She also suggests the turnover in a rural state, such as New Mexico, is greater than in urban states.

33 Albuquerque Tribune, January 12, 1967. Part of this turnover was probably due to the 1964 reapportionment.

34 Wolf, loc. cit.

35 Legislative Council Service, Santa Fe, New Mexico.

36 Donald R. Matthews, Social Background of Political Decision Makers, Garden City, New York: Doubleday and Co., 1954, p. 3.

37 Ibid., p. 2.

38 This was an experienced Republican legislator.
Judah and Irion, op. cit., p. 41. Joseph A. Schlesinger, "The Politics of the Executive," in Herbert Jacob and Kenneth Vines, Politics in the American States, Boston: Little, Brown and Co., 1965, p. 229, places the formal power of the New Mexico governor as the fifteenth least powerful of the forty-eight states. Comparatively, the New Mexico governor is weaker than most of his counterparts, according to Schlesinger. Irion in Jonas, op. cit., p. 230, feels "the struggle of the legislature in New Mexico has been to secure freedom from the governor's control. Because of his power to appoint legislators to jobs, the legislature was more or less subservient to the executive until a law became effective January 1, 1945 which forbade such practices. Since then, the legislature has been increasingly independent." Although Irion here takes a slightly different view than my discussion, his final conclusion supports a statement that the legislature is becoming more powerful vis-a-vis the executive.

One Democratic Senator admitted this was his purpose for election.

Goldberg, op. cit., p. 17.

Ibid., p. 18.

Frederick C. Irion, The State of New Mexico Twenty-third Legislature, Division of Research, Department of Government, University of New Mexico, 1957, p. 5.

Ibid., p. 4.

Ibid., p. 19.

See Albuquerque Journal, in the week of March 23-30, 1967 for the documentation of this attitude.

Frederick C. Irion, Regular Session of the 1955 New Mexico Legislature, Division of Research, Department of Government, University of New Mexico, 1955, p. 11.

Irion, State of New Mexico Twenty-third Legislature, p. 18.
CHAPTER III

LOBBIES AND THEIR OPERATION

INTRODUCTION

Little has been published on New Mexico interest groups and their lobbying activities. As Dr. Judah described this scarcity, "There are insufficient data upon which to base a conclusive statement regarding the relation between lobbies and the New Mexico Legislature. No exhaustive studies have been made, little in the way of revealing memoirs or correspondence has come to light. It is difficult, perhaps impossible, to ever know the identity of all the groups that attempt to exert influence on a single session of the Legislature, and to what purpose, through what channels, and by what means they are operating."

Furthermore, this lack of data prevents any intelligible statements about the effectiveness and functionality of New Mexico lobbyists. For, "in the absence of such information, a verdict upon the total effect of lobbying in the state would be mere opinion. However, the desirability of measures that would make informed judgement possible might well be considered."

This chapter and the next supply the data necessary
for: a) identifying and describing lobbying activities, and b) making an informed judgment and reaching a verdict upon the total effect of lobbying in the state, as New Mexico legislators perceive it. This chapter describes, in general, which interest groups lobby actively and effectively, and how they operate. The sources used are principally unpublished studies, literature described in Chapter II, and personal interviews obtained by the author.

THE NATURE OF LOBBYING ACTIVITIES

Definitions

The initial problem which this study faces is the formulation of an operational definition of a lobbyist. Before describing their activities, it must be determined what a lobbyist is.

Two sources define lobbyists: existing literature on lobbyists, and legislator interviews. Both sources provide an abundance of broad and narrow definitions of a lobbyist. For example, Dr. Irion defines a lobbyist in two ways: "In a broad sense, any person who seeks to influence any action of the legislature is a lobbyist... In a more restricted sense, a lobbyist is a person paid to represent one or more persons or groups..."3 His statement briefly summarizes two views of a lobbyist. Clearly many definitions lie between these broad and narrow extremes. For example, a
United States House of Representatives Select Committee Report states that lobbying is "...to address or solicit members of a legislative body in the lobby or elsewhere, as before a committee, with intent to influence legislation... the activity of a person or body of persons seeking to influence Congress in any way whatsoever... a man who tries to induce the legislator to forget temporarily all the people and to do something that will promote the fortunes of a single citizen or a group of citizens." 4 Briefer definitions in this report state that lobbying is "...the personal solicitation not addressed solely to the judgment of the legislators... an attempt to influence the action of a member of the legislature by any method other than appealing to his reason... any attempt by individuals or groups to influence governmental decisions." 5 This last definition is the one which the government investigation of lobbying finally adopted as most useful.

Legislator interviews provided a wide range of definitions for this study. One Democratic legislator felt that lobbyists were simply "those who attempt to push through legislation by influencing the legislators." This definition summarizes the broad legislator concept of lobbyists in that everyone is a lobbyist. As Dr. Irion suggested, however, the narrow view of lobbyists implies two requisites: time and money. In adopting this point of view, two Bernalillo County Republicans claimed a lobbyist is "one who works full time
every year to influence legislators," or "one who attempts to influence and gets paid to work closely with the legislators."

These definitions refer to professional lobbyists. Since the New Mexico legislature is inundated with many "amateur" lobbyists, teachers for example, who work neither full time nor receive pay, it is necessary to use a broad definition, in order to include all people who attempt to influence the legislature. For the purpose of this study, a lobbyist is an individual or group who attempts to influence governmental decisions by actively contacting legislators. This definition meets the requirements of the Select Committee and of most of the New Mexico legislators.6

Characteristics

Detailed information on the characteristics of lobbyists is limited indeed. In his study, Lester Milbrath describes most lobbyists as more patient and gregarious than the average person. In his opinion, they are quite agreeable, honest, capable, manipulative, and persistent. To him, lobbyists have the average sociability, self-acceptance, and intellectual efficiency levels that one would expect of a professional man.7 However, significant data on the characteristics of New Mexico lobbyists, in particular, is simply non-existent.

In general, a majority of the legislators interviewed stated that a successful lobbyist plays two roles: an information provider for the legislators during the session
hours and a socializer after working hours. Distinct qualities are necessary for the performance of each role.

According to approximately two-thirds of the sample, the principal role of the lobbyist is the compilation of information for the legislators. Many lobbyists use facts and logical arguments to present their cases. Although he is an exception rather than the rule, the extremely effective lobbyist presents both sides of an issue. He is agreeable and willing to alter his point of view in order to compromise. Although such a lobbyist is probably an ideal, most legislators felt these interest group representatives, in order to be effective, are responsive to the information needs of the law-makers. An effective lobbyist is, ideally, honest, accurate, capable, and well-versed in his individual and committee presentations. Several legislators mentioned that an effective lobbyist has a reputation which evokes trust from other legislators.

A secondary subtle role of an effective lobbyist is as a socializer after working hours. Since a legislator's day hours are limited, much of a lobbyist's informative function is accomplished outside of the chambers at nighttime social gatherings. One lobbying technique is to meet a legislator for coffee, lunch, or dinner. The lobbyist subtly presents his point of view during these meetings. He knows which legislators can be persuaded by a pleasant and informal argument. One Bernalillo County Democrat described this
attack in that the lobbyist "convinces you without knowing you are being convinced." The gentle art of persuasion is such that the legislator does not know he is being convinced, until suddenly he realizes he has been convinced. The legislator is unaware during the process of conversion, but he is aware of the conversion at the conclusion of the meeting. This role requires the lobbyist to be well-known, a good judge of legislator attitudes, adept at personal relations, and able to soft-sell his arguments. An experienced Republican legislator, in a representative summary, felt "a good lobbyist must be a salesman, diplomat, have done his homework, and be well-versed in his field. He must be a combination of these four things, in addition to being glib and educated."10

Legislators emphasized the personality characteristics of the lobbyist. The literature, especially Milbrath's book, emphasizes experience as more important than personality.11 New Mexico legislators barely mentioned this criteria. A later portion of this chapter describes successful lobbies in some detail, shedding some light on the matter of how important experience is to a lobbyist's effectiveness.

Types of Lobbyists

Legislator interviews revealed a two-fold classification of lobbyists: a multi-issue (generalist) and a one-issue (specialist) lobbyist.12 The multi-issue lobbyist is a respected, amiable, corporation-executive type who is effective
and active on many issues, besides his professional field. He works full-time doing favors, giving advice, and helping legislators, whenever possible. He labors hard over detailed bills, provides valuable information on many issues, and is respected by many legislators. According to the twenty legislators who described this general type, the generalist lobbyist has greater influence because he is willing to admit his special interest, makes no unreasonable demands upon the legislature, and goes out of his way to be of assistance. In short, he promotes confidence because he is well-known and experienced. Often such men are called upon to draft bills. These men are the dedicated professionals, who are sincere in their jobs and their obligation to good government. Several important legislators speculated that this type is in the majority.

The second category, the one-issue lobbyists, consists of semi-professional and amateur lobbyists. These men are less well-known, less respected than the above and are usually interested only in pushing one particular bill through the legislature. Their demands are less reasonable and more specific than the expertise lobbyists articulate. These specialists float in on one issue, talk to many legislators, and appear at committee sessions; but in general, they give the impression of not being particularly interested in the work of the legislature. These people are usually less effective because their statistical presentations are doubted,
their help is ignored, and their techniques are disliked. In short, legislators claimed they doubted the sincerity of these lobbyists. The many amateur lobbyists, who go to Santa Fe occasionally to air their pet peeve or to exert their constitutional right to assemble, are included in this category. The League of Women Voters and some members of the Albuquerque Classroom Teachers Association are good examples of these volunteer lobbyists. The lone citizen, who complains about such issues as air pollution at committee hearings, also falls into this loose category.

General and Special Techniques

The different personal characteristics and varying roles of lobbyists result in a multiplicity of techniques of operation, which they use to attempt to influence legislators. Dr. Irion expressed one view of these techniques, claiming that "the rank and file of lobbyists spend their time in talking to other lobbyists. . . . Many of the lobbyists would prefer not to talk to legislators, for they have learned that it is difficult to influence most of them. Indeed, . . . many lobbyists spend their real lobbying efforts on their employers, whom they try to persuade that lobbying is indispensable when in actuality letters probably would receive more attention. . . . There are few skilled lobbyists who occasionally try to get their work done through the families and sometimes through the friends, business associates, and acquaintances of
certain legislators."\textsuperscript{17}

Dr. Thomas Donnelly, now the President of New Mexico Highlands University, expressed a different conception of lobbyist techniques in this statement:

On arriving in Santa Fe they (lobbyists) take quarters in one of the hotels and proceed to establish friendly relations with legislators. Usually they already have these relations established before coming to the capital, and in that case they merely renew them. After having taken some pains to build up friendships, they try to persuade legislators to sponsor a piece of legislation, or perhaps, to see that a proposal is killed in committee. Sometimes the persuasion goes the limit in the form of a preferred bribe. If the legislators are amenable to the persuasiveness of the lobbyist, all is well and good; the matter will rest there.\textsuperscript{18}

Donnelly further described what other methods a lobbyist may use to convince a legislator for:

If the legislators rebuff the lobbyist, he will, if he can, try to 'turn the pressure on.' This may consist in stirring up sentiment in the legislator's home district against his course of action. Prominent people back home are asked to write, telephone, or telegram the legislators urging them to change their mind. The home-town dailies and weeklies are asked to write editorials protesting against the legislator's attitude on the measure in question. Often the pressure may come through the governor's office if the lobbyist represents important economic or voting groups. If the pressure is effective, the lobbyist is able to whip the legislature into line. If it is not, and the legislature refuses to bend, the lobbyist fails.\textsuperscript{19}

Since the points underlined in these two quotes form a general
outline of a lobbyist's techniques, this overall description is basically true. However, the actual techniques of New Mexico lobbyists are less cloak and daggerish, more subtle, and more involved than Dr. Donnelly's statements imply.

A three-stage process, which begins long before the legislature convenes, is the general method used by organized, effective lobbies. The first stage occurs before the primary until election time in the immediate months before the January convening of the legislature. Before the primaries, representatives of the organized lobbies meet at conventions or conferences. At these meetings, the lobbies draft a series of resolutions, which outline their legislative proposals for the upcoming session. Appointed committees research these proposals into detailed prospective bills. Each interest group's screening committee transforms its proposals into a representative written or oral questionnaire, which is presented to primary candidates. Either the candidates speak to the interest group or they submit their positions on these proposals to the committees. On the basis of these questionnaires, interest groups endorse primary candidates throughout the state. Interest groups often provide money, registration help, or campaign workers for endorsed candidates.

If an interest group backs a loser in the primary, their strategy is to switch to another candidate. Knowing already that their influence is decreased by the failure of their original candidate to survive the primary, interest
groups now concentrate their efforts to get a second choice elected. Sometimes a lobby supports both primary candidates with workers or money. By helping both candidates, a lobby protects itself. The victor is less likely to be antagonistic to an interest group which has aided his campaign than to one which has not. If the interest group has backed a successful candidate in the general election, it has access in the legislature through this man. Due to these maneuvers, each lobby has some friendly legislators before the session begins.

The second stage of lobbying occurs during the period immediately after the election until the beginning of the legislative session in January. During this time, the chief aim of the interest group is to secure its influence with their endorsed candidates who won and to establish introductory relations with unendorsed victors. An effective lobby contacts all newly-elected legislators and outlines its program to them, usually at semi-social gatherings. Breakfasts and dinners are given to honor certain legislators. Some lobbyists go to the individual legislator's homes. In this manner, much of the social groundwork necessary for the support of legislative proposals is laid before the session begins.

The third stage of lobbying, which is the most hectic and complicated, occurs during the legislative session. Compared to other stages, the most information is available concerning this one. At this time, the informing and socializing roles of lobbyists enjoy their period of maximum activity.
The objective of lobbyists at this stage is the passage of legislation favorable to the interest group, and the defeat of legislation that is unfavorable. This latter preventive function is as important as the creative function, the passage of legislation. In one case, a lobbyist is said to have made a thirty year career of simply defeating legislation, and has contributed little creative work to the New Mexico legislature. According to several legislators, the passage of a bill in the legislature may be considered a four step process and the defeat of this bill is feasible at any step. The first step, the introduction of the bill into committee, is where most interest groups use their friendly legislators, or those who were supported in the elections. A friendly legislator introduces the bill and helps maneuver it through a committee of which he may or may not be a member.

An interest group must have men on every relevant committee in order to maneuver like this. The committee stage is the beginning and often the end of a bill. A lobbyist is effective if he knows his appropriate committee members well and can control prospective legislation at this important juncture. But a lobbyist must be able to judge attitudes and accurately count noses in order to ascertain where his efforts are most needed.

Assuming the bill has passed committee, the second step is to get the bill passed on the floor. Here the scope of the lobbying activities expands from the relevant committee to the
floor of the house. Smaller lobbies are here hindered by a lack of manpower. The organization and contacts, which a lobby has, become the determining factors in passing a bill at this level. As lobbyists themselves admit, the key people here are the committee chairman and the formal leaders, who may swing other legislators in either direction. The lobby must be able to expand its sphere of influence from the committee level to the house effectively. In a committee, a small minority can defeat a bill, but on the floor, a majority rules.

In the third step, the bill is transmitted to a committee in the other house. One freshman Republican Senator admitted that this is the key point on many bills, as "a lobbyist must push each member of the committee very hard... At this stage, a great deal of the logrolling occurs between lobbies who help each other. They neutralize the opposition by combining and manipulating." Many lobbies have more strength in one chamber than the other and need the help of a second lobby, when the bill changes chambers. Joint lobbying is very effective for this reason. Few legislators can resist the demands of two strong, cooperating lobbies.\textsuperscript{25} But cooperation means a lobby is willing to compromise in order to cooperate. No two groups favor the same bill in the same form. Thus compromise is needed for cooperation. By suggesting compromises to a bill, competing interest groups develop similar attitudes of compromise, prevent mutually
embarrassing fights, and lessen the extreme effect of the bill upon each side.

The final floor vote in the second house is the fourth and final step in the lobbying process in the legislative branch. (A great deal of lobbying may still occur before the governor signs the bill.) By this time, the verdict is usually determined; hence, this step is usually anti-climatic. Only rarely does a lobby pass or defeat a bill at this point.

At each of these four steps, lobbyists use many specific techniques to gain influence. The Milbrath and DeVries studies mentioned thirteen of these lobbyist techniques. Each legislator interviewed by this author evaluated the effectiveness of these thirteen lobbying techniques in the New Mexico legislature. The results are compared to those of the Milbrath and DeVries studies on the following page.

Lobbying Techniques in Comparison

According to Milbrath, the techniques were divided into three categories: direct personal contact; use of intermediaries; and the achieving and maintaining of access to a legislator. The four categories of answers illustrate the similarity of results between each of the four groups. In all four cases, legislators and lobbyists viewed direct personal contact methods as the most effective. Communication through intermediaries is the next most effective; and the achieving and maintenance of access is felt to be the least
### Table 2

**LOBBYING TECHNIQUES**

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#### Technique Key

**Direct Personal Contact**
- 1a. personal presentation of arguments
- 1b. presenting research results
- 1c. testifying at hearings

**Communication Through Intermediaries**
- 2a. being contacted by an influential constituent
- 2b. being contacted by a close personal friend or confidant
- 2c. a letter writing or telegram campaign
- 2d. the publicizing of voting records
- 2e. a public relation campaign to convince the general public of the organization's point of view

**Achieving and Maintaining Access**
- 3a. being invited to a party
- 3b. being entertained for an evening
- 3c. contributions of money to a political campaign, or threats not to do so
- 3d. contributions of work to a political campaign
- 3e. direct bribery

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effective general method in all three cases.\textsuperscript{28} Within specific categories, these New Mexico legislators view the presenting of research results (lb) as the most effective single lobbying technique. In contrast, the Milbrath and DeVries studies suggest personal presentation of arguments (1a) is the most effective technique. All four groups of respondents agree that direct bribery (3e) is the least effective technique.

Contributions of campaign workers, technique 3d, is the only significant variation in rankings among the four groups. New Mexico legislators rank it higher than the other groups did. A possible explanation of this ranking involves New Mexico's native vote.\textsuperscript{29} If such vote is dependable and easy to organize, a few campaign workers go a long way. A New Mexico politician can count on a few workers to bring in relatively more votes, in proportion, than a Michigan politician's workers would bring into the ranks. With this exception, however, the effective lobbying techniques in New Mexico are also viewed as effective in Washington, D.C. or in Michigan.

**Contacts**

Legislators viewed direct personal contact as the most effective lobbying technique. A logical question to raise next is to ask which New Mexico lobbies make the most direct personal contacts. Theoretically, these active lobbies are
also the most influential. The following pages determine the validity of this theory. In that direction, this section ascertains which lobbies are contacting which legislators. The interview data discloses the patterns of contacts.

Among legislators, formal leaders and committee chairmen know more lobbies and more details from their contacts with interest groups than other legislators do.\textsuperscript{30} Legislators in both parties expressed the belief that "the main way lobbyists work is to talk to the chairmen of committees."\textsuperscript{31} In particular, one group of influential lobbyists admitted that the leaders and committee chairmen were the people they would go to, to get action on a bill.\textsuperscript{32} One freshman Republican legislator complained that he had "had little direct contact with lobbyists, simply because he was a freshman."\textsuperscript{33} The men in formal positions of authority, then, are the ones being contacted by lobbies, who desire influence.

In order to determine which are the active lobbies, each legislator who was interviewed listed all lobbies which had contacted him during the session. In terms of the number of contacts made among the sample, the top ten lobbies are listed on the next page. Each legislator was asked which lobbies had contacted him. There was not any easily identifiable party pattern to these contacts.

Most of these groups are discussed elsewhere in detail; but generally, each uses a method of lobbying similar to the four-stage process discussed earlier.\textsuperscript{34} For the most part,
<table>
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<th>FREQUENCY (N)</th>
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<th>PRINCIPAL INTEREST GROUP</th>
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*aSource: Interview Data*
their chief lobbyists do fit the descriptions given previously in this chapter. Since direct personal contact is the most effective technique, and these groups make the most contact, these groups should also be among the most effective lobbies. The last half of this chapter ascertains if there is a relationship between effectiveness and activity by listing the most influential lobbies.

THE INFLUENTIAL LOBBIES

General Categories

One of the only articles available on New Mexico interest groups, written by Dr. Irion, suggests which interest groups were influential in New Mexico in the late fifties and early sixties. He claimed "it is the New Mexico Educational Association, not the Cattle Growers Association, which is referred to as the most powerful lobby in Santa Fe. . . The railroad lobby. . . formerly dominated New Mexico politics. . . Today the big-spending lobbies are those representing the alcoholic beverage industries and the trucking industries. . . Two other strong lobbies are the highly respected New Mexico Taxpayer's Association and the New Mexico Oil and Gas Association. . . The labor unions have perhaps the weakest lobbies in the state." Irion viewed the power of various New Mexico lobbies in that order in 1961. To determine the relative rankings of effective lobbies in 1967, the author asked each
legislator to name the lobbies he felt were most effective. This listing is based upon the legislator's own observations and inclinations, although not necessarily upon his personal contacts. The legislators stated both general and specific lobbies which are effective. A written questionnaire required the legislators to rank six general interest groups as to their relative power. The table on the next page illustrates the rankings, from one, as most effective, to six, as least effective. Four breakdowns give different categories of respondents.

The results are broken down into categories of Republicans and Democrats, Formal Leaders and Bernalillo County Legislators, and Experienced Legislators and Freshman Legislators. These breakdowns illustrate several interesting points. For example, the entire sample (4a) ranks labor, then education as the most effective lobbies in New Mexico. These two lobbies are also in the top four active lobbies in Table 3. Accordingly, governmental and religious lobbies are least effective on this ranking; and they do not appear on the Table 3 activity rankings. These two tables indicate a definite correlation between the amount of activity of an interest group and its influence or power, relative to other interest groups.

In the table on party scores (4b), the Republicans regard labor as the most influential group, as did the general sample; but Democrats place education in the top slot.
<table>
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<th>Formal Leaders (6)</th>
<th>Bernalillo County Legislators (21)</th>
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<tbody>
<tr>
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<tr>
<th></th>
<th>Experienced Legislators (12)</th>
<th>Freshman Legislators (15)</th>
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<tr>
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<td>Religion</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5.43</td>
</tr>
</tbody>
</table>

*aSource: Questionnaire Data

bNumbers are averages of groups
This correlates with Table 3, which shows Democrats have more contact with the education lobby than Republicans. Table 3 also points out that labor lobbyists contacted two more Republicans than Democrats. Thus these tables point out that there are only slight differences between which interest groups concentrate their lobbyists upon which party.

The breakdown on formal leaders and Bernalillo County legislators (4c) shows significant differences in the rankings of education and religion lobbies. The formal leaders of the Senate and House regard the religion lobby much higher than they rank the education lobby. The Bernalillo County legislators reverse the order of these two lobbies; this order is indeed the order for the entire sample.

The table on experienced and freshmen legislators (4d) illustrates that the education lobby is seen as less effective by experienced legislators than by new ones. Traditionally powerful lobbies, such as business, labor, and farmers, have more influence with veteran legislators than with freshmen. So the more experienced legislators pay more attention to the consistently powerful lobbies than they do to a lobby, such as education, which has only recently began to lobby full time. It is also true that experienced legislators are usually more removed from immediate contact with the education lobby; whereas several legislators have recently been students. The latter would naturally then have more contact with this lobby.
In the interviews, legislators named the specific interest groups, which they felt were the most effective in the last session. The top ten lobbies were named, as the table on the next page indicates.

Earlier it was hypothesized, with some proof, that active lobbies are usually powerful or influential lobbies. According to the legislators, the most effective lobbying technique is direct personal contact. Therefore the lobbies, who had the most contact or the most activity, would be the most influential. Table 5 confirms the validity of that hypothesis. Eight of the ten lobbies regarded as most influential are also regarded as most active. Earlier the written questionnaire supported the hypothesis, as education and labor were high on both tables. Power or influence is derived from direct personal contact by active lobbies.

There were two exceptions to this hypothesis on Table 5. The milk and banking lobbies are listed as effective, but not as active. The banking lobby, however, is not inactive; in fact, it was eleventh in the activity rankings. The milk lobby was not regarded as active because it was only interested in one bill, SB 236, during this session. This lobby was influential in the one bill they attempted to influence, as it passed. Since the scope of their lobbying was so limited, however, the milk lobby was not listed on the activity rankings.

Two active lobbies were not listed on the table of
# TABLE 5

**LEGISLATORS' PERCEPTION OF EFFECTIVE LOBBIES**

(Listed in order of decreasing effectiveness)

<table>
<thead>
<tr>
<th>FREQUENCY (N)</th>
<th>PARTY</th>
<th>LOBBY</th>
<th>PRINCIPAL INTEREST GROUP</th>
<th>CHIEF LOBBYIST</th>
</tr>
</thead>
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<tr>
<td>D</td>
<td>R</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>7</td>
<td>Education</td>
<td>Univ. of New Mexico</td>
<td>Dr. Sherman Smith</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>N.M.E.A., A.C.T.A.</td>
<td>Sallie Thompson</td>
</tr>
<tr>
<td>7</td>
<td>8</td>
<td>Liquor</td>
<td>N.M. Retail Liquor Dealers</td>
<td>Charles Villa, Dean Zinn</td>
</tr>
<tr>
<td>7</td>
<td>8</td>
<td>Labor</td>
<td>A.F.L.-C.I.O.</td>
<td>Al Rodriguez</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>Milk</td>
<td>N.M. Dairy Processor's Assoc.</td>
<td>Larry Ingrams, Dick Mather</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>Petroleum</td>
<td>N.M. Oil and Gas Assoc.</td>
<td>Joseph Palmer, Fred Moxey</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>Ranchers</td>
<td>N.M. Cattle Growers Assoc.</td>
<td>Robert Talbott</td>
</tr>
<tr>
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<td>5</td>
<td>Taxpayers</td>
<td>N.M. Taxpayer's Assoc.</td>
<td>Willard Lewis</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>Bankers</td>
<td>N.M. Bankers' Assoc.</td>
<td>Ray Davidson</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>Mining</td>
<td>N.M. Mining Assoc.</td>
<td>William Darmitzel</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>Home Builders</td>
<td>Home Builders' Assoc.</td>
<td>Howard Parsons</td>
</tr>
</tbody>
</table>

*Source: Interview Data*
effective lobbies. However, these two, the Western Association of Railroads and the New Mexico Municipal League, were in the top fifteen effective lobbies. So the influence and activity correlation does hold: active lobbies are influential lobbies.

Specific Categories

A deeper examination of some influential and active lobbies is presented here to test earlier generalizations. It will be determined how effective lobbies operate. The data for these descriptions comes primarily from lobbyists' publications, unpublished studies, and lobbyist and legislator interviews.

The Education Lobby. The education lobby is one of the strongest, most complex interest groups in New Mexico. It is divided into the higher education interests and the secondary and elementary school groups. Both sectors have distinct and complex factions. The college lobby, the least complex of the two sectors, is discussed first.

Generally, New Mexico higher institutions of education receive their budgets from the state Board of Educational Finance. Usually the B.E.F. allocates available funds among the different schools. Occasionally, the larger universities, especially the University of New Mexico and New Mexico State University, find it necessary to lobby for their own funds in the legislature. Although these two universities often
compete for the same limited funds, their most effective lobbying is accomplished when their lobbyists work together in articulating their demands before the legislature. Many legislators pointed out that the effectiveness of the B.E.F. and all the education lobbies in getting funds is entirely dependent upon the unity, and cohesiveness of their lobby.44

One 1967 bill, HB 76, which proposed a one hundred dollar ($100) tax on each student attending a state higher institution, was a good example of the importance of unity and cohesiveness in the education lobby. According to its proponents, this tax was to be paid by the county in which the school was located. Since such counties received economic benefits from the state-supported colleges, these benefits should be shared among the entire state, not just among these particular counties. As a form of profit-sharing, the county should be required to pay this tax, and the revenue would be given, on a per capita basis, to all counties. This bill would have principally affected Bernalillo County (the University of New Mexico) and Dona Ana County (New Mexico State University); for they maintain the state’s largest schools. The bill had been pushed through committee, the second step in a bill’s life, while several opponents were absent. The bill had reached the floor when several representatives from the affected counties called the two lobbyists for these two universities and asked them to help in contacting key legislators who could help kill the bill. Together these
lobbyists convinced the legislators to defeat the bill. Co-operation between the colleges and their lobbyists went far towards the success of this endeavor.45

The higher education lobbies work on a more informal authority basis than most; they receive few strict detailed orders from their superiors. A general higher level decision, such as to get a University of New Mexico medical school established, is made; then the lobbyists use whatever general methods they deem appropriate to accomplish this objective in the legislature. In this example, the lobby contacted and convinced key men, the Senate Majority Leader and the Appropriations Committee Chairman, of their needs. Whenever possible, education lobbyists do research on many subjects for the legislators to aid them in their daily work.

The principal difficulty, which faces both sectors of the education lobby, is the limited funds of the lobbies and the schools. The B.E.F. receives its budget each year; but conservative legislators rarely raise these appropriations every year, although education needs rise every year. Opposition does not form directly against education, as no one directly states opposition to improving education with additional funds. However, some groups, such as the petroleum and taxpayers' lobbies, oppose education funds at the cost of higher taxes on their interests. Through cohesiveness and subtle persuasion, however, the higher education lobby manages to win its healthy share of the battles with these interests.
The lower education teachers lobby, which is split ideologically, is generally less experienced in lobbying techniques than its counterpart from the higher institutions. Two organizations, the New Mexico Education Association (N.M.E.A.) and the smaller Albuquerque Classroom Teachers Association (A.C.T.A.), comprise the nucleus of this lobby.\textsuperscript{46}

In the introduction to this discussion of influential lobbies, Dr. Irion described the N.M.E.A. as the most powerful lobby in Santa Fe. At its founding in 1886, the organization stated its goals were: a) to promote the profession of teaching; b) to secure cooperation of all agencies for improving schools; and c) to elevate the educational interests of New Mexico.\textsuperscript{47} Since then, the N.M.E.A. has grown to a membership which includes ninety (90) percent of all New Mexico public school teachers. The N.M.E.A., which has become an important force in New Mexico, has a full-time secretary, presently James Green, in charge of lobbying activities.

An executive committee, which contains fifteen members from state districts, prepares budgets and sets policy guidelines. A four-hundred member N.M.E.A. Council, which formulates the general goals of the organization, supervises this committee. Usually, policy objectives stress appropriation increases from the legislature.\textsuperscript{48}

The usual N.M.E.A. lobbying technique, as described by Mr. Green, is that the executive committee passes a resolution stating needed legislation. The staff convinces
a friendly legislator to introduce the bill; then they will testify at committee hearings, present petitions from each of their districts, and appear en masse if necessary to make their point. The friendly legislator is obtained by the usual manner: N.M.E.A. campaigns, registration aids, and individual endorsements.49

Legislators agreed that the N.M.E.A. is the more effective of the two teachers lobbies. However, opponents of this lobby claimed it is less representative of teachers' needs than the Albuquerque Classroom Teachers Association. Sallie Thompson and Irvin Nolan represent the A.C.T.A. in Santa Fe. Although a 1964-65 split created a breach between the two organizations, a combined legislative program, agreed upon both by the N.M.E.A. and the A.C.T.A., governs their lobbying activities. The A.C.T.A. has incorporated most of its present demands within this combined program, at least in a formal sense.50

The A.C.T.A. follows many of the usual lobbying techniques: pre-session coffee meetings with legislators, distribution of legislative programs, and personal contact during the sessions. Their lobbyists try to make their presence known at committee hearings, watch activity from the galleries, and socialize after session hours, in an attempt to persuade legislators. Self-admittedly, one of the association's lobbyists this session was inexperienced, which hindered the lobby's overall effectiveness. The inexperience
of this lobbyist at cooperation with other lobbies meant that the lobby was usually fighting alone on issues, which gave legislators the impression that this lobby was an extremely selfish and uncompromising group. The techniques used were those of a politically naive group, such as threatened teacher walkouts, or strikes. These threats only alienated legislators against supporting this interest group. The pressure tactics only gave borderline legislators an excuse to oppose the lobby.

Although the organizations have merged somewhat at the higher levels, a further hindrance to the A.C.T.A. is the split with the N.M.E.A. which has not completely healed. A significant difference between the outlooks of the two groups still exists and the lobbyists sometimes reflect this difference. If the lobby is not unified, its efforts can be nullified. Because of its ability to work cohesively, the higher education lobby is usually more effective than the teachers' lobby, which is often torn with factionalism. Unity is one of the determining factors of the success of the education lobby.

The Labor Lobby. Earlier in this section, Dr. Irion claimed labor was one of the weaker New Mexico lobbies. Today, however, according to their chief lobbyist, labor covers a broader scope, has more experience, and works harder than they did earlier. As a result, legislators interviewed in 1967 stated that labor is quite influential in New Mexico politics.
The American Federation of Labor and Congress of Industrial Unions branch, which is the chief New Mexico labor interest group, formulates its legislative program a year before a legislative session. The first step in this program is a convention where local unions submit proposed legislation on such issues as safety codes, minimum wages, or unemployment compensation. Then the convention passes resolutions on these topics or other general subjects, such as right-to-work laws or civil rights. The lobbying staff, which is headed by Alfonso Rodriquez, does comprehensive research on the subjects of such resolutions. Usually, the labor legislation of other states, especially that of California, is researched for comparative purposes. Finally, a labor attorney checks the legal aspects of the bill, which is then drafted in preparation for the forthcoming session.52

The lobby staff prepares questionnaires, which are based on its convention resolutions, and screens various primary candidates. The lobby staff supports the choices with money and campaign workers from the political branch of the A.F.L.-C.I.O., its Committee on Political Education, in order to insure the election of friendly legislators.

The labor lobby reaches its maximum effectiveness during the legislative session. Since labor's lobbyists are usually workers, legislators are assured that these lobbyists understand the average workers' problems. These lobbyists are fully involved with their subject matter, the existing
laws, and the needs of the working man. The lobby, which spends much time talking to legislators about state issues, tries to present the management side of an issue when it differs from theirs. The chief lobbyist usually listens carefully to both sides of an issue and calculates when determined opposition cannot be converted. His objective is to maintain good relations for assistance with future bills.\textsuperscript{53} Labor works hard at the socializing role of lobbyists, in addition to providing information for legislators whenever possible. In this manner, contact with all legislators is established, such that none are reluctant to accept research help from labor when necessary.

One Democratic legislator from Bernalillo County offered an in-depth description of labor's help in drafting a bill, getting it to the floor, before the bill was tabled. The lobbyists then sat down with him and planned an effective strategy for the bill to be brought to a vote. When the principal opposition to the bill was absent, the bill was taken off the table. Since labor had previously counted votes and determined that without opposition on the floor the bill could be passed, debate on the bill was kept to a minimum. The labor lobby was essential in getting this legislator's bill through the Senate.\textsuperscript{54} Labor's chief accomplishment in 1967 was HB 119, which raised the hourly minimum wage to $1.25 with provisions for $1.60 by 1969. By his committee testimony, Alfonso Rodriguez was instrumental
in its success.

The labor lobby is adept at combining with other interest groups to pass a bill. Several interest groups, such as churches, and nurses, have joined in the past with labor. Labor's pragmatic approach, which means taking whatever help is available, adds significantly to its overall effectiveness.55

The Oil and Gas Lobby. Dr. Irion stated that the New Mexico Oil and Gas Association was an effective lobby, as evidenced by its favorable taxation and regulation legislation. New Mexico legislators rated the Association's chief lobbyist, Joseph Palmer, of the New Mexico Petroleum Industry's Committee, and his frequent co-worker, Fred Moxey, as among the best in the state.

A twenty-man committee formulates policy for this organization, which is composed of over twenty thousand oil men from sixty companies. Frequently, many oil men come into Santa Fe to help lobby, but full responsibility and confidence rests with these two men and their staff. The lobbyists file a weekly report on their progress, analyze legislation, and communicate the industry's needs to the legislature. Throughout the session, Palmer keeps in close touch by means of a daily case study report and his contacts with the leadership. In a personal interview with the author, Palmer cited the example of a bill, which would outlaw trading stamps, to illustrate the importance of maintaining contact
with the leaders. Palmer, who opposed the bill, was able to kill it by convincing the committee chairman that the bill would hurt the state's economy. 56

The lobby's usual policy is to talk to the victors after the election, rather than the normal process of starting before the primaries. There is less chance that legislators will be resentful toward the oil and gas lobby, if that lobby supports few candidates directly. After an election, an informal group of fifteen or twenty businessmen get together and choose legislators who are likely to be sympathetic to their interests. These are the men on whom the oil and gas association concentrates their lobbying. 57 Representatives go to their homes and spend considerable time outlining their program to the legislators. Lobbyists and visiting oil men are involved in this discussion with legislators.

During the period immediately after the election and before the session convenes, Palmer and his lobby accomplish much of their work, as a public relations staff goes to work distributing literature, speaking to groups, and doing research. Before the session convenes, Palmer establishes contacts and makes his program known to the key legislators. He admits that the actual lobbying during the session takes up less than five (5) percent of his time. 58

During the session, Palmer spends much time simply killing bills which are unfavorable to the industry. Defeating a bill is easier than passing a bill, since all that is
necessary is to convince a key legislator that the bill might be harmful. Palmer establishes doubt in the legislator's mind. Thus Palmer emphasizes personal contact as a part of his lobbying activities during the session. The extraordinary amount of information, which the petroleum lobby has access to, is due to the wide scope of their activities throughout the country.

As did labor, this lobby has the ability to combine with other strong interest groups. For example, the New Mexico Municipal League and the Oil and Gas Association had been fighting over a proposed gas tax bill for many years. The two lobbies finally agreed upon a bill during the 1967 session. Together they worked out all the statistics on the bill, its effect on each New Mexico community, and presented the statistics to the legislature during committee hearings. Several legislators stated they supported the bill only because both lobbies had joined together.59

As one Democratic Senator put it, the oil and gas lobby is strong because they know the right techniques to use, who to approach, and how to do so. Less time and money is spent and less force is used than by other lobbies because the oil and gas lobby knows the right techniques for both sides of the aisle. They work closely with Committee heads on details of complicated bills. One Democratic leader seemed proud that this lobby had taught him so much about secondary oil recovery during his work on the Finance Committee.
By such detailed lobbying, the oil and gas lobby gains friends among the legislators. By gaining friends, the lobby is able to maintain its place among the most effective New Mexico interest groups.

The Ranchers Lobby. Approximately thirty-five hundred regular and associate members make up the New Mexico Cattle Growers Association. The regular members meet every four months in different parts of the state to debate policy. Every March a convention of all members is held in Albuquerque. The regular members of the lobby participate in such diverse activities as women's organizations and teen clubs. The C.G.A. is probably the most all-encompassing organization of those interest groups studied, in that the entire family of members is included in its many activities. The organization also publishes a newsletter to keep its members abreast of legislative developments. 60

The objectives of the C.G.A. can be summarized by the following: "The Cattle Growers Association hopes to 1) study and promote the cattle industry, and to make scientific and practical investigations concerning the breeding, growing, and feeding of cattle; 2) promote the development of livestock growing and breeding, and to work for the eradication of the prevailing livestock diseases; 3) generally promote and cooperate with the Cattle Sanitary Board; 4) encourage and promote the conservation and proper use of grazing and range as well as that of natural resources; and 5) gather information
and assist in the prosecution of crimes and offenses against members of the association and others engaged in the livestock industry."

Aware of the problems of such a large membership, the C.G.A. attempts to unify its factions, in order to present a unified lobbying front. The ultimate goal of the lobby is cohesion between its many members. Several committees, with members from each faction, handle the policy-making aspect of lobbying. The head of the full-time staff is the executive secretary, Robert Talbott, who is also the chief lobbyist.

More than any of the afore-mentioned lobbies, the C.G.A. depends on informal meetings and social gatherings as paths to persuasion. The lobby has a sizable travel and entertainment budget, which contributes to its success. Otherwise, the C.G.A. uses the same successful techniques, such as research, running errands, and contacts, as the other effective lobbies.

As one key legislator pointed out in citing an example of the Cattle Growers lobby in action, the helpfulness of a lobby contributes greatly to its overall effectiveness. In this example, one Republican Senator asked three lobbies—the Oil and Gas, the Farm Bureau, and the Cattle Growers lobbies—to prepare a bill, which would deal with the land reappraisal problem in Bernalillo County. The three lobbies got together, worked out a suitable bill acceptable to all and thus solved a sticky problem facing the legislators, which was the question
of pleasing three lobbies. This is an example of why two of these three lobbies are among the most influential in New Mexico. The Cattle Growers is one of the more comprehensive lobbies in the state, as they are able and willing to do what they must to influence people.

The Home Builders Lobby. The five hundred regular and associate members of the Home Builders Association of New Mexico do eighty (80) percent of all home building in New Mexico. A twenty-nine member Board of Directors, which is chosen in a statewide election, heads the organization. An executive committee, which recommends and executes general policy guidelines, works under this Board. These general guidelines are an assimilation of suggestions by the local legislative committees of the home builders. Weekly reports which cover the implementation of these suggestions are submitted by the lobbyist staff.62

In actuality, the lobbying staff, which is headed by Executive Vice-President Howard (Peg) Parsons, has complete authority to act during the session. Parsons, the only active lobbyist for the Home Builders, watches every relevant bill closely and is known by every important legislator, especially committee chairmen and the formal leadership. Many of these leaders were high in their praise of Mr. Parsons. The research facilities of the lobby are comprehensive, due to a full-time staff and a nationwide organization.

As with many effective lobbies, Parsons begins the
Home Builders' work the December before the session when he attempts to meet every legislator and presents his legislative program to them. By sending letters of information about his work, Parsons assures himself that each legislator will have some familiarity with the Home Builders. During the legislative session, Parsons attempts to further this relationship with each legislator whenever possible.

According to legislators, Parsons' strong point is his excellent performance of the multi-issue role. Between research work and running errands, Parsons maintains contact with many legislators. His detailed reading of most bills and his ability to analyze both sides of a problem make him an invaluable aid to many legislators. Several legislators remarked that Parsons increases his influence by never pleading for support, by asking legislators, while they debate his suggestions, to use their judgment according to their general principles. Parsons is also adept at combining the socializing and informative roles of a lobbyist. The Home Builders lobby is also noted for their willingness to cooperate with others, such as the Municipal League, the Taxpayers Association, and the mining industry.63

The Cities Lobby. One of the more active and influential lobbies is the New Mexico Municipal League, which represents all the cities and towns of New Mexico. Although the lobby only ranks twelfth in the effective lobby ratings, the chief lobbyist, Don Rider, is generally acknowledged to be one of
the best in Santa Fe. The legislative committee of the League, which is composed of leaders from the major cities of the state, accepts legislative proposals from municipal officials. This committee prepares definite legislative proposals for discussion at legislative conferences of the entire League. The most recent conference was held March 1, 1967 at Santa Fe, when over one hundred and fifty officials from twenty cities met to consider current legislation, including a successful gasoline tax.

The League staff, which is headed by Executive Director, Don Rider, publishes a Newsletter, The Municipal Reporter, and handles all lobbying activities of the organization. The staff usually supports only fifteen or sixteen legislative measures each session, in order to concentrate its activity. Much of Rider's activity in Santa Fe in the 1967 session was concentrated on one bill, SB 166, the gas tax.

Rider did work closely in the 1967 session with another associated lobby, the City of Albuquerque, whose chief lobbyist is the city attorney, Frank Horan. The two combined to draft and gain support for a municipal one-cent sales tax bill, SB 230. This bill would have created a state sales tax to replace an individual city sales tax, which was presently in existence in thirty-six municipalities. The bill would have made the sales tax throughout the state uniform; however, it did not pass.
Similar problems face Albuquerque and all New Mexico cities in general; for, a municipality is legally a creature of the state. Therefore on all matters, where a city wants to do something, the city must obtain a specific grant of authority from the state legislature. Airports, public transit, and urban renewal projects are areas where this grant of authority is controversial. The city, for example, may not begin an urban renewal project without obtaining consent from the state legislature.

Generally, Moran and Rider use the same lobbying techniques: committee presentations and individual discussions. They use direct personal contact methods of lobbying. Both emphasize the necessity to tailor their arguments on a specific subject to a particular legislator's philosophical attitudes. To them, lobbying depends on the approach made to each legislator. Every legislator must see the need for a bill and understand the complicated legal details, which face the city interests. Thus, Moran and Rider are great believers of a great deal of personal contact and detailed explanation. The use of time-consuming techniques probably explains why both men cannot handle a great number of bills during a session. But it also explains why both men are so successful and influential.
SUMMARY

This chapter clarified several concepts about New Mexico lobbyists. As used in this study, a lobbyist is anyone who attempts to influence the legislature by actively contacting legislators. Legislators see New Mexico lobbyists as personality types, or salesmen who know their fields and know how to see that their interests are well-represented in the legislature. In general, most New Mexico lobbyists play either a multi-issue or a one-issue role.

As described in this chapter, the general techniques, which lobbyists use, involve a three stage lobbying process from a pre-primary period until the session itself. During the session, lobbyists are faced with four slow and difficult steps before a bill passes. Specific lobbying techniques which are used to facilitate the passage of a bill, or the defeat of one, emphasize direct personal contact methods, especially presentations of research results and testimony at committee hearings. Defeat of a bill is clearly easier than the passage of one.

The principal active and effective New Mexico lobbies are identified in this chapter. Comparisons between these identifications showed a positive correlation between the activity and effectiveness of a lobby. Besides comparisons between general lobbies, specific interest groups and lobbyists were described. An examination of some specific effective interest groups confirmed which lobbying techniques are, in
fact, successful. Effective lobbyists do indeed emphasize direct contact methods. On this point, these findings agree with Milbrath's statement that food, liquor and entertainment are no longer considered effective lobbying techniques. 68

This chapter, then, identified the principal effective New Mexico lobbies and their basic methods and techniques of operation. It also shed some light on other major questions of this thesis. For example, in Chapter II, Dr. Judah's work brought up the question of party competition for public office in New Mexico. 69 The differences in each party's rankings of effective lobbies would suggest some differences, if only in perceptions of influential interest groups, do exist between New Mexico political parties. 70 The next chapter deals further with this query, as it discusses differences between party perceptions and attitudes.

In attempting to describe legislators' attitudes towards lobbyists, several points are apparent, at this stage. The legislator viewpoint is that lobbyists are helpful, cooperative, and generally beneficial to the legislature. Although the sample was bias in that no lobbies, which were viewed unfavorably by legislators, were studied, the general image of lobbyists is quite favorable. In fact, few legislators made extensive adverse comments about any lobbies. This image, at this point, would seem to be totally favorable. The next chapter evaluates the legislator image of lobbyists in more detail. Specific statements are made about specific
actions of lobbyists and lobbies. Perhaps then, it can be determined more clearly what the composite effect of lobbying is upon New Mexico, from the viewpoint of its legislature.
CHAPTER III FOOTNOTES

1 Charles B. Judah and Frederick C. Irion, The 47th State, Division of Research, Department of Government, University of New Mexico, 1959, p. 38.

2 Idem.

3 Frederick C. Irion, The State of New Mexico Twenty-third Legislature, Division of Research, Department of Government, University of New Mexico, 1957, p. 26.

4 United States House of Representatives, Select Committee on Lobbying Activities Report, March 27, 28, and 30, 1950, p. 7 and p. 124.

5 Ibid., p. 124.

6 Twenty-two of the legislators interviewed gave a similar definition of lobbying, or would accept this definition in view of futile attempts to arrive at a better one.


8 All the legislators interviewed mentioned one of these two roles and twenty-one described a variation of these two.

9 Only fifteen of the legislators mentioned this role; whereas the informing role was mentioned thirty-eight times. Only two legislators simply mentioned the socializer role.

10 Milbrath, op. cit., p. 225, describes a similar good, i.e. effective, lobbyist type.

11 Ibid., p. 108.

12 Irion, op. cit., p. 27, describes five types of lobbyists: lawyers, personality type, cloak and dagger operations types, association representatives, and organizers. However, since two-thirds of this sample divided lobbyists into these two types, the author decided to use that division.
Although this ideal described is admittedly unrealistic, the slight exaggeration is intended only to clearly define the extremes between these two types. Surely, some lobbyists will lie somewhere in the middle.

All the formal leaders interviewed agreed with this statement. Of the approximately one-third of the sample who was asked to comment on this statement, none would openly dispute it, although some refused to comment upon an actual figure of lobbyists who fitted this type.

The lobbying of Peter Gallagher on the Daylight Savings Bill was related to the author as an example of this by two legislators. Gallagher, an inexperienced lobbyist, flooded legislators with telegrams against the bill, SB 256. The mistake was that the telegrams were all from one single phone number. He had picked the names of the signees from a phone book. Milbrath, op. cit., p. 247, claims such techniques as this are worthless.

One amateur pilot, Joe Devaney, happened to appear at a committee hearing the author attended on February 22, 1967 and was complaining how he had noticed the increasing amount of air pollution over the Rio Grande Valley in the past fifteen years. A.C.T.A. members, who drive up often to lobby, do so on their own and are not paid. The L.W.V. is composed of housewives who do work during the session, advocating specific proposals, for example, a constitutional convention. They work with party leaders, just as regular lobbies do. They create public pressure upon the legislature.


Idem. (emphases mine)

This method is true of most of the highly-organized lobbies in Bernalillo County, especially those described later in the chapter.

The author assumes an election year. In a non-election year, this stage is usually by-passed.

Each lobbyist interviewed confirmed this statement.

Several legislators confirmed that the lobbyist for the Public Service Company of New Mexico is the case described here.
One experienced Democrat suggested interest-backed legislators are located on the following committees: liquor in the Public Affairs, bank interests in the Judiciary, and insurance interests in the Corporation Committee. But then, these are rather obvious places for such interests to go. This discovery does not seem to be that unusual, in that representatives go where their backers desire them to go.

The gasoline tax, which is discussed later in this chapter and in Chapter V, is a good example.

Walter DeVries, The Michigan Lobbyist, Unpublished Ph.D. dissertation, Michigan State University, 1960, and Milbrath, op. cit. In chapter five of his study, DeVries discussed the results of his interviews with Michigan lobbyists and legislators. He uses the same thirteen techniques, which Milbrath uses. These are the rankings which the Michigan lobbyists gave to the techniques. In chapters ten through thirteen of his book, Milbrath gives the rankings which Washington lobbyists and legislators gave to the thirteen techniques. Rank scores merely are averages. New Mexico legislators ranked the thirteen techniques on a ten point scale. These numbers are averages of New Mexico legislators.

Milbrath, op. cit., chapter ten.

If one assumes the latter access techniques are derived from experience, and the personal contact techniques emphasize personality, then these results suggest personality is more important than experience, as page fifty-five suggests.

See the Chapter II discussion of the Spanish-American "bloc" vote.

The leaders interviewed, in this author's opinion, appeared to be the most informed of the entire sample.

All the leaders and approximately seven members of each party made a statement similar to this one.

Right of the lobbyists interviewed agreed with this.

Not only one Republican, but seven Democrats voiced a similar complaint.

See the discussion of the three stage process of lobbying in this chapter.
35 See the discussion of the characteristics of lobbyists in this chapter. Several legislators mentioned Franklin Jones as one of the most effective lobbyists, but he was not listed here because he was not the chief lobbyist for any of the top lobbies.

36 Frederick C. Irion, "New Mexico: The Political State," in Dr. Frank Jonas, Western Politics, Salt Lake City: University of Utah, 1961, p. 238.

37 As used in this chapter, an interest group's power is measured by its effectiveness in influencing legislation. Legislators make these measurements in the written questionnaires.

38 Since these categories are not inclusive of all general interest groups, the results may not be as complete as possible. Within these six categories, for example, it is difficult to explain where the liquor lobby would belong. However, they do serve as the basis for some comparison. The breakdowns are explained in Chapter IV and the Appendix.

39 An explanation for this is that religious leaders actively lobbied the leaders on an abortion bill and almost ignored other legislators. The education lobby also seemed to concentrate its activities on the less experienced legislators.

40 Since the Bernalillo County legislators comprise two-thirds of the sample, it is not surprising that they set the trend.

41 See Table 4 in this chapter.

42 One of the strongest lobbies, liquor, which also tests generalizations, is discussed in Chapter V, although it could have been discussed in this section.


44 This lobby is the best New Mexico example of the importance of cohesiveness contributing to a lobby's effectiveness. Several legislators suggested that whenever the two large state universities work together in presenting the same two viewpoints on an issue, it is difficult to oppose them successfully. The lower education lobby, several respondents reported, failed to get their demands often because the lobbyists were presenting two separate points of view with separate sets of facts. Unity and cohesiveness are essential elements to success.
One Bernalillo County Democrat related this incident to the author.


Personal Interview with James Green, May 6, 1967.

Idem.

Thompson, interview, loc. cit.

Personal Interview with Professor Anthony Hillerman, assistant to Dr. Sherman Smith, June 6, 1967. Albuquerque Journal, March 8, 9, 16, 23, and 24, 1967 reports these threats.

Personal Interview with Al Rodriguez, June 6, 1967.

Idem.

Al Rodriguez confirmed this story.

Idem.


Idem.

Idem. Milbrath, op. cit., p. 118, reports that seventy (70) percent of his lobbyists spend less than five (5) percent of their time on this aspect of lobbying.

See Chapter V for a case study of this bill.

Personal Interview with Robert Talbott, June 8, 1967. Milbrath, op. cit., p. 205, reports that this is common activity of lobbies.

The New Mexico Stockman, April, 1955.

Personal Interview with Howard Parsons, May 2, 1967.

Idem.
Several leaders and legislators from each party expressed admiration for Mr. Rider, notably a total of ten from the entire sample.


Ibid., March 15, 1967.

Personal Interview with Frank Horan, May 1, 1967.

See the Chapter I discussion of Milbrath's book.

See the Chapter II discussion of party competition in New Mexico.

See Table 4 in this chapter.
CHAPTER IV

LEGISLATOR AND LOBBYIST ATTITUDES

INTRODUCTION

The preceding chapter identifies the principal New Mexico lobbyists and describes the method of operation which governs their interaction with legislators. This chapter discusses the attitudes of New Mexico legislators toward their interaction with lobbyists. These attitudes are measured through questionnaire items which were obtained in legislator interviews with the author and distribution tables. Several general hypotheses, which are suggested by the existing literature on legislator attitudes, are related to the specific New Mexico setting. To determine if groups of legislators have more favorable attitudes toward lobbyists, the interview data is broken down into categories. This chapter points out some generalizations about these groups and possible motivations behind differences in legislator attitudes toward lobbyists.¹

Hypotheses

The literature on interest groups and the interview data, which are discussed in Chapters I and III, respectively,
suggest several questions about legislator and lobbyist interaction. For example, two studies report that the general public feels lobbyists exert a negative influence upon legislators by hindering their daily work.\(^2\) The third chapter states that most legislators believe lobbyists serve a useful, and positive, function in aiding the work of the legislature.\(^3\) An apparent division exists, then, between public and legislator attitudes toward lobbyists. However, just as every citizen does not agree with the general public attitude, every lawmaker does not agree with the general legislator attitude. In fact, if one considers a completely negative (disutility of lobbyists) and a completely positive (utility of lobbyists) attitude as two extremes, many legislators clearly fall between these extremes; that is, some lobbyists perform some useful functions. The general public, however, averages closer to the negative extreme than do legislators.

Not all legislators, however, have similar positive attitudes toward lobbyists. A few legislators may be closer to the negative viewpoint than to the general legislator consensus. Wahlke suggests that less experienced legislators, indeed, have a less favorable, more negative attitude toward lobbyists than their more experienced counterparts.\(^4\) His implication is that the longer a legislator serves, the more he believes lobbyists are useful and needed in the legislature.

Besides the utility question, a similar area for study
in this chapter concerns the power of interest groups. Although the preceding chapter lists individual effective interest groups, no evaluation of the general effect of all interest groups upon the legislature has been made. Professor Matthews found that United States Senators do not fear the influence, or power, of lobbyists in the Senate. These Senators feel that legislators have many methods of threatening a lobbyist, such that a lobbyist could not influence the legislature to any great extent. In accordance with the previous paragraph, freshmen legislators would seem to resent lobbyist influence more than experienced leaders would. In any case, whether or not New Mexico legislators consider lobbyists' influence effective and whether or not they resent this influence are determined in this chapter.

The Judah study questions whether interest groups are indicators of public opinion. Do interest groups represent small isolated segments of the public or a representative cross-section of the entire public? Since this question cannot be determined by this study, the question pursued is therefore an offshoot of that question. Restated, the question which this study examines is, whether or not New Mexico legislators feel interest groups reflect general public opinion. Again, considering Wahlke's experience factor, a legislator's answer to this question may depend upon his length of service.

A fourth area of investigation in this chapter relates
to the techniques of lobbies and the repercussions of these activities. The negative public image of lobbies includes a feeling that lobbyists use illegal, strong-arm techniques to influence legislators. The supposed use of such methods has prompted a popular outcry of the need for lobby regulation, especially in leading New Mexico newspapers. Although Milbrath found Washington lobbies do not use such methods as bribery to any extent, New Mexico legislators and lobbyists have been accused many times of such tactics. But again, the question which is answered here is not whether such methods are in fact used, but whether legislators believe lobbies use illegal methods. If the latter is the case, then the legislators would be more inclined to feel regulations are needed for lobbyists.

In terms of legislator perceptions, four general considerations are: the utility of lobbyists; the influence of lobbyists; the possible correlation between interest group opinion and public opinion; and the need for regulation. How do legislators view these? And further, do distinct groups of legislators deviate from the norm on their views?

With regard to this last question, the Wahlke experience factor suggests a tenure distinction which may relate to group deviations from the sample. Experience may enhance a legislator's image of lobbyists, and also affect his subsequent perceptions. This chapter determines the validity of this correlation. To do so, three categories are used to measure
different ranges of experience. In a seniority system, the legislators with the most experience are usually the formal leaders: the Speaker of the House, the Party leaders, and the President of the Senate. Accordingly, the legislators with the least experience are the freshmen. A middle category, the transition group, fits into neither of the other categories. These legislators are experienced, but are not leaders. Thus three categories—formal leaders, transition group, and freshmen—are used to relate the experience factor to each of the four areas of investigation.

In answering these four general questions, twenty-eight New Mexico state legislators responded to a one-page written questionnaire, which contained thirteen statements. The possible responses of each legislator to each of the thirteen statements were fivefold: strongly agree (SA), agree (A), no opinion (N), disagree (D), and strongly disagree (SD). The sample was then broken down according to three characteristics of legislators: party affiliation, leadership position, and legislative experience. Based on these categories, the breakdown of these characteristics is illustrated on Table 6, on the following page.

THE RESULTS

This section discusses the results of the empirical data, which concerns New Mexico legislator attitudes toward lobbyists in the four areas which were previously mentioned.
### TABLE 6
SAMPLE CHARACTERISTICS: PARTY, LEADERSHIP, AND EXPERIENCE

#### A. PARTY AFFILIATION

<table>
<thead>
<tr>
<th>Republicans - 15</th>
<th>Democrats - 13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal Leaders</td>
<td>2</td>
</tr>
<tr>
<td>Experienced</td>
<td>6</td>
</tr>
<tr>
<td>Freshmen</td>
<td>9</td>
</tr>
<tr>
<td>Bernalillo County</td>
<td>13</td>
</tr>
</tbody>
</table>

#### B. LEADERSHIP POSITION

<table>
<thead>
<tr>
<th>Formal Leaders - 6</th>
<th>Bernalillo County - 22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republicans</td>
<td>2</td>
</tr>
<tr>
<td>Experienced</td>
<td>6</td>
</tr>
<tr>
<td>Freshmen</td>
<td>0</td>
</tr>
<tr>
<td>Democrats</td>
<td>4</td>
</tr>
</tbody>
</table>

#### C. LEGISLATIVE EXPERIENCE

<table>
<thead>
<tr>
<th>Experienced - 13</th>
<th>Freshmen - 15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republicans</td>
<td>6</td>
</tr>
<tr>
<td>Formal Leaders</td>
<td>6</td>
</tr>
<tr>
<td>Bernalillo County</td>
<td>7</td>
</tr>
<tr>
<td>Democrats</td>
<td>7</td>
</tr>
</tbody>
</table>
The responses to each of the thirteen statements are broken down into categories and listed in tables. The hypotheses, which were evaluated in the questionnaire, are organized according to the four areas and are examined. The general questions are examined in terms of legislator perceptions of interest groups. The differences in characteristics of the sub-groups provide the most interesting and significant findings of this chapter.

**The Legislator Image of Lobbyists' Utility**

Seven statements on the questionnaire relate to the question of the utility of lobbyists. The results of statements one, three, four, five, six, eight, and nine are shown on Tables 7 through 13, respectively. Each statement and table is discussed separately, since each statement has some bearing on the utility question. Then, an answer to this entire question is given.

Table 7 presents the various divisions in the legislator responses to statement one of the questionnaire. Clearly, a majority of seventy-five (75) percent of all legislators disagree with this statement. Legislators are not misled as to the actual interests of lobbyists; they recognize that lobbyists do not realistically represent the entire public. They represent primarily their employers.

Most percentage differences are small on the sub-table breakdowns. Most legislator groups do not differ from the
### TABLE 7
INTEREST GROUPS COMMUNICATE THE GENERAL WILL OF
THE PUBLIC TO THE LEGISLATURE

<table>
<thead>
<tr>
<th>Response</th>
<th>Republicans</th>
<th>Democrats</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>6% (1)</td>
<td>8% (1)</td>
<td>7%</td>
</tr>
<tr>
<td>A</td>
<td>0%</td>
<td>15% (2)</td>
<td>7%</td>
</tr>
<tr>
<td>N</td>
<td>13% (2)</td>
<td>8% (1)</td>
<td>11%</td>
</tr>
<tr>
<td>D</td>
<td>67% (10)</td>
<td>54% (7)</td>
<td>61%</td>
</tr>
<tr>
<td>SD</td>
<td>13% (2)</td>
<td>15% (2)</td>
<td>14%</td>
</tr>
</tbody>
</table>

### B.

<table>
<thead>
<tr>
<th>Response</th>
<th>Formal Leaders</th>
<th>Bernalillo County</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>0% (1)</td>
<td>9% (2)</td>
<td>7%</td>
</tr>
<tr>
<td>A</td>
<td>17% (1)</td>
<td>5% (1)</td>
<td>7%</td>
</tr>
<tr>
<td>N</td>
<td>17% (1)</td>
<td>9% (2)</td>
<td>11%</td>
</tr>
<tr>
<td>D</td>
<td>50% (3)</td>
<td>65% (14)</td>
<td>61%</td>
</tr>
<tr>
<td>SD</td>
<td>17% (1)</td>
<td>14% (3)</td>
<td>14%</td>
</tr>
</tbody>
</table>

### C.

<table>
<thead>
<tr>
<th>Response</th>
<th>Experienced</th>
<th>Freshmen</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>0% (1)</td>
<td>13% (2)</td>
<td>7%</td>
</tr>
<tr>
<td>A</td>
<td>8% (1)</td>
<td>7% (1)</td>
<td>7%</td>
</tr>
<tr>
<td>N</td>
<td>23% (3)</td>
<td>0%</td>
<td>11%</td>
</tr>
<tr>
<td>D</td>
<td>54% (7)</td>
<td>67% (10)</td>
<td>61%</td>
</tr>
<tr>
<td>SD</td>
<td>15% (2)</td>
<td>13% (2)</td>
<td>14%</td>
</tr>
</tbody>
</table>

*Source: Statement one of the questionnaire*
general consensus. Most legislators accept lobbyists as representatives of special interests, not as representatives of the general public. The legislators, who disagree, apparently do not have any common characteristics of experience, party, or leadership position. The legislator image of lobbyists, as shown by this table, is that they are self-centered in that they essentially only transmit their own will to the legislature; but this discussion does not completely answer the question of the utility of lobbyists.

Table 8 directly presents the question of interest group influence before the legislators. Besides the influence question, however, this statement relates to the question of image. If one assumes an attitude advocating the disutility of lobbyists, an unfavorable image of lobbyists might include a resentment of their influence; therefore, legislators who agree with this statement would tend to have less favorable images than those who disagree.  

Republicans agree with this statement by a two-to-one majority; whereas, Democrats divide evenly. There is an interesting difference between Tables 8B and 8C. In 8B, the formal leaders overwhelmingly disagree with statement three; while the Bernalillo County legislators overwhelmingly agree. In 8C, the experienced legislators, which included the formal leaders and the experienced non-leaders, are almost equally divided; whereas freshmen agree. In other words, there are significant differences between these tables.
<table>
<thead>
<tr>
<th>A.</th>
<th>Response</th>
<th>Republicans</th>
<th>Democrats</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>13% (2)</td>
<td>15% (2)</td>
<td></td>
<td>14%</td>
</tr>
<tr>
<td>A</td>
<td>54% (8)</td>
<td>31% (4)</td>
<td></td>
<td>42%</td>
</tr>
<tr>
<td>N</td>
<td>0%</td>
<td>8% (1)</td>
<td></td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>34% (5)</td>
<td>31% (4)</td>
<td></td>
<td>32%</td>
</tr>
<tr>
<td>SD</td>
<td>0%</td>
<td>15% (2)</td>
<td></td>
<td>7%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B.</th>
<th>Response</th>
<th>Formal Leaders</th>
<th>Bernalillo County</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>0%</td>
<td>18% (4)</td>
<td></td>
<td>14%</td>
</tr>
<tr>
<td>A</td>
<td>17% (1)</td>
<td>51% (11)</td>
<td></td>
<td>41%</td>
</tr>
<tr>
<td>N</td>
<td>0%</td>
<td>5% (1)</td>
<td></td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>67% (4)</td>
<td>23% (5)</td>
<td></td>
<td>32%</td>
</tr>
<tr>
<td>SD</td>
<td>17% (1)</td>
<td>5% (1)</td>
<td></td>
<td>7%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.</th>
<th>Response</th>
<th>Experienced</th>
<th>Freshmen</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>8% (1)</td>
<td>20% (3)</td>
<td></td>
<td>14%</td>
</tr>
<tr>
<td>A</td>
<td>46% (6)</td>
<td>40% (6)</td>
<td></td>
<td>42%</td>
</tr>
<tr>
<td>N</td>
<td>0%</td>
<td>7% (1)</td>
<td></td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>38% (5)</td>
<td>27% (4)</td>
<td></td>
<td>32%</td>
</tr>
<tr>
<td>SD</td>
<td>8% (1)</td>
<td>7% (1)</td>
<td></td>
<td>7%</td>
</tr>
</tbody>
</table>

*aSource: Statement three of the questionnaire*
Clearly, the addition of the experienced non-leaders, or the transition group, to the experienced side in 8C from the Bernalillo County side in 8B, changes this experienced side from disagreement to divided opinion, with neither opinion in a majority. The transition group essentially feels that interest groups have too much influence, as the freshmen legislators also feel. The formal leaders do not believe interest groups have too much influence, and less-experienced legislators feel the opposite. If then the assumption relating the influence and the utility images is valid, the legislator image of lobbyists becomes more favorable with legislative experience. Experienced legislators appreciate a lobbyist's activities more than his less-experienced counterpart.

Table 9 is the converse of Table 7. In showing that interest groups represent special groups, the responses are consistent with Table 7, which showed interest groups are considered self-centered. All legislators, formal leaders by the largest percentage, agree with this statement. About one-quarter of the freshmen do disagree. Formal leaders, then, judge lobbyists as normally representatives of special interests. Accordingly, a legislator may recognize and may appreciate a lobbyist who goes out of his way to present views other than those in his self-interest in order to assist the legislator. This, perhaps, is why the generalist is highly regarded; for he is a recognized special interest man; yet he
### TABLE 9

**INTEREST GROUPS PROMOTE LEGISLATION FOR THE BENEFIT OF SMALL, SPECIAL GROUPS OF PEOPLE, RATHER THAN FOR THE GENERAL PUBLIC**

<table>
<thead>
<tr>
<th>Response</th>
<th>A. Republicans</th>
<th>Democrats</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>7% (1)</td>
<td>15% (2)</td>
<td>11%</td>
</tr>
<tr>
<td>A</td>
<td>74% (11)</td>
<td>60% (3)</td>
<td>69%</td>
</tr>
<tr>
<td>N</td>
<td>7% (1)</td>
<td>0%</td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>7% (1)</td>
<td>8% (1)</td>
<td>7%</td>
</tr>
<tr>
<td>SD</td>
<td>7% (1)</td>
<td>15% (2)</td>
<td>11%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Response</th>
<th>B. Formal Leaders</th>
<th>Bernalillo County</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>0% (5)</td>
<td>14% (3)</td>
<td>11%</td>
</tr>
<tr>
<td>A</td>
<td>83% (5)</td>
<td>65% (14)</td>
<td>69%</td>
</tr>
<tr>
<td>N</td>
<td>0% (1)</td>
<td>5% (1)</td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>17% (1)</td>
<td>5% (1)</td>
<td>7%</td>
</tr>
<tr>
<td>SD</td>
<td>0% (1)</td>
<td>14% (3)</td>
<td>11%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Response</th>
<th>C. Experienced</th>
<th>Freshmen</th>
<th>Total</th>
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<tbody>
<tr>
<td>SA</td>
<td>15% (2)</td>
<td>7% (1)</td>
<td>11%</td>
</tr>
<tr>
<td>A</td>
<td>68% (9)</td>
<td>67% (10)</td>
<td>69%</td>
</tr>
<tr>
<td>N</td>
<td>8% (1)</td>
<td>0%</td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>8% (1)</td>
<td>7% (1)</td>
<td>7%</td>
</tr>
<tr>
<td>SD</td>
<td>0% (1)</td>
<td>20% (3)</td>
<td>11%</td>
</tr>
</tbody>
</table>

*Source: Statement four of the questionnaire*
is trusted to present both sides. The utility of the generalist, who is not self-centered, is more readily accepted by legislators than specialist lobbyists, who represent small, selective, special groups.

Table 10 introduces a sensitive issue, bribery. Bribery relates to the utility of lobbyists in that a negative response to this question suggests lobbyists are not useful or, at least, needed. If legislators are not vulnerable, then lobbyists cannot utilize illegal pressures and are looked upon more favorably. But if legislators are vulnerable, then bribery is a possibility and lobbying is viewed as, at least potentially, disreputable.16

Party differences are not great, as Democrats disagree only slightly more than Republicans. In 10B and 10C however, further light is shed on the attitudes of the transition group. Three-quarters of the entire sample disagree with this statement. The formal leaders strongly disagree; the transition group splits almost evenly; and one-quarter of the freshmen disagree. Thus the transition group appears least certain of the lobbying image regarding bribery. Again the most favorable image exists among the formal leaders.

Table 11 presents data which concerns the utility image and influence of New Mexico lobbyists. Republicans overwhelmingly disagree with this statement; whereas, Democrats split. The group differences in Tables 11B and 11C are small.
TABLE 10

NEW MEXICO LEGISLATORS ARE VULNERABLE TO ILLEGAL PRESSURES, SUCH AS BRIERY

A. Response | Republicans | Democrats | Total
--- | --- | --- | ---
SA | 0% | 0% | 0%
A | 27% (4) | 15% (2) | 21%
N | 13% (2) | 7% (1) | 11%
D | 40% (6) | 30% (4) | 36%
SD | 20% (3) | 46% (6) | 32%

B. Response | Formal Leaders | Bernalillo County | Total
--- | --- | --- | ---
SA | 0% | 0% | 0%
A | 0% | 27% (6) | 21%
N | 17% (1) | 9% (2) | 11%
D | 17% (1) | 41% (9) | 36%
SD | 67% (4) | 23% (5) | 32%

C. Response | Experienced | Freshmen | Total
--- | --- | --- | ---
SA | 0% | 0% | 0%
A | 15% (2) | 27% (4) | 21%
N | 15% (2) | 7% (1) | 11%
D | 38% (5) | 33% (5) | 36%
SD | 30% (4) | 33% (5) | 32%

*Source: Statement five of the questionnaire*
TABLE II
THE PRESENCE OF INTEREST GROUPS IN NEW MEXICO WEAKENS
THE GENERAL EFFECTIVENESS OF THE LEGISLATURE\textsuperscript{a}

<table>
<thead>
<tr>
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</thead>
<tbody>
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<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>A</td>
<td>13% (2)</td>
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<td>22%</td>
</tr>
<tr>
<td>N</td>
<td>0%</td>
<td>8% (1)</td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>80% (12)</td>
<td>47% (6)</td>
<td>64%</td>
</tr>
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<td>SD</td>
<td>7% (1)</td>
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<th>Total</th>
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<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>A</td>
<td>17% (1)</td>
<td>23% (5)</td>
<td>22%</td>
</tr>
<tr>
<td>N</td>
<td>0% (1)</td>
<td>5% (1)</td>
<td>4%</td>
</tr>
<tr>
<td>D</td>
<td>67% (4)</td>
<td>64% (14)</td>
<td>64%</td>
</tr>
<tr>
<td>SD</td>
<td>17% (1)</td>
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<table>
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<th>Response</th>
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<th>Total</th>
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<td>0%</td>
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<tr>
<td>A</td>
<td>15% (2)</td>
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<td>N</td>
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</tr>
<tr>
<td>D</td>
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</tr>
<tr>
<td>SD</td>
<td>8% (1)</td>
<td>13% (2)</td>
<td>11%</td>
</tr>
</tbody>
</table>

\textsuperscript{a}Source: Statement six of the questionnaire
In terms of the utility of lobbyists, this table suggests Republicans have a more favorable impression of this utility of interest group lobbying than Democrats. The higher Republican disagreement means Republicans view lobbyists as increasing the effectiveness of the legislature or as having no effect upon it. In short, Democrats are less likely to speak favorably of interest groups than Republicans.17

Table 12 relates to the question of bribery which was discussed in Table 10. In Table 10, all groups were shown to feel New Mexico legislators are not vulnerable to bribery, with Democrats and formal leaders the most convinced of any group. Statement eight of the questionnaire was answered in similar proportions by both parties, although Republicans showed a slightly larger percentage. One-quarter of the Bernalillo County freshmen agreed with this statement, while the vast majority of the entire sample disagreed.

Bernalillo County freshmen present the least favorable image, by believing, to some extent, interest groups use illegal methods. This result is compatible with Wahlke's experience factor. According to Wahlke, if any group would believe lobbyists use illegal methods, the members of the group would most likely be inexperienced legislators, or even freshmen.

Table 13 relates to the utility image and influence questions. On this table, party differences are small, as both parties have a significant minority of approximately
### TABLE 12

INTEREST GROUPS OFTEN USE ILLEGAL METHODS TO INFLUENCE LEGISLATION IN NEW MEXICO

#### A.

<table>
<thead>
<tr>
<th>Response</th>
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<th>Democrats</th>
<th>Total</th>
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<td>11%</td>
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<tr>
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<td>7% (1)</td>
<td>11%</td>
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<tr>
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<td>7% (1)</td>
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</tr>
<tr>
<td>D</td>
<td>60% (9)</td>
<td>69% (9)</td>
<td>64%</td>
</tr>
<tr>
<td>SD</td>
<td>7% (1)</td>
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#### B.

<table>
<thead>
<tr>
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<th>Total</th>
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</tr>
<tr>
<td>D</td>
<td>67% (4)</td>
<td>64% (14)</td>
<td>64%</td>
</tr>
<tr>
<td>SD</td>
<td>33% (2)</td>
<td>5% (1)</td>
<td>11%</td>
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</table>

#### C.

<table>
<thead>
<tr>
<th>Response</th>
<th>Experienced</th>
<th>Freshmen</th>
<th>Total</th>
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<tr>
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<tr>
<td>D</td>
<td>62% (8)</td>
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<td>64%</td>
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<tr>
<td>SD</td>
<td>15% (2)</td>
<td>7% (1)</td>
<td>11%</td>
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</table>

Source: Statement eight of the questionnaire

117
### TABLE 13

**IT IS DIFFICULT FOR LEGISLATORS TO MAKE FAIR AND IMPARTIAL LAWS, DUE TO THE EXISTENCE OF INTEREST GROUPS**

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</tr>
<tr>
<td>D</td>
<td>40% (6)</td>
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<td>47%</td>
</tr>
<tr>
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### B.

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<th>Total</th>
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<td>0%</td>
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<tr>
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<td>36% (8)</td>
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<tr>
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<td>11%</td>
</tr>
<tr>
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<td>46%</td>
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<tr>
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### C.

<table>
<thead>
<tr>
<th>Response</th>
<th>Experienced</th>
<th>Freshmen</th>
<th>Total</th>
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<td>15% (2)</td>
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</tr>
<tr>
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</tr>
<tr>
<td>D</td>
<td>54% (7)</td>
<td>40% (6)</td>
<td>47%</td>
</tr>
<tr>
<td>SD</td>
<td>8% (1)</td>
<td>13% (2)</td>
<td>11%</td>
</tr>
</tbody>
</table>

*Source: Statement nine of the questionnaire*
thirty (30) percent, who agree with this statement. In Table 13C, experienced legislators are least likely to agree with the statement. This group has the most favorable image of lobbyists, by believing lobbyists do not affect the impartiality of the legislature.

In general, Tables 7 through 13 show legislators feel lobbyists are self-centered, with only their own interests at heart; but not detrimental to the workings of the legislature. According to legislators, lobbyists do not often use illegal methods.

Different characteristics of legislators correlate with different utility images. The formal leaders are least likely to overrate the influence of interest groups, feel legislators are vulnerable to bribery, and feel interest groups hinder the legislature. By feeling interest groups are helpful with legislation and not harmful to the legislature, the formal leaders have a more favorable impression of lobbyists' utility than other groups.

Bernalillo County freshmen Democrats exhibit the least favorable utility image of interest groups. This group of six legislators feels lobbyists are too influential, are more likely to often use illegal methods, and weaken the effectiveness of the legislature. This group also has the least experience with lobbyists of any group studied.
The Influence of Lobbyists

The amount of influence, which interests groups have over the legislature, is measured by Tables 8, 11, 14, 15, and 16. Tables 8 and 11 have already been discussed in terms of utility image. However, their relation to the influence question deserves discussion, independent of the image question.

Table 8 suggests that the entire sample is fairly evenly divided as to whether interest groups have too much influence upon the New Mexico legislature. Clearly, Republicans are more inclined to agree with the statement. As the earlier discussion suggested, the transition group and the freshmen legislators are more likely to feel New Mexico lobbyists have too much influence. Formal leaders are least likely to agree. Table 11 presents the influence question indirectly in stating that the presence of interest groups weakens the effectiveness of the New Mexico legislature. Interest groups can weaken, strengthen, or have no effect on the legislature. This statement on Table 11 rules out only the first alternative. However, since Republicans disagree more, these G.O.P. legislators feel lobbyists have one of the latter two effects: a neutral or a strengthening effect. Whatever influence lobbyists have does not hinder the legislature, according to Republicans.

Statement two, on Table 14, was formulated to determine how much influence legislators feel lobbyists have. If
### TABLE 14
**INTEREST GROUPS CONTROL A SIGNIFICANT AMOUNT OF VOTES IN NEW MEXICO ELECTIONSA**

#### A.
<table>
<thead>
<tr>
<th>Response</th>
<th>Republicans</th>
<th>Democrats</th>
<th>Total</th>
</tr>
</thead>
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<tr>
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<td>33% (5)</td>
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<tr>
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<td>35%</td>
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<tr>
<td>SD</td>
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<td>7%</td>
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#### B.
<table>
<thead>
<tr>
<th>Response</th>
<th>Formal Leaders</th>
<th>Bernalillo County</th>
<th>Total</th>
</tr>
</thead>
<tbody>
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<td>4%</td>
</tr>
<tr>
<td>A</td>
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<td>42%</td>
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</tr>
<tr>
<td>D</td>
<td>50% (3)</td>
<td>31% (7)</td>
<td>35%</td>
</tr>
<tr>
<td>SD</td>
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<td>5% (1)</td>
<td>7%</td>
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</table>

#### C.
<table>
<thead>
<tr>
<th>Response</th>
<th>Experienced</th>
<th>Freshmen</th>
<th>Total</th>
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<tr>
<td>A</td>
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<td>42%</td>
</tr>
<tr>
<td>N</td>
<td>8% (1)</td>
<td>13% (2)</td>
<td>11%</td>
</tr>
<tr>
<td>D</td>
<td>47% (6)</td>
<td>27% (4)</td>
<td>35%</td>
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<tr>
<td>SD</td>
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<td>7% (1)</td>
<td>7%</td>
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</table>

Source: Statement two of the questionnaire

121
legislators perceive interest groups can control a significant amount of votes, then clearly lobbyists must be taken as quite influential in the state.

A nearly equal percentage of all respondents agree and disagree with the statement. When one examines sub-groups, several interesting patterns are found: a) most Democrats believe interest groups control a significant amount of votes; b) a majority of Bernalillo County legislators agree with the statement, in contrast to the position of the leaders; and c) most freshmen agree with the statement, but the experienced legislators do not. The Bernalillo County freshmen Democrats are the one sub-group who rate the influence of interest groups the highest. Again, the role of experience is noted, as these inexperienced legislators rate interest groups' power much higher than the other legislators do.

Table 15 eliminates another of the alternatives from the previous discussion about Table 11. Since few Republicans agree with this statement, Republicans feel interest groups have little influence upon the legislature. In contrast, almost one-third of the Democrats agree with the statement. Further, many experienced legislators disagree with the statement; while a significant minority of freshmen agree. This table supports the conclusion of Table 14 that inexperienced legislators rate the influence of interest groups greater than any other group of legislators.

Table 16 relates to the question of lobbyist influence
TABLE 15
INTEREST GROUPS CAN USUALLY GET THEIR WAY
IN ANY POLITICAL MANEUVERS IN THE
NEW MEXICO LEGISLATURE

<table>
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<th>Democrats</th>
<th>Total</th>
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<tr>
<td>D</td>
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<td>60%</td>
</tr>
<tr>
<td>SD</td>
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<td>60%</td>
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<tr>
<td>SD</td>
<td>8% (1)</td>
<td>33% (5)</td>
<td>21%</td>
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</table>

*Source: Statement seven of the questionnaire*
TABLE 16

THE COMBINED EFFORTS OF NEW MEXICO INTEREST GROUPS HAVE PREVENTED THE PASSAGE OF A LOBBY REGISTRATION ACT IN NEW MEXICO

<table>
<thead>
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<th>Response</th>
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<th>Democrats</th>
<th>Total</th>
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</thead>
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</tr>
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<tr>
<td>A</td>
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<td>18%</td>
</tr>
<tr>
<td>D</td>
<td>33% (2)</td>
<td>48% (10)</td>
<td>42%</td>
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<tr>
<td>SD</td>
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<td>9% (2)</td>
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Source: Statement thirteen of the questionnaire

124
as a reason for the absence of a lobby registration act before the 1967 legislative session. Statement thirteen determines if legislators feel interest groups could and did prevent a registration law in New Mexico. Democrats, in larger proportions than Republicans, feel New Mexico interest groups have this capability and used it. Tables 16B and 16C are not greatly different, as far as sub-groups are concerned. In general, a slight disagreement with this statement is shown.

In summary, the answer to the influence question depends upon who is asked the question. Freshmen Bernalillo County Democrats, as a group, feel interest groups can control votes, and hence, are influential. Some Democrats also feel interest groups prevented lobby registration in New Mexico. Some members of the transition group also feel lobbyists have too much influence.

Clearly, two trends are evident in this data. Experienced legislators attribute less influence to lobbyists than do inexperienced legislators. Democrats attribute more influence to lobbyists than do Republicans.

Interest Groups and Public Opinion

Interest groups are a part of the general public, but it is questionable whether these groups speak for a large percentage of the public. On occasion, interest groups will assert that they represent public opinion on a particular issue. The extent to which legislators feel lobbyists
represent public opinion is answered by Tables 7, 9, and 13, which have been previously discussed in the image section. They are merely summarized here.

According to Table 7, a majority of all legislators feel interest groups do not communicate the general will of the public. According to Table 9, all legislators, especially formal leaders, feel interest groups represent small, special groups of people. According to Table 13, experienced legislators are least likely to feel interest groups hinder the legislature's working by their self-centeredness. Clearly, legislators feel lobbyists do not represent the public at all. Freshmen are the most likely deviants from this belief, from these tables.

Lobby Regulation

An important aspect of interest group lobbying is the controls which are exerted by legislators over this lobbying. In New Mexico before 1967, there were no controls over lobbyists. Although the 1967 legislature passed a lobby registration law, this question was considered in these interviews before the passage of that law. On the basis of five tables, this section evaluates the need, which legislators feel, for lobby registration and other controls.

Tables 10, 12, and 16, which deal with this question, have been previously discussed. The issue of controls is related to that of illegal methods. If legislators believe
lobbyists use illegal methods, then the need for regulation is more evident. Table 10 points out formal leaders are least likely to believe legislators are subject to bribery; and that most legislators feel they are not vulnerable. Table 12 points out freshmen legislators from Bernalillo County are most likely to believe lobbyists use illegal methods; while most legislators feel lobbyists do not.

Table 16 points out that most legislators, especially Republicans, feel interest groups have not prevented lobby registration. The implication is that lobby registration was not in effect because few legislators feel the need for it.

Table 17 determines which legislators, if any, favor controls. Most legislators agree with the statement. Democrats agree more than Republicans; the formal leaders split on the issue; but the transition group and the freshmen legislators agree. Thus the experience and party elements show freshmen Democrats are most favorable to controls.

Table 18 attempts to further specify the controls problem. Most legislators agree that lobbyists and their employers should register. Party differences are less significant in this table than in the previous one. The transition group strongly supports registration, as do the formal leaders. Again, Bernalillo County freshmen Democrats favor controls, in the form of registration.

The regulation question relates to the utility image question. The group, which favors controls the most--
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*Source: Statement ten of the questionnaire*
### Table 18
THE NEW MEXICO LEGISLATURE SHOULD REQUIRE LOBBYISTS AND THEIR EMPLOYERS TO REGISTER

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#### C.
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<tr>
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<td>7% (1)</td>
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*Source: Statement twelve of the questionnaire*
Bernalillo County freshmen Democrats—also has the least favorable utility image of lobbyists. The converse is also true, as the formal leaders have the most favorable utility image of lobbyists and desire controls the least. Although little party differences are noticeable, Democrats favor such lobby regulation more than Republicans.

**LOBBYISTS' PERCEPTIONS OF LOBBYING**

In addition to the previous legislator attitudes about lobbying, several lobbyists were interviewed to obtain their opinions about their profession. These lobbyists are those important in the issues discussed in Chapter V and those defined by several legislators as being considered the generalist type, described in Chapter III. The eleven respondents were asked how they envisioned their roles and functions with regard to the legislature. The most common answer stressed the informative function which lobbyists perform. The lobbyists felt they were definitely doing a service by researching and preparing needed legislation. Although most admit representing special interests, the general feeling was that the legislation they pass does not merely favor these interests; but that the legislation was beneficial to the entire public. Accordingly, the lobbyists did not feel they adversely influence the legislature, nor did they feel that their lobbying activities are centered in one party.

The lobbyists generally talked of enjoying their jobs,
although the long hours, pressures, and excitement place a burden on their lives. They felt sincerity, honesty, hard work, an understanding of legislative operations, and patience are essential requirements for an effective lobbyists' operation. The lobbyists interviewed also stress the socializing aspects of lobbying—not only for persuasive purposes, but for use in planning legislative strategy with party leaders. Close contacts for late and long hours demand amiability and toleration on the part of both leaders and lobbyists.

In short, lobbyists looked upon their jobs as challenging, essential to the democratic process, and enjoyable. As one might expect, the lobbyists interviewed did not feel any of the techniques they use were underhanded or illegal; nor did they feel their influence upon the legislature to be extreme.

SUMMARY

In answering the four questions regarding legislator attitudes about lobbyists, two trends have been prevalent. First, if only in their attitudes toward lobbyists, there are distinct differences between the New Mexico political parties, which is in opposition to Dr. Judah's previous hypothesis.20 Clearly, Democrats are less likely to feel lobbyists perform a useful function, according to the data presented in this chapter. They also feel, more than Republi-
cans, that lobbyists are influential, and therefore need regulation. Republicans tend to discount lobbyists as less influential than the Democrats consider them to be. Republicans also think lobbyists are in less need of regulation, and are generally more favorably impressed by lobbying activities.

Second, although the results of these questionnaires are by no means conclusive, by separating the sample into three categories, some significant conclusions can be drawn if one correlates the questionnaire answers with interview data. These categories—Bernalillo County freshmen (15), the transition group (7), and the formal leaders (6)—are combinations of previous categories; but they are interesting and valuable for analytical purposes. The positions of these categories on each of the four questions examined varies in a somewhat revealing and unusual fashion.

The Bernalillo County freshmen generally support the negative image of lobbyists. Naively their inexperience means they still identify more with the unknowing and unfavorable public image than with the legislature. This creates an image to freshmen which suggests lobbyists have too much influence and are too self-centered; besides, these legislators tend to feel that lobbyists hinder the workings of the legislature, and are basically bad for a democracy. They regret the influence—by legal or illegal means—of lobbyists. In accordance with this image, this group of
legislators is the strongest advocate of strict controls over interest group activities. For example, this group, in the interviews and the questionnaire data, is the most united in favor of lobby registration; although, to be sure, all categories favor registration.

The six formal leaders interviewed constitute a group which presents the positive image toward lobbyists. Realistically, they view lobbyists as certainly selfish, but relatively unpowerful and ineffective; certain lobbyists may use illegal methods, but most are unable to do so. In fact, these legislators believe most lobbyists hurt few legislators and basically do little harm to the legislature. Because of this image, most of the leaders see little need for strict, and usually ineffective, controls over lobbying. During the interviews, discussion confirmed that these leaders were the group least anxious to create governmental controls over lobbyists.

The transition group, which is composed of the seven experienced non-leaders, expresses a view between the negative and positive images of the utility of lobbyists. Their attitude toward lobbyists is realistic; i.e., accepting their self-centeredness, lack of real influence, and relative harmlessness to the legislature. This group believes that interest groups need regulation, as do the two other categories. They are more suspicious than other legislators that interest groups use illegal methods of lobbying. In
short, this group realizes interest groups are more useful than bothersome; but this group still retains enough suspicion from the negative image to greatly favor lobby registration.

A pattern, which has been shown to exist, relates the legislator image of lobbyists to the amount of contact, in that the more contact, the more favorable the image. As the only available studies suggest, the general public tends to have a negative image of lobbyists. 21

The legislators, who were most recently a part of this public, freshmen, have the least favorable utility image of lobbyists of any group of legislators. They also have the least contact with them of any group. The transition group, who have had more contacts because of their experience, but not frequent contacts due to their lack of a leadership position, have an intermediate image. They are realistic about the power of interest groups, but still believe in controls as do the leaders. The leaders, who have frequent contacts with lobbyists because of their positions and experience, have the most favorable image of any group. Thus those, who are most familiar with the activities of lobbyists, are the legislators who have the most favorable image.

The phenomenon at work here is a form of role convergence. 22 The role of a freshman legislator is based upon the same skills he utilized as a public citizen. He resembles a citizen more than a legislator. His image of a
lobbyist is based upon his role as a citizen more than upon his new role as a legislator.

But as the legislator gains experience, his role as a citizen fades into the background and his role as a legislator predominates. Accordingly, his skills shift from those of a citizen to those of a legislator. Further, his image of lobbyists shifts from a citizen's image—unfavorable—to a legislator's image—favorable. The catalyst for this shifting image is the increasing interaction which a legislator has with lobbyists. Thus the transition group is an intermediate stage of image-building, which leads to the most favorable image when a legislator becomes a formal leader.

The previous chapter describes effective interest groups and their method of operation. This chapter relates legislator attitudes to party and experience factors of lobbying activities, while also describing the lobbyists' perceptions of their roles. As Table 8 points out, lobbyists are not believed to have too much influence, by those leaders who work with them the most. Such leaders also do not resent interest groups' activities in the legislature. Most legislators, who interact with lobbyists to any great extent, have favorable images of interest groups. With a general knowledge of the legislator evaluations and descriptions of lobbyist activities as a background, the following chapter relates three specific issues of importance in the 1967 legislative session to the roles of particular lobbies in those issues.
After these issues are related, a more complete picture of New Mexico lobbyist activities will have been presented. That picture will then be summarized in Chapter VI.
CHAPTER IV FOOTNOTES

1 See the Appendix for this questionnaire. Throughout this chapter several phrases will be used with some abandon. These phrases will be defined here, as the author uses them. A negative image of a lobbyist is that they hinder legislators by working only for the benefit of special interests, and are opposed to the public interest, whatever that is. This image assumes lobbyists indulge in unethical, and sometimes, illegal activities. A positive image assumes lobbyists serve to facilitate the complex legislative process, and solve problems for the legislature, in addition to their own interests. While these views may be ideals, they are what the author refers to with these terms. The terms lobbyist and interest group are often used interchangeably in this chapter. A lobbyist, if you will, is an agent and representative of an interest group. So in the eyes of a legislator, a lot of lobbyists are simply interest groups personified. Therefore the above usage is justified.


3 See the Chapter III discussion of the characteristics of lobbyists.


There are two other factors which may enter into this correlation. First, the costs of regulation must be weighed against the relative benefits. Second, the ethical standards of the legislators must be considered; i.e., illegal tactics can only work on unethical legislators.

See the Appendix for a complete listing of the methodology.


The sample is briefly discussed in the Appendix. The final sample was twenty-eight legislators out of a universe of thirty-six. Each of the missing either was contacted or only submitted to a partial interview. Thus some legislators are entered on these tables in this chapter, but did not submit to the entire interview. Several legislators did not appear at pre-arranged appointments; and several others simply refused to cooperate. The party categories are obvious, but the others deserve explanation. To test the leadership--contact thesis as to lobbyists, the formal leaders were put into one group, and the Bernalillo County legislators who made up most of the sample were put into another. The two overlapping cases were put with the formal leaders, since it was felt their leadership position outweighed their constituency as a pressure. The experienced legislators were simply those with more than one term.

A brief explanation of the numbering system is necessary. The table numbers are in order with the rest of the thesis: the statement numbers refer to the questionnaire statements as they are listed in the Appendix. One table is not listed in the text; this is the table about statement eleven of the questionnaire. These results are listed in the Appendix. The statement, "lobbyists have more influence upon the Democratic party than upon the Republicans in New Mexico," does not relate to any other of the main questions described in this chapter. So the results are in the Appendix.

Some of these four areas, obviously, overlap; often the utility image and influence tables are similar. When this happens, previous tables are simply summarized in the second area of discussion.

Wahlke, *op. cit.*, p. 337.
Many legislators mentioned that the reason other legislators may dislike lobbyists is that any purported influence of the latter, whether true or not, is resented by some legislators. This is the basis of this assumption.

Certainly, if legislators will admit they are vulnerable, as a group, then bribery and other illegal methods are a reality.

The party differences in attitudes toward lobbyists may be related to party ideology. The three most active and effective lobbies—education, labor, and liquor—traditionally have more influence upon the New Mexico Democratic party than upon the Republicans. Of course, the Democrats have been the party in power most of the time in New Mexico. Additionally, however, these lobbies tend to favor the Democratic interests, historically, in New Mexico. Education and labor usually receive more money from Democrats. Liquor has kept its economic power throughout Democratic legislatures. The identification of the interests of these lobbies with the Democratic party is not complete nor is it the only factor in determining the attitude of the party towards interest groups. If one attempts to say that the interests of the party equal the interests of the lobbies, many unknown variables are ignored. This apparent correlation of interests, then, does not necessarily imply more favorable attitudes by Democrats toward lobbyists. The findings here suggest the opposite: although Democratic party and specific lobby interests may be similar, Democratic party attitudes toward lobbyists are less favorable than Republican attitudes toward lobbyists. Clearly, much more research is needed to evaluate all the variables on these correlations.

An assumption here is that the newspaper image of lobbyists in New Mexico, which is decidedly negative, is similar to, or creates, the image of the public. While this is not assured, the only available studies indicate the public does have a negative image; and this author's personal experience suggests the public does essentially maintain a negative view of lobbying activities. The legislators agree that this is the general public view.

See the Appendix for a listing of the eleven lobbyists interviewed.

See Chapter II, pages thirty-four through thirty-six.

See footnote two of this chapter.

A similar role convergence is described by Heinz Eulau and John Sprague, Lawyers and Politics, Indianapolis: Bobbs-Merrill, 1964.
CHAPTER V

CASE STUDIES

INTRODUCTION

The purpose of this chapter is to examine three controversial issues. These issues, which involve a gasoline tax bill, a lobby registration act, and two liquor bills, illustrate the working of some of the most powerful and contentious lobbies in the state. Each issue utilizes some of the generalizations on lobby activities, which are made in Chapter III. In a sense, the approach to lobbying which is discussed there is tested here for its applicability to each setting. Although the lobby activity on each issue does not strictly follow the general method of Chapter III, common characteristics of lobbyists are illustrated in each instance. With these three issues, the basic concepts and generalizations of New Mexico lobbying activities are demonstrated.

THE GASOLINE TAX BILL

A one-cent gasoline tax increase bill, SB 166, demonstrates the processes of competition between two opposing groups of powerful lobbyists: the New Mexico Municipal
League (N.M.M.L.) and the New Mexico Oil and Gas Association on one side, and the New Mexico Cattle Growers and the New Mexico Farm Bureau on the other. Although the structures and techniques of these lobbies have, for the most part, been discussed in Chapter III, this discussion concentrates on their interaction on SB 166.

The 1967 bill had its origins with the New Mexico Municipal League Legislative committee in December, 1966. The committee suggested: "...a statewide gasoline tax, proposing a one cent increase in the state tax rate, would be distributed back only to municipalities in the proportion that the number of gallons sold within a municipality bears to the total number of gallons sold within the boundaries of all municipalities. A municipality's authority to levy a local gasoline tax would be repealed. As proposed, all municipalities should receive more revenue than they are now receiving from the local municipal gasoline tax."¹

The details of the N.M.M.L. proposal were then worked out with the Oil and Gas Association, who had been an opponent of previous gasoline tax measures.² Immediately after this cooperation was insured, the N.M.M.L. began publicizing their legislative proposal. A newspaper columnist presented Executive Director Rider's arguments for the bill in succinct and convincing form: "More than fifty percent of motor vehicle miles are driven in municipalities. ...most municipal residents must pay for their own streets in paving assessments
or home mortgage payments. . . counties get twenty-five percent of property taxes and thirty-seven percent of vehicle license fees while cities receive only twelve percent of property taxes and ten percent of vehicle license fees. . . cities must pay highway maintenance costs within their limits. . ."³ After this groundwork had been laid, the prospects of the bill were higher as its proponents brought it before the New Mexico Senate Finance Committee for approval. At this point, two lobbies, the New Mexico Cattle Growers and the New Mexico Farm Bureau, opposed the bill. Cattle Growers executive secretary, Robert Talbott, said the bill would do nothing for county residents and would benefit only cities; it was an urban versus rural conflict.⁴ Since the cities sell more gas, most of the extra tax would go to the cities for street maintenance. The rural groups opposed this new distribution, since prior to this they had paid no tax at all.

During the committee hearings, support for the bill arose from many sources. Albuquerque City Attorney Frank Horan, who often works with the N.M.M.L., testified that most counties, especially Bernalillo County, supported the bill. City Commission Chairman Ralph Trigg backed Horan by claiming the tax was vitally important to Albuquerque's future maintenance plans.⁵ Joe Palmer, chief lobbyist for the Oil and Gas Association, also testified for the bill.⁶ The bill was given bipartisan support, as its sponsors included two Democrats and two Republicans. When a rural group, the Association of
County Officials supported the bill, victory for the so-called urban interests was assured. The bill passed the Senate and the House, with a basic rural and urban split on votes in both houses.7

The gasoline tax bill illustrates the importance of joint lobbying. As the positions were taken on the bill, legislators claimed they noted which positions lobbies took. Many legislative votes were based only on the positions of their favorite interest group on that issue.8 The key to the success of the N.M.M.L. was its hard work and planning, in addition to its ability to convince other lobbies to support the bill. The rural interests' inability to defeat the bill was in part due to their failure to obtain united opposition among all rural groups. The passage of SB 166 is clearly an illustration of coalition politics among lobbies.

THE LOBBY REGISTRATION BILL

The last chapter points out that most legislators favor some degree of governmental control over lobbyists. This section describes the interaction in the 1967 legislature over the passage of a lobby registration act.

Lobby registration usually requires all lobbyists to register their names and a list of their employers with the Secretary of State. The laws may also require lobbyists to list expenses and salaries. Lobby registration has long created controversy in New Mexico politics. Dr. Irion, over
ten years ago, described the efforts to pass a lobby registration act. He mentioned five arguments, which would favor such an act: a) "the persons and groups interested in a bill would be brought out into the open for the benefit of the public and of the legislators themselves; b) there would be less suspicion of the motives of persons appearing at the legislature; c) there would be a more open competition of ideas; d) the professional forces for and against each measure would be known; and e) the lobbyists themselves would be protected against accusations of secrecy and attempts at secret manipulation."

Few legislators or lobbyists openly opposed a registration bill during interviews. The lobbyists interviewed, in fact, objected less to the bill than did the legislators interviewed. These lobbyists felt that proposed lobby registration is acceptable indeed. Registration was deemed to be a good idea for professional lobbyists, which the interviewees are. Some lobbyists suggested tighter controls over spending and over possible conflicts of interest involved for ex-legislators who become lobbyists.

Legislators also stressed the need to register lobbyists, if only to improve the public image of lobbyists. Presumably a known lobbyist is not as likely as an unknown one to use unscrupulous methods. However, some legislators claimed they knew who the lobbyists were; therefore, registration only assures the public knowledge of lobbyists.
Many legislators felt the problem of defining a lobbyist, for the purposes of registration, makes a meaningful bill impossible. A lobbyist can be the professional or amateur type. If only professionals are included in the bill's coverage, the entire education and religious lobby is exempt from registration. If amateurs are required to register, every friend and relative of a legislator could be accused of influencing him and be forced to register. Since a workable compromise between these extremes seemed unlikely to them, many legislators felt a useful bill unlikely to ever pass.

One attempt at lobby registration, SB 3, did reach both houses during the 1967 session. It required lobbyists, who were defined as those receiving pay or representing someone else, to register. According to the bill, failure to register would be considered a petty misdemeanor, subject to a fine of up to one hundred dollars. However, one sponsor of the bill later voted against it, deeming it ineffective and unenforceable. Despite such charges, the bill passed both houses by considerable margins. The actual effectiveness of the bill can only be determined later.

In the opinion of six legislators and eight lobbyists, who believe the bill ineffective, the failure of the legislature to settle the registration problem with a meaningful bill is related to the absence of significant lobby activity on the bill. Almost every legislator and lobbyist, whom this
author interviewed, reported little lobby interest and activity on the bill. Members of both groups admitted the bill combats a public image more than solves a real problem. The fact that legislators felt it necessary to pass a bill which is ineffective and unenforceable in order to combat a false public image says something for the New Mexico public. Perhaps, the public's ignorance on such legislative matters makes lobbyists all the more essential to the New Mexico legislature. For without lobbyists, there would be fewer competing interests represented in Santa Fe; and there would be fewer people to aid the legislators in performing their difficult and underpaid jobs.

TWO LIQUOR BILLS

Liquor is one of the thorniest political problems in New Mexico. Since 1937 until 1966, the industry was protected by a fair trade law, which established minimum markups on most alcoholic beverages. Liquor prices then are set high because of this law.

High prices have affected liquor licensing. In 1954, a law established the procedures, on a county basis, for allocation of liquor licenses with a quota of one per two thousand people. Since liquor prices are high and licenses are in limited supply, the resale price for licenses has risen. The cost of the original license, fifty dollars, may rise upon its transference to a second party to as high as
fifty thousand dollars. In New Mexico's principally non-capitalistic economy, a liquor license is many times the key to a guaranteed profit.

The political problem involves both the price and licensing factors. The liquor lobby desires to keep prices high. This can be done by legislation and by keeping licenses in limited supply. Legislation can force high prices, while a limited supply of licenses can allow an unofficial agreement among license owners to keep prices high. By trying to maintain their high profit status, the liquor lobby has acquired an increasingly unfavorable public image. The lobbying techniques, which liquor uses to maintain the status quo, have been criticized by newspapers throughout the state.

In 1966, however, the liquor status quo was broken by a New Mexico Supreme Court decision, which outlawed minimum liquor prices. Subsequently in the 1967 legislative session, the liquor lobby attempted to legalize the minimum price. To circumvent the Supreme Court's decision, two bills, SB 428 and HB 363, would have prevented below cost sales of liquor in New Mexico. The Court had simply outlawed minimum prices; this bill would have outlawed selling below cost. (Both bills were similar in this respect.) Costs would be set very near the minimum prices. Thus liquor would still have their mark-ups and the Court's decision would not have actually affected costs. This section describes and analyzes the legislative conflict, which surrounded the liquor lobby's attempt to get
these bills passed.

**Organization and Techniques**

A description of the general organization and techniques of the liquor lobby sets the background for the legislative struggle over the two liquor bills. The New Mexico Retail Liquor Dealers Association is the principal organization which represents the liquor industry. The loosely-composed organization votes *en masse* only on a general policy matter, as the goals of the group are rather clearly understood by the leaders. There is no need for extensive policy guidelines to be set by the entire group. The leaders, especially the current President, Charles Villa, are also the main lobbyists. They work together with Dean Zinn, Paul Case, George Monte, Louie Hymel, and George Maloof. This staff is primarily its own boss, using whatever methods they feel necessary to aid liquor's cause.\(^{19}\)

Because it is purported to use methods which most lobbyists do not feel ethical, the liquor lobby has been the subject of much unfavorable press coverage and much public controversy. They have been accused of strong-arm tactics, including bribery, use of call-girls, and free booze, to accomplish their objectives.\(^{20}\) This study cannot determine whether or not these charges are true. This section only describes the conflict over bills and how liquor uses the general methods, which are described in Chapter III.
Liquor has a head start on many lobbies, according to legislators, since many potential legislators and their families are economically tied to liquor interests in one way or another. As one Republican legislator described this tie: "...liquor works well because they have twenty people in the House directly connected with booze and licenses. Second, there are about twenty others who have secondary connections with booze—cousins or other relatives." He spoke for a majority of the legislators on this economic matter. In some cases, both primary candidates have connections with a liquor business. Many are elected. Almost one-third of the legislators interviewed admitted having long-time friends in the liquor business, besides others who have relatives. Thus liquor has a subtle influence upon either primary victor and many elected legislators before the legislature convenes.

Besides the personal contacts, many representatives have several liquor stores in their districts. Accordingly if a legislator is to reflect the interests of his constituency, a legislator, such as Senator Davis, who has seventeen liquor stores in his district, must pay some heed to liquor demands. In this manner, liquor has many legislators, who lean their way to support liquor without extensive pressure. In fact, one respected Republican Senator estimated that forty (40) percent of the legislature leans this way. When a liquor bill comes up, the lobby must only pressure a small percentage of the legislature to vote their point of
view. Pressure on this small minority can be and often is intensive and effective.

Many times the focal point of liquor lobbying is not even toward this small group of legislators. If the principal objective of the lobby is to maintain the status quo, much is accomplished at the committee level, by simply defeating anti-liquor bills. With this in mind, pro-liquor legislators obtain seats on the Public Affairs Committee, which handles these bills. Thus the lobby need only influence legislators on one committee in order to defeat legislation.

In working at the committee level, the liquor lobbyists are adept at socializing, preparing speeches for legislators, planning strategy, and giving information to committees. Liquor catalogues each legislator's biography in order to predict his probable vote from his background. Such facts, as the geography of the district, the economy of the county, and his family background, help liquor predict who they can swing to their side. One Republican opponent described liquor's maneuvering in the Public Affairs Committee, such that "vote-switching occurred which could only come from a situation in which liquor had applied the pressure from one night to the next...if it is close and liquor still appears to be losing, they have the money to make the pay-off."

Because of their background research on legislators, liquor is often able to apply this pressure at the committee level. Regardless of the methods, liquor is most effective at this
A final organizational technique which is used by the liquor dealers is their informal alliance with the New Mexico Temperance League. The religious attitude of the League towards liquor and the practical attitude of the liquor dealers form the basis for this alliance. The League feels liquor is dangerous to the public's health and morals. Since liquor is dangerous and is not a necessity, the League feels procurement of liquor should be as difficult as possible. High prices are one method of lessening the consumption of alcohol. Consequently, the League and the liquor lobby both favor high liquor prices. The common interests of these groups, high prices, cause them to work together.

The 1967 Liquor Bills

This section briefly summarizes the liquor lobby's activities in the 1967 legislative session. The discussion then focuses upon two controversial bills, SB 428 and HB 363, upon which the lobby concentrated all its efforts late in the session. A basic evaluation of liquor's effectiveness is attempted in this section.

Illustrating the strength of the liquor lobby is that most of the 1967 unfavorable bills were killed at the committee level. Only three laws, which dealt with liquor, were passed during the session. One bill, SB 52, which prohibited the possession of liquor by minors, was certainly not a contro-
versial bill; its passage did not affect liquor prices or licenses. Another bill, SB 122, which declared fair trade laws illegal, repealed the 1937 bill. This was a mere formality after the New Mexico Supreme Court decision. It also was not a true test of the liquor industry's strength.

The third bill passed was SB 6, which prohibited discrimination in the selling of all liquors by requiring posting and the filing of affirmation to the effect the selling price is as low in New Mexico as anywhere in the nation. Although the bill would appear to lower liquor prices, the net effect of the bill was unknown even by its final signer, the governor. The passage of the bill cannot be interpreted as a defeat for liquor, since liquor did not oppose the bill. Thus the session produced no legislation detrimental to liquor interests.

In addition to this success, the lobby killed several highly detrimental bills, in particular SB 247 and SB 331. SB 247 was a bill which prohibited the drive-in sales of liquor, which was killed in the Senate Public Affairs Committee. SB 331, which established special tourist facility licenses, created a large controversy before its death. This bill, which was introduced by a Republican leader, created special liquor licenses for motor lodges and restaurants, which deal primarily with tourists. These non-transferable licenses would cost three thousand dollars originally and would be renewable for one thousand five hundred dollars.
The bill would have hindered the liquor industry's desire to keep the number of liquor licenses low, and prices high. The passage of the bill would have been a major defeat for liquor. But testimony at committee hearings and other lobbying methods, as described at the beginning of this section, enabled the liquor lobby to defeat the bill. A similar bill in the House, HB 370, was also defeated in committee.26

Controversy in the 1967 session developed over two bills forbidding below-cost sales of liquor, HB 363 and SB 428. The latter was an attempt to assure that liquor prices would not fall after the Supreme Court decision. The bill had made it through the Senate Public Affairs Committee with ease, but a tense Senate had tied on the passage of the bill. The bill finally passed on account of liquor's ability to get Lieutenant Governor Francis to vote for the bill, against the wishes of Governor Cargo.27

In the second chamber, SB 428 made it through the House Public Affairs Committee without incident. However, a floor fight developed in the House itself. Several key House Democratic leaders were against the bill, due to public pressure against price fixing.28 In fact, the Speaker of the House took the floor in opposition to the bill. The House Democratic members split over support of the bill, with the Spanish-American bloc voting for the bill. The leader of the bloc, majority whip Severino Martinez, tried to keep the bill alive, although a crippling amendment was added. But the
liquor industry went down to defeat; the bill died.

To illustrate the power and resources of this lobby after the defeat of SB 428, a similar bill, HB 363, was immediately prepared and rushed through committee. The House Public Affairs Committee, the tool of the liquor lobby, took only fifteen minutes to prepare and pass the bill.\textsuperscript{29} Clearly no such bill was wanted; but the lobby made a more determined effort to pass one and nearly succeeded. Rumors, of course, suggested liquor used unethical methods in their attempt to pass this second bill.\textsuperscript{30} Regardless of whether these rumors are true, the fact that the lobby could bounce back after a major defeat to almost pass a similar bill is amazing.

As HB 363 reached the House floor, the Democratic party split over its passage. A test vote to table the bill failed. This suggested liquor may have had the votes to pass the bill, since a tabling motion is often the reverse of a passage vote. But it need not reflect an actual passage vote. Another possibility is several legislators simply refused to table the bill, hoping to settle the question immediately. Perhaps, some legislators may have felt, tabling will not get liquor lobbyists off their backs. The only solution, to some legislators, may have been to bring the bill up to a vote and to defeat it. Another possibility is simply that some legislators knew the bill would never get to an actual vote on passage.

Whether liquor had the votes or not, their strength as lobbyists in getting the bill this far is impressive, indeed.
A few days earlier, a similar bill was defeated; now liquor was pushing again for minimum cost legislation. This is a sign of strength and effectiveness in a lobby.

The bill never came to a vote. Liquor never knew if it had the votes for passage. Those Democratic leaders, who opposed the bill, went into action. They used a legal technicality to defeat the bill. By the time the bill reached this stage, the legislature was past its constitutional limit of sixty days into its actual sixty-first day of the session. The House had kept going into this extra time in order to pass some high-priority appropriation bills. But first, the liquor bill had to be dispensed with. In lieu of asking the Governor to call a special session, the legislature had simply agreed to extend the session unofficially by not acknowledging the ending of the sixtieth day in the official record. So according to the record, the limit had not been exceeded; while in reality it had. Just before HB 363 was to be brought to a vote, the Speaker and the Majority Leader of the House got the floor and read into the record that the legislature was past its constitutional limit. Now, any legislation passed could be legally challenged as unconstitutional, since the 1967 legislature had violated the Constitution by extending its session beyond sixty days. Thus liquor could not bring their bill to a vote; the bill failed to pass.

Two aspects of this legislative interaction are important. The motion to adjourn because of the time limit
was not made until it was determined liquor might win. Second, the motion was made during debate on a bill, an unusual occurrence in that a chamber does not usually adjourn during debate on a bill. Thus HB 363 never came to a vote.

The Democratic supporters of HB 363, mostly Spanish-Americans, felt betrayed. As one legislator described the situation: (Speaker) "King had never left the speaker's table to support liberal working man's legislation. Yet he left his post to oppose liquor. Then he and others engineered a parliamentary trick, so the liquor bill could never be brought to a vote. This was in opposition to his own majority whip. We (the Spanish-American bloc) were mad..."\(^{32}\)

HB 363 had caused a wide split in the party. The Spanish-American bloc immediately spoke of dropping their support of Speaker King and supporting Republican Floor Leader Helbing for the post. However, the talk was intended only to embarrass King. No replacement move actually materialized. But the liquor bloc split in the Democratic party was widened by the interaction on this bill.

An interest group must be considered powerful if it can create a serious split in a political party over a special interest bill such as HB 363 was. To many Spanish-American legislators, their party leaders had betrayed them. These representatives threatened to abandon the party on future votes.

After witnessing this legislative battle, the strength
of the liquor lobby is clear. The lobby begins with significant support before the legislature convenes; it is extremely effective where and when it counts, at the committee level; and it is successful and proficient in its lobbying activities. Experience has made liquor a formidable foe for anyone. After all, liquor made Spanish-American legislators place liquor's interests before party interests. Liquor has a facility to mobilize support, whenever needed. As a lobby, liquor is among the most effective because they put in the most work and effort.33

SUMMARY

These three case studies of issues illustrate several points which were brought out in earlier chapters. Lobbies do indeed utilize a three-stage process toward influencing legislators.34 Lobbies play the informing and socializing roles, as liquor, for example, was expert at playing.35 The liquor bill, HB 363, illustrates the four crucial steps in the passage of a bill; each step can be a bill's graveyard.36 Each step is characterized by much direct personal contact on the part of lobbies. The gasoline bill points out the actual importance of joint lobbying. The lobby registration bill suggests the futility of a bill, which interest groups have refused to touch. Often such a bill is impossible to draft effectively, since the details have not been worked out in interest group compromises.
The three issues demonstrate other general aspects of the New Mexico setting. The importance of the absence of completely free enterprise in New Mexico is illustrated in the liquor bills, as is the role of Spanish-Americans in the New Mexico legislature. Interwoven with this role is the weakness of New Mexico party responsibility. For if party responsibility were strong, the Spanish-Americans could not have broken away without suffering dire consequences. These issues and the lobbies' activities on them are just a part of the complete picture. The next chapter summarizes this picture of New Mexico interest groups and their lobbying activities in the 1967 New Mexico State Legislature.
CHAPTER V FOOTNOTES


4 Albuquerque Journal, February 3, 1967. A compromise between urban and rural forces, which allocated part of the revenue to the counties, later weakened this conflict.

5 Ibid., February 5, 1967.

6 Idem.

7 Albuquerque Journal, February 5 and March 12, 1967. See Appendix for a breakdown on this voting.

8 Senator Ike Morgan in New Mexico Senate debate, February 23, 1967.

9 Frederick C. Irion, The State of New Mexico Twenty-third Legislature, Division of Research, Department of Government, University of New Mexico, 1957, p. 32.

10 The eleven lobbyists are listed in the bibliography; all were mentioned by legislators as being the multi-issue and trusted type. Amateur lobbyists might resent the inconvenience of having to register in order to lobby on a single issue. See the Chapter III discussion of the types of lobbyists.


12 Twelve members of the legislator sample made this statement.

13 See the Chapter III discussion of the types of lobbyists.

15Ibid., February 8, 1967 for these votes.

16Villa Interview, loc. cit.

17See the Chapter II discussion of New Mexico's non-capitalistic economy.

18As in the previous chapter, an assumption is made here that the public image of a lobby is related to the newspaper image of that lobby. If true, clearly liquor is a prime example, for the newspapers in New Mexico oppose the liquor lobby with vigor. See Albuquerque Tribune, February 28 through March 3, 1967 for example.

19Villa interview, loc. cit.

20Several legislators in both parties and in both houses reported that liquor used such tactics; but no one could prove it. The Republicans seemed more certain of their charges, including one Representative who had seen an actual bribe attempted by liquor.

21This is, however, a common technique, which is used by other lobbies besides liquor.

22See the Appendix for a more complete listing of 1967 liquor bills.

23Albuquerque Tribune, March 5, 1967.

24Ibid., April 6, 1967.


26Liquor bills will almost always be supported by five members of the Senate Public Affairs Committee: Davis, Dow, Apodaca, Benavidez, and Lucero; and ten members of the House Public Affairs Committee: Miera, Vigil, Chavez, Coker, Garcia, A. Martinez, S. Martinez, Rodgers, Serrano, and Tabet. Source: Albuquerque Tribune, March 14, 31, 1967.

27Villa Interview, loc. cit.

28These leaders were: Speaker Bruce King, Majority Leaders David Norvell, Representatives John Eaves and George Fettinger. Albuquerque Journal, March 31, 1967.


The move making the extended session unconstitutional is the reading into the record. By forcing adjournment, the legislature was forced into a special session in which the subject matter was entirely under the control of the Governor. When the regular session adjourned, the Governor was out of the state, leaving the Lieutenant Governor as acting Governor. Reliable sources report that the liquor lobby put a great deal of pressure on the Lieutenant Governor to issue the special session call and to include the subject of liquor. Quick action by the Governor's aides in getting the Governor back to the state forestalled this maneuver and the Governor's call did not include liquor.

This was a freshman Spanish-American House Democrat. The minimum wage legislation referred to in the quote passed without King's assistance.

Three formal leaders made this statement.

See the Chapter III discussion of the three-stage process of lobbying.

See the Chapter III discussion of the roles of lobbyists.

See the Chapter III discussion of the four steps in the passage of a bill.

See the Chapter II discussion of party competition and responsibility in New Mexico.
CHAPTER VI

SUMMARY

Several findings of earlier, general, studies of lobbying are confirmed in this thesis. Lobbying is characterized by certain specific lobbyist techniques, especially direct personal contact. Most legislators view lobbyists quite favorably. Lobbyists perform a service function to the legislature in their informative roles. Although providing information is their principal service, lobbyists also facilitate communication between interest groups and legislators. In theory, all lobbyists perform a needed function of representing all the interested public. Most legislators, however, feel the only part of the public which is interested is the special interest groups.

The preceding chapters have also brought out several pertinent facts which affect lobbying in the New Mexico setting. Free enterprise is yet to be completely accepted by New Mexicans. The traditional economic powers, such as liquor, in New Mexico wield great political power. The Spanish-American bloc and the urbanized masses have great potential for political power whenever they can unify internally and cohesively articulate their demands. Political
tradition and a monopolistic economy enable lobbyists to promote their special interests at public costs. The public and its newspapers must realize, as legislators have, that lobbyists do perform a useful function to legislators. Lobbyists can contribute to good government and do not simply maintain traditional economic interests in power.

In New Mexico, it has been said "the public expects the legislature to act for all the people." Yet the same author states that "few people apparently believe legislative procedures to be fair and reasonable." Thus a difference between expectations and perceptions exists among the New Mexico public.

The public is further led, by newspapers, to believe that interest groups dominate the legislature. Witness the following excerpts from recent articles: "special interests that go counter to the interests of the public are still being served in the State Legislature. And they probably will be for some time to come... About seventy-five percent of the bills introduced in the State Legislature originate with special interest groups. About fifteen percent of the bills originate with legislators thinking they have an idea for a better or needed law. He (a legislator) was busy fourteen to eighteen hours a day listening to persuasive arguments from special interest groups. One reason why there are so many bills before the Legislature is that special interests are trying to use the Legislature to further their own private
interest." If newspapers can and do reflect the actual public viewpoint, then these newspapers must begin to be more realistic about the actual effect of interest group lobbyists upon the legislature. As the leaders of the legislature, who work with lobbyists the most, agree, lobbyists perform a useful and influential role in the legislature.

Three themes are stressed throughout this thesis. First, the Wahlke correlation between legislative experience and image of lobbyists is valid in New Mexico. Those legislators who maintain continuous contact with lobbyists are also those who have the more favorable images of lobbyists. Second, the more influential and powerful lobbies are also the more active lobbies. Third, there are differences between the New Mexico political parties, if only in their attitudes toward interest groups. Democrats clearly have less favorable attitudes toward lobbyists. Several facts also relate to Dr. Judah's party competitiveness discussion, where he suggested there is no party competition in New Mexico. First, there seems to be essentially little difference between the lobbying activities in each party. This would seem to indicate parties are competitive, since lobbying is not concentrated in one party. On the other hand, the interviews shed little light on this subject. The legislators avoided this question; they did not mention specific differences between the parties. But two factors support party competitiveness: the rising urbanization of the state, which thus far has
varied, but tends to go to Republicans; and the fact that the legislators of different parties gave different power rankings to particular interest groups.

Dr. Judah's suggestion that party responsibility is also weak in New Mexico seems to be valid. On the liquor bill, for example, liquor interests were more important to some Democrats than party responsibility. Rather than following their party leader, the Speaker, these legislators followed the liquor interests. This suggests party responsibility is certainly not supreme over all other interests.

The question of whether parties, districts, or lobbies are the most important influence upon a legislator is difficult to answer. In separate cases, each seems to be important. More research is perhaps needed in this area.

Far beyond these particular findings however, an essential problem of a democracy has been implicit throughout this thesis: the right of a group to express its point of view as juxtaposed by that group's supposed interference with the legislative process in the course of that expression. If, as some people believe, lobbyists do more harm than good, their free activity may hinder the legislature. But on the other hand, a group is entitled to free expression of its point of view. Clearly, this dilemma is a central consideration in any discussion of lobby regulation. Let us consider this dilemma briefly.

On one side, Dr. Judah claims: "The right of private
interests to make their wants known to government and to use legitimate means to obtain favorable action in respect to those wants, is in a free society, indisputable." But he also points out dangers inherent in this right: "their activities frequently result in legislation so favorable to privileged groups that it penalizes the remainder of the community." 

Research for this paper began with little bias either for or against interest groups. Several facts are evident. The public in general and the newspapers in particular have an exaggerated view of lobbyists. Neither legislators nor lobbyists look upon lobbying with the disgust that newspapers do. After conducting fifty interviews with members of both groups, this writer acknowledges the valuable function which lobbyists perform for the legislature. New Mexico cannot afford to pay legislators a salary above the poverty standards, which is defined at $3,000 a year by the United States Office of Economic Opportunity, nor can it give legislators a research staff. Thus the legislators have no personal means with which to acquire information about legislation. A sixty-day period, even at eighteen hours a day, does not allow a legislator much time to accumulate and analyze data. As one legislator put it: "the legislator relies heavily on lobbyists, because he has little time or money to do the research himself. The legislative council is overworked. It would help if a larger salary were available
or staffs provided." Where, then, is a legislator to go for vital information on a bill? He cannot do it himself.

Clearly, many legislators use lobbyists to provide this vital information. Although the information may be biased, a legislator is often able to get both sides of an issue; whereas, without lobbyists, a legislator would have little information about either side. These people deserve credit, not bad editorials.

As to lobby regulation, basically "the morality of lobbying is in the final analysis, dependent on the morality of elected officials." This fact should be remembered by the public. "On the final analysis, whether the pressure group proves to be an asset or a liability will be largely determined by the relationship between the lobby and the legislature. If the latter is well-staffed, well-informed and with a reasonable amount of time at its disposal, it can weigh the demands of various groups, evaluate the data supporting such demands and reach its own decisions. If, however, the legislators lack information, have no practicable way of getting it, and are crowded for time, they are apt to accept as plausible and quite often reasonable demands and arguments presented them by representatives of this or that interest group." Considering that New Mexico has chosen the second alternative, she has done quite well in that not all lobbyists are concerned with only special interests.

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CHAPTER VI FOOTNOTES

1Frederick C. Irion, The State of New Mexico Twenty-third Legislature, Division of Research, Department of Government, University of New Mexico, 1957, p. 11.

2Idem.

3Albuquerque Tribune, March 10, 29, and April 8, 1967.

4The term harm here infers that interest groups are detrimental to the workings of the legislature.

5Charles B. Judah and Frederick C. Irion, The 47th State, Division of Research, Department of Government, University of New Mexico, 1959, p. 37.

6Idem.


APPENDIX

Methodology of Chapter IV

The written questionnaire on the following page was designed to meet several criteria necessary for a study of this type: brevity, hidden value judgments, internal consistency, meaningful method of ranking answers, hidden hypotheses, and closed-end statements. These criteria had to be worked into the questions or statements in order to provide the goals necessary for successful completion of the study.

The thirteen statements settled the brevity question—they took from ten to twenty minutes to answer. The Likert scale used proved a meaningful method of evaluating the answers. The content of the specific statements used enabled the author to insert value judgments within the context, due to the use of closed-end statements. The legislator was yet forced to agree or disagree, making a value judgment. The hypotheses were hidden within the statements according to the order discussed in Chapter IV. The internal checks were provided in several cases such as between statements ten and twelve. A legislator could not disagree with statement ten and agree with statement twelve. If he feels governmental control is not necessary, then he cannot feel registration
Questionnaire

Directions: After reading each of the following statements, mark beside the statement the extent to which you agree or disagree with it. Use the following numerical code as a method of listing your agreement.

(1) strongly agree with the statement (2) agree (3) no opinion or undecided (4) disagree (5) strongly disagree

1. Interest groups communicate the general will of the public to the legislature.

2. Interest groups control a significant amount of votes in New Mexico elections.

3. Interest groups have too much influence upon the New Mexico legislature.

4. Interest groups promote legislation for the benefit of small, special groups of people, rather than for the general public.

5. New Mexico legislators are vulnerable to illegal pressures, such as bribery.

6. The presence of interest groups in New Mexico weakens the general effectiveness of the legislature.

7. Interest groups can usually get their way in any political maneuvers in the New Mexico legislature.

8. Interest groups often use illegal methods to influence legislation in New Mexico.

9. It is difficult for legislators to make fair and impartial laws, due to the existence of interest groups.

10. Some degree of governmental control over the actions of interest groups is necessary.

11. Lobbyists have more influence upon the Democratic party than upon the Republican party in New Mexico.

12. The New Mexico legislature should require lobbyists and their employers to register.

13. The combined efforts of New Mexico interest groups have prevented the passage of a lobby registration act in New Mexico.
14. Rank the following general interest groups in terms of their relative influence upon New Mexico legislation:

1-6 scale

labor  business
farming  educational
governmental  other
is necessary. Any questionnaires which did not satisfy such internal checks were thrown out as inconsistent and not useful.

The sample was restricted in that the author could not afford to interview every New Mexico legislator. He was forced to interview whatever leaders were available in Santa Fe and all the Bernalillo County legislators who could be reached and made to keep appointments. All the interviewees were contacted within a two-month period, so the sample was not handicapped by time to any great extent.

The bias to the sample was clearly the preponderance of Bernalillo County legislators. The study was more accurately a study of Bernalillo County legislator attitudes than those of New Mexico legislators. However, the sample size was one-fourth of the entire legislature, although not a random sample. The data, while not statistically accurate, can be studied as an example of legislator attitudes toward lobbyists. No other method seemed feasible within the range of the author's time and money. To some extent, also, perhaps Bernalillo County attitudes are typical of New Mexico attitudes.

**Thurstone Scale of the Questionnaire**

Fifty college students were asked to rank the thirteen statements on the questionnaire in terms of strength or force of the statement. Five was a median answer; one was the lowest and ten was the strongest answer. The order on the following page goes from the strongest statements at the top to the
TABLE 19
THURSTONE SCALE

<table>
<thead>
<tr>
<th>STATEMENT</th>
<th>SCORE</th>
</tr>
</thead>
<tbody>
<tr>
<td>#8  Interest groups often use illegal methods to influence legislation in New Mexico.</td>
<td>8.21</td>
</tr>
<tr>
<td>#5  New Mexico legislators are vulnerable to illegal pressures, such as bribery.</td>
<td>8.09</td>
</tr>
<tr>
<td>#13 The combined efforts of New Mexico interest groups have prevented the passage of a lobby registration act in New Mexico.</td>
<td>6.92</td>
</tr>
<tr>
<td>#7  Interest groups can usually get their way in any political maneuvers in the New Mexico legislature.</td>
<td>6.89</td>
</tr>
<tr>
<td>#9  It is difficult for New Mexico legislators to make fair and impartial laws, due to the existence of interest groups.</td>
<td>6.66</td>
</tr>
<tr>
<td>#3  Interest groups have too much influence upon the New Mexico legislature.</td>
<td>6.31</td>
</tr>
<tr>
<td>#4  Interest groups promote legislation for the benefit of small, special groups of people, rather than for the general public.</td>
<td>6.18</td>
</tr>
<tr>
<td>#11 Lobbyists have more influence upon the Democratic party than upon the Republican party in New Mexico.</td>
<td>5.72</td>
</tr>
<tr>
<td>#6  The presence of interest groups in New Mexico weakens the general effectiveness of the legislature.</td>
<td>5.58</td>
</tr>
<tr>
<td>#10 Some degree of governmental control over the actions of interest groups is necessary.</td>
<td>5.24</td>
</tr>
<tr>
<td>#12 The New Mexico legislature should require lobbyists and their employers to register.</td>
<td>5.14</td>
</tr>
<tr>
<td>#2  Interest groups control a significant amount of votes in a New Mexico election.</td>
<td>5.05</td>
</tr>
<tr>
<td>#1  Interest groups communicate the general will of the public to the legislature.</td>
<td>3.57</td>
</tr>
</tbody>
</table>

Weakest statements at the bottom.

The significance of this table is simply that the higher-ranked statements are those with more force and more precision in their wordage. Thus the respondent knows exactly what the statement means and his answer is clear. But the
lower statements are less powerful because the respondent may be confused by the ambiguity of the statement. Thus these answers on the more cloudy statements are less meaningful for analysis because of this confusion. The reader, in studying the tables, might keep this in mind.

Other Variables in the Questionnaire Data

Three other variables in addition to those discussed in the text were correlated from the questionnaire data. The results will simply be summarized briefly here. First, on the age variable, the questionnaires were divided into five age groups from twenty-five through fifty-nine years of age. The interesting results were that the groups at the extremes tended to have the most unfavorable attitudes toward lobbyists. The twenty-five through thirty-four and the fifty through fifty-nine groups were the least favorable. Second, on the education variable, little correlation was obtained by dividing the sample into high school, some college, college, and post-college groups. There appeared to be no relationship between a legislator's attitude toward lobbyists and his educational background. Third, on the chamber variable, the group was divided into House members and Senate members. It was found that House members tended to be more unfavorable toward lobbyists. This confirms the experience hypothesis, since Senate members are usually more experienced. Hence they are less likely to believe the public image of lobbyists.
They have also had more contact with lobbyists and according to my conclusions would thus like lobbyists more, on account of this contact.

**Lobbyists and Party Influence**

Table 20 on the following page does not directly relate to any of the four major questions discussed in this chapter's text. Statement eleven, "lobbyists have more influence upon the Democratic party than upon the Republican party in New Mexico," was used to evaluate one of the existing hypotheses that interest groups concentrate their efforts on a majority party. Overall, a split occurred in the entire sample. Interestingly, the responses were directly related to party lines; Republicans accepted the statement and Democrats denied it, for the most part. The other sub-groups, 20B and 20C, do not have any significant differences.
### TABLE 20

**LOBBYISTS HAVE MORE INFLUENCE UPON THE DEMOCRATIC PARTY THAN UPON THE REPUBLICAN PARTY IN NEW MEXICO**

<table>
<thead>
<tr>
<th>Response</th>
<th>Republicans</th>
<th>Democrats</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA</td>
<td>13% (2)</td>
<td>8% (1)</td>
<td>11%</td>
</tr>
<tr>
<td>A</td>
<td>47% (7)</td>
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<tr>
<td>SD</td>
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*aSource: Statement eleven of the questionnaire*
1967 Liquor Bills

Senate

SB 5: to create a five-man liquor control board.
SB 6: to prohibit discrimination in the selling of all liquors by requiring price posting and the filing of affirmation to the effect the selling prices are as low as anywhere in the nation.
SB 52: to prohibit possession of liquor by minors.
SB 22: to repeal parts of the Liquor Control Act declared unconstitutional by the State Supreme Court.
SB 8: to call for education on liquor and narcotics.
SB 171: to prohibit issuance of liquor licenses for use in connection with a drug or grocery store.
SB 247: to prohibit drive-in sales of liquor.
SB 328: to prohibit home delivery of liquor.
SB 329: to eliminate requirement that all debts must be paid before liquor license can be transferred.
SB 331: to establish special tourist facility licenses.
SB 357: to authorize liquor retailers to buy merchandise out of state.
SB 368: to impose excise tax on liquor wholesalers.
SB 371: to prohibit sale of alcoholic liquors within five miles of Indian lands unless Indians consent.
SB 407: to amend the Liquor Control Act to require wholesalers to sell to all retailers at the same price.
SB 427: to limit the period of time within which wholesalers may extend credit to retailers and impose a surtax.
SB 428: to provide a minimum markup on all liquor sales.
SB 482: to provide for Sunday sales of liquor on local option basis.

House

HB 44: to prohibit discrimination, as in SB 6.
HB 110: to prohibit liquor advertising in newspapers.
HB 131: to limit license tax to fixed percent of gross receipts.
HB 198: to limit occupational taxes on liquor licenses by cities and counties.
HB 204: to force conviction and loss of driver's license of minors driving while possessing liquor.
HB 215: to prohibit a sale of beverages in disposable containers without paying deposit.
HB 240: to accomplish the same things as SB 329.
HB 344: to prohibit sale of beer in containers less than twelve ounces.
HB 340: to authorize sales on non-resident licenses to New Mexico retailers, dispensers and clubs.
HB 355: to prohibit minors loitering on licensed premises.
HB 362: to prohibit price advertising of liquor.
HB 363: to prohibit below cost sales of liquor.
HB 370: to duplicate SB 338.
Voting on HB 166, the gasoline tax bill

Senate: 29-13

<table>
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House: 44-26

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Lobbyist Interview Format

1. How did you first begin to be a lobbyist?
2. What skills would you say are required to be a successful lobbyist?
3. What do you like or dislike about this work?
4. What is your party affiliation? Have you ever run for public office?
5. What are you expected to do by your organization? Do they check on you? How? Are you paid? Who pays?
6. Who gives you orders? How much freedom do you have on your activities in Santa Fe?
7. What are your most important sources of information? Contacts?
8. Where do you try to establish contacts?
9. How important is joint activity with other lobbyist organizations on certain problems?
10. Who usually opposes your point of view?
11. How often do legislators contact you?
12. How do you spend your time?
13. How do you try to convince a legislator to your point of view?
14. What is your general lobbying technique?
15. In your opinion, what are the successful New Mexico lobbies?
16. Is lobbying healthy for the state of New Mexico?
17. How influential do you feel New Mexico lobbyists are?
18. What is your feeling toward the proposed lobby registration act?
19. Can you describe your activities on several bills upon which you were an important influence?
Legislator Interview Questions

1. What is your personal definition of a lobbyist?
2. What interactions have you had in this past session with lobbyists? Describe the particular groups, your method of contact, and the purpose of the contact.
3. When legislation is being debated, do lobbyists poll you? Do they plan strategy with you? Do they request information? Do you ever contact specific groups? How much do you consider lobbyists' viewpoints in your voting?
4. If you were a lobbyist, what approach to legislators would you view as most effective? Why? Would you rate the fourteen techniques as to their effectiveness?
5. Purportedly, lobbyists serve an informative function to legislators. Do you agree? To what extent do you use their information? Would you name specific cases?
6. Generally, do you find lobbying is healthy for New Mexico? Why?
7. Do you think the general public would agree with your answer to the previous question?
8. Do you think legislation is needed for control of lobbyists? Why or why not? What types of legislation?
9. Why do you think the proposed lobby registration act did not pass before this session?
10. Would you name the most influential lobbies in New Mexico? Why are they influential? On what issues? How much power?
11. Do you feel New Mexico has a strong or weak party system? Why?
12. What is your general attitude toward interest groups? Friendly, hostile, or neutral?
13. Did any lobbyists contact you regarding the abortion bill, the liquor bills, or the lobby registration act? Who? Why? How?
14. Would you please fill out this written questionnaire?
Techniques of Lobbyists

Directions: the following are fourteen (14) general techniques used by lobbyists in general. Please rank them on a scale of effectiveness from one to ten. For example, the most effective technique, in your opinion, would receive a ranking of ten points. Write beside the technique.

1. Personal presentation of arguments.
2. Presenting research results.
3. Testifying at hearings.
4. Being contacted by an influential constituent.
5. Being contacted by a close personal friend or confidant.
7. Being invited to a party.
8. Contributions of money to a political campaign, or threats not to do so.
9. Contributions of work in a political campaign.
10. A letter-writing or telegram campaign.
11. The publicizing of voting records.
12. A public relations campaign to convince the general public of the organization's point of view.
13. Direct bribery.
14. Joint lobby efforts by several organizations.
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Caudell, James. April 8, 1967 (R)
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