



## Artists of Persuasion

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by Trent Seibert

The caricature of a lobbyist is a cigar-smoking fat cat, with a \$100 bill as a pocket square. Monocle and spats, optional.

But in Tennessee's Legislative Plaza that clichéd image is threadbare. Today's lobbyists are, by and large, professionals and experts in their field. The days of lobbyists wining and dining elected officials have largely been replaced by lobbyists making their case through hard facts and Powerpoint presentations.

And there is one other thing lobbyists need on Capitol Hill.

"The secret for success in my business, first and foremost, is your credibility," lobbyist David McMahan told TNReport. Lawmakers "have to trust you. They have to trust that your information is accurate."

Indeed, credibility was a common thread in all the lobbyists we spoke to for our report on the most influential lobbyists at Legislative Plaza for 2013. That may be more important in Tennessee than just about anyplace else.

In the national capitol, or in states such as California or New Jersey, lawmakers enjoy large staffs and research assistants. In Tennessee, lobbyists are, many times, the research assistants who help craft legislation.

How did we compile our list? It was unscientific, to be sure. We had off-the-record conversations with many key people at Legislative Plaza, including staff, elected officials and other lobbyists, to compile the list. We also took a look at lobbyists who spent the election season supporting new lawmakers and helping incumbents keep their seats.

You may note that many of these names are the familiar, top lobbying names that could be found working the halls when Democrats held power at the Capitol. Some firms made strong GOP hires to stay in the game; others changed their spots along with the times.

Largely, though, many Democrats in Tennessee in decades past were often conservative, pro-business Democrats. At Legislative Plaza, the letter behind the name of the lawmakers may have changed, but many policy initiatives have not. If some Democratic

lobbyists had to change their tune, it was from Mozart to Beethoven rather than from Mozart to Lady GaGa.

**Our list of the most influential lobbyists at Legislative Plaza for 2013, in no particular order:**

**David McMahan and Beth Winstead – [McMahan, Winstead, Hafner & Alexander](#)**

McMahan is a longtime Republican and started lobbying back in the days when rounding up Republicans for a card game at Legislative Plaza often meant a game of solitaire.

Winstead is a Democrat, but both she and McMahan have long supported pro-business Republicans. One other item that helps open GOP doors: They recently hired Anna Richardson, a former top Senate Republican aide.

McMahan conceded that his firm is a “beneficiary of the Republican takeover of Tennessee” but also attributes his firm’s success to being as accessible as possible to both client and lawmaker.

Clients from 2012 included: T-Mobile, the Tennessee Charter School Association, cash advance companies, Vanderbilt University and 3M.

**Brian, Mike and Steve Bivens — [Bivens and Associates](#)**

The Bivens family are long-time Democrats who made the switch fairly seamlessly to the new GOP reality.

“You have to shoot straight with people, being honest with people,” Brian Bivens told TNReport. “The second your credibility is gone, your career is over.”

The Bivens brothers — Brian and Mike — navigate the legislative shoals with the help of their father, Steve. He served in the House 14 years, from the late 1970s to the early 1990s, with stints as speaker pro-tempore and vice chairman of the powerful House Commerce Committee.

Their flexibility in dealing with the Republican leadership comes through in their discussion of Speaker Beth Harwell’s proposed 10-bill cap on lawmakers, which has many lobbyists scrambling to find legislators to sponsor their clients’ bills.

“It doesn’t bother us a bit,” Bivens said. “It will streamline the process. We’ll work with whatever they decide.”

Clients from 2012 included: Sprint/Nextel, the Tennessee Dental Hygienists Association, the city of Cleveland, Southeast Financial Credit Union and Health Services Management Group.

**Nathan Poss and Bo Johnson** — [JohnsonPoss](#)

Poss and Johnson are also longtime Democratic lobbyists who successfully made the switch to supporting pro-business Republicans and have built good relationships with leadership in the House and the Senate.

An example: Poss was an aide to former Senator Bob Rochelle, who became a poster child for the vilified proposed income tax in Tennessee. But Poss coasts with ease into the offices of Republicans who fought tooth-and-nail against an income tax. He's known as an expert in the state's purchasing practices — the wording of which makes [Finnegans Wake](#) seem like a light read.

Johnson is a knowledgeable, easy-to-get-along-with lobbyist who also can talk the GOP talk. He brings an added benefit to the table, though. He comes from a newspaper family and has a knowledge of journalism and is comfortable talking with reporters.

Clients from 2012 included: Alcoa, Motorola, Nissan, Corrections Corporation of America and the Tennessee Press Association.

**Gif Thornton** — [Adams and Reese, LLP](#)

Thornton has been a Republican heavy-hitter not only at Legislative Plaza, but also representing clients before various regulatory agencies in Tennessee.

He has many clients, but as a representative of the Tennessee Bar Association, he has the ear of key Republican leaders when it comes to the judiciary.

He also has had no shortage of adventures throughout his life. He's run the Boston Marathon and worked as a special assistant to the ambassador at the American Embassy in Paris.

Clients from 2012 included: the Tennessee Bar Association, Delta Dental, Liberty Mutual, the Tennessee Defense Lawyers Association and the American Heart Association.

**Jim Brown** — [National Federation of Independent Business](#)

Brown is on the list for what he did — and what he did not do.

He was a leader on unemployment law reforms that moved through the legislature last year, and — wisely, some say — he stayed far from the guns in parking lots debate. That leaves him strolling into Legislative Plaza this year with no shrapnel from the issue.

Brown says his being on the list has little to do with him personally, but rather more to do with the NFIB's members.

“Candidly, it's the influence of 8,500 members,” Brown told TNReport.

As a rule of thumb, Brown said, if half his members lean one way on an issue and the other half lean another, he stays neutral — which is what happened during the guns in parking lots debate.

Another help to Brown: “We’ve had good friends of business on both sides of the aisle,” he said.

### **David Locke** — Blue Cross/Blue Shield

Locke was the top lobbyist to former Republican Gov. Don Sundquist, someone whose political reputation was also damaged by the income tax debate of the early 2000s.

But Locke is on the list because he is now the top lobbyist for Blue Cross/Blue Shield, a 800-pound gorilla in Tennessee. And, more than many, Locke knows how Legislative Plaza works. For example, some say he spoke fluent “Wilder.” Former long-serving Lt. Gov. John Wilder was known at times to make his wants known cryptically or through stories while invoking “the cosmos.”

That experience may serve him well at Blue Cross/Blue Shield. A debate over Medicaid expansion is looming: Gov. Bill Haslam has said he will decide sometime next year whether [Tennessee will expand its Medicaid program](#), but if he chooses to, he faces possible opposition from House Speaker Beth Harwell and Lt. Gov. Ron Ramsey. Both say they lean toward not expanding the insurance program.

And this comes as the Obama administration announced that states will have to expand their Medicaid programs [all the way or not at all](#) under the federal health law aimed at extending government-subsidized insurance coverage to millions of Americans.

Locke, and the mega-insurance company he represents, will certainly have a seat at the table.

### **Nathan Green** – RobinsonGreen LLC

He’s a lobbyist who’s been fighting one of the top issues at the legislature: to allow [wine to be sold in grocery stores](#) as a lobbyist for the Tennessee Grocers & Convenience Store Association.

If wine in grocery stores passes this year, it will be because of Green, some say.

Although Republicans see him as one of their own, he’s married into the prominent — and Democratic — Davidson County Robinson family, giving him insight and access to both sides of the aisle.

Clients from 2012 included: the Tennessee Grocers & Convenience Store Association, BellSouth/AT&T, the city of Bartlett, the Tennessee Hospitality Association and Novartis Pharmaceuticals.

## **Notables: Lobbyists to watch in 2013**

These lobbyists are ones to keep your eyes on. They didn't make our "most influential" list for a couple reasons. Some are new to the game without a lot of clients but have such bonafides that it would be difficult to argue they won't have access to House and Senate leadership. Others are dark-horse lobbyists who you may not know but who have successfully worked behind the scenes for some time.

### **Matt King** — [King Public Strategies](#)

It'd be a tough argument to say Matt King doesn't have access to the corridors of power at Legislative Plaza. He's got one of the best resumés in the joint: former chief of staff to Lt. Gov. Ron Ramsey and former executive director of the state Republican Party. He's worked closely with Speaker of the House Beth Harwell, and he's served as the Tennessee State Director of the National Federation of Independent Business.

Perhaps most important, he was a player in the GOP war room that envisioned — and executed — the Republican takeover of state politics. Some key members of the House and Senate are in their seats because of King's work.

### **Robert Gowan** — [Southern Strategy Group](#)

Robert Gowan is a legislative ninja. Figuratively, maybe. But just maybe.

He's former Democratic Gov. Phil Bredesen's top lobbyist, and he's built expertise in health care, budgets, regulation and economic development. But his true calling may be education. He's been working behind the scenes on education in recent years as a key advisor to Republican Gov. Bill Haslam.

### **Brent Easley** — [StudentsFirst](#)

Brent Easley is the former House policy and research advisor to the House Republican Caucus. Just this year he was hired as the state director for StudentsFirst, the education reform organization backed by Michelle Rhee, the former chancellor of the Washington D.C. Public Schools.

The group boasts 35,000 members in Tennessee, but its real power — and Easley's — may be in cash. The group made more than \$200,000 in political contributions this past year.

### **Pat Miller**

How's this for background: Bredesen's senior advisor and lobbyist for the last four years of the administration, when Republicans controlled the Legislature, who recently completed two years working in the Haslam administration. An architect of Race to the Top legislation and the Complete College Act. Former chairman of the Tennessee

Regulatory Authority. Go back a few years, and you'll see Miller's fingerprints on the passage of the Tennessee Plan that governs how judges are selected. Last, but not least, he served as chief of staff to Lt. Gov. John Wilder.

Miller's the real deal and as politically savvy as they come. We at TNReport wouldn't want to cross him. We'd drink with him, though, any day of the week.

### **Steve BATTERY**

A former House member, Steve BATTERY is close to House Speaker Beth Harwell and House Clerk Joe McCord. He's a pragmatic East Tennessee Republican, with strong connections to both the Haslam administration and constitutional officers.

### **Jeff Van Dyke — AT&T**

Jeff Van Dyke is the lead lobbyist for this powerhouse communications giant. He's from North Carolina but rapidly became influential in policy and politics in Tennessee given the money and muscle of his company and the highly skilled lobbyist corps he directs. Note: He was named one of North Carolina's most influential lobbyists. We're waiting to see if that happens in Tennessee. And it just may.

***Trent Seibert can be reached at [trent@tnreport.com](mailto:trent@tnreport.com), on Twitter ([@trentseibert](https://twitter.com/trentseibert)) or at 615-669-9501.***