

The Arkansas Senate: An Overview

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Introduction

While research interest in state legislatures has grown significantly in recent years, a paucity remains in such basic areas as recruitment and elections, career patterns, legislative organization and structure, roles and norms, representation of constituency, legislative decision-making, legislative budgeting and oversight (Jewell, 1981:1-2). This work is an introductory effort to provide information about these areas in the Arkansas state Senate. (For other studies on Arkansas, see English and Carroll, 1982; Blair and Henry, 1981; Craft, 1972; Davis, 1976; Johnston, et. al., 1981; O'Connor, 1973; Johnston, 1981; Wells, 1973; and Whistler, 1983.)

Methods/Data

The survey instrument was developed jointly by the authors. Twenty-three of the thirty-five state senators were interviewed during February-April, 1981. Seven more were interviewed during May-September, 1981. Thirty of the thirty-five senators were interviewed. The interviews averaged an hour in length; the longest was one hour and forty-five minutes.

The Senators' Jobs

State legislators engage in a vast array of activities while performing their legislative tasks, ranging from talking to lobbyists, colleagues, reporters, and constituents, to supervising staffers, to bill-drafting, to policy discussions. The Arkansas state senators view representation of constituents and the making of legislation as their most important functions (Table 1). The two activities are, however, nearly impossible to separate in light of the General Assembly's propensity to almost entirely act as mere conduits of policies initiated

by constituents (Whistler, 1983:Ch. 8). Most Arkansas senators believe they do well in representing constituents (Table 2), and nearly half of the sample thought they did well in lawmaking, but few gave themselves a high mark in overseeing programs.

Table 3 overviews how Arkansas senators perceive their use of time. Most is consumed on committee-related activities. This confirms other research that reports the Arkansas General Assembly standing committees are used as "skirmishing areas" where conflict over constituency-initiated legislation is tested (Whistler and Ellickson, 1983).

A slightly different picture emerges when senators are asked (Table 4) to give a score as to how much time they spend on thirteen legislative activities (scaled from 1= least, 9= most). When the scores of 7-9 are grouped as being a lot of time spent on that activity, the job profile of a senator becomes:

The most active function is debating and voting on legislation, followed by working informally to build support for legislation, making sure his district gets a fair share of money and projects, staying in touch with constituents, studying proposed legislation, working in committee, constituent service, and helping to educate the citizenry (Table 4). Lesser time is spent on meeting personally with constituents, speeches, oversight, and newsletters.

The Arkansas senators claim long working hours, reporting an average of 66 hours during the session; 43 percent claiming to have spent 80 to 99 hours per week! During the interim between sessions, the average was 16 hours per week, but with a vast range (from 6 to 50).

Benefits and Costs

When asked what gives them satisfaction as a legislator (Table 5), they respond most often with the socially acceptable category of "public service." The response of "personal satisfaction" involves ambition, career-enhancement, social status from position, and psychological esteem from being involved in important activities. The helping of one's district, passing "good" legislation, and interest in politics are given progressively lower rankings.

Although Arkansas legislators tend to make a career of the General Assembly (Rosenthal, 1981:50, 136), they complain that the disadvantages of service in the Senate are time from business, family, or time in general (Table 6). They note money last as a low-ranking disadvantage (Table 6).

Norms -- The Unwritten Rules

In making political decisions, informal ways of interacting develop among legislators that reflect a state's political culture and institutions, and the legislators' personalities, skills, resources, and so on (Wahlke, et. al., 1962; Bell and Price, 1975; Rosenthal, 1981). In response to "Are there unofficial, unwritten rules of the game--certain things members must do if they want the respect and cooperation of fellow members?" 93 percent of the senators replied "yes" (3 percent "no" and 3 percent did not answer). In response to the open-ended questions, "What is the most important of these rules? Any others?" the most common response mentioned was "honesty" or "truthfulness" (Table 7), followed by "respect other legislators" and "don't take things personally." Other norms volunteered include "listen, don't talk," "honor commitments," and "don't oppose legislation." And, not surprisingly, senior senators give greater emphasis to following senators (Table 8) and to respecting committee decisions than more junior senators do (Table 9).

Information and Decision-making Cues

The substantial literature on legislative decision-making suggests that few read most of the bills they vote on, relying instead on staffers (Richardson, 1978:38-39). Many cues exist to aid the legislator in determining her/his voting: a philosophically similar colleague, a pay-off to a colleague, constituents' preferences, a majority of colleagues, a favor (42-45), a belief system (Rosenthal, 1981:87), political party (Morehouse, 1980:291-296), or reciprocity inside the legislative system (Rosenthal, p. 91).

These senators claim (Table 10) to get most of their information from the Legislative Digest, which is a very brief overview of bills, published by a private firm. The author or sponsor (bills are actually written by the Legislative Research Bureau of the Legislative Council) is a major source of information, along with "fellow legislators." Legislative Council staffers and personal study complete the more prominent sources of information. Lobbyists and standing committees are not viewed as prominent suppliers of information; the former surprisingly not, the latter not surprising.

In making legislative decisions, Arkansas senators rate their own "personal feelings" as the most important influence (Table 11). However, when a fellow senator is perceived as important (Table 12), the priority shifts to more emphasis upon colleagues. Constituents are claimed to be more important than the governor and interest groups, who are rated lowest. The governor, nonetheless, is a very prominent participant in the General Assembly (Johnston and Durning, 1981). These senators prefer a "personal

touch" in gubernatorial-Assembly relations (Table 13).

Among interest groups, senators rank-order the "Education - AEA" first (Table 14), Agriculture (Farm Bureau in particular), the financial banking interests, the state Highway Department, and labor in that order. Industry, utilities, railroads, and state employees round out the array.

Ethics and Conflict of Interest

A "good" legislator is perceived as being "dedicated, effective" (30 percent as this), "knowledgable" (27 percent), "honest" (13 percent), having seniority (13 percent), being "concerned" for people (10 percent). The attributes least desirable are being "self-interested" or representing a "special" interest (32 percent), not being informed (23 percent), being apathetic (17 percent), lazy or absent (10 percent), and not trustworthy (7 percent).

If senators perceive self-interest or representing a special interest as the least desirable attribute of a legislator, how much conflict of interest do they perceive existing among themselves? When asked to estimate the percentage of fellow senators who had a conflict of interest, 23 percent said none did, 33 percent estimated that between 1 and 20 percent of their colleagues had a conflict of interest, 27 percent estimated that 21 to 50 percent of their peers had a conflict of interest, and 17 percent suggested that 65 to 98 percent of their fellow senators had a conflict of interest. Clearly, senators perceive considerable conflict of interests to exist among their peers.

Yet, 70 percent of Arkansas senators believe that the public's image is lower than what is deserved; 13 percent think it about right; and 7 percent of the senators think the public image of the legislator higher than deserved.

Internal Power Structure

At present the four most prominent select committees are: the Committee on Committees (consisting of the five most senior senators), the Rules, Joint Budget, and Efficiency. The overlap of the five senior members is staggering (Table 15). In addition, the formal and informal powers of each select committee reinforces the network design. For instance, the Efficiency Committee is charged with hiring all Senate personnel, managing a sizeable budget and enforcing the rules of the Senate which deal with its administration and business. This is the patronage arm of the Senate which can be and is used to "keep members in the fold." Moreover, the 1981 expansion of the size of Joint Budget has added to the discretion of the Committee on Committees. The Rules Committee has steadily gained influence during the last fifteen years

and represents the most drastic power shift in recent years. With the election of a Republican Lieutenant-Governor ("Footsie" Britt) in 1966, powers accumulated by the long-term Democrat, Lieutenant Governor Nathan Gordan, 1947-66 (Whistler, 1983:Ch. 4), were usurped by the Rules Committee. These powers include calendar setting, order of business, and bill assignment to committee. Since that time, either by design or happenstance, the Chairman of the Rules Committee has enjoyed a position of increasing importance as "floor leader" of the Senate; the result being that the lieutenant governor is virtually powerless as presiding officer of the Senate. The chairman of the Rules Committee has in effect become the equivalent to the Speaker of the House, without being popularly elected by its members. Thus, rank and file Senate members deal with a floor leader who, like themselves, can vote on a measure and who serves on several influential committees because of his seniority status. Whether or not this practice has obstructed the natural course of legislation would be purely speculative, yet some senators voiced concern about the "treatment" some of their bills receive.

Illustrative of the manner in which this network of senior senators exercises power is the rule change that took effect in 1981 withdrawing the authority of the lieutenant governor to appoint one Senate member to the Joint Budget Committee and transferred this authority to the Senate Committee on Committees. Most senators did not know of the change--it was hidden in other legislation.

The existing arrangement serves the "inner circle," but what about the "outer circles" of senators? That little or nothing was done to change the system until 1981 when two senators attempted to make changes, probably reflects the effectiveness of the system. And when asked "Why?" the responses were largely matter-of-fact... "Why change it; they can take care of my business; I know I can count on them... or, ... "can't buck the system." A freshman senator, who appeared rankled by the seniority system as evidenced by remarks he made during the interview session, now finds himself pitted against a senior senator for re-election due to the reapportionment of his district. In a follow-up interview with the freshman senator after the reapportionment decision, he stated that he felt he had been targeted because he was vocal about the "system" and was expendable. He further stated that his impression is that one must play the game... "If you don't play the game then you don't play at all." One of the younger senators who sought changes had his district reapportioned and was defeated in a primary by a veteran set against him in the new district.

The personal status obtained from the Senate's exclusivity is a major support for the "insider" system. But, so is the feeling that those who do not work to acquire the reelection/seniority are not concerned enough with serving their constituency. Moreover, the seniority system permits senators to have some basis to "be their own man" in the face of strong interest groups who are free from political party mediation in Arkansas. Senators are resentful of the lack of understanding of the legislative process that the state news media spreads and of the non-appreciation for the senators' heavy workloads.

Summary

Arkansas state senators perceive their job as representing their "constituency," which they define ambiguously. They see their activities in the General Assembly as mostly debating and voting, and building support for their own bills. Understanding and adhering to unwritten norms that support the existing system, they take voting cues from "constituents" and from each other, especially among the more senior senators. They understand most of their colleagues to have a conflict of interest, yet describe the ideal attributes of a legislator as dedication, knowledge, and honesty. Senators lament that long hours are expended without an appropriate public appreciation. The benefits claimed are expressed in terms of public service and personal satisfaction, terms which could be socially acceptable projective words that meet ambition for the office and psychological esteem needs.

The major assertion of this note is that senior senators have become very dominant within the Senate's institutional structure and they exercise power from these positions in a self-serving manner, penalizing those who do not go along.

Table 1. Weighted Importance of "Important Parts of a Legislator's Job
 (1st Mention Weighted - 3; 2nd Mention Weighted - 2;
 3rd Mention Weighted - 1)

Representation	42
Legislation	41
Constituent Service	14
Budget	11
Stop Bad Laws	8
Executive Oversight	2
Committees	1
Other	35

Table 2. Legislators Evaluating Performance of Function as
 Excellent or Good in Arkansas

Constituent Service	73%
Policy/Program Formulation (Law Making)	51%
Policy/Program Control (Oversight)	15%

Table 3. How Legislators Spend Most of Their Legislative Time
 During Session

Committee Meetings and Functions	57%
Floor Activities - debating, voting	23%
Answering mail, returning calls	7%
Other	10%
N	30

Table 4. Actual Time Spent on Legislative Activities During Session

	Arkansas Senate ¹	U.S. House of Representatives ²
Debating and Voting on Legislation	71%	30%
Working informally to build support for legislation	46%	22%
Making sure district gets a fair share of government money and projects	43%	24%
Getting back to the district - staying in touch with constituents	43%	67%
Studying and basic research on proposed legislation	43%	25%
Working in committee to develop legislation	39%	16%
Working in subcommittee to develop legislation		60%
Helping constituents with government problems	39%	35%
Explaining to citizens what their government is doing to solve important problems	36%	32%
Meeting personally with constituents when they come to (Little Rock/Washington)	29%	13%
Giving speeches and personal appearances to interested groups about legislative matters	21%	25%
Committee oversight of executive agencies	18%	16%
Tracking the way government agencies administer laws passed by the legislature	7	9
Sending newsletters to people in the district	7	10

1. Responses to survey question "On which activities (do) you spend a great deal of time during a session? Score from 1 (least) to 9 (most) those you spend the least and most time on" Data given are "high" scores" (7 through 9).
2. Members reporting spending a great deal of time on the activity. From Final Report on the Commission on Administrative Review (pp. 877-72) as quoted in Keefe and Ogul, p. 37.

Table 5. What Motivates you as a Legislator? What Gives You a Sense of Satisfaction?

Public Service	47%	
Personal Satisfaction	20%	
Helping District	17%	
Passing (good) Legislation	10%	
Interest in Politics	7%	N = 30

Table 6. Disadvantages of Legislative Service

	1st Mention	Other Mention	Sum	Weighted Score*
Time from Business	14	8	22	36
Time from Family	5	8	13	18
Time (unspecified)	7	0	7	14
Money	0	6	6	6
Other	3	2	5	8

*Weighted score 1st Mention - 2; 2nd Mention - 1

Table 7. Unofficial Rules of the Game - Scorings of Importance on 17 "Multiple Choice" Norms

Percentage Senators Giving High (7-8) Scores to Norms	
1. Be honest	90%
2. Know what you're talking about	83%
3. Be willing to compromise	83%
4. Be courteous	80%
5. Respect the views of others	80%
6. Don't be a grandstander	77%
7. Be a gentleman (or lady)	73%
8. Avoid personalities	73%
9. Don't personally benefit from legislation	67%
10. Don't get too emotional	67%
11. Don't monopolize debate	53%
12. Return favors	50%
13. Don't oppose very many bills	33%
14. Respect committee decisions	33%
15. To get along, go along	23%
16. Follow the lead of senior legislators	20%
17. Heed the party position	7%

Table 8. Norm of Following Seniors

Importance of following seniors	Seniority	
	0-2 Terms	3+ Terms
Low-Medium	86%	74%
High	14%	26%

Table 9. Respect Committee Decision

Respect for committee decisions	Seniority	
	0-2 Terms	3+ Terms
Low-Medium	86%	50%
High	14%	50%

Table 10. Principal (and 2nd) Source of Information on What a Bill Does

	Principal	2nd	Total	Weighted*
1. Legislative Digest	5	8	13	18
2. Author or Sponsor	6	4	10	16
3. Legislative Council Staff	4	4	8	12
4. Personal Study	5	0	5	10
5. Fellow Legislators	2	3	5	7
6. Committees	2	2	4	6
7. Testimony in Committees	2	0	2	4
8. Lobbyists, Groups	0	4	4	4
9. News Media	0	2	2	2
10. Other	4	2	6	10

*Weighted: First Mention - 2; 2nd Mention - 1

Table 11. "Who or What Influences Your Vote on a Bill?"

	Most	Least	Total	Weighted*
1. Personal Feelings	13	1	14	27
2. Effect of the Bill	8	5	13	21
3. Constituents	5	0	5	10
4. Other Legislators	1	5	6	7
5. Lobbyists	0	4	4	4
6. Sponsor	0	2	2	2
7. Research	0	1	1	1
8. Other	3	6	9	12

*Weighted: First Mention - 2; 2nd Mention - 1

Table 12. Ranks of Mean Percentage of Voting Based on Cue Groups
(Alternate Treatment of "Members Requests")

1. Members Requests	80%
a. Who he is	52%
b. What says on contents	28%
2. What You Think is Best	71%
3. Constituent Input	45%
4. Governor Wants	21%
5. Interest Group Advice	19%

Table 13. Successful and Least Successful Gubernatorial Tactics

Successful		Least Successful	
1. Personal Contact	47%	1. Pressure	47%
2. Other	17%	2. Other	27%
3. Compromise	13%	3. Poor Legislation	10%
4. Good Relations	10%	4. Not Listening	7%
5. Good Legislation	7%	5. Alienation	7%
6. Hard Work	3%	6. Not Compromising	3%

Table 14. Important Interest Groups in Arkansas

	No. Senators Giving Response				Weighted Score*
	Most	2nd	3rd	Sum	
1. Education, AEA	8	4	6	18	38
2. Agriculture,	9	4	0	13	35
3. Finance, Banking	3	3	3	9	18
4. Highway Department	3	4	0	7	17
5. Labor	1	3	1	5	10
6. Industry	1	1	0	2	5
7. Utilities	0	2	1	3	5
8. Railroads, Trucking	0	1	1	2	3
9. State Employees	0	0	1	1	1

*Weighted Score: Most - 3, 2nd - 2, 3rd - 1

Table 15. Overlap of Senators on Select Committees (1981)
 (Number of Terms in Parentheses)

<u>Committee on Committees</u>		<u>Efficiency</u>	
Morrell Gathright	(14)	Max Howell	(14)
Max Howell	(14)	Clarence Bell	(12)
Clarence Bell	(12)	Olen Hendrix	(12)
Olen Hendrix	(12)	W.K. Ingram	(9)
W.D. Moore, Jr.	(7)	John I. Bearden	(6)
		Ben Allen	(7)
<u>Efficiency Sub-Committee</u>		<u>Joint Budget</u>	
W.D. Moore, Jr.	(7)	Max Howell	(14)
J.A. Womack	(5)	Morrell Gathright	(14)
Joe Ray	(4)	Clarence Bell	(12)
Morrell Gathright	(14)	Olen Hendrix	(12)
		Knox Nelson	(10)
		Bill Walmsley	(5)
<u>Rules, Resolutions; Memorials</u>			
		Knox Nelson	(10)
		Morrell Gathright	(14)
		Ben Allen	(7)
		Max Howell	(14)
		Joe T. Ford	(7)

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