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Power in General Assembly More Dispersed Than a Decade Ago, Center Says

Power is more dispersed in the N.C. Legislature than a decade ago, says the N.C. Center for Public Policy Research in its biennial analysis of trends in the legislature. From one-party control and tightfisted leadership by a handful of legislators in 1987, power is now split almost evenly among the parties, and almost every legislator in the majority party in the House and Senate chairs a committee. In the House, 60 of 61 Republicans chair a committee, and all but the six freshmen among the Democrats hold a leadership post or chair a committee in the Senate.

"In 1987, we saw power controlled by the Speaker of the House, the Lieutenant Governor, and a small group of legislators called the Gang of Eight," says Center director Ran Coble. "Now, the pendulum has swung the other way. With 20 committees having more than one chairman and some with as many as five co-chairs, it may be time to buy stock in a company that makes gavels."

Other trends highlighted by the Center include:

- In a biennial survey of legislators, lobbyists, and capital news correspondents, the most powerful committees still are the Appropriations, Finance, Judiciary, and Rules committees.
- Legislative turnover rates remain high at more than one-fifth of the Senate and almost one-fifth of the House, though well below the near-record turnover seen after the 1992 and 1994 elections.
- The fastest-growing occupations within the legislature are retirees and real estate, while the 26-year decline in the number of lawyers seems to have halted.
- Five of the state's six largest urban areas now are represented by split-party delegations. Only Durham has an all Democrat legislative delegation. Mecklenburg, Wake, Guilford, Forsyth, and now Cumberland counties are represented by both Republican and Democratic legislators.

These and other trends in the legislature are contained in a new citizens' guide to the General Assembly published by the N.C. Center for Public Policy Research. Authored by Mebane Rash Whitman, the Center's policy analyst, *Article II* contains profiles of each of the 170 members of the General Assembly, including photos, business and home addresses, telephone and fax numbers, counties in the

district served, number of terms served in the legislature, and each legislator's educational and occupational background. For members who served in the previous session, the guide lists five selected bills they introduced, votes on 15 of the most significant bills in 1995-96, and effectiveness rankings since 1981. Also included are demographic and occupational trends for the General Assembly since 1977 and a list of the 50 most influential lobbyists.

A pocket-sized supplement to *Article II* contains information a citizen or lobbyist would need while at the legislature: each legislator's party affiliation, home county, legislative office address and phone number, e-mail address at the General Assembly, seat number, and all committee assignments. The supplement also has seating charts, committee schedules, and deadlines for introducing various types of bills.

Factors Leading to the Dispersal of Power

The Center points to five factors that have dispersed power within the legislature. First, parity between the political parties has changed the legislature from one-party control by the Democrats to a Senate controlled by the Democrats (30-20) and a House controlled by Republicans (61-59). Second, there are splits within each party. Third, consistent turnover has lessened the impact of seniority. Fourth, there is no party contract that unites all party members behind a common policy agenda the way the eight-point Republican Contract of 1994 united 1995 Republican legislators. And, fifth, the Lieutenant Governor now is only a symbolic leader of the Senate. Instead, the President Pro Tem, elected by his fellow Senators, is the leader of the Senate with the power to appoint committees.

With these changes, the two leaders of the House and Senate have adopted new methods to exercise some control over their chambers. One of these is giving almost all members in the majority party a chairmanship. However, the committee chairs' powers are diluted by appointment of multiple chairs, the Center says. And the withdrawal of chairmanships can be used to punish party members who get out of line. For example, Rep. John Nichols (R-Craven) claimed Speaker Harold Brubaker (R-Randolph) reneged on a promise to appoint him co-chair of the Appropriations Committee, and the result was that Nichols was the only House Republican who failed to get a gavel.

Most Powerful Committees

Every other year, the Center conducts a survey of all legislators, lobbyists, and capital news correspondents, asking them to list in order of priority the most powerful committees in the General Assembly. Last session, these three groups said the most powerful Senate committees were Appropriations, Finance, Judiciary I/Constitution, Rules and Operations of the Senate, Education/Higher Education, and Judiciary II/Election Laws. In the House of Representatives, the most powerful committees were Appropriations; Finance; Rules, Calendar, and Operations of the House; Judiciary I; Judiciary II; and Education.

"Year in, year out, the most powerful committees are those that are the gatekeepers over the flow of money, changes in the law, and the flow of bills within the legislature," says Whitman. "The money committees -- Appropriations and

Finance -- handle spending and taxing decisions. The Judiciary Committees usually handle the most complicated changes in the state laws, such as tort reform, campaign finance, or changes in the judicial system. And the Rules Committees schedule the ebb and flow of legislation and, at the end of the session, determine which bills live and which bills die."

The Center notes both good and bad trends in the evolving committee structure. One good trend, it says, is the use of select committees to handle a specific task in a legislative session. These committees tackle a problem and then disband after the problem is solved. For instance, this session, the Senate has select committees working on congressional redistricting, the future of the court system, and session limits. In the House, there are select committees for congressional redistricting, technology, election of the UNC Board of Governors, and state personnel review.

On the other hand, the trend toward appointing multiple committee chairs may not be wise. The Center says this dilutes accountability, puts too many inexperienced legislators -- including three House freshmen -- in positions of responsibility, and lessens the predictability of how a committee may act.

Coble says, "On four different days, you might have four different chairs of the Appropriations and Finance committees in the House and two different chairs in the Senate. Lawyers are sometimes accused of judge-shopping in court. Now you see lobbyists and legislators chair-shopping according to who's chairing a certain committee on a certain day."

North Carolina is 20th in the nation in terms of the number of legislative committees. In the Senate, there are 13 committees, six appropriations subcommittees, and three select committees. In the House, there are 21 committees, 20 subcommittees, and four select committees. Each legislator serves on an average of almost eight committees. Senators Wib Gulley (D-Durham) and Tony Rand (D-Cumberland) each serve on 11 Senate committees. Reps. Joni Bowie (R-Guilford) and Bill Ives (R-Transylvania) each serve on 13 committees in the House.

Number of Women Legislators Has Significantly Increased Since 1971

According to the Center for the American Woman and Politics at Rutgers University, 1,593 or 21.5 percent of the 7,424 state legislators in the United States in 1997 are women. Since 1969, the number of women serving in state legislatures has increased five-fold.

In North Carolina, in 1971, two women served in the House of Representatives. Now, 17 percent of the 170 North Carolina legislators are women -- six Senators and 23 Representatives. Although North Carolina still ranks 32nd in terms of the percent of women serving in the legislature, there has been a fourteen-fold increase in women legislators since 1971 in the Tar Heel state.

Fourteen of the 29 women serving are Democrats and 15 are Republicans. Women in both parties serve in leadership positions. Sen. Leslie Winner (D-

Mecklenburg) is Majority Whip in the Senate. Sen. Beverly Perdue (D-Craven) co-chairs the Appropriations Committee and Sen. Betsy Cochrane (R-Davie) is a vice chair. In the House, Rep. Julia Craven Howard (R-Davie) is Majority Whip and Rep. Martha Alexander (D-Mecklenburg) is Minority Whip. Rep. Theresa Esposito (R-Forsyth) co-chairs the House Appropriations Committee; Rep. Cherie Killian Berry (R-Catawba) co-chairs the House Commerce Committee; and Rep. Connie Wilson (R-Mecklenburg) co-chairs the House Finance Committee.

African-American Legislators Secure Key Leadership Positions

Fourteen percent (24) of the legislators in North Carolina are African American. They all are Democrats.

In 1995, the Center predicted that Sen. Frank Ballance (D-Warren) would become the most influential African American in the legislature. This session, he secured a very powerful leadership position in the Senate as Deputy President Pro Tem. All seven African Americans in the Senate chair or co-chair a committee, select committee, or subcommittee. "This assures African Americans a great deal of influence on bills passing through the Senate," says Coble.

In the House, African Americans have lost power since 1991-94, when Rep. Dan Blue (D-Wake), an African American, was Speaker of the House. This session, no African Americans chair committees or subcommittees in the House because they all are Democrats in a House controlled by Republicans. Still, Rep. Toby Fitch (D-Wilson) is Deputy Minority Leader and Rep. Jerry Braswell (D-Wayne) is Minority Whip.

More Attorneys and Retirees in N.C. Legislature than Nationwide

In 1971, 68 of the 170 (40 percent) members of the General Assembly were attorneys. Now, however, there are only 36 attorneys (21 percent) in the legislature. This is higher than the 16 percent nationwide average, but lower than the 25 percent average for the South. The length of legislative sessions appears to be the most significant factor in the decline of attorney legislators. Last session, an attorney in the House was held in contempt of court because he was at the General Assembly and missed a court hearing.

Juggling schedules is a problem for many legislators. Thus, it is not surprising that legislative occupations on the rise include those with flexible schedules, like retirees, or those more in control of their own schedules, like those in real estate. The number of retirees (31 or 18 percent) has increased significantly. "The General Assembly has become North Carolina's most prestigious retirement community," says Coble.

This trend has not occurred in other state legislatures. In fact, since 1986, the increase in numbers of retirees serving as legislators nationwide has been nominal, according to a survey conducted by the National Conference of State Legislatures in Denver, Colorado.

Turnover Declines, Return of Former Legislators Increases

Following the high turnover rate after the 1992 and 1994 elections, turnover in the General Assembly reverted to normal levels this year. In the Senate, turnover dropped from 30 to 22 percent, and in the House, it dropped from 33 to 18 percent. Since 1977, turnover has averaged almost 20 percent in the Senate and more than 25 percent in the House.

Fourteen members of the legislature are returning to elected office after a hiatus, however. Three Senators and 11 Representatives returned to the legislature this year after an absence of two years or more. "To have so many former legislators returning to Raleigh is very unusual," says Coble. "But it does prove that politics gets in your blood."

The Center's guide to the legislature also provides the answers to many political trivia questions. *For instance, which legislator introduced the most bills?* In the Senate, Sen. Bill Martin (D-Guilford) introduced 239 bills in 1993. In 1995, Sen. Tony Rand introduced the most bills (90). In the House in 1993, Rep. George Miller introduced 96 bills. In 1995, with House rules to limit the number of bills a legislator was allowed to introduce, that number dropped significantly. Rep. Bill Culpepper (D-Chowan) introduced the most -- 37 bills. *Who had the most bills passed?* In the Senate, 43 of Sen. Rand's bills passed. In the House, 17 of Rep. Richard Morgan's 30 bills passed. *Who are the only three people on all House committees and who is the only person on all Senate committees?* Reps. Leo Daughtry (R-Johnston, Majority Leader), Julia Craven Howard (R-Davie, Majority Whip), and Steve Wood (R-Guilford, Speaker Pro Tem) are ex-officio members of all House committees. President Pro Tem Marc Basnight (D-Dare) is an ex-officio member of all standing committees in the Senate. *Who has served the most terms in the General Assembly?* The veteran is Rep. Liston Ramsey (D-Madison), who has served 18 terms since 1961.

The N.C. Center for Public Policy Research is an independent, nonpartisan, nonprofit organization created to study policy issues facing North Carolina and to evaluate state government programs. The Center is supported in part by a grant from the Z. Smith Reynolds in Winston-Salem. Additional funding comes from 14 other foundations, 190 corporate contributors, and more than 900 individuals and organizations across the state. The Center publishes a magazine, *North Carolina Insight*, and book-length research reports. The Center recently has conducted studies on trends in funding for the arts, a comparison of the powers of all 50 governors, and how North Carolina's public universities evaluate and reward excellent teaching.

Article II: A Guide to the 1997-98 N.C. Legislature is available for \$22.50 from the N.C. Center for Public Policy Research, P.O. Box 430, Raleigh, NC 27602. Call (919-832-2839) or fax (919-832-2847) your order, or order on the Internet at <http://www.nando.net/insider/nccppr>.

For more information, call Ran Coble at (919) 832-2839.

Number of Standing Committees by State, 1995 (Excluding Joint Standing Committees and Subcommittees)

State	Rank	Total # of Standing Committees	# of Committees in Senate	# of Committees in House
New York	1	68	32	36
Missouri	2	65	23	42
Georgia	3	58	26	32
Mississippi	4	57	30	27
Alabama	5	52	23	29
California	6	50	24	26
Oklahoma	7 (tie)	46	19	27
Texas	7 (tie)	46	10	36
Delaware	9	45	24	21
Illinois	10 (tie)	44	16	28
Pennsylvania	10 (tie)	44	22	22
Florida	12 (tie)	41	17	24
Minnesota	12 (tie)	41	17	24
Wisconsin	12 (tie)	41	13	28
Michigan	15 (tie)	40	19	21
New Hampshire	15 (tie)	40	16	24
Indiana	17	38	18	20
Hawaii	18 (tie)	36	17	19
New Jersey	18 (tie)	36	16	20
North Carolina	20	35	14	21

Source: Survey by Council of State Governments, Lexington, Kentucky (606-244-8000).

Trends in Legislative Demographics

Category	Year and Number of Members per Category													
	1971	1973	1975	1977	1979	1981	1983	1985	1987	1989	1991	1993	1995	1997
African Americans														
Senate	0	0	2	2	1	1	1	3	3	4	5	7	7	7
House	2	3	4	4	3	3	11	13	13	13	14	18	17	17
Total	2	3	6	6	4	4	12	16	16	17	19	25	24	24
percent	1%	2%	4%	4%	3%	3%	7%	9%	9%	10%	11%	15%	14%	14%
Women														
Senate	0	1	2	4	5	3	5	4	4	4	5	7	6	6
House	2	8	13	19	17	19	19	16	20	21	20	24	22	23
Total	2	9	15	23	22	22	24	20	24	25	25	31	28	29
percent	1%	5%	9%	14%	13%	13%	14%	12%	14%	15%	15%	18%	17%	17%
Native Americans														
Senate	0	0	0	0	0	0	0	0	0	0	0	0	0	0
House	0	1	1	1	1	1	0	0	0	0	1	1	1	1
Total	0	1	1	1	1	1	0	0	0	0	1	1	1	1
percent	0%	1%	1%	1%	1%	1%	0%	0%	0%	0%	1%	1%	1%	1%
Democrats														
Senate	43	35	49	46	45	40	44	38	40	37	36	39	26	30
House	96	85	111	114	105	96	102	82	84	74	81	78	52	59
Total	139	120	160	160	150	136	146	120	124	111	117	117	78	89
percent	82%	71%	94%	94%	88%	80%	86%	71%	73%	65%	69%	69%	46%	52%
Republicans														
Senate	7	15	1	4	5	10	6	12	10	13	14	11	24	20
House	24	35	9	6	15	24	18	38	36	46	39	42	68	61
Total	31	50	10	10	20	34	24	50	46	59	53	53	92	81
percent	18%	29%	6%	6%	12%	20%	14%	29%	27%	35%	31%	31%	54%	48%
Turnover Ratio (New Members Elected)														
Senate	18	15	21	11	7	8	9	18	6	5	8	10	15	11
percent	36%	30%	42%	22%	14%	16%	18%	36%	12%	10%	16%	20%	30%	22%
House	43	50	49	24	30	33	31	39	25	25	21	42	39	22
percent	36%	42%	41%	20%	25%	28%	26%	33%	21%	21%	18%	35%	33%	18%

Source: N.C. Center for Public Policy Research

Trends in Legislators' Occupations

Occupation	Year and Number of Members per Category													
Senate	1971	1973	1975	1977	1979	1981	1983	1985	1987	1989	1991	1993	1995	1997
Banking	1	1	2	2	2	3	1	2	1	1	1	2	1	1
Business/ Sales	17	13	14	18	13	20	19	21	19	15	16	12	15	14
Construction	1	0	0	0	2	3	3	2	1	4	3	2	2	2
Education	1	1	3	5	4	4	4	3	3	3	4	7	5	3
Farming	4	3	2	4	3	5	6	6	6	5	6	7	6	7
Health Care	1	1	1	1	1	0	0	0	0	0	2	3	3	4
Homemaker	0	1	1	0	2	0	4	2	0	1	0	1	2	1
Insurance	2	5	5	5	6	7	6	4	4	2	1	2	2	2
Law	22	19	15	14	13	10	14	17	21	20	17	18	16	19
Manufacturing	2	3	4	2	3	3	3	2	0	0	0	0	0	0
Minister	1	1	1	1	1	0	0	0	0	0	0	1	1	0
Real Estate	1	2	5	5	7	12	8	8	6	6	6	4	6	7
Retired	4	2	2	0	3	4	6	6	4	6	6	8	7	8
House of Representatives														
Banking	3	2	3	3	2	3	3	3	0	0	0	4	2	3
Business/ Sales	49	28	35	41	37	43	45	45	43	37	33	34	31	39
Construction	2	0	2	2	2	3	1	2	2	3	2	2	5	5
Education	6	11	16	16	10	11	10	15	12	7	15	14	14	8
Farming	17	14	20	22	22	18	24	16	12	8	11	12	10	8
Health Care	0	2	3	3	6	3	5	4	4	4	7	10	5	3
Homemaker	1	2	3	4	4	4	4	3	4	4	3	2	1	1
Insurance	7	7	12	11	13	10	6	10	10	8	12	9	10	8
Law	46	37	36	26	25	26	26	24	23	25	18	21	16	17
Legislator	0	0	0	0	0	0	0	0	0	0	0	2	4	3
Manufacturing	3	3	1	0	4	2	2	2	0	0	0	0	2	2
Minister	3	3	1	1	0	1	3	7	4	4	2	2	2	2
Real Estate	6	5	9	7	10	15	19	20	15	17	20	17	13	18
Retired	7	4	5	8	6	15	12	13	17	22	28	24	30	23
Self-employed	0	0	0	0	0	0	0	0	0	0	0	3	1	5
TOTAL														
Banking	4	3	5	5	4	6	4	5	1	1	1	6	3	4
Business/ Sales	66	41	49	59	50	63	64	66	62	52	49	46	46	53
Construction	3	0	2	2	4	6	4	4	3	7	5	4	7	7
Education	7	12	19	21	14	15	14	18	15	10	19	21	19	11
Farming	21	17	22	26	25	23	30	22	18	13	17	19	16	15
Health Care	1	3	4	4	7	3	5	4	4	4	9	13	8	7
Homemaker	1	3	4	4	6	4	8	5	4	5	3	3	3	2
Insurance	9	12	17	16	19	17	12	14	14	10	13	11	12	10
Law	68	56	51	40	38	36	40	41	44	45	35	39	32	36
Legislator	0	0	0	0	0	0	0	0	0	0	0	2	4	3
Manufacturing	5	6	5	2	7	5	5	4	0	0	0	0	2	2
Minister	4	4	2	2	1	1	3	7	4	4	2	3	3	2
Real Estate	7	7	14	12	17	27	27	28	21	23	26	21	19	25
Retired	11	6	7	8	9	19	18	19	21	28	34	32	37	31
Self-employed	0	0	0	0	0	0	0	0	0	0	0	3	1	5

Source: N.C. Center for Public Policy Research