

PARTIES AND CAUCUSES

Asked to list recent changes in the legislature that impact its ability to work for the good of the state, most legislators and informed observers interviewed named the growth of parties and caucuses. The two party caucuses were established by a Joint Resolution in 1997-1998, (House Public Information office) but some mark the election of Guy Hunt as Governor in 1993 as the beginning of increased party competitiveness in the legislature. The caucuses play a growing and important role; meetings are increasingly well attended. Although Alabama is still listed as a legislature dominated by one party, no one doubts that partisan competition in the legislature will intensify. As is the pattern in most states (Rosenthal, 1998, Chap.5), the minority party caucuses meet more regularly and are better organized --for protection, one interviewee explained. But both groups expect partisan competition to increase and the caucuses to strengthen. What is not yet clear is the form a more mature partisanship might take or the beneficial and harmful effects that might follow.

The following account of current circumstances, collected from LWVAL interviews, is useful to follow future developments. At present party caucuses appear in House and Senate Rules in only two ways: a Majority and a Minority Leader must be designated, and these two leaders or their designees are declared members of every Standing Committee. Beyond that, caucuses write their own rules, although House and Senate Rules take precedence.

The party caucuses are funded through a set appropriation from the legislative budget in the General Fund to majority and minority party leaders in each house. The majority or organizing party receives more funding. The appropriations for 2005-2006 are \$57,000 for the majority and \$28,000 for the minority. Each party caucus pays rent for its offices in the State House and pays for its staff and other office expenses. Some minority funds have paid for a staff member to research and write op-ed pieces on various issues that members can adapt to their districts and use. Caucuses are free to raise additional funds through fund-raisers, through contributions from the state parties and from PACs. The Ethics Law and campaign finance laws govern their fund raising activities. The appropriateness of donations from party PACs to party legislative caucuses was one issue raised, but not settled, in debate on the Disclosure Bill considered in the 2005 session.

House Party Caucuses

The Speaker as part of his organization of the House has encouraged the party caucuses. Both party caucuses meet weekly at noon on Wednesdays during the session, with steering committee meetings on Tuesdays. Lobbyists who may make "educational" presentations at the meetings often pay for these luncheon meetings.

The degree of control attempted over members varies. In the Republican Caucus a 2/3 vote is needed to adopt an official party position. Few such votes are taken.

House Party Caucuses

Democratic Caucus

63 members

Chair: Ken Guin Carbon Hill

House Republican Caucus

42 members

Chair: Mike Hubbard, Auburn

Support is sought on procedural questions but not on bills. The Democratic Caucus is more flexible in its operations.

Senate Party Caucuses

At present in the Senate, three party caucuses operate: the Democratic Majority, the Republican Minority; and a second Democratic caucus composed of opponents of the current majority party leadership. While the number of Republicans holds steady

Senate Party Caucuses
Republican Caucus Estimated Membership: 10 Chair: Jabo Waggoner, Birmingham
Majority Democrats Estimated Membership: 17–19 Chair: Zeb Little, Cullman Whip: Roger Smitherman, Birmingham.
Opposition Democrats Estimated Membership: 6 – 8 Chair: Tommy Ed Roberts, Hartselle

between elections, the relative size of the two Democratic caucuses shifts in response to Senate events. During the 2005 session, the Republican and opposing Democrats combined could produce a vote as close as 18 to 16 -17.

Senate Republicans meet on Tuesdays and sometimes three times a week during the session. The Majority Democratic Caucus meets as needed. The second Democratic caucus, sometimes called Independent Democrats and Conservative Democrats, originated in 1999

when the current President Pro Tempore organized the Senate. Their organization is relatively informal, but they do meet throughout the session. Some of the Opposition Democrats meet with Republicans on occasion. Their negotiations with the Senate leadership have focused on committee chairmanships and on members' committee assignments, especially those for the few most powerful committees.

The two official party caucuses receive funds from the Senate with the majority receiving more than the minority. Statements to the study committee identifying the amounts involved varied greatly with much of the variation based on wide ranging estimates of the amounts given the majority caucus.

Legislative Black Caucuses

The Legislative Black Caucus, chaired by Representative Laura Hall, D-Huntsville, has 35 members, who also belong to the Democratic Caucuses in their respective bodies. Two years ago the House and Senate Black Caucuses began meeting separately to accommodate the differing schedules in the two houses. The House caucus meets on Tuesdays. The Senate caucus meets as needed.

Unlike the two party caucuses, the Black Caucus receives no appropriation from state funds. It must raise its own funds. Its only staff is secretarial. Legal advice

House Black Caucus 27 members Chair: Oliver Robinson, Birmingham
Senate Black Caucus 8 members Chair: Myron Penn, Union Springs

is provided by volunteers from outside organizations and from committee staff in the House. Among the membership allegiances may be divided, especially along rural-urban lines, but on social issues the caucus is usually united.

The chief need of this caucus, and the entire legislature, is said to be more analytical information to judge the effects of proposed bills. The caucus, in the opinion of members interviewed, has been effective in helping its members evaluate legislation to benefit not only black constituents but also the state as a whole.

Effects of Stronger Party Caucuses

Beneficial effects of party caucuses listed below are roughly in order they were most often cited in interviews:

- Information supplied and exchanged in caucus helps members deal with the heavy load of bills to be examined and improves communication among members.
- Potential effects on the power of lobbyists. Having other sources of information (substantive and political) may reduce the level of influence now exercised over every phase of the legislative process by the most powerful groups and their lobbyists. Caucus meetings also offer lobbyists an opportunity to present their information to a group. Questions asked in a group setting may result in greater information exchange. Smaller groups may benefit the most from such access.
- Agreement among caucus members, where it exists, can expedite the necessary negotiations and compromises on bills and perhaps promote more coherent policy for the party in the majority.

Negative effects given are chiefly two, both clearly a worry to those interviewed:

- Divisiveness from partisan exchanges and tactics.
- Increased potential for gridlock especially as party ratios narrow.

The positive and negative views expressed above are consistent with material found in writings on legislatures and interest groups.

Recommendations

Most interviews conducted did not include questions that directly asked how to encourage the growing partisanship to take positive directions. One expert suggested a goal of more bi-partisan arrangements. The literature on state legislatures suggests other alternatives.

One is the proposal for a Non-Partisan Policy Research Organization on the model of the Legislative Fiscal Office. (See *BP: Legislative Support: Research and Staffing*). This and other means of strengthening the legislative process itself might give legislators of both parties a basis for working together.

Second are the questions raised in the various debates related to bills submitted to the Legislature in the 2005 to ban PAC-to-PAC transfers and to require disclosure of sources of funding for political advertisements. The PAC-to-PAC transfer ban, supported by both parties before the session, aimed chiefly to end the mechanism by which large contract lobbyists and other large interests conceal the sources of campaign contributions from the public. In some versions of the bill PAC contributions from party sources to the legislative caucuses were exempted.

A third area, not a policy issue but important in determining how partisanship develops, is personal relationships across party lines. Some legislators now regularly dine in groups that include members of both parties. One specifically stated that he did not want the legislature to become as polarized as the US Congress is now. Citizens might let their legislators know that they value civility and honest debate.

Alan Rosenthal, who has devoted his life to the study of state legislatures, suggests that legislators and the public accept the following as essentials of modern representative democracy. (Rosenthal, 1998, p. 343)

1. The public is divided; public opinion is divided.
2. Public officials, reflecting the publics and their opinions, are also divided.
3. Ordinary people are represented by groups and also by legislators, who do their best to be responsive to their constituencies.
4. Debate is good, allowing as it does opposing sides to be heard.
5. Compromise is essential, if consensus is to be built and progress is to be made.
6. Competition and conflict are normal and healthy.
7. People cannot get everything they want.
8. Working through to a settlement takes time.
9. Although settlements are reached, closure is rare; the process continues.
10. Through it all, tolerance helps.

Related topic: Proposal for a nonpartisan policy research organization in
Legislative Support: Research and Staffing.