

UP CLOSE

with lobbyist Stan Barnes

Up closer

Favorite movie?

"Forrest Gump."

Favorite past Arizona politician?

Former Senate President Marty (Marshall) Humphrey. Classic Arizona farmer who came to the Capitol did his duty and went home. A class act. (Note: Humphrey served in the Senate, 1967-68, and in the House, 1959-64).

If you weren't lobbying or consulting, what would you be doing?

I'd be an old-school country western singer if I had the talent.

Who are some of your role models?

My father was a role model; that's a natural for a young man, but he was the generation of all action, no words. It's the opposite of the world I live in and I try to be more like him.

What is the worst advice you ever received?

Do the safe thing.

PHOTO BY BILL COATES

At the Capitol, 'facts take a backseat to politics'

BY CHRISTIAN PALMER
christian.palmer@azcapitoltimes.com

Stan Barnes was 27 when he was elected to the Arizona House of Representatives in 1988. Two House terms and a Senate term later, the son of Pinal County cotton farmers founded Copper State Consulting Group, a small but formidable firm that handles all things political.

Today, the truck-driving, boot-wearing Barnes is a happy camper, a demeanor he said he partially owes to his sister who saved his life with a donated kidney several years ago. His fellow lobbyists credit his ability to relate to lawmakers and his penchant for maintaining good relationships.

On Oct. 15, the

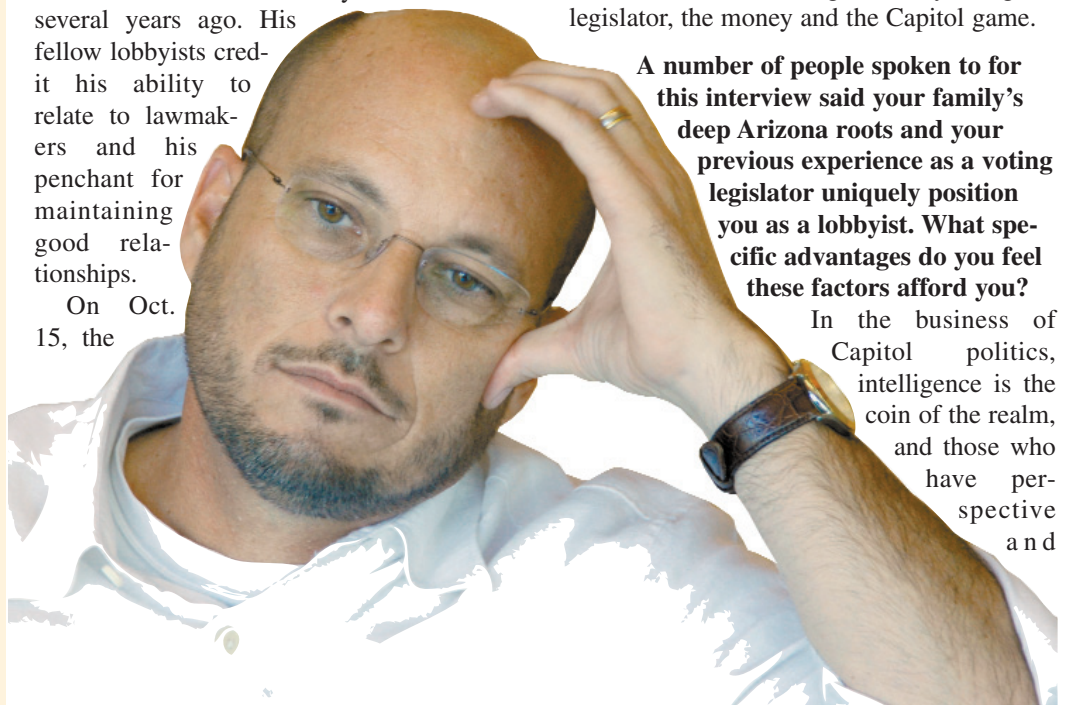
'The Legislature today is different than the one I was sworn into in January 1989. The personalities are different. The times we live in are different.'

— Stan Barnes

Arizona Capitol Times sat down with Barnes to discuss what makes a good lobbyist, a good legislator, the money and the Capitol game.

A number of people spoken to for this interview said your family's deep Arizona roots and your previous experience as a voting legislator uniquely position you as a lobbyist. What specific advantages do you feel these factors afford you?

In the business of Capitol politics, intelligence is the coin of the realm, and those who have perspective and



context about today's intelligence are in better position to use that intelligence — to make things happen.

Do you feel the Legislature is a different animal now?

Yes. It's different. In my experience, and I've been down there on and off for most of 20 years, is that it is different every single time. It's not necessarily going a certain direction. It just blossoms as a different flower every single election cycle. The Legislature today is different than the one I was

sworn into in January 1989. The personalities are different. The times we live in are different. And it plays itself out in the way the Legislature views itself, treats its own rules, makes its own rules and quantifies its own output.

Specifically there is less respect, less reverence today for the old traditions. It's not necessarily bad; it's just the way it is. There is less discipline within each caucus, less loyalty within each caucus and that's different compared to when I was there.

That is the most poignant difference. The elected official in the Legislature there today is much more a free agent than the one of 20 years ago.

What's led to the rise in free agents?

There are a couple of factors. I think term limits has amped up the ambition and that plays itself out. Clean Elections has made people more independent of their own financing.

Is that a good thing?

In the context of good government, yes, but the answer is much more complicated than that. Politics and lawmaking have always been unattractive because making decisions is a difficult thing and there are winners and losers and there are unhappy people and the like. But when you put all the factors in a bag and shake it up, it's a better environment today at the Legislature than it was so long ago.

If you score it by the influence of the so-called special interests, the free agency is a part of that drama. Wait, I'm not being very clear of that. When the legislators figured out that they don't need the party and don't need any particular fundraising vehicle or fundraising group, that changed the dynamic. It gives us a Legislature that is more purely reflective of the electorate than it does just the players that play in the political arena. And I think a neutral observer would score that as a positive even



PHOTO BY BILL COATES

'When the legislators figured out that they don't need the party and don't need any particular fundraising vehicle or fundraising group, that changed the dynamic.'

— Stan Barnes

though an insider finds it very difficult because it's hard to predict, to move the herd in a certain direction.

It makes it more difficult for the leadership to do anything. In the old days, leadership had tools available to exact discipline and bring about an outcome. Now, leadership has to manage myriad personalities all acting independently. Some look at that as a bad thing or a good thing. It just depends on where you are standing.

On the issue of special interests — before, a candi-

date needed money, and now, with public campaign financing, these candidates can collect signatures to qualify for public funding. Who do you go to for all these signatures? Are the same special interest groups just as influential and the only thing changed is the form of currency?

There is still less reliance than there used to be. If you are an energetic legislator interested in your own re-election, you can do it on your own. If you're a lazy legislator and you want to rely on special interests, they will be there to help you.

Put all that into context — I don't think all special interests are bad. They're just engaged, and, therefore, disliked by some that are not engaged. But those who are engaged who will want the Legislature to do certain things will always be there to help either the lazy legislator or the one who welcomes their help. But legislators can do it on their own because the pond is small enough in their district where one person can do it entirely by themselves if they want to. That wasn't really so true in the old days.

But an interesting phenomenon is that Arizona has always been a state that, if you are willing it is possible, but now it is more so because of the Internet, Clean Elections and term limits have all changed the dynamic so that an ambitious, intelligent person can make use of that to his or her advantage.

Who do think are upcoming political stars in Arizona?

Given my line of work I simply can't name anybody because that would exclude somebody. I would be punished severely for leaving someone out of the equation.

But in your line of work, don't you automatically exclude somebody or make somebody a loser in an equation if you go down to the Capitol for a client and ask for something and get it?

There are a lot of win-win situations that are not necessarily a

pass-fail or win-lose circumstance. Here's the secret that most people don't get until they are in the game: most of lobbying is not dealing with legislators, but dealing with other stakeholders that are interested in

your issue. For the most part, there is a reasonableness among stakeholders that is compelled by the legislators most of the time. It's not really counting votes on a bill but going to other stakeholders and reaching consensus.

You've never seen a legislator so happy as the one who sees a controversial issue laid on their desk with stakeholders all in unison saying "this is our compromise." That makes legislators happy and they usually applaud and vote yes.

Most of what I do is in the background. Every now and then, there is the hand-to-hand combat where it's us-versus-them, and cashing the political chips and exercising your relationships. But those don't happen every day. It's mostly negotiating with other stakeholders with the legislators acting as fair arbiters.

What's the most difficult thing to communicate to a client?

The most difficult thing is easy, and that is, in the game of legislative politics, facts take a backseat to politics. That is not a criticism; it is just the way it is. Facts in a political environment are not as heavy as they are in the real world. They don't have the same gravitational weight. Explaining that to clients that clearly see the facts on their side is a difficult thing to do.

One of my rules, politically, is that if I'm going to fight, and one side has fear as a weapon and one side has facts, it's the side with the fear that has the strongest weapon. I'd rather have fear than facts if I'm in a political fight. It's nice to have facts on your side, but it's important in that environment to realize that facts only go so far; that there is politics and it is real. It has always been thus, it is not just about the Arizona Legislature. It's been this way since the beginning of the country.

The frustrating thing for clients is they believe, like in front of a courtroom, that the facts will play out. But in a legislative environment, that only goes so far, and then there is the politics; who likes whom, who's doing what to whom, who's mad at whom, who's got old scar tissue about this, who wants to do that.

All those unseen, but very real, forces is what the Legislature and lobbyists are all about. Lobbyists — good lobbyists — understand those forces. That's what I get paid to understand.

Can you be a good lobbyist and still lose while trying to accomplish something for your client?

Absolutely. In fact, a lot of good lobbyists do lose because it's not a perfect science. It's not a science at all. It's an art, and sometimes art is against you. You can have all the facts on your side but get beaten by things out of your control. I've lost things before just because lightning strikes and you can't do anything about it.

How do clients take that?

Clients take it OK if, along the way, you have built up good

'A long time ago, I left the idea that I'm going to find many candidates that see the world the way I do. I'm trying to give money to candidates in the name of some sort of reward for what I think is great behavior.'

— Stan Barnes

will with them. If a client sees you engaged with your heart, as well as your head, giving it all you've got, then they don't expect the perfect outcome. While they are not happy, they are satisfied that all that could be done

was done.

There's no doubt there have been frustrated clients that felt they didn't get their money's worth or felt the fight wasn't made how they wanted. But for the most, part clients can be happy wholly apart from the outcome, as long as they were in the game. It's no fun to lose.

What do you consider your biggest accomplishment?

My biggest accomplishment has been to make the conversion from lawmaker to lobbyist and to thrive in that environment. It's not easily done. In Arizona, that is not a common thing, and I consider my biggest accomplishment in the professional arena is to have made the transition with the minimum of hurt feelings and enemies, and a maximum of happy clients and money made and satisfaction.

You do a fair amount of work for ballot initiative committees — most recently a losing fight against Prop. 204, a hog-raising proposal. Do you feel this is a lawmaking process that needs to be reined in?

I do. How you rein it in is the question. But I don't believe it's healthy.

The recent phenomena of people simply bypassing the Legislature and going right to the ballot with their own marketing campaign just because they have the money — that's not what I believe was intended by that particular valve in the Arizona Constitution.

I'm one of the proponents of doing something to limit the ability to simply run to the ballot. I think it gives us bad laws and is almost lawmaking to the highest bidder. I don't think it's good for the representative democracy we're in.

What I don't like is the way the system has been hijacked by people I don't believe have Arizona's interests at heart, but only some money to spend and their own policy agenda to forward. In many states, not just Arizona, they're abusing a system that was built as an emergency relief valve for a frustrated electorate that needs to be heard. In many cases, they're from out of state, and it's people that find Arizona easy-pickings because anyone with \$250,000 can get on the ballot.

I wish we could do something about it, but we run headlong into the constitutional questions. When I was in the Legislature, I actually tried. We tried doing away with paid signature gatherers.

Employer sanctions passed last session and now there's a lawsuit against it, an ad hoc committee to look into amendments, and now, several proposed ballot initiatives. What do you predict will happen?

Arizona is going to have some sort of employer sanctions law, whether it is the one we currently have or whatever it morphs into, because that is what the electorate wants. And the Legislature is

understandably and dutifully following its constituencies.

One of the things I think about is how this has caused a civil war among my party — the Republican Party — over illegal immigration and what to do about it. For the foreseeable future, that's the way it's going to be. What to do about the illegal immigrant is the domestic issue of our time.

You've been "outed" by Common Cause, a strong proponent of publicly funded campaigns, as a "bundler" for John McCain. Do you think people in your line of work are getting a bad rap?

I think those with their own agenda are using fear tactics and playing on an uneducated electorate in order to advance that agenda. Have I raised money for a guy that I'd like to see be president of the United States? Absolutely, and I'm proud of it. What is wrong with that?

It's people with their own agenda trying to cause the electorate to be negative about somebody or fear something, but I accept it as part of the world we're in. But it seems to work and it really has a chilling effect among elected officials who exacerbate it until they are afraid of their own shadow when it comes to casting a vote or doing what they want or ought to do in the political arena.

You contribute to Democrats and Republicans. Does this help you do your job, and if not, why do you do it?

The first reason I give money is because I support the person. It's not so much a gift of supporting philosophy, but it's a gift of supporting the person who I believe is in the process of trying to do the right thing as they see fit.

A long time ago, I left the idea that I'm going to find many candidates that see the world the way I do. I'm trying to give money to candidates in the name of some sort of reward for what I think is great behavior.

The nature of politics is that people need to raise money, but in the Arizona environment it is lessened, and as we talked about earlier, some run in the traditional manner and some run public. But money and its influences never have been what critics have claimed it to be, and it is even less today.

Critics always say 'so-in-so is buying the Legislature.' In my

experience, it hasn't happened that way, especially with campaign (contribution) limits. My entire political life has been post-1986, which was the year we limited personal contributions to \$200. Now, that level has grown a little, but that was the world I stepped into. The minute that became a reality, no one could buy anyone for that kind of money.

The role of money in politics has always been exaggerated by people that felt like they were somehow out of the process because it suits their agenda.

People that run for office are my favorite people, because they are willing to risk in a very public arena, and that is not a very easy thing to do. The guy that's willing to do it is the guy I'm willing to promote, and when I see people doing it in a classy way, that person is easy for me to give money to.

Lobbyists don't want somebody in any particular mold, because our clients vary and so do our demands at the Legislature. What we really want is somebody who lives up to their word. People who don't do that either don't last long or get figured out and isolated at the Capitol.

Who's in charge at the Capitol — lawmakers or the people around them?

Lawmakers. Critics will say it is the people around them, but lawmakers are in total control and they show that all the time. Special interests, however you want to define them, get rolled all of the time because they are on the wrong side of the politics or the wrong side of the times we're living in.

Was it surprising for you to see employer sanctions signed into law?

That is a perfect example. There was a great deal of lobbying against that bill, but that is an example of an issue whose time had come, and legislators simply had to act on behalf of what they were hearing from their districts. No amount of lobbying was going to change that bill. If money drove politics that bill would have been dead and never seen the light of day because all of the money was on one side — the losing side. That's exhibit A.

Thank you for your time.

My pleasure. 