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Theories of Legislative Organization And the Development of U.S. State Legislative Committee Systems

by

Nancy Martorano

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

Doctor of Philosophy

Approved, Thesis Committee:

Keith E. Hamm, Professor, Chair
Political Science

Rick K. Wilson, Professor
Political Science

Earl Black, Professor
Political Science

Miguel Quiñones, Associate Professor
Psychology

Houston, Texas

April, 2002
ABSTRACT

Theories of Legislative Organization And the Development of U.S. State Legislative Committee Systems

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Nancy Martorano

Over the course of the twentieth century, the committee systems of U.S. state legislatures have undergone major transformations in their structure and procedure. The purpose of this dissertation will be to assess these changes using three well-known theories concerning the role of the committee system in the U.S. Congress. These theories are the distributive (Shepsle 1986; Weingast and Marshall 1988; Baron and Ferejohn 1989), informational (Maas 1983; Gilligan and Krehbiel 1987, 1989, 1990; Krehbiel 1991) and partisan theories (Kiewiet and McCubbins 1991; Cox and McCubbins 1993). Specifically, this dissertation delineates and empirically tests expectations about the adoption of and changes in committee system procedures based upon the distributive, informational and partisan theories of legislative organization. The analysis concludes that none of the theories are able to account generally for the adoption of committee related state legislative rules of procedure nor can they account generally for changes in them.
Acknowledgements

In reality, I started this dissertation four years ago during my second year of graduate school. I co-wrote my first conference paper during the spring semester of 1998, and that conference paper started me on the path that ultimately led to this dissertation. Between then and now there have been countless other papers (and even a couple of manuscripts) and many iterations of the “proper way” to structure this dissertation, and I am sure the future will bring more of the same. However, it would have been impossible to get the place I am at today without the help of several people. I am going to keep my thanks short, as I am confident that all are aware of my deepest gratitude for all of their help over the past six years.

I was assigned as a research assistant to Dr. Hamm during the second semester of my first year, and remained in that position for the better part of my graduate career. I learned many things over the years working with Dr. Hamm. These include: 1) never agree to be department chair; 2) if I get a major research grant – hire a full-time grant coordinator; and 3) proper photocopying technique. Seriously however, I am forever indebted to Dr. Hamm for his mentoring over the years. Because of him, I am entering academia knowing exactly what is expected of me, and possessing the knowledge and tools necessary to be successful.

I also owe the rest of my dissertation committee many thanks. I’ll first thank Dr. Quiñones for stepping in as outside reader fairly late in the game. Despite, his assertion that he “really doesn’t know much” about legislative institutions, his comments were on the mark and greatly appreciated. I also thank Dr. Black for reading this dissertation and
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I am not a statistical genius, and completion of this dissertation required that I learn a number of advanced statistical techniques. I owe a debt of gratitude to Gina Branton and Randy Stevenson, who both sat with me on several occasions in order to walk me through these techniques.

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Before turning, my attention to fellow graduate students and family, I will stop now to thank the federal government. I was fortunate in that the National Science Foundation agreed to supply the funding (Dissertation Improvement Grant SES-0079928) for the collection of data that I couldn’t “borrow” from Dr. Hamm or Dr. Hedlund. I will also thank Carolyn Zerda and Ann Mikus in the Department of Political Science at Rice for their assistance in administering this grant (i.e., ordering supplies, auditing monthly grant reports, etc.), and their help in coordinating the many job packets that I sent out to various schools.

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is an extremely simple statement, but a profound one. I thank my sister Eileen and her husband Elias for making fun of me when I start to take myself too seriously. Finally, I thank my nephew/godson Nicholas whose antics during this first year and half of his life always made me laugh when I needed to laugh.

I'll conclude with one more word of thanks. I would like to thank the family of a woman who generously donated her organs for transplant. My father was the recipient of her heart, and because of her and her family's selfless act, my father will hopefully be around for many more years to impart is simple wisdom and witness the further development of my career.
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Chapter 1
Introduction

The field of legislative studies is one of, if not the most developed and mature subfield in American politics (see Mezey 1993; Hamm and Squire 2001; Gamm and Huber, forthcoming). As a subfield, legislative studies has generated countless studies and numerous theories about the legislative process and the actors within it. These studies have all made a contribution to our knowledge of legislative politics in the United States. The research in this dissertation hopes to make its own contribution to this base of knowledge.

Approaches to the Study of American Legislatures

In acquiring this vast knowledge of legislative politics, scholars of American legislatures have often gone about addressing their research questions with very different approaches. Some scholars seek to address questions that focus on a particular legislature or a particular group of legislatures. For example, Richard Fenno (1974) was interested in understanding how members of Congress represent their constituents. He approached his research in *Homestyle*, by “shadowing” a number of House members while in their districts and observed their behavior as they interacted with constituents. Other scholars have attempted to address questions that are appropriate only at the state legislative level. For example, members of Congress are not limited in the number of terms they may serve. However, John Carey, Richard Niemi and Lynda Powell (2000) were interested in assessing the effects of term limiting legislators. Unlike the congressional level, several states have imposed term limitations on their members, and their book, *Term Limits in*
State Legislatures, is able to explore the impact that term limits have in states that have adopted them versus states that have not.

Others scholars have sought to take existing theories and empirically test their validity. For example, research focusing on the organization of Congress has followed this approach. Shepsle and Weingast (Shepsle 1979; Shepsle and Weingast 1981) developed the distributive theory that argues that Congress is organized in a way that benefits individual members. Krehbiel (1991) asserted in the informational theory that Congress is organized in a way that benefits the members of the chamber as a collective unit. Finally, Cox and McCubbins (1993) suggest in the partisan theory that Congress is organized in a way that benefits the majority political party. Over the years, numerous scholars have attempted to test propositions derived from these theories. However, the majority of these studies have focused on the U.S. Congress (Weingast and Marshall 1988; Hall and Grofman 1990; Maltzman 1997; Dion and Huber 1996; Shickler and Rich 1997; Cox and McCubbins 1997; Adler and Lapinski 1997; Binder, Lawrence and Maltzman 1999; Krehbiel 1999; Fink 2000; Carruba and Volden 2000).

Another approach is to take theories developed for legislatures at one level (i.e., Congress or state legislatures) and apply them to legislatures at another level. Roger Davidson (1969), in The Role of the Congressman studied congressional roles by using John Wahlke, Heinz Eulau, William Buchanan, and Leroy Ferguson’s (1962) study of state legislative roles in The Legislative System: Explorations in Legislative Behavior as a roadmap. More recently scholars have attempted to apply congressional theory to studying state legislatures. Gianos (2000) applies the theory developed by scholars of
congressional elections that voters seek political moderation by balancing parties to the Washington state legislature. Clucas (2001) applies congressional theories concerning principal-agency and house speaker power to a number of state legislative chambers. Finally, Wilkins and Young (forthcoming) apply Krehbiel's *Pivotal Politics* arguments about presidential influence over veto override attempts to the state of Missouri.

This dissertation follows this third approach. Rather, than offer an alternative explanation of legislative organization and test it on the U.S. Congress or conduct yet another test of existing explanations at the congressional level, this dissertation will seek to actually extend and assess the existing explanations to the state legislative level. The research completed in this dissertation will add to the subfield of legislative studies by providing an assessment of existing theories and by adding to our knowledge of legislatures beyond the U.S. Congress.

**Critiques of Legislative Studies**

Most of our knowledge of legislative politics comes from studies employing the first two approaches (i.e., addressing a new question or testing existing theories at the level that they were developed) discussed above. Further, most of this research has focused on the U.S. Congress. A review of research in the area of legislative politics (Gamm and Huber, forthcoming) provides startling statistics of the congressional bias in legislative studies research. Gamm and Huber (forthcoming: 3) focusing on the major journals (i.e., *American Political Science Review, American Journal of Political Science* and *Journal of Politics*) find that in the *APSR* since 1993 and the *AJPS* and *JOP* since
1996, 110 empirical articles were published in the area of legislative studies. Ninety-four of these articles (85 percent) focused solely on an American legislature, and of those 94 articles, 71 (76 percent) focused solely on the U.S. Congress. The remaining 23 articles addressed American state legislatures. Thus, Gamm and Huber (forthcoming), not only assert the congressional bias in legislative studies; they uncover an American bias as well.

These authors do not deny the fact that these past studies have helped the subfield develop a reputation as one of the most mature and scientifically sophisticated areas of American politics. However, they do assert that a continued bias toward single institution (i.e., congressional) studies ultimately weakens the subfield and in the future will actually limit its further growth.

These assertions by Gamm and Huber (forthcoming) of potential negative effects of a continued congressional bias in legislative studies are not unfounded. In two review pieces published in *Legislative Studies Quarterly*, a journal devoted to publishing research on all legislatures, a potentially negative impact can be seen. Richard A. Smith (1995) in a review that was part of the journal’s “Continuities in Legislative Research” section, writes a review of a decade’s worth of research focusing on “how lobbyists and interest groups attempt to influence the actions of the U.S. Congress (1995: 89).” While a finely written piece, it has one major flaw – it completely neglects to address the wealth of research that explores the same question at the state and cross-national level. This omission is inappropriate given that lobbyists and interest groups are known to impact

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1 Hamm and Squire (2001) point to a similar congressional bias in a review of 10 academic journals.
state and cross-national legislatures as well as Congress, and have been the focus of many studies (see Hamm 1983). Another example of a Congress-focused review of the literature is Steven Smith's (2000) review of positive theories of congressional parties. Unfortunately, his focus solely on Congress is not entirely his fault – his review focuses on Congress because similar questions have not been widely addressed at other levels. Thus, the congressional bias in legislative studies has impacted our knowledge in negative as well as positive ways.

This congressional bias has in effect created what I believe is a big problem in the subfield. It has contributed to a culture that separates legislatures studies into divisions that are rarely cross lines and "speak to one another" (i.e., we tend to categorize ourselves as Congress scholars, state legislative scholars, cross-national legislative scholars, etc.). This effects of this division is evidenced in Richard Smith's article by his negligent omission of existing state and cross-national research. And, it is evidenced, in Steven Smith's article where he reviews research conducted on a very interesting question that unfortunately has not been studied in arenas other than Congress.

Gamm and Huber (forthcoming) and myself are not the first scholars to argue that the subfield's focus on a single institution (i.e., Congress) may be becoming detrimental to the further development of the subfield. Mezey asserts in his review of the state of legislative studies in the of The State of the Discipline II that the subfield's focus on the U.S. Congress has led to a serious problem in our knowledge of legislative politics. He writes,

This means that legislative research remains theoretically impoverished. Its lack of comparative focus is part of the problem; one can no more have
a theory of legislatures that applies only to the United States Congress, than a theory of relativity that applies only to Chicago. Even a theory of Congress has proven elusive; few congressional scholars have had the inclination to put the various narrow studies together, and those who have attempted to do so have operated more at the level of description and speculation than explanation. This work has produced various “perspectives” or ways of looking at legislative behavior, but little in the way of theory (1993: 357).

In all their essays, scholars critical of the congressional bias (Mezey 1993; Hamm and Squire 2001; Gamm and Huber forthcoming) encourage scholars of legislative studies to turn their attention to U.S. state and cross-national legislatures. This call for increased research that focuses on U.S. state and cross-national legislatures is not new and has persisted for quite a few years (see Jewell 1976 – Editor’s Introduction Legislative Studies Quarterly; Hedlund 1983). In fact, Legislative Studies Quarterly was established in the late 1970s to promote research on institutions other than Congress, and its first editor, Malcolm Jewell was one of (and still is one of) the foremost scholars of state legislative politics. However, these pleas for increased diversity in legislative studies research have apparently fallen on deaf ears because if they had been heard review essays of legislative studies would no longer point out the overabundance of congressional research and would no longer have to encourage state legislative and cross-national research (Gamm and Huber forthcoming; Hamm and Squire 2001). Further, the Legislative Studies Section of the American Political Science Association would not have to include statements like the following in its call for papers for the national meeting:

...[M]uch of the work developed in the field over the last two decades is ‘Housecentric.’ Scholars in the field need to work to develop more complete understandings of other legislatures. Indeed, given the unique
qualities of the U.S. House, developing more general theories of legislatures may have to be driven by work on more typical bodies. Thus, in addition to encouraging scholars to present work that reflects the area's current focal points, I hope to generate submissions that also help advance the field in several different ways. First, I invite submissions that focus on legislatures beyond the U.S. House (Call for Papers for 1999 meeting).

While the conference theme emphasizes expanding the dialogue between political scientists, public officials and the broader public, we would like to encourage another 'dialogue expansion' between students of a variety of legislature. Therefore, we will look for opportunities to create panels that focus on a specific topic (e.g., legislative committees; legislative elections; redistricting, etc.) but which include papers on different legislatures (Call for Papers for 2002 meeting).

It should be noted that some scholars such as Mezey (1993) and Squire in his Call for Papers for 1999 meeting, sometimes take a fairly hard stance against the congressional bias of legislative studies, and its ultimate impact. Specifically, they are not convinced of the applicability of congressional theories to U.S. state or cross-national legislatures. Rather, they feel that scholars should focus their energies on developing legislative theories that are meant to apply in a comparative, cross-institutional context, and not to a single institution. In many ways, they believe that theories developed for Congress may not travel to other legislatures because they were developed within a unique institutional context that realistically can not be replicated, and thus these theories should not be considered general explanations.

However, while I agree generally with the critique that the study of legislative politics is across the board too Congress focused; I am not entirely convinced that the theories developed for Congress are completely inapplicable when attempting to better understand legislative phenomena in other arenas. Rather, I believe that they can be employed as a useful starting point for developing newer, more general legislative
theories. Specifically, these theories should not be applied to other legislative contexts "willy-nilly" without any regard to the differences that may exist between the different levels because if they are applied in an unthoughtful manner then they certainly will be useless in advancing our knowledge.

**Inspiration of the Dissertation**

The sentiments of the above critique in large part motivate this dissertation. As a student of legislative studies, I became increasingly frustrated with much of the legislative research that I read. In particular, I was frustrated by the research concerning legislative organization. One of the most prominent debates in recent political science has emerged from the study of legislative organization (i.e., Shepsle 1979; Shepsle and Weingast 1987; Krehbiel 1991; Cox and McCubbins 1993; Maltzman 1997). Specifically, three theories – the distributive, informational and partisan theories – have emerged that seek to account for the basic structures and processes that dictate the legislative process.

Further, within the literature, these theories of legislative organization are considered to be competing with one another as explanations of the same political phenomenon (i.e. legislative organization). That is, each was developed and openly presented as an alternative to the others (a review of these debates follows in the next chapter). Further, proponents of these theories have in their debates attributed a "universalistic rhetoric" to their claims that their explanation of legislative organization in the U.S. House is the best or most accurate (see Overby and Kazee 2000; Hamm and Squire 2001). Much of the empirical work conducted has failed to even sufficiently
resolve this debate, and none of the research in this area has ever provided an empirical test that can make good on this inference that they are applicable universally to all legislatures. In fact, all the theories were developed by observing the postwar U.S. House of Representatives, and all ensuing empirical tests have focused only on the postwar House.

To date, very few published articles have attempted to replicate empirical tests of the distributive, informational and partisan theories at the state legislative level. Overby and Kazee (2000), attempt to replicate congressional tests of these three theories in twelve U.S. state legislatures. Using a combination of roll call scores, legislator surveys and constituency characteristics, Overby and Kazee (2000) conclude that the informational and partisan theories have some applicability outside of the Congress.

Aldrich and Battista (2001) evaluate the informational and partisan theories by looking at committee representativeness. In their article, they find that states that with more competitive political parties possess committees that are more representative of this competitiveness, and states with less competitive parties are not. They authors conclude that the results lend some support to both the partisan and informational theories.

Despite the encouraging results of these studies (Overby and Kazee 2000 and Aldrich and Battista 2001), there have been few attempts to test these theories outside of Congress. Thus, there is no overwhelming evidence in support of one of these theories over the others nor is there overwhelming evidence that these three theories can transcend the walls of Congress, and be considered explanations of legislative organization generally. However, these theories have merit and may help us to better understand the
organization of legislatures more generally. Thus, their continued testing in arenas other than the U.S. House of Representatives is necessary and warranted. In this dissertation, since I am not entirely convinced that all of these theories are incorrect explanations of legislative organization, I am not going to offer and test my own theory of legislative organization. Rather, I have chosen to literally extend the basic principles of the distributive, informational and partisan theories to the study of the rules of procedure that dictate the function of committees in the state legislative process in the modern period (i.e., 1955 through 1996). To date, none of the studies utilizing the three theories have focused on the area of committee procedures. Rather, any studies focusing on linking these theories to legislative procedures has focused on the adoption of individual rules for the consideration of legislation on the floor (e.g., Krehbiel 1997a, 1997b; Dion and Huber 1996, 1997) or on the expansion and contraction of minority party procedural rights in the House (e.g. Dion 1997; Binder 1997).

Testing these theories at the state legislative level is not problematic in my opinion. The notion of testing propositions rooted in theories developed for the U.S. Congress is not new. Several state legislative scholars have asserted that many of the propositions developed from the study of Congress are indeed testable at the state legislative level (Jewell 1981; Francis 1989; Hamm and Squire 2001). Hamm and Squire (2001) perhaps present the most thorough and compelling argument for using state legislatures to empirically assess the testable propositions of congressional theories. In their comprehensive essay, they show that the U.S. Congress and the state legislatures share basic structural similarities (i.e., constitutional dictates, bicameralism, electoral
structures, party structures, etc.) that allow one to assume that the legislative process at the two levels should be similar enough to expect that theories developed for Congress should be just as appropriate in the states as well.

However, they also show that the states exhibit a great deal of cross-sectional variance on a number of other more specific characteristics (i.e., chamber size, turnover, partisan competition, speaker power, workload, etc.). Hamm and Squire assert that these differences (or variance) allow more rigorous tests of congressional theories. If congressional theories are in fact general explanations of legislative politics, then they should transcend differences in characteristics such as workload, turnover, and speaker power.

Of course, when testing congressional theory at the state legislative level, these differences between the states may create instances in which congressional theory may be more or less applicable. With respect to the three theories being explored in this dissertation, the partisan theory stands out as the most obvious example. In the southern state legislatures for much of the time period under study (through the late 1980s/mid 1990s at least), the Democratic Party controlled a high percentage (if not all) of the seats in the legislative chambers. Therefore, how is the partisan theory supposed to work if there is no minority party in the chamber? The answer is it isn’t. However in many other states (i.e., Connecticut, Michigan, Ohio, etc.), competition for control of legislative chambers between the two parties was often quite heated throughout the latter half of the twentieth century. Thus, it would be anticipated that the partisan theory would account
for procedures concerning the functioning of committees in states with competitive political parties and would not account for procedures in the southern states.

The point to remember is that in the type of study being conducted in this dissertation, the goal is not to explain or account for differences between the states. Rather, the purpose is to use those differences to evaluate the appropriateness of theories as general explanations of legislative politics. In the case of this dissertation, the overall goal is not to account for differences in legislative committee procedures in Alabama vs. South Carolina vs. Connecticut vs. Michigan vs. Ohio. Rather, it is to evaluate whether or not the adoption of legislative committee procedures is driven generally by the motives laid out in the distributive, informational or partisan theories. This dissertation does not mean to discount or disregard the differences that exist among the states. They are in fact important and vital to determining whether or not these theories are actually general explanations of legislative organization or simply explanations of congressional organization. Further, I do not mean to suggest that theoretically accounting for their differences is not a useful and important endeavor. It is just not an endeavor that fits inside the framework of this dissertation.

For this dissertation, the ultimate goal is not accounting for the existence of a previously unexplained political phenomenon. Rather, the ultimate goal is to make a contribution to the subfield of legislative studies by exploring the applicability at the state legislative level of three popular and competing theories previously studied only in Congress. This endeavor should be considered a contribution to legislative studies for two major reasons. First, by focusing on state legislatures it moves research beyond the
confines of the postwar U.S. House. Second, it will contribute to the debate surrounding the distributive, informational and partisan theories. Specifically, it has the potential to address the assertion concerning each theory’s appropriateness as an explanation of legislative organization as well as the assertion that these theories are applicable to legislatures beyond the U.S. Congress.

This dissertation will proceed as follows. First, the basic literature and theoretical foundations of this project will be presented. Second, the area of legislative organization of focus – state legislative rules of procedure – will be discussed. Third, the research design, including the operationalization and measurement of the major theories will be presented. Fourth will be a descriptive analysis of the development of state legislative committee procedures. Next will be the “heart” of the dissertation – a series of multivariate chapters that attempt to empirically link the distributive, informational and partisan theories to state legislative committee procedures. Finally, there will be a concluding chapter that sums up the findings of the dissertation as well as maps out research for the future.
Chapter 2

Literature Review and Theoretical Foundations

For the past two decades or so, three major theories concerning legislative organization and the power of committee systems have dominated congressional research. These three theories are 1) the distributive theory, 2) the informational theory and 3) the partisan theory. Distributive theory argues that the purpose of committees is to secure benefits for the constituencies of individual members of the legislature (Shepsle 1986; Weingast and Marshall 1988; Baron and Ferejohn 1989). Informational theory contends that the committee system’s role is to serve the legislative chamber and that specialization and dissemination of information to the entire membership is their primary function (Maass 1983; Gilligan and Krehbiel 1987, 1989, 1990; Krehbiel 1991). Finally, partisan theory suggests that the committee system exists to serve the goals of the majority party in the legislature (Kiewiet and McCubbins 1991; Cox and McCubbins 1993). Common to these theories is a view that the committee system is the agent in a principal-agent relationship (Maltzman 1997).

In particular, these theories have been generally treated in the literature as competing explanations of legislative organization. However, very little research has thought to empirically test these theories in a truly competitive fashion (exceptions include Maltzmann 1997; Hall and Grofman 1990; Krehbiel 1990; Brown et al. 1997; and Overby and Kazee 2000). Rather, the majority of research chooses to study each theory in isolation from the others (Dion and Huber 1996; Hedlund and Hamm 1996; Shickler

One of the major goals of this dissertation will be to provide a competitive empirical test of these three theories by extending them to the arena of state legislative committee procedures. There are two reasons for this choice. The first is that in general, the state legislative arena provides great cross-sectional and temporal variation (Hamm and Squire 2001). This variation will provide a great deal of leverage in the effort to test these competing explanations. Further, if these three theories are indeed generalizable accounts of legislative organization then they should be just as applicable to state legislatures as they are to Congress.

Secondly, the study of legislatures has exhibited a rejuvenated interest in studying the structures and procedures that impact the legislative process (see Evans 1999; Cox 2000), and the congressional theories discussed above can be naturally extended to the area of committee related rules of procedure. This renewed interest in legislative structures and procedures is the result of the neo-institutionalist movement (McCubbins and Sullivan 1987; March and Olsen 1989; North 1990; Ostrom 1990; Knight 1992). New-institutionalism arose out of the frustration of many political scientists with the behaviorist perspective adopted mid-century. New-institutionalist scholars argue that institutions do matter and they should be a part of our theories and explanations of political structures and behavior.

Further, some research has shown that legislative structures and procedures can and do have an impact on the legislative process. Research has suggested that structures
and procedures add stability to the process by ending majority vote cycling and promoting cooperative behavior amongst members (Sheplse 1979; 1986). Structures, like committees can be used by members to gain control over policy areas and cultivate benefits for their districts (Mayhew 1974; Weingast and Marshall 1988). Procedures have been used in the past to suppress or expand the influence of congressional minorities in the legislative process (Dion 1997; Binder 1997). Finally, some procedures (i.e., open vs. closed rules) have been used to reduce uncertainty over the outcomes of the legislative process (Bach and Smith 1988; Sinclair 1989, 1994; Rohde 1994). Finally, it has been argued especially from a comparative perspective that legislative structures and procedures also play an important role in the institutionalization of legislatures (Evans 1999; Liebert 1998). Thus, it is now important to focus research on determining why some of these structures and procedures exist and how they have developed over time.

This chapter has two distinct goals. The first is to provide a general review of the study of legislative organization – specifically the study of committee systems and the study of legislative procedures. The second is to provide a theoretical extension of the three congressional theories of legislative organization that are the focus of this dissertation and thus drives its subsequent research.

*The Study of Legislative Organization*

From the earliest days of the discipline, political scientists have turned their attention to the process of law making. Specifically, scholars have devoted a great deal of effort to studying legislative institutions. This work has focused on a number of
different areas including, but not limited to committee systems, rules of procedure and the behavior of members. Thus, the study of the legislative process possesses a long and rich tradition in political science. The goal of this section will be to provide an extensive review of the scholarly literature in the areas of committee systems and rules of procedure.

Most of the earliest legislative work in the study of American politics focused on the organization of legislatures, and in particular committee systems. Most of this work was structural or functional in nature – outlining and describing the structures that existed and the functions that they performed. Scholars at this time highlighted the importance of committees in Congress as a mechanism for the division of labor in legislative chambers – most notably the U.S. Congress (Wilson 1885; McConachie 1898). Further, their work as well as others (Alexander 1916; Harlow 1917; Lowell 1902) studied these legislative structures and their functions from a comparative perspective – comparing them to similar structures and functions in U.S. state legislatures as well as the British House of Commons (Gamm and Huber 2001). These earlier studies while quite valuable, offered little in the area of legislative theory – rather they provided deep description and comparison.

The greatest gains in our understanding of the workings of the U.S. Congress occurred more recently (i.e., post-1960) as scholars began to develop theories about the way legislatures and in particular Congress works. Before this period, political scientists were much more enmeshed in studying the behavior of voters. In the mid-1960s, scholars began giving greater attention to studying both legislative structures and
decision-making. The earliest work in this period focused on the conditions (i.e., the committee system, seniority norms, etc.) that have allowed legislatures to become institutionalized and professionalized (Polsby 1968). For Polsby (1968), the establishment of a standing committee system in Congress was a key indicator of the body's institutionalization and professionalization.

Lewis Froman (1968) also studied congressional structures and procedures. His work applied organizational theory (as it was developed in business and management studies) to institutional change in Congress. Using principles of organizational theory, he argued that congressional structures and procedures are a function of a highly differentiated social setting, the sheer organizational size (i.e., the number of members) of each chamber, and the predominance of intergroup rather than individual organizational conflict.

Other scholars during this period began applying social choice theory to political decision-making (Black 1958; Riker 1962; Buchanan and Tullock 1962). These works were preference based and asserted that members of a legislature would vote for the policy proposals that were closest to their preferred outcomes. This research would influence later research in the area of legislative organization (e.g., Shepsle 1979; Krehbiel 1991; Cox and McCubbins 1993). Unfortunately, the bulk of this research began to focus solely on the U.S. Congress and often on the U.S. House of Representatives, in particular (see Gamm and Huber 2001), and thus lost its comparative nature.
In the 1970s both congressional and state legislative scholars adopted the perspectives of both Polsby (1968) and Froman (1968). These scholars thoroughly studied legislative institutionalization and also used the principles of organizational theory to account for the impact of legislative reform. This line of research continued for most of the 1970s into the 1980s. During this period, scholars (especially those studying state legislatures) championed the ability of organizational theory to be adapted to the study of the legislative process. For example, Hedlund writes that

Collectively this work demonstrates, first, that concepts derived from organizational theory can be applied to legislatures. These concepts include organizational autonomy, division of labor, task environment, organizational technology, “buffering” between inputs and outputs, institutional “imperatives”, organizational uncertainty, adaptation, consolidation, organizational elaboration, organizational productivity, organizational expeditiousness and organizational efficiency (Hedlund 1984).

The bulk of the of research applying organizational theory to the study of legislatures argues that in order to survive, a legislative body must change its practices and procedures in reaction to changes in the legislature’s external and internal environments (Froman 1968; Davidson and Oleszek 1976; Moncrief and Jewell 1980; Cooper and Brady 1981; Hedlund 1985; Thompson and Moncrief 1992). Legislative scholars have used this perspective to successfully study the existence of and changes in legislative institutions (Cooper 1977, 1981; Cooper and Brady 1981; Hedlund and Freeman 1981; Moncrief and Jewell 1980; Harder and Davis 1979; Hedlund 1978; Hedlund and Hamm 1976, 1977, 1978; Davidson and Oleszek 1976; Froman 1968).
Specifically these studies have tested hypotheses developed from organizational theory and find that legislative organizations adapt in reaction to stress and strain from their internal and external environments (Davidson and Oleszek 1976). These studies identify two types of change occurring in legislatures: adaptation and consolidation. Adaptation occurs when legislative structures and procedures are changed in reaction to changes in the external environments. In contrast, consolidation occurs when legislative structures and procedures are changed to deal with internal stresses (Davidson and Oleszek 1976; Thompson and Moncrief 1992). Additionally, these external strains may cause internal stresses by changing the incentive structure of the institution’s members. This change in member incentive structures may ultimately lead to changes in the body’s internal structures and procedures (Katz and Sala 1996; Binder and Smith 1997, 1998).

Thus, organizational theory has added to our understanding of institutions and institutional change. In particular, organizational theory highlights the importance of evaluating the external environment of a legislative institution when attempting to account for changes within that institution. Further, organizational theory argues, "in order to survive an institution must adjust both to its external environment and to its internal needs" (Davidson and Oleszek 1976).

Studies adopting a rational-choice approach to the study of specific institutions of the U.S. Congress began to emerge in the late 1970s/early 1980s (i.e., the committee system), and this line of research still dominates legislative studies today. Further, these studies began to adopt a rational choice perspective to studying legislatures that focused heavily on the distribution of legislator preferences. In large part, this research was a
reaction to the earlier social choice research (Black 1958; Riker 1962; Buchanan and Tullock 1962) that concluded that no decision (or status quo) in a legislature was ever really "final." Because members of the legislature (or any other decision-making body) are assumed to be voting in alignment with their true preferences endless cycling of voting would occur because every status quo would be challenged and a new vote would occur. Cycling occurs because alternatives could always be presented that were preferred by a slim majority of members. This cycling ultimately leads to instability over policy outcomes. Congressional scholars began to focus attention to explaining why this "cycling" did not regularly occur in the Congress. The earliest work in this area was structure-based, and asserted that cycling does not occur in Congress because structures (i.e., committees) and procedures (i.e., logrolling) induced the system into equilibrium (Shepsle 1979; 1986). Scholars next turned their attention to explaining the "forces" that account for the organization (i.e., structures and procedures) of Congress.

Three major theories of legislative organization arose from this line of research. Specifically, these theories asserted that the members of the legislature had very distinct goals for the legislative process and that the committee system would play a central role in attaining these specific goals (Sheplse 1986; Weingast and Marshall 1988; Krehbiel 1991; Cox and McCubbins 1993). In addition to being heavily influenced by the early social choice literature (Black 1958; Riker 1962; Buchanan and Tullock 1962), this literature was also influenced by congressional research that attempted to study legislator behavior from a rational choice perspective (Fenno 1973). In Fenno's research, committees were used by members to attain one of three specific goals: re-election, good
public policy, or power within the chamber. According to Fenno, different committees were better at assisting legislators meet these goals (ex: Interior Committee for reelection, Education for making good public policy, and Appropriations for power)

These theories of legislative organization are the theoretical focus of this dissertation and as such will be discussed only briefly here. This research developed in three waves. The first wave is typically labeled the distributive or gains-from-trade theory of legislative organization (Shepsle 1986; Weingast and Marshall 1988; Baron and Ferejohn 1989), and asserts that committees exist to provide legislators with a mechanism for securing benefits for their constituencies. Informational theory is the second wave and is inspired partly by organizational theory and is based upon the principal of majority rule, and asserts that committees exist to serve the chamber as a whole (Maass 1983; Krehbiel 1991; Gilligan and Krehbiel 1990). Finally, partisan theory (Rohde 1991; Kiewet and McCubbins 1991; Cox and McCubbins 1993; Dion 1997; Binder 1997), which asserts the dominance/supremacy of political parties in the legislative process is the third wave of congressional theorizing during this period.

Much of the recent literature in this area focuses on three major debates concerning which theory of legislative organization is correct. The first debate is between the distributive and informational models, and focuses on the preferences of the members on congressional committees. Those in favor of the distributive theory, assert that committees are in essence “preference-outliers.” That is the preferences of the members of individual committees do not match the preferences of the chamber as a whole for policies under the committee’s jurisdiction (Weingast and Marshall 1988; Hall
and Grofman 1990). Those in favor of the informational theory assert that there are no preference outliers and that the preferences of the committee members are generally reflective of those of the chamber (Krehbiel 1990).

The second debate is between the informational and partisan theories. Specifically, this debate is about whether or not political parties matter in the legislative process. Proponents of the informational theory assert that political parties do not matter at all (Krehbiel 1993, 1997a, 1997b). Some proponents of the partisan theory assert that they do, and that they are particularly important when it comes to procedural decision-making (Dion and Huber 1996, 1997; Binder 1996).

The final debate is between the distributive and partisan theories of legislative organization. In most interpretations of the distributive theory, the influence of political parties is ignored (Shepsle 1979) or assumed to have no impact on the behavior of members (Weingast and Marshall 1988). In particular, most studies using the distributive theory assume that members self-select onto congressional committees based upon their preferences. Cox and McCubbins, in *Legislative Leviathan* argue that this is not the case. They assert that parties actually play a role in the committee assignment process, and they point specifically to Shepsle's *The Giant Jigsaw Puzzle*, where his model "assume[s] that the party leadership has substantial influence over appointments and is interested in securing the loyalty of members (Cox and McCubbins 1993: 22). Cox and McCubbins go on to show that members of Congress do not self-select onto committees as often as the distributive theory implies. Rather, they argue that political parties play an important
role in choosing who serves where. Specifically, they found that the parties often denied members assignment or transfer requests.

Despite this fascination with the workings of committees in the postwar U.S. House, this was not the only research being conducted at the congressional level in the 1980s and 1990s. In particular, other scholars sought to explain the institutional development of Congress in its very early years. Specifically, research in this recent period has explored the historical evolution of Congress (Dion 1997; Binder 1997; Swift 1997; Jenkins 1998), strategies for considering bills on the floor of the U.S. House (Bach and Smith 1988; Sinclair 1994; Krehbiel 1991, 1996, 1997; Binder and Smith 1997; Dion and Huber 1996, 1997; Shickler and Rich 1997; Cox and McCubbins 1997; Shickler 2001), the dynamics of congressional jurisdictions (King 1995) and the participation of members of Congress at the committee stage of the legislative process (Hall 1996).

Unfortunately research in the areas of committee systems and legislative procedure has not attained a similar level of development at the state legislative level. In particular, the subfield is lacking in research that provides detailed accounts of the development of committee systems in state legislatures (Hamm and Squire 2001). Despite this lack of knowledge and interest a few limited studies provide some clues to their development. We have some early studies that focused only on in-depth descriptive analysis of committees in a single state at one point in time (e.g., Lewis, 1952; Palmer, 1964), others that focused on the development of a single committee system over time (Morris, 1982), and still others that examined a committee system as part of a larger overall study of the legislative process in a single state (e.g., Rosenthal, 1968; Ogle.
1970, 1971). Unfortunately, there exist very few comparative studies that provide insight into the basic trends and anomalies across several state legislatures over time (Dodds, 1918; Luce, 1922), and even fewer studies investigate the causes of change in state legislative committee structures (e.g., Jewell and Miller, 1988). A few comparative studies have tried to relate rules and procedures affecting committees to their performance with mixed results (e.g., Rosenthal, 1974; Hamm and Moncrief, 1982), or have tried to account for changes in the number of committee positions using a variety of rule-based criteria (Hamm and Hedlund, 1990). The most comprehensive study to date is about the relative importance of committees in the state legislative process (Francis 1989). Thus, what is missing is a multi-state, longitudinal understanding of how committee systems develop and operate the state legislative level. The lack of organized data may be a reason for this lack of research.

Fortunately, state legislative scholars have begun to collect and analyze this data. Keith Hamm and Ronald Hedlund have taken the lead in this area, and have devoted most of the 1990s to collecting and coding the data needed to assess the development of state legislative committee systems. Specifically, this research is focused on a large number of state legislative chambers over the course of the entire twentieth century. To date, a number of preliminary studies have been performed on these data. These studies have focused on exploring the composition of state legislative committee over time and have found that by and large the composition of state legislative committees have become more specialized over the course of the twentieth century (Hamm and Hedlund 1992.

Further, some state legislative scholars have taken a renewed interest in studying structures and procedures. Much of this work is being conducted in conjunction with Hamm and Hedlund’s study of committee systems. In particular, some of these studies have mapped the evolution of state legislative committee structures and procedures over time. These studies have found that over the course of the twentieth century a significant degree of change in committee structures and procedures has occurred in state legislatures and that some structures and procedures are linked together within chambers (Hamm, Hedlund and Martorano 1998, 1999 and Martorano, Hamm and Hedlund 2000: 2001). Other studies have even started applying the three congressional theories of legislative organization to studying the adoption of these procedures (Martorano, Hamm and Hedlund 2001; Martorano 2001a, 2001b). Other research has started to look at the adoption of legislative procedures and the relative power of chamber leaders and legislative committees (Clucas 2001).

Thus, the research in this dissertation in part fills three shortcomings in the literature to date. First, it provides a competitive test of the three theories of legislative organization developed primarily for the U.S. Congress. In this area, this research will evaluate the applicability (and thus generalizability) of these theories to the state legislative arena as well as potentially determining which theory is a more appropriate explanation for the function of committee systems in the legislative process. Second, it provides insight into the factors that account for the existence of and changes in
legislative procedure. Very little recent research has addressed this issue despite its importance to the legislative process. Finally, this dissertation provides both a cross-sectional and temporal assessment of the development of legislative procedures as they relate to the functioning of committee systems in U.S. state legislatures. This aspect of this research should provide one component of the story of the development of state legislative committee systems.

**Linking Congressional Theories of Legislative Organization to Legislative Procedures**

Currently, the most popular way to study legislative institutions is to adopt one of the three theories of legislative organization discussed earlier (i.e., distributive, informational or partisan). The recent literature has treated these three theories as completing explanations of the purpose of the committee system in the U.S. Congress. However, common to these theories is a view that the committee system is the agent in a principal-agent relationship (Maltzman 1997; Overby and Kazee 2000). The first theory is the distributive theory, and its proponents argue that the purpose of the committee system is to secure benefits for the constituencies of individual members of the legislature (Shepsle 1986; Weingast and Marshall 1988; Baron and Ferejohn 1989). This theory assumes that members self-select onto committees (creating committees composed of preference outliers) and that the norm of universalism in roll call voting is followed on the floor of the chamber (Weingast and Marshall 1988). Second, informational theory contends that the committee system’s role is to serve the legislative chamber and that specialization and dissemination of information to the entire membership is their primary
function (Maas 1983; Gilligan and Krehbiel 1987, 1989, 1990; Krehbiel 1991). This theory assumes that the membership of committees will be microcosms of the parent chamber and that the will of the majority (i.e., the Majoritarian Principle) determines outcomes. Further, the notions about legislative structures and procedures in this theory are most closely tied to organizational theory (Krehbiel 1991: 110-111). Finally, partisan theory suggests that the committee system exists to serve the goals of the majority party in the legislature (Kiewiet and McCubbins 1991; Cox and McCubbins 1993). Popular in recent years, this theory argues that changes in congressional rules and procedures are precipitated by changes in the partisan make-up of the chamber membership. Thus, all of these theories view the committee system as an integral part of the legislative process.

Based on the above discussion, three general propositions about the impact of the three theories of legislative organization on committee systems procedures can be stated. First, the basic principles of distributive theory suggest that the procedures relating to standing committees should be shaped in ways that help individual members gain benefits for their electoral districts. The principles of informational theory, on the other hand, suggest that committee procedures that maximize specialization and minimize uncertainty (in both policy and political outcomes) should be adopted. Finally, the principles of partisan theory suggest that when the relative size of the majority party is small, procedures that minimize minority party influence should be adopted. Thus, under this perspectives political parties are behaving as cartels and are using the legislative process (and in particular the system committee) to achieve their policy agenda.
The remainder of this chapter will present and discuss specific examples of the extension of each of these theories to specific committee system procedures (See Table 2-1). Some of these specific propositions will be tested in future analytical chapters while others will not. The specific hypotheses to be tested will be fully presented, delineated and discussed as part of the future empirical chapters.

**Distributive Theory**

As stated above, the distributive theory of legislative organization posits that legislative committees are the agents of a legislator's geographic constituency. Specifically, the sole purpose of the committee system is to facilitate securing benefits (e.g., projects and funding) for a legislative district (Weingast and Marshall 1988). There are two important assumptions to this theory. The first is the notion that the members of a legislative body always behave with the interests of their constituency in mind. Thus, above all else the members of the legislature prefer to have their legislative districts' "wishes" granted by the chamber. The second assumption is that the standing committees of the legislature possess detailed and unique jurisdiction over specific policy issues. This implies that committees are "preference outliers" in the legislative process. That is, the issue/policy preferences of the committee are not reflective of the issue/policy preferences of the average member in the chamber (Weingast and Marshall 1988; Hall and Grofman 1990; Brown et al. 1997; Overby and Kazee 2000). Further, in a chamber that follows the distributive theory perspective, the norms of universalism and logrolling (i.e., members vote for other members legislation
<table>
<thead>
<tr>
<th>Structure/Procedure</th>
<th>Distributive Theory Expectation</th>
<th>Informational Theory Explanation</th>
<th>Partisan Theory Explanation (assume narrow majority advantage)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Introduction of Bills</strong></td>
<td>Yes (allows committee to better fulfill distributive goal)</td>
<td>Yes (allows committee to fulfill specialization goal)</td>
<td>No (Party wants to keep centralized control over bill content)</td>
</tr>
<tr>
<td><strong>Multiple referrals</strong></td>
<td>No</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Multiple referrals would leave one committee's preferred legislation to be altered by another</td>
<td>Multiple referrals would allow a maximization of specialization on each piece of legislation</td>
<td></td>
</tr>
<tr>
<td><strong>Withdrawal of legislation from committees</strong></td>
<td></td>
<td>Easy: Generally, the committee will behave in line with floor preferences, but easy discharge procedures gives the floor a tool to use for instances when this does not happen</td>
<td>Hard; suppress minority influence</td>
</tr>
<tr>
<td><strong>Incorporation of committee amendments</strong></td>
<td>Yes: protect benefits on floor</td>
<td>Yes; comm. Median = floor median; reduces time on floor stage</td>
<td>No; want to be able to override minority committee amendments if adopted in committee</td>
</tr>
<tr>
<td><strong>Minority reports</strong></td>
<td></td>
<td>Yes; additional perspective = more information</td>
<td>Not allowed; suppress minority</td>
</tr>
<tr>
<td><strong>Floor amending difficulty</strong></td>
<td>Very hard; protect committee version of bill</td>
<td></td>
<td>Very hard; make it difficult for the minority to obstruct</td>
</tr>
</tbody>
</table>
knowing that the “favor” will be reciprocated later) dictate chamber floor proceedings (Baron and Ferejohn 1989).

What does this theory tell us about committee system structure and procedure? Under this model, committee system procedure is tied directly to the policy/issue preferences of the members, or more bluntly, the policy/issue preferences of the legislative district. Overall, this theory suggests that the relative strength of the committee system in a legislative chamber will always remain strong. A strong committee system is achieved when committees are given explicit power over the drafting, shaping and screening of legislation, and the final decisions of committees are upheld on the floor of the chamber more than they are overturned.

What does this theory tell us about committee system change? Under this model, changes in the committee system will occur only when the policy/issue preferences of the members change, or more bluntly, the issue/policy preferences of the legislative district change. Overall, the expected changes will be structural rather than procedural as this theory suggests that the relative strength of the committee system will always remain strong. The number and jurisdictions of committees within the system will change as the issue/policy goals of the members and their constituents change. Regardless of these changes, committees and their jurisdictions will always possess a geographic basis that helps facilitate the distribution of benefits to legislative districts. In some cases, extending the distributive theory to the area of state legislative committee system procedures is quite easy. Specifically, some expectations for the adoption of procedures are quite obvious and naturally flow from the theory’s basic principles. For example, the
principles of the distributive theory can be extended to this area to predict that legislative committees should have the power to introduce legislation.

Since committees are considered preference outliers in this theory, and the members of the committee are the only members with any interest over the issue that fall under the jurisdiction of the committee, it makes sense that the chamber should allow them to craft legislation that all committee members agree upon.

Another obvious extension of the distributive theory is the prediction that chambers should adopt a procedure that allows committees to automatically incorporate committee amendments into legislation (and thus the floor simply adopts the committee report with amendments included). The adoption of this procedure is expected for two reasons. First, the incorporation of committee amendments ensures that the district benefits secured by legislators in committee negotiations are protected once the bill reaches the floor of the chamber. Second, the norms of universalism and logrolling (Baron and Ferejohn 1989) also anticipate the adoption of incorporated committee amendments. Since it is expected that the floor is going to vote to pass legislation based upon the recommendation of committees, it simply saves time to incorporate the committees changes to legislation rather than vote on each separately.

Finally, the distributive theory can be extended to predict the adoption of chamber procedures that make amending legislation on the floor of the chamber extremely difficult. Once again, the logic of this expectation is linked to the theory’s first basic assumption that the goal of committees is to secure benefits for legislators and districts. Allowing easy amending on the floor opens the possibility of the floor altering the
legislation and thus undermining the work of the committee. Thus, difficult floor amending is a procedural protection for committee positions on the floor.

In some cases, extending the distributive theory to the study of state legislative committee procedures requires a bit of a leap of faith. One of these instances involves the adoption of a procedure that prohibits the referral of legislation to multiple committees. I argue that the basic assumptions and principles of the distributive theory suggest that chambers should not allow bills to be referred to more than one standing committee.

The distributive theory assumes that the jurisdictions of committees are non-overlapping and unique (Sheplse 1979). Thus, committees and their members are concerned with very specific issues that no other committees should care about. Some may argue that it makes no difference if a bill goes to a second or third committee for consideration. This second or third committee shares no jurisdictional interest with the first committee, and thus will only focus on the sections or parts of the bill that deal with issues under their jurisdiction.

Generally, distributive policymaking involves securing benefits for legislative districts such as the building and maintenance of roads and bridges or the locating of military bases in particular districts. From the congressional perspective, a distributive benefit involves the expenditure of federal money in a House member's legislative district or in a Senator's state. Thus, it becomes necessary to think about the situation in the context of a zero-sum game. If at "the end of the day" a balanced budget is required (the norm at the state legislative level) then changes made to legislation by the second
and/or third committee may impact any changes made by the initial committee of consideration. This is the case because in a balanced budget situation (i.e., a zero-sum game), the second or third committees may be forced to alter the first committee's change in order to have enough funding for their preferred changes to the legislation. Thus, a state legislative chamber organized from the distributive theory perspective should prohibit the multiple referral of legislation.

Finally, an extension of the distributive theory to the study of state legislative procedures also anticipates that chambers will not adopt a rule or rules that provide the floor with the ability to discharge bills from committee consideration. The logic behind this assertion is that the adoption of such a rule would completely negate the gate-keeping power that committees are supposed to serve in the chamber (Baron and Ferejohn 1989; Shepsle and Weingast 1995). Further, since the overarching purpose of committees is to serve the legislative districts of the members serving on them, and it is assumed that by and large the floor will pass all legislation reported by committees (i.e., logrolling and the norm of reciprocity) there is no reason that the floor needs the power to discharge committees from bill consideration.

All of the above propositions concerning legislative structures and procedures result in a committee system that will be very strong relative to the floor of the chamber. This structural and procedural committee strength will allow members to better serve their goal of securing benefits for their home constituencies.
Informational Theory

The informational theory of legislative organization argues that legislative committees are the agents of the chamber itself. Specifically, the theory argues that the primary role of the committee system is to process legislation efficiently by maximizing committee specialization and expertise and thus, minimizing uncertainty. Vital to this theory of legislative organization is the Majoritarian Principle (Krehbiel 1991). This principle fundamentally argues that decisions made in the legislature will be done so via majority rule. Further, under the informational theory the composition of each legislative committee is a reflection of the composition of the entire chamber (i.e., the policy preferences of the committee’s median member are the same as the floor’s median member) and no “preference outliers” exist (Krehbiel 1990). Thus, through the Majoritarian Principle, committee decisions fall directly in line with what the floor prefers.

The informational theory is greatly influenced by earlier research that applied organizational theory to the study of legislative institutions. Thus, some of the expectations about committee procedures derived from the informational theory can be found in this earlier research. For those that may be skeptical of this linkage, recall that organizational theory contends that institutions, in this case legislatures, if they want to continue to survive must change their practices and procedures in reaction to changes in their external and internal environments (Froman 1968; Davidson and Oleszek 1976; Moncrief and Jewell 1980; Cooper and Brady 1981; Hedlund 1985; Thompson and Moncrief 1992). For example, external stress often comes in the form of increased
demands from the public to legislate on more complex issues, thus increasing the need for greater specialization and division of labor amongst committees, a theme very similar to informational theory. The following excerpt from Krehbiel’s *Information and Legislative Organization*, where Krehbiel argues that the work of Cooper (1970) and others studying the origins of committees systems in Congress and the state legislatures (Winslow 1931; Alexander 1916; Galloway and Wise 1976; Harlow 1917 and MacNeil 1963) is similar to his own beliefs as to the purpose of the committee system in Congress best sums this argument and gives merit to considering earlier studies organizational theory studies to be of the same strain as Krehbiel’s informational theory.

Most, if not all, historical studies agree that specialization – not distributive politics – was at the heart of the conception and development of the committee system. This thesis is most insightfully chronicled in Cooper’s monograph, *The Origins of the Standing Committees and the Development of the Modern House* (1970)...In other words, legislative institutions reflect uncertainty in the environment, uncertainty poses policy-making problems for which legislative specialization is needed, and committee systems proved to be useful specialization-of-labor arrangements. Committees, then, were important agents of U.S. legislatures from the early years of the legislatures’ existence. In all likelihood it was because of the informational purposes committees served (Krehbiel 1991: 110-111).

With regard to committee system structures and procedures, informational theory (as well as its organizational theory inspiration) has much to offer. Since informational theory argues that committee specialization is encouraged to enhance efficiency in the legislative process, it shares predictions about committee system structures and procedures embedded in organizational theory. Political scientists adopting an organizational theory framework argue that a legislative body must change its practices
and procedures in reaction to stresses in its external and internal environment (Froman 1968; Davidson and Oleszek 1976; Moncrief and Jewell 1980; Cooper and Brady 1981; Hedlund 1984; Thompson and Moncrief 1992). Thus, organizational theory argues that committee systems were created to deal with increasingly complex policy environments, and committee systems should be given more power as this complexity continues to increase (Cooper 1970, 1988; Hedlund 1984). This strengthening of the committee system will be done to increase the effectiveness and the efficiency of the legislature.

Thus, since both theories strive to achieve efficiency in the legislative process, both should have similar expectations with regard to committee system structures and procedures. The strength of the committee system should be increased when the demands placed upon the legislature (i.e., requests that specific policies be addressed) also increase. Thus, committee related structures and procedures would be changed when the external (i.e., public demand for policy, etc.) and internal stresses (i.e., increase or decrease in the number of members in the chamber, change in Speaker, etc.) on the legislative system change.

The adoption or existence of several legislative procedures should occur almost naturally under the informational theory. First, legislative chambers organized around the principles of the informational theory should adopt rules that allow committees to introduce legislation. The theory argues that the purpose of committees is to promote specialization by members in certain areas (Krehbiel 1991) and thus maximize the information available. Allowing committees to introduce legislation also flows from this specialization role for committees. If committees are the “experts” in the policy areas
under jurisdiction of their committees, then they should be more than qualified to introduce legislation on these same matters.

Second, the informational theory would suggest that chambers adopt a procedure that automatically incorporates committee amendments into legislation. Recall, under this theory that legislative committees are simply miniature versions of the parent chambers. That is, the preferences of committee’s median member are the same as the preferences of the chamber’s median member. Further, under the Majoritarian Principal, all decisions are made via majority rule, and thus the median members preference will almost always be the winner. Therefore, incorporating amendments makes sense, as the floor will adopt them anyway. Because the committee and the floor will likely choose the same alternatives, incorporating amendments at the committee stage makes sense because it streamlines the legislative process and makes it more efficient.

Third, the extension of the informational theory to the study of committee procedures leads to the expectation that chambers will allow the minority position of each committee to submit a report to the floor. A minority report provides another point of view to the issue at hand. Allowing the minority to formally present this point of view to the chamber provides additional information, and ultimately helps to reduce uncertainty over the outcomes of the legislative process, another important principal of the informational theory.

The underlying logic of applying the informational theory to state legislative committee procedures becomes a bit trickier when considering the following procedures: multiple referral of legislation and the withdrawal of legislation from committee
consideration. I argue that informational theory when extended predicts that chambers should adopt procedures for the multiple referral of legislation. This is the case because sending the legislation to more than one committee will allow all members with expertise in the policy area the ability to consider the legislation and thus maximize the benefits of specialization. However, referring legislation to more than one committee inevitably slows the legislative process, and thus the legislative process is not working at its most efficient level. Therefore, it could be argued that multiple referrals should not be allowed. Nevertheless, in my interpretation of the informational theory, multiple referrals should be allowed because I believe that the maximization of the transmission of information through committee specialization is a much larger part of the theory than maximizing efficiency in the legislative process. In fact, I believe that in the theory efficiency is actually a positive by-product of specialization.

Finally, from an informational theory perspective, legislative chambers should have a procedure that allows the floor to withdraw legislation from committee consideration. This procedure serves as an important control mechanism under the informational theory. Recall that under the theory committees exist to serve the parent chamber (i.e., the floor) (Krehbiel 1991). Although the informational theory asserts that committees (in terms of the distribution of preferences over policy) are near perfect reflections of the parent chamber and that the Majoritarian Principal virtually guarantees that the median member's preferences (be they in the committee or on the floor) will always win, the reality of the legislative process is that there is no guarantee that this will happen. Thus, allowing the floor to withdraw bills from committees gives the floor a
powerful check on committees if they choose to behave in ways that are not reflective of the preferences of the chamber as a whole.

To summarize, if fulfilled, the propositions presented concerning the informational theory would foster a highly specialized committee system with the ability to transmit information and reduce uncertainty in the legislative process. This will ultimately lead to increased efficiency in the legislative process.

Partisan Theory

The partisan theory of legislative organization argues that the committee system serves the needs of the majority party in the chamber (Cox and McCubbins 1993). Consequently, the committee system is structured in a manner that benefits the majority political party.

Partisan theory suggests that the strength of the committee system relative to the floor of the chamber will fluctuate with the relative size of the majority party in the chamber (Binder 1997; Dion 1997). Specifically, Binder (1995, 1997) argues that "institutional change in Congress...is likely to be path-dependent: procedural outcomes will depend on the historical path already taken" (Binder 1997: 3). Focusing on the expansion and contraction of minority party procedural rights, she argues that the stimulus for change in parliamentary rights is the balance of power between the majority and minority parties. In particular, she argues that minority rights will be suppressed when there is a need for their suppression and the majority party is strong (i.e., unified) and has the capacity to pass procedural changes. However, Binder also argues that these
majority party changes in minority rights are done while all along considering the long term effects of the change on the current majority. These long term effects most often include a notion of reciprocity. For example, if the current majority believes that in the near future it may be in the minority, then it may expand minority rights in the hope that that the current majority will leave the provisions in place once in the majority.

Douglas Dion (1997) also develops and presents a partisan theory of institutional change in Congress. The author presents his partisan theory of institutional change as an alternative to workload (organizational theory), reciprocity and commitment to democratic deliberation explanations of institutional change. He argues that all three of these explanations have failed to adequately account for institutional change in the early Congress. Using a combination of formal theory and empirical testing, Dion argues that changes in the relative sizes of the majority and minority parties will lead to procedural change. Focusing on minority obstruction, Dion argues that the rights of the minority party will be suppressed when the advantage of the majority party is small. When the advantage of the majority party is large, minority party rights will be enhanced. Implicit to this theory is the assumption that small majorities are more cohesive than large majorities.

Under this theoretical perspective what types of procedures should be adopted regarding a chamber’s committee system? As the relative size of the majority party decreases, the relative strength of the committee system will be increased. The committee system is strengthened in order to prevent the minority party from obstructing the majority party. Strengthening the committee system works because when a majority
party enjoys a narrow advantage, it is assumed that the members of the majority party behave cohesively (Dion 1997). Specifically, more control over the scheduling of legislation on the floor may be given to the Speaker and the Rules Committee, and amending legislation on the floor of the chamber may become much more difficult. In contrast, when the relative size of the majority party increases, the relative strength of the committee system will be restricted or decreased. A weakening of the committee system (e.g., simplifying floor amending of legislation, etc.) occurs when the majority party advantage is large, because the party is no longer cohesive and has become fragmented (Dion 1997). It then becomes necessary for party leaders to have institutional mechanisms for controlling or overriding the committee process.

Assuming a narrow majority advantage, an extension of the partisan theory to the study of state legislative committee procedures clearly predicts the following: 1) the adoption of a rule that does not allow the floor to withdraw bills from committee consideration (or at least makes it very difficult), 2) the adoption of a rule that prohibits minority reports and 3) the adoption of procedures that make amending bills on the floor difficult. All three of these procedures suppress the rights of the minority party in the chamber. If these rules exist in a legislative chamber, they provide a strong procedural blow to the minority. For example, not allowing the withdrawal of legislation from committees leaves the minority powerless in efforts to get minority-preferred bills out of committees where the majority party is stalling them at the committee stage. Not allowing minority committee reports suppresses the minority by not giving them an outlet or an opportunity to present their preferences to the chamber. Finally, making floor
amending difficult does not allow the minority party to obstruct the legislative process by slowing floor consideration of the bill by proposing copious amendments or ultimately killing the bill by adding floor amendments that makes the legislation unpassable.

Other expectations for the extension of the partisan theory to committee related procedures are not so obvious. For example, I assert that the partisan theory as developed would not allow committees to introduce legislation. Not allowing committee bills permits the majority party to maintain centralized control over the content of legislation considered in the chamber. If the majority party allowed committees to introduce legislation, it is possible that the majority party members of some committees may be swayed or may form a coalition with the minority members, and thus draft legislation that does not fit with the majority party's policy goals.

Also, the majority party should not allow the chamber to adopt a procedure that provides for the incorporation of committee amendments. The minority members of a legislative committee may be able to get minority amendments adopted at the committee stage even when the majority party members are highly disciplined (i.e., due to absenteeism, coalitions, chance, etc.). Thus, the majority party on the floor needs to retain its right to review committee amendments on the floor in case these minority committee amendments were adopted in committee (and thus need to be struck down on the floor). The above expectations concerning committee structures and procedures create a system in which the majority political party in a legislative chamber has ample opportunities for minority party suppression.
To sum up, each of the above theories have something distinct to offer in an effort to account for the existence of as well as change in committee related structures and procedures. However, the general theme across all three perspectives is that above all else the committee system should have some real power relative to the chamber. The perspectives differ on specifically how to "build" a strong committee system. In particular, the distributive theory suggests that structures and procedures that build a strong committee system with an individual focus should be created. This may be accomplished by formalizing committee property rights and limiting changes to legislation on the floor. The informational theory on the other hand argues for a strong committee system that focuses on the chamber. Structures and procedures, like allowing minority committee reports, should be adopted that allow the committee system to maximize information transmission amongst members. Finally, the partisan theory supports a strong committee system that is to be used to fulfill the agenda of the majority political party in the chamber. Committee structures and procedures will be adopted and adapted as the relative strength of the majority party waxes and wanes in the chamber.

**Conclusion**

This chapter set out to accomplish two goals. The first was to provide a basic review of the literature exploring legislative committee systems and legislative structures and procedures. The second was to extend the three theories of congressional committees – distributive, informational and partisan – to the area of committee related procedures.
Specifically, this chapter traced the development of the study of legislative committees from Wilson (1885) and McConachie (1898) to Sheplse (1979), Krehbiel (1991) and Cox and McCubbins (1993). It highlighted the fact that this topic is well studied and well understood at the congressional level but not so well studied and understood at the state legislative (Hamm and Squire 2001). However, this is changing as more state legislative scholars have begun to study legislative committees in-depth (Hamm and Hedlund 1992, 1994, 1995a, 1995b; Hamm, Hedlund, Dougherty and Delgado, 1999; Hamm Hedlund, Martorano and Adolph 1998; and Hamm, Hedlund and Post 1997). It also discussed the renewed interest in studying legislative structures and procedures (Dion 1997; Binder 1997; King 1995; Hamm, Hedlund and Martorano 1998, 1999 and Martorano, Hamm and Hedlund 2000; 2001; Martorano 2001a, 2001b Clucas 2001). This area of study had been neglected until the recent rise of new-institutionalism (North 1990; March and Olsen 1989; Ostrom 1990; Knight 1992).

Further, the research conducted in this dissertation was placed within the framework of this existing literature. It was argued in this chapter, that this research adds to the study of legislative committees and to the study of legislative structures and procedures in three distinct ways:

- This research provides a competitive test of three theories of legislative organization developed primarily for the U.S. Congress, and thus evaluates the applicability (and thus generalizability) of these theories.
- It also provides insight into the factors that account for the existence of and changes in legislative procedure.
- This dissertation provides both a cross-sectional and temporal assessment of the development of legislative procedures as they relate to the
functioning of committee systems in U.S. state legislatures providing one component of the story of the development of state legislative committee systems.

Finally, this chapter focused on the three theories of congressional committee systems that will be the focus of the remainder of this dissertation. In this part of the chapter, these theories were extended to apply to the area of committee system procedures. In addition to generally extending these theories, several specific expectations concerning the types of procedures that should be adopted were presented.
Chapter 3

Studying State Legislative Rules of Procedure

Congressional scholars have actively and consistently studied the procedural aspects of the legislative process. Much of their focus has been on studying the purpose of the committee process (Shepsle and Weingast 1987; Krehbiel 1991; Cox and McCubbins 1993; Maltzmann 1997), how floor agendas are set, the use of open versus closed rules for amending legislation (Bach and Smith 1988; Sinclair 1994; Krehbiel 1991, 1997; Dion and Huber 1997; Binder and Smith 1997), and the impact of reforms on the behavior of members (Sinclair 1989; Smith 1989; Rohde 1991 and Aldrich 1995). At the state legislative level, this area has received considerably less development. Procedural studies at the state legislative level have focused on the impact of procedural reforms on public policy (Carmines 1974; Leloup 1978; Roeder 1979 and Uslaner and Weber 1975), impact of rules on the number of committee positions (Hamm and Hedlund 1990), the role of party in member assignment to committees (Hamm and Hedlund 1996), and the impact of committee procedures on performance (e.g., Rosenthal, 1974; Hamm and Moncrief 1982). In particular, in almost all of these studies state legislative procedures are an independent variable attempting to account for some other aspect of the legislative process.

Only recently has state legislative research begun to explore state legislative procedure as a dependent variable. That is, research is beginning to explore why state legislative chambers adopt particular rules or procedure. This research has explored the basic foundations of state legislative structures and procedures over the course of the twentieth century (Hamm, Martorano and Hedlund 1998, 1999 and Martorano, Hamm
and Hedlund 2000). It has also begun to explore the usefulness of congressional theories to explain their existence (Martorano, Hamm and Hedlund 2000; Martorano 2001a; 2001b).

Before the research in this dissertation can move forward, some time needs to be spent exploring the nature of legislative procedure and in particular the nature of state legislative procedure. The first part of this chapter discusses the primary sources of legislative procedures. The second part of this chapter discusses, in general terms, the applicability of congressional theories to state legislative studies. Specifically, this section will present the argument that U.S. state legislatures are sufficiently similar to the U.S. Congress to apply congressional theories to their study. Further, it will argue that the state legislatures provide a comparative arena that allows more rigorous testing of the theories developed for Congress. It will also discuss several areas where state legislatures are markedly different from the Congress, and thus require special consideration. The chapter will conclude by presenting a typology for studying state legislative rules as well as presenting a framework for discussing state legislative committee system procedures.

*Where do legislative procedures originate?*

The procedures informing the legislative process at the state legislative level originate from several different sources. Legislative procedures may originate in any of the following: (1) constitutions, (2) statutes, (3) formal rules and regulations of the legislature, (4) resolutions, (5) precedents, and (6) usages (Shambaugh 1918). In this section of the chapter each of these sources will be considered in turn.
The U.S. Congress and every state legislature in the United States derive its basic form constitutionally. The U.S. Constitution and each state constitution clearly outline the basic legislative structures that will exist. Specifically, the U.S. Constitution lays out the bicameral system, the number of members in each chamber, the form of representation (i.e., districts vs. states), requirements for office, etc. The U.S. Constitution is unique in that it allows great flexibility in how each house shall operate. In fact Article 1, Section 5 states, “Each House may determine the Rules of its Proceedings.” This is all that the U.S. Constitution says about legislative procedure.

Similarly, state constitutions provide the same basic structures for their state legislative bodies as the Constitution provides for the U.S. Congress. And many state constitutions including those for Alabama, Alaska, California, Illinois, Michigan and New Hampshire also stipulate that each house shall have the power to adopt their own rules of proceeding (Hamm and Squire 2001). However, most state constitutions go further and actually dictate procedure directly in the text of the state constitution. In fact, legislative procedure can be broadly affected by state constitutions. The procedure for a bill to be read three times often originates in the state constitution (ex., Alabama). In terms of committee powers, state constitutions in a few states (i.e., Mississippi, Texas and Pennsylvania) require that all bills must be referred to a committee and some require that committee meetings be announced in advance (exs.: Illinois, Nevada, Ohio, Texas and Virginia).

Statutes are another source of authority for legislative procedure. By and large, members of the U.S. Congress are reluctant to pass laws that impact the workings of the Congress, and generally exempt themselves (i.e., the Congress) from many of the laws
passed. However, a recent study (Martorano, Hamm and Hedlund 2000) found a wide variety of committee-related activities are sanctioned via statutes. This study found for example, that open meeting laws cover the operation of all government meetings, including those of legislative committees in 35 of the 36 states included in the study. The ability of committees to subpoena witnesses is set forth in the laws of 31 states while the ability of standing committees to meet in the interim is authorized in 10 of these states. Less frequently mentioned in these 36 states are statutory provisions requiring legislative committees to give advance notice of committee meetings (5 states), requiring all bills go to a committee (3 states), permitting standing committees to introduce bills (2 states), requiring committees to keep minutes of meetings (2 states), requiring only one-third of the elected members to withdraw a bill from committee (1 state), providing for regular committee meetings (1 state), having the presiding officer appoint standing committees (1 state), announcing agenda prior to committee meetings (1 state), and permitting the committee to call meetings at his/her pleasure (1 state). There are also rare cases where initiatives and referendum are used to place limitations on state legislature (Rosenthal 1998; Hamm and Squire 2001). A contemporary example of the impact of initiatives and referenda on state legislatures are the passage of term limits on state legislatures in states such as Arkansas, Michigan and California.

Chamber rules of procedure provide the most thorough treatment of legislative procedures whether one considers the Congress or the state legislatures. Formal chamber rules comprise a majority of the procedures in both settings. Resolutions are another source of authority for certain practices. In the U.S. House for example, special rules (i.e., the rules for debate and amending on the floor) are set for each bill by resolution. At the
state legislative level, an example is the creation of a bill sifting committee in the Iowa House by resolution each session for 58 years until it was formally adopted as part of the standing rules in 1931 (Shambaugh, 1918, 1968: 18). Precedents are more difficult to trace given the paucity of records, but they can be seen as affecting committees, particularly in the area of committee jurisdiction (King, 1994). Usages, or informal norms, constitute the final source of rules. Informal norms in Congress include junior senators refraining from debating and deferring to senior Senators in the past (of course, this norm no longer exists as freshman senators now actively participate in all stages of the process. Norms have also been shown to exist and to be important at the state legislative level (Wahlke et al. 1962). Precedents and informal norms are the most difficult sources to study as they can only be identified indirectly by observing the legislative body up close.

Thus it can be stated that in many ways the origins and sources of state legislative structures and procedures are in many ways similar to those of the U.S. Congress. However, some important differences do exist. What should be most evident from this discussion is that at the congressional level decisions concerning legislative structures and procedures are all made internally by the members themselves (Rieselbach 1995). These decisions can be formal (i.e., a written, codified rule or resolution) or informal (i.e., precedent or usage), but in the end the decision is still up to the members currently sitting in Congress. The only external pressure is structural. The U.S. Constitution dictates the number of chamber and their sizes, as well as the qualifications for office. However, the Constitution never dictates “the rules” of the legislative process – they are clearly left to the individual chambers.
The situation is quite different at the state legislative level. The way the legislative process unfolds can be dictated from outside the body (i.e., externally) via state constitutions and statutes as well as inside the body. Like in Congress, structures or procedures may be formally codified or they may be informal norms of behavior (See Figure 3-1).

*Are state legislatures an appropriate venue for testing congressional theories?*

The above discussion has outlined both the similarities and differences that exist between Congress and the state legislatures in the area of legislative procedures. For the most part, the two arenas are incredibly similar, and it has been argued that the state legislatures are a remarkable laboratory for studying legislative issues and in particular testing existing congressional theories (most recently by Hamm and Squire 2001).

The U.S. Congress and state legislatures share some very important similarities as well as some differences. In particular, Congress and the state legislatures are similar on three very important characteristics: 1) they developed out of the same culture, the same political history, and the same republican ideals; 2) they share similar electoral contexts (i.e., single-member plurality districts, basically the same political party system, etc.); and 3) in general, both the Congress and the state legislatures perform the same functions and roles (Hamm and Squire 2001: 2).

However, there are some significant differences between the Congress and state legislatures. While these differences must be taken into account when applying congressional theories to the states and vice versa, a benefit of these differences is that they actually provide researchers with greater variability and thus greater leverage over
### Figure 3-1
Types of Legislative Structure and Procedure in the U.S. States

<table>
<thead>
<tr>
<th>Internal</th>
<th>Formal</th>
<th>Informal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>Formal Rules, Resolutions</em></td>
<td><em>Informal Norms, Usages</em></td>
</tr>
<tr>
<td></td>
<td>Speaker assigns members to committees</td>
<td>Sifting Committee in Iowa (dates)</td>
</tr>
<tr>
<td></td>
<td>Minority committee reports can be adopted on the floor of the chamber</td>
<td>Seniority used to make committee assignments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>External</th>
<th>Formal</th>
<th>Informal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>Constitutions, Statutes (Includes initiatives and referenda)</em></td>
<td><em>Informal Norms</em></td>
</tr>
<tr>
<td></td>
<td>Term limits</td>
<td>Governor determines the Speaker (LA)</td>
</tr>
<tr>
<td></td>
<td>Open meeting laws</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Power of committees to subpoena witnesses and documents</td>
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</tbody>
</table>
their questions (Hamm and Squire 2001). Therefore, when applying theories developed for the Congress to state legislatures some special considerations are in order. Only the considerations dealing with studying committee systems will be discussed in this section, as state legislative committee systems are the focus of this dissertation.

Specifically, there are six areas in which some state legislatures may differ greatly from the U.S. Congress. These areas are: 1) the rise of the committee system, 2) committee importance, 3) committee jurisdiction, 4) committee assignments, 5) subcommittees and 6) conference committees (Hamm and Squire 2001). Four of these areas (rise of the committee system, committee importance, committee jurisdiction and committee assignments) are of special interest to this dissertation and each of these will be discussed briefly in turn.

The Rise of Committee Systems: Although there is a theoretical debate concerning the transformation of congressional committees from ad hoc to standing, the discipline has a very thorough understanding of the timeline over which the transformation took place (Hamm and Squire 2001; Gamm and Sheplse 1989; Jenkins 1998; Skaldony 1995; Stewart 2001; Swift 1989). However, while we know that most state legislatures possess standing committee systems today, we still do not have a real grasp of how they came to be. The small amount of historical research (Dodds 1918; Broussard 1977) that does exist in this area suggests that state legislative committee system development paralleled that of the U.S. Congress. Still, there are some important distinction in this area between Congress and state legislatures. First, the transformation in the states may have occurred at different times and over different time spans, and the timing of the transformation may impact the subsequent committee system. Second,
several states rely heavily on joint standing committees (for example Connecticut, Maine, and Massachusetts), and Congress does not (Hamm and Squire 2001).

Committee Importance: The relative importance of the committee system in the legislative process must also be considered (Hamm and Squire 2001). The committee system in the U.S. Congress is considered strong and important to the legislative process, and no recent scholar has disputed this contention. However, research at the state legislative level has shown that the importance of the committee system from state legislative chamber to state legislative chamber may vary significantly (Francis 1989). Their importance within a state may also vary over time (Van Der Slik and Redfield 1986). This difference becomes important when applying congressional theories to state legislatures. Congressional theories concerning the origins and the functions of the committee system assume that committees are central to the legislative process. Thus, care needs to be taken when applying these theories to state legislatures as they may not be applicable in states where the committee system is not considered important to the legislative process.

Committee Jurisdiction: Much congressional theory also rests on the assumption that committee jurisdictions are well delineated and well documented (meaning that for the most part it is relatively clear which subjects belong to each committee). For the most part, congressional committee jurisdictions are indeed well codified (Oleszek 2001; Stewart 2001). Unfortunately, state legislatures do not parallel Congress in this area. Very few state legislative chambers have formally codified the jurisdictions of their committees (Martorano, Hamm and Hedlund 2000). King (1995) also discovered that referral precedents have developed a strong “common law,” property right system of
jurisdiction in the Congress, but no such study has been replicated at the state legislative level.

Committee Assignments: The role of political parties and seniority in the congressional committee assignment process is well understood and well documented (Evans and Oleszek 1997). In general, seniority matters and each political party controls its own assignments, often stacking committee memberships in the favor of the majority party (Smith 1994; Cox and McCubbins 1993). Once again, the situation is quite different at the state legislative level. More often than not, state legislative rules require proportional representation for the parties on committees, making it difficult in a closely split legislature to strongly stack a committee in the favor of the majority (Hamm and Hedlund 1996; Hamm and Squire 2001). Further, in a majority of chambers, the minority party has no real control over the assignment of minority party members to committees (Hamm and Squire 2001). Thus, in some state legislative systems the political parties have very little control over the partisan make-up of the individual committees, making it impossible for one party to potentially over represent itself.

These are important differences, but they do not prohibit the application of congressional theories to the state legislative level. These considerations, however, must be taken into account when assessing and discussing the results of empirical tests of congressional theories. Specifically, if congressional theories perform poorly in state legislative models, it may be that these differences are the real explanation for the dependent variable in question and not an actual failure of the theories. At that point, one will be faced with answering the question of whether or not congressional theories are truly general explanations of legislative phenomena or are they applicable only to the
U.S. Congress at the time of their development. If so, then the study of state legislatures must either: 1) adequately modify congressional theories to account for these differences or 2) accept the fact that congressional theory is not generalizable and turn elsewhere for theoretical inspiration.

**A Typology for Studying State Legislative Procedures**

The earlier discussion above concerning the origins of legislative procedures leads naturally to the development of a typology for studying state legislative rules of procedure. It is a two by two typology that creates four different procedures based upon their origins (internal versus external to the chamber) and the extent to which they are codified (formal versus informal). This typology has been developed over time in a series of papers (Hamm, Hedlund and Martorano 1998, 1999; Martorano, Hamm and Hedlund 2000; Martorano 2000). Figure 3-1 displays the four types of state legislative procedures: 1) internal, formal, 2) internal, informal, 3) external, formal and 4) external, informal. An internal, formal procedure is a rule that is determined solely by the members of the chamber in any given session, and is codified most typically in the formal chamber rules of procedure. A common example of an internal, formal procedure is the provision in the formal chamber rules that gives the Speaker the power to assign members to committees.

An internal, informal procedure is a practice that is determined solely by the members of the chamber in any given session, but is not formally codified in the formal chamber rules of procedure. It can be a norm, precedent or usage. For example, in many
state legislative chambers the use of a seniority system for making committee assignments is an informal norm and is not codified anywhere in the formal rules.

Procedures and practices that are determined outside of the chamber (and thus not under the control of the chamber’s members), and are codified (either in the state constitution or statutes) is considered an external, formal state legislative procedure. A contemporary example of an external, formal procedure is the use of initiatives and referenda to limit the terms of state legislators in states such as Wyoming.

Finally, state legislative procedures are determined externally and informally when a force outside of the legislature (i.e., the governor, the courts, state party leaders, etc.) informally impacts what goes on in the state legislative chamber. An example of an external, informal state legislative procedure occurred in both Georgia and Louisiana, where for a period of time the governor (Talmadge in Georgia and Long in Louisiana) dictated who would be Speaker of the House. To some extent this practice still exists in Louisiana.

The remainder of this dissertation will focus only on formal state legislative structures and procedures. The assessment of the development of committee related state legislative procedures performed in Chapter 5 will focus on both internal and external formal procedures. Chapters 6 and 7 that assess the three theories of legislative organization will narrow the focus to only formal, internal procedures.

Generally, this dissertation is only concerned with those structures and procedures found in state constitutions, state statutes and the formal rules and regulations of each state legislative chamber. Of course, structures and procedures can also be found in chamber resolutions and precedents (Shambaugh 1918). However, both of these sources
are more informal than formal and locating structures and procedures determined via resolution or precedent is often difficult. Further, the gauging of the impact of resolutions and precedents on state legislative structures and procedures will be left to future research as this can only be done after the formal structures and procedures are clearly mapped and understood.

**Patterns of state legislative committee system procedures**

Now that the origins and sources of state legislative procedures are understood, and the focus of this dissertation has been narrowed down to a subset of state legislative procedures (i.e., internal/formal and external/formal procedures), it is necessary to develop a framework for specifically thinking about and studying state legislative committee system procedures. It is naive to assume that committee related state procedures exist in legislative chambers at random. Rather, it is the assertion of this research that in any legislature certain procedures should in fact exist in very particular combinations.

It is suggested in this dissertation that five distinct dimensions of committee related state legislative procedures should exist. The inspiration for studying structures and procedures in this manner comes from Mattson and Strøm's (1995) survey of committee powers, structures, and procedures in 18 European Parliaments as well as earlier, collaborative research by the author (Hamm, Hedlund and Martorano 1999, 2001; Martorano, Hamm and Hedlund 2000). Mattson and Strøm's clearly presented analysis proved most helpful in devising this framework for the state legislative level by providing an example of how to explore the nature of legislative structures and procedures in a
comparative perspective. Their 18 nation comparative study of legislative institutions uncovered four significant dimensions of legislative structure and procedure — information control, delegation, lack of internal control, and minority protection (1995: 301). The creation of the five dimensions of committee related state legislative procedures described in detail below was stimulated by the four dimensions uncovered in the Mattson and Strøm analysis.

The five dimensions presented here concern only procedural aspects of the committee stage of the legislative process. An example of a procedural rule is a provision in a chamber that allows committees to introduce their own legislation. Structural aspects such as the listing of committee names in the formal chamber rules of procedure are not included.

Not only does this research assert that state legislative procedures do not exist at random. It asserts that the procedures that influence the functioning of committees in the legislative process can be broken down into three categories of committee behavior – their ability to hold meetings and gather information, the procedures under which the committees function interally, and their ability to protect their decisions on the floor of the chamber (See Table 3-1).

The category dealing with committee meetings and information gathering can be broken down into two distinct dimensions of committee power: 1) public access to committee meetings and 2) information gathering ability. Key to representative democracy is the ability of the public to attend committee meetings and influence the policy making process. The purpose of this first dimension (public access to committee meetings) is to determine how open the committee process is at the state legislative level.
Table 3-1
Dimensions of State Legislative Committee System Procedure

<table>
<thead>
<tr>
<th>Dimensions</th>
<th>Specific Structure/Procedure</th>
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| **Cat. I: Holding Meetings and Gathering Information** | 1) Regularly scheduled committee meetings  
2) Advance notice of committee meetings  
3) Advance notice of committee agendas  
4) Open committee hearings and deliberations  
5) Public hearings on all legislation |

| II. Information Gathering Ability | 1) Ability to subpoena people and documents  
2) Ability to conduct investigations  
3) Ability to meet before and in between sessions  
4) Ability to hire staff |

| Cat. II: Functioning of Committees | 1) All bills must be referred to committee  
2) Committees may offer substitute bills  
3) Automatic incorporation of committee amendments  
4) Committees may introduce bills  
5) Limitations on referral of bills to multiple committees |

| III. Ability to Receive, Rewrite and Initiate Legislation | 1) Requirement that all referred legislation be considered  
2) Deadlines for committee action  
3) Ability of floor to demand a committee report  
4) Ability of floor to withdraw bills from committee consideration |

| IV. Floor Control of the Committee Agenda and Timetable | 1) Requiring bills be placed on final action calendar in order reported from committee  
2) Not requiring committees to report back all referred bills  
3) Adverse committee reports difficult to overturn  
4) Not allowing minority to submit a report  
5) Making floor amending difficult |
Included are provisions for regularly scheduled committee meetings, advance notice of committee meetings and their agendas, requirements that committees hold public hearings on all legislation referred to them, and requirements that committee hearings and committee deliberations are open to public attendance.

Information Gathering Ability is the second dimension. In order to perform efficiently and effectively, it is vital that committees have the ability to collect information about issues and topics related to their work. Through the ability to subpoena people and documents, conduct investigations, meeting between and before sessions and hiring staff this dimension can be accomplished.

The second category of committee behavior – the internal functioning of committees can also be broken down further, and also includes two dimensions: 1) the ability of committees to impact the content of public policy through legislation and 2) the ability of committees to set and control their own agendas and timetable. Thus, the third dimension gauges a committee's ability to receive, rewrite and initiate legislation. The ability to receive, rewrite and initiate legislation provides committees with powerful tools in their efforts to directly impact legislative content and thus public policy. Specifically, this dimension captures five ways in which committees can accomplish this goal: 1) requirement that all bills be referred to standing committees, 2) ability of committees to offer substitute bills, 3) the automatic incorporation of committee amendments. 4) the ability of committee to introduce bills, and 5) limitations on referral of bills to multiple committees.

The fourth dimension concerns the ability of the floor (i.e., the chamber) to control committee agendas and timetables. Logically, the committee system will be more
autonomous when it is more difficult for external actors (i.e., leadership or the floor, etc.) to control the behavior of committees. This dimension is composed of four factors that tap committee autonomy or lack of it: 1) requirement that all referred legislation be considered, 2) existence of deadlines for committee action, 3) ability of the floor to demand a committee report and 4) the ability of the floor to withdraw legislation from committee consideration.

Protecting the committee’s decisions on the floor, the final category of committee behavior includes single dimension: the ability of committees to protect their decisions on the floor of the chamber. The finality of committee decisions is central to many existing theories of legislative organization (i.e., distributive, informational and partisan theories). Thus, this fifth and final dimension includes written rules of procedure that should include mechanisms that protect committee decisions. This dimension includes: 1) requiring that bills be placed on the final action calendar in the order reported from committees, 2) not requiring committees to report back all bills referred, 3) making adverse committee reports difficult to overturn on the floor, 4) not allowing the minority on a committee to submit a report, and 5) making it difficult to amend legislation on the floor.

In a later chapter factor analysis will be used to determine whether or not these five dimensions of committee related state legislative structures and procedures exist in modern U.S. state legislatures. The completion of this analysis will help to confirm or refute the utility of using this type of framework for studying state legislative structures and procedures. If successful, these dimensions may provide a useful and meaningful
barometer for assessing the relative strength or power of committees in the legislative process in U.S. state legislatures.

Conclusion

The purpose of this chapter was to discuss the framework within which state legislative procedures will be studied for the remainder of this dissertation. It began with a general discussion of the origins and sources of legislative procedures, moved on to a discussion of applying congressional theory to the study of state legislatures and concluded with the presentation of both a general typology of the state legislative procedures and a specific framework for studying state legislative committee procedures in particular.

To summarize, this chapter argues that the state legislatures are an appropriate (and possibly even superior) venue for assessing the generalizability of theories developed by observing the U.S. Congress. There are two major reasons for this assertion. The first is that the state legislatures are very similar to the U.S. congress in three important ways: 1) share the same culture, political history; 2) share the same electoral context and 3) provide the same roles and functions. The second is that they are also different enough and therefore provide a wide range of variability and thus increased leverage.

This chapter also presents a general typology of state legislative procedures that highlights the origins and sources of procedure. Specifically, procedures can be determined by the members themselves (internally) or by forces outside of their control
(constitutions and statutes). Further, procedures may be codified and formal (chamber rules, resolutions, statutes) or informal (usages, precedents and norms).

Finally, this chapter presents a framework for specifically studying state legislative committee system procedures. It is contended that three different sets of dimensions of committee system procedures exist in state legislatures. The first set contains procedures that dictate how committees hold meetings and gather information. The second set deals with the functioning of committees and contains dimensions of rules that allow committees to impact the content of public policy as well as control their own decision making timetables. The final set is a dimension that contains procedures that allow committees to protect their decisions from changes on the floor of the chamber.
Chapter 4

Research Design

Introduction

As discussed in the previous theory chapter, the purpose of this dissertation is to test the generalizability of the three leading theories of congressional organization by extending them to the area of state legislative committee procedures. This chapter provides a roadmap to the data (i.e., timeframe, case selection, collection and coding, etc.) and how the analysis in the dissertation will proceed.

This dissertation utilizes data from 24 state legislative lower houses over 21 legislative sessions between the years 1955 and 1996. For much of the dissertation, the data are treated as a pooled cross-section of observations. That is, each legislative session in each state is treated as its own individual and independent case. For example, there are separate cases for the 1955 and 1957 sessions of the Arizona House; rather than have a single case for Arizona that is organized as a single time series. Organizing the data in this matter provides more leverage in the analysis because it greatly increases the number of cases. If the project were set up a traditional time series, there would only be 24 cases in the analysis (i.e., one case for each state). Using a pooled, cross-sectional design increases the number of cases to 492 (i.e., 24 states times roughly 21 sessions per state). For the tests in this dissertation, this data structure is useful.

This chapter is divided into several sections. The first section focuses on the operationalization and measurement of the major explanatory and control variables. The dependent variables employed in subsequent analyses will be fully discussed.
operationalized and measured in the next chapter. The next section provides a general discussion of the timeframe of the data employed in this analysis. The third section will provide a discussion of the legislative sessions and chambers selected for analysis. The fourth section is concerned with the selection of states for inclusion in the data set and for analysis. Data collection and coding are discussed in the next two sections, and the final section generally discusses the analysis to be conducted in future chapters.

**Operationalization and Measurement of Variables**

This sections deals with the operationalization and measurement of the distributive, informational and partisan theories of legislative organization as well as the major control variables employed in subsequent analyses. The dependent variables are fully discussed and developed in the following chapter. Specifically, the next chapter will analyze the basic patterns of state legislative committee procedures, and will use this analysis to build the dependent variables to be used in subsequent chapters.

**Explanatory Variables**

Multiple explanatory variables are employed to operationalize the three theoretical perspectives adopted in this dissertation. Specifically, five measures were created to tap into the basic principles of each of the three perspectives. Two of the variables account for the distributive theory, two variables account for the informational/organizational theory and one variable accounts for the partisan theory. These variables are listed and described in Table 4-1.
<table>
<thead>
<tr>
<th>Theory</th>
<th>Variable</th>
<th>Measure</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Distributive</strong></td>
<td>Property Rights Index</td>
<td>Ranges from −3 to +3; Index that accounts for existence or absence of 1) Seniority System, 2) Limitations or Guarantees of Assignments and 3) Ability/Inability to be removed during session</td>
<td>Variable taps into the extent to which individual rights in the committee membership process are protected by the chamber</td>
</tr>
<tr>
<td></td>
<td>Codified Jurisdiction</td>
<td>Ranges from 0 to 1 0 = None in rules .25 = Short for all .50 = Long for subset 1 = Long for all</td>
<td>A basic assumption of the Distributive Theory is that the jurisdictions of committees are unique and well-defined. Thus, if the members intended the committee system to fulfill this goal, then jurisdictions should be formally defined in the chamber rules.</td>
</tr>
<tr>
<td><strong>Informational/Organizational</strong></td>
<td>Policy Complexity</td>
<td>Continuous measure: (#Bills introduced * Average length per bill) / Legislative days in the session</td>
<td>Accounts for external pressure on the legislative system. As the public demands more public policy, a greater need grows for the legislature to specialize and become more efficient.</td>
</tr>
<tr>
<td></td>
<td>Chamber Size</td>
<td>Continuous measure: Raw number of legislators in the chamber</td>
<td>Accounts for internal pressure on the legislative system. As the number of members increases and decreases it will be necessary for the chamber to modify both structures and procedures.</td>
</tr>
<tr>
<td><strong>Partisan</strong></td>
<td>Party Difference</td>
<td>Continuous measure: Absolute relative difference between the two major political parties in the chamber</td>
<td>Measures is able to account for the strength of the majority political party relative to the strength of the minority political party.</td>
</tr>
</tbody>
</table>
Before discussing the operationalization of each theory in detail it should be reiterated at this point that all three of these theories assert that the committee system is central to the legislative process. They disagree however as to what the purpose or role of the committee system should be in the legislative process. For example, Maltzman (1998) writes:

Despite more than a century of congressional studies that have focused on committees, the role of committees in making policy is still ambiguous. Most recently scholars have offered conflicting portraits of committee behavior: committees are alternately viewed as agents either of the chamber (Maass 1983, Krehbiel 1991), their party caucuses (Kiewiet and McCubbins 1991, Cox and McCubbins 1993), or constituencies outside the institution (Weingast and Marshall 1988) (Maltzman, 1998: 2).

Operationalizing the Distributive Theory

Distributive theory places the committee system at the center of the legislative process to help members facilitate gathering of benefits for their constituencies (i.e., their legislative districts) (Weingast and Marshall 1988). Thus, the focus of the committee system is with fulfilling the individual needs of the members in the chamber. If this assertion is accurate, then the committee system should have very specific structural attributes built-in from the outset. These structural features can then be used to account for the procedural aspects of the committee system.

Structures that protect individual member rights in the committee assignment process and that clearly outline the committee system itself should be automatically built into the formal chamber rules of procedure if the members' believe that role of the
committee system is to serve their individual needs. Specifically, structures that protect members' committee membership rights and structures that clearly delineate the committee system should be included.

Thus, the distributive theory is operationalized in this analysis using two measures, a property rights index and a variable that measures the extent to which committee jurisdictions are formally codified. The property rights index is an additive index that ranges from negative one (low protection of property rights) to positive one (high protection of property rights) and is composed of the existence of a seniority system for committee assignments, the ability/inability of members to be removed from committees, and positive/negative limits on committee assignments. The property rights index is taken from an earlier coauthored published piece in which an independent factor analysis was performed on committee system structures that showed that the components included in this property rights index as loading on the same dimension in an analysis of 685 legislative chambers (see Hamm, Hedlund and Martorano 2001).

Also central to the distributive theory is the role of jurisdictions. One of the basic arguments of distributive theory is that unambiguous committee jurisdictions are vital in creating an atmosphere in which committees can become the central agenda setters in a legislature and thus produce “voting equilibrium (Shepsle and Weingast 1987).” The extent to which committee jurisdictions are formally codified in the state legislatures is a categorical measure that ranges from zero to one.\(^1\)

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\(^1\) The values of the measure are as follows: 0=no committee jurisdictions in formal rules; .25 = short jurisdictions for all committees; .5=full jurisdictions for a subset of committees and 1=full jurisdictions included for all committees.
Operationalizing Informational/Organizational Theory

Informational/organizational theory is operationalized using two measures – policy complexity and chamber size. Policy complexity is a measure that is used to operationalize the complexity of a chamber's legislative environment and can be considered related to external public pressure for policy. This measure is appropriate to operationalize the informational/organizational theory because the more complex the policy-making environment, the greater the need for structures and procedures that foster specialization and facilitate the transmission of information in the chamber, and this is the primary function of the committee system under this perspective (Krehbiel 1991).

Scholars employing organizational theory as a framework have argued that increased pressures for public policy from the public (or workload) should impact legislative institutionalization – most notably the legislative structures and procedures adopted. However, many studies have had difficulty operationalizing this external public pressure for public policy. Most recently, Sarah Binder in her work exploring minority obstruction in the U.S. Congress has attempted to account for the influence of workload on the expansion or contraction of minority rights. In particular she cites the unavailability of data for early Congresses that tracks the actual time spent on legislative issues in the congressional chambers (Binder 1997: 48). In order to estimate legislative workload, Binder ultimately employs three measures: bills introduced, bills passed and

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2 Apparently, after 1945 The Congressional Record actually provides information that tracks the number of minutes spent on each legislative activity (Binder 1997).
days in session. She then uses those measures in a principal component analysis to create a workload factor for three separate groups of congressional sessions.

Measuring policy complexity or workload at the state legislative level poses these same problems. To my knowledge, there is no state legislative chamber that records the amount of time spent debating each issue that comes before the chamber. However, I am also not "sold" on Binder's (1997) measure either. In particular, I do not believe that the individual components provide enough richness. Specifically, I would argue that using her method two legislative chambers could end up with very similar workloads or policy complexity scores although in reality the two chamber's workload would be very different. For example, suppose two chambers each introduced 100 bills, passed 75 bills and were in session for 60 days. Based upon Binder's approach both chambers have equivalent workloads or pressures for public policy. Here's the catch. The average length of the 100 bills in the first chamber is 50 lines, and the average length per bill in the second chamber is 500 lines. Obviously, the second chamber's legislative workload is more complex than the first chamber's. It is my argument that any measure of workload that seeks to tap into the notion of the complexity of legislation and thus pressure on the chamber, must be able to make this differentiation.

Thus, this research will employ a measure of workload called policy complexity that accounts for the amount and density of legislation as well as the amount of time available to handle the legislation is proposed. Specifically, it is measured using the previous session's legislative information. The measure should be lagged because legislators do not know at the outset of the legislative session when adopting structures
and procedure, the exact volume or complexity of the legislation they will consider. For example, an increase in policy complexity in 1963 will not be reflected in structural and procedural changes until 1965 or even 1967 because the members of the legislature must be allowed to experience the effects of the change in legislative complexity and react accordingly. Specifically, policy complexity is measured as follows:

\[
\text{Policy Complexity}^3 = \frac{\# \text{ Bills introduced} \times \text{Average length per bill}}{\text{Legislative days in the session}}
\]

The measure is the number of bills introduced during the previous legislative session multiplied by the average length per bill in the previous session divided by the legislative days spent in session during the previous session. In this analysis, the average length per bill was measured by counting the number of pages in the session laws of the previous session, multiplying by the number of lines per page and dividing by the total number of enactments\(^4\).

The second measure, the size of the membership of each chamber, accounts for internal stress on the legislative system. Specifically, it is measured as the total number of seats in the legislative chamber. This concept is borrowed more from organizational theory as developed in political science in the 1970s than from Krehbiel’s informational theory of the 1990s. Specifically, as the membership of the legislative body grows larger, the legislature will be forced to change how it conducts its business. This measure is

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\(^3\) The components of the measure are based upon the previous legislative session.

\(^4\) The preferred way of calculating average length per bill would be to take a random sample of laws enacted in a session and actually measure the length of each bill and then take the average of the sample. The author began to calculate average bill length in this manner and found that it was an extremely time consuming task and would take months to complete the collection of this information for the states included in this study.
simply the raw number of legislators in each chamber. This measure is included as some of the earliest work linking organizational theory to legislative structures and procedures stated the important effects of chamber size on legislative structure and procedure.

In particular, Froman (1968) argued "the larger the size of the organization, the greater the number of subgroups in it; hence the greater the overall emphasis on formal and impersonal rules and specificity of roles (Froman 1968: 524)." Thus, it is anticipated that as a legislative chamber grows larger the legislative process will become more decentralized, and thus more power will be given to legislative committees. Further, some scholars have also commented on the impact of chamber size on the ability of bodies to deliberate (Luce 1924). Further, Francis (1989) discovered that the size of the legislative chamber has an impact on the power of committees in state legislative chambers. Specifically, he finds that in larger chambers, most members believe that party leaders (not legislative committees) are the central decision-makers in the chamber (Francis 1989: 45-46). Thus, it is quite clear that the size of a legislative chamber has a significant impact on its functioning, and is something that needs to be included in the analysis.

Operationalizing Partisan Theory

Partisan theory is operationalized using a single measure – the absolute relative difference between the two major parties in the legislative chamber. Inspired by recent work at the congressional level (Binder 1997; Dion 1997), the variable is measured as the absolute difference between the relative size of the Democratic and Republican political
parties in each chamber. A measure of party cohesion could also be used to account for
the partisan theory. This measure would add to the analysis because it would provide an
indication of the unity within the majority party. Unfortunately, roll call data is needed to
calculate party cohesion scores, and roll call data at the state legislative is not largely
recorded in a format that makes it easy to work with in a project of this scope.

Of course the measure employed in this research is not the only way to
operationalize party. It may be the case that the margin between the two political parties
is not the driving force behind procedural change in legislatures. Rather, a party that has
been the minority for a long period time may decide to radically alter legislative
procedure once they achieve majority. This has happened for example in states such as
South Carolina and Florida, where the Republican party made dramatic changes in
procedure (i.e., abolishment of seniority for committee assignments in the SC Senate)
once gaining control of once or both legislative chambers for the first time since
Reconstruction. Therefore, one other measure of party will be included, but will be
considered a control variable in future analyses. Specifically, a variable will be included
that accounts for a change in party control.

**Control Variables**

There are several factors that need to be controlled for when undertaking research
at the state legislative level. The first set of control variables will help account for the
variation that exists across the states in the sample, and the second set will control for
historical events that impact all of the states.
The first control variable to be included in the analysis is legislative professionalization. A great deal of state legislative research has shown that U.S. state legislatures exhibit varying degrees of professionalization relative to Congress (see King 2000). Typically in the past, state legislatures have been classified as being citizen (least professional), hybrid (moderately professional) or professional (closest to Congress) legislatures (Hamm and Moncrief 2000). Further in addition to being shown to impact the content of public policy (Carmines 1974; Leloup 1978; Roeder 1979 and Uslaner and Weber 1975) professionalization has been shown to have some impact on the structures and procedures adopted by state legislative bodies (Freeman and Hedlund 1993; Squire 1993, 1998; and Thompson 1986), and thus must be accounted for in any analyses. A variable will be included that accounts for differences in legislative professionalization between the states.

Specifically, this variable will categorize the state legislatures into three categories: low (citizen) professionalized, medium (hybrid) professionalized and highly (professional) professionalized chambers. This measure will be constructed using James King's analysis of changes of professionalization in the 50 states (King 2000). In this article, King provides a professionalization score for each state during four points in time (1963, 1973, 1983, and 1993). The scores will be applied to the data in this research as follows: The years 1955-1967 will receive the 1963 score, 1969-1977 will receive the 1973 score, 1979-1987 will receive the 1983 score and 1989-1995 will receive the 1993 score. Unfortunately scores for each year were unavailable, and collecting the components used to create King's scores for each year would be both time consuming
and problematic (i.e., consistent data may not be available for all years in all states). It is my contention that applying these scores in the above manner is appropriate as legislative professionalization tends to change incrementally rather than dramatically over time and a yearly measure may not actually provide any additional analytical leverage. These scores were then used to separate the dataset into three categories: High, Medium and Low professionalization. Highly professionalized legislatures were any legislature with a score that was above one-half standard deviation of the mean of the full sample. A low professionalized legislature was one with a score below one-half standard deviation of the mean of the full sample. A medium professionalized legislature had a score that was between one-half standard deviation above and one-half standard deviation below the mean of the full sample.

A change in the speaker of the house and the length of time a speaker has been in power are other control variables that need to be included. It is quite possible that major changes in state legislative structures and procedures may occur when a new speaker takes office regardless of a partisan change in the chamber, especially if the previous speaker had been in charge for quite a long time. For example, in many states, a speaker may be in power for several continuous sessions and may oppose particular changes in structures and procedures. The election of a new speaker may then proceed to initiate a wave of change in the chamber. A variable will be included in the analysis that accounts for the election of a new house Speaker, as well as a variable that accounts for the number of terms served by the previous speaker of the house.
Legislative turnover should also be controlled for in this study. Turnover at the state legislative level is traditionally higher than at the congressional level. A higher degree of membership turnover may indirectly impact structures and procedures as inexperienced legislators may be unsure what structures and procedures are best for their legislative chamber. In particular, Polsby (1968) argues that a stable membership is essential to the process of institutionalization of a legislative body. Many studies of state legislative turnover have shown that state legislative memberships have become more stable over time (Rosenthal 1974; Shin and Jackson 1979 and Niemi and Winsky 1987). Further, some studies have also shown that state legislatures are used as springboards to higher elective office (Squire 1988a, 1988b, 1992), and these legislative chambers have slightly higher turnover rates than Congress or other state legislatures. Further, it is argued that members of these types of springboard legislatures make different demands on their leaders (Squire 1988b; Clucas 2001). If these members make different demands on leaders in order to attain their goal of higher office, it should not be a stretch to argue that they may also demand very specific legislative structures or procedures. These may include procedures that create a strong committee system that allow members to build a strong record quickly by playing an active role in the committee stage of the legislative process. It may also include mechanisms that disband seniority systems (either formal or informal) so members can attain leadership positions or prime committee assignments without having to wait their turn.

In addition, dummy variables for Connecticut and South Dakota will be included because both of these states have consistently relied on joint chamber rules of procedure
as the primary source of legislative procedure. Thus, the ability to adopt new rules of procedure or change existing rules is much harder because approval of both the house and senate are required.

The following two control variables will be included to account for two historical “events” that greatly impacted the make-up and functioning of U.S. state legislatures, and they warrant inclusion in this study because of their uniqueness to the study of state politics. The first was the adoption of mandatory reapportionment in the mid-1960s. This reapportionment is different from later reapportionments or redistrictings (i.e., 1970s, 1980s or 1990s) because it is the first to take place after the one-man, one-vote decision, and many states had not reapportioned for years prior to this ruling. Thus, some state legislatures changed their chamber size and many had a large influx of new members that may have led to a major adaptation of their structures and procedures. Therefore, a dummy variable will be included that will account for the first legislative session after reapportionment, and thus, account for any changes due to the effects of reapportionment rather than the major explanatory variables.

The final event is the widespread movement to modernize state legislatures in the late 1960s and 1970s. At this time several outside groups, most notably the Citizens Conference on State Legislatures (CCSL), made specific recommendations for structural and procedural changes to each state legislature that culminated in the publication of a book entitled, The Sometimes Governments (1971). In one way or another all of the states reacted to these recommendations for the CCSL. Some states adopted many of the proposals, while some legislature’s adopted just a few as some of the recommendations
may have been unnecessary. An example could be a recommendation that Arkansas codify committee party ratios in their formal rules. Since, the membership of the Arkansas legislature was drawn almost exclusively from the Democratic Party well into the 1990s, the adoption of this rule would hardly be necessary. A dummy variable will be included from 1973 forward, to account for the effects of the recommendations of the book\textsuperscript{5}.

\textit{State Selection}

The original goal of this research was to include data from all 50 states in the United States. However, this has proved to be a daunting task. It has proven to be much more time consuming than originally anticipated to acquire access to the information (manuals, handbooks, journals, etc.) that needs to be collected, and a decision was made to move on with the research without data from all 50 states.

This dissertation analyzes data from 24 of the 50 states (48 percent). The following states have been chosen for inclusion in the dataset: Arizona, California, Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Montana, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia and Wyoming. Whenever a decision is made to collect information on only a sample of all 50 states, concerns often arise as to how representative of the entire nation is the actual sample. With respect to

\textsuperscript{5} The year 1973 was chosen as the start of the post-reform period because it allows states approximately two sessions to incorporate any of the recommendations included in \textit{The Sometimes Governments}. 
state legislatures, it has been shown that the states exhibit quite a bit of variance in three areas: legislative professionalism (King 2000), legislative turnover (Shin and Jackson 1979; Niemi and Winsky 1986), and partisan competition (Anderson 1997). Therefore, it is important that the sample of states in the analysis also reflects this variance, and as a group, these states are a relatively good representation of the 50 states on these three indicators (See Appendix 4-A for a complete discussion).

**Timeframe**

At the outset of this project several major decisions about timeframe needed to be determined in order to allow optimal testing of the three theories in question. I will present the chosen design of the research as well as alternative designs with an explanation for why they were not chosen.

A decision was made to limit the dataset to all legislative sessions occurring between 1955/56 and 1995/96\(^6\). This timeframe was chosen because this project requires a dataset that provides the ability to study the relationship between the theories in question and both rule adoption and change over time. Previous research (Hamm, Hedlund and Martorano 1999, 2001 and Martorano, Hamm and Hedlund 2000) in the area of state legislative committee structures and procedures by the author was performed

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\(^6\) Most state legislative sessions begin in the odd-year following an even-year general election. However, several states elect state legislators in odd-years and thus their legislative sessions begin in the following even-year. These states are Kentucky, Louisiana, Mississippi, New Jersey, and Virginia, and the 1954/55 through 1996/1997 sessions will be coded for these states. Further, a few states (Alabama, Maryland...) elect lower house members to four-year terms. However, in these states the legislature meets in two separate biennial sessions between elections and these sessions are coded just as they are in the two-year term states.
on a dataset of 685 sessions that spanned the entire century – 1909-1999 (in this dataset the formal rules of procedure for the last session of every decade were coded). In particular, this research demonstrated that committee related structures and procedures for the first half of the twentieth century are largely stable and show little change. Therefore, if one wishes to explore change over time, one needs to choose a time period where change *actually* occurs, and this previous research shows that a multitude of changes occurred in state legislative committee structures and procedures during the last half of the century (See Appendix 4-B for in-depth discussion).

Why code all legislative sessions between 1955 and 1996 and not just one or two time points per decade, as did the previous research? Once again, the answer ties back to exploring the ability of the congressional theories to predict or account for change. Coding one session per decade is a valid and good design because it allows us to determine that change occurred. However, it does not allow us to determine precisely *when* the change occurred. In order to study and fully understand why change happens, it is vital that both the exact time of the change is known as well as the conditions surrounding the change. The only way to be able to achieve this richness of information is to code procedural information for consecutive legislative sessions in the same state.

These same reasons discussed above also prevent using a random sample of individual legislative sessions. If random sampling were employed, it is unlikely that one would get a dataset that allows the tracking of committee system procedures overtime in the same state. Instead a dataset would be created that provides snapshots of committee
system procedures in different states at different points in time – making it impossible to really study change at all.

It may be argued that a random sample of sessions could be taken and then the sampled session plus the preceding session could be coded in order to capture any changes between sessions. While this allows for some study of change, the design would still be incomplete. There is no guarantee that procedural change would occur instantaneously with changes in the factors accounting for the major independent variables. It may be the case that it takes two, three, or even four legislative sessions to institute the necessary changes. Thus, by coding only pairs of session this information is lost, and actual relationships between variables may go uncovered. Therefore, in order to truly understand the development of these procedures and the nature of changes in them, it is necessary to collect and code a complete time series for each state.

Now that the reasons for creating a dataset that focuses on the latter portion of the 20th century as well as one that contains information for consecutive sessions as well as the alternatives have been discussed, why cut the dataset off at 1995/96. Cutting the dataset off at 1995/96 is unfortunately a practical concern. As will be discussed later, most of the data for this dataset was collected through Interlibrary loan. Unfortunately, state legislative information (manuals, handbooks, and journals in particular) for the 1990s is largely only available from individual state or university libraries or the Library of Congress, and even more unfortunately many of the libraries to do not circulate the several most recent legislative sessions. Thus, after much thought it became clear that the 40 year period of 1955 to 1995/96 (equal to 21, two-year legislative sessions) chosen
would provide a sufficient time period in which the ability of the theories to account for committee procedure adoption and change could be assessed.

**Procedure and Chamber Selection**

Now that a timeframe has been chosen, it is necessary to identify, the general rules and procedures that will be of interest in this dissertation. First, the dataset and the analysis will be limited to assessing only the formal procedures adopted at the beginning of each two-year electoral/session cycle. Therefore, it is not concerned with changes made during the session(s). Of course, legislators often adapt or "tweak" structures and procedures mid-session as the need may arise.

While mid-session changes are not insignificant, they are beyond the scope of this project for both theoretical and practical reasons. Theoretically, this dissertation is concerned with determining the extent to which existing theories of legislative organization are able to account for the existence of particular structures and procedures. More generally, the thought motivating the testing of these theories is the idea that if the authors of these theories are correct, then legislators when adopting structures and procedures *at the beginning* of each legislative session will adopt committee related structures and procedures that will allow them to best fulfill their goals for the committee system. For that reason, it is sensible to limit this project to only those structures and procedures adopted at the outset of each session\(^7\). The practical reason is all about

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\(^7\) Many states adopt the previous session's rules at the outset to governing the legislative process until permanent rules are adopted. The adoption of permanent rules typically occurs anywhere from days to a few weeks later in the session. When this the case, the permanent rules as adopted a few weeks into the session are the rules coded in the dataset.
efficiency. Locating mid-session changes in the rules, like locating precedents would require a full browsing of legislative journals for every session in every state. This is a daunting task, and one that will most likely be explored in future research. Further, it would be meaningless to attempt to understand mid-session state legislative structural and procedural change before the initial adoption of structures and procedures are fully understood.

Second, it was decided to limit the analysis in this research to only the lower chambers in each state. Previous research of state legislative committee structures and procedures has provided evidence showing that differences between the upper and lower chambers at the state legislative level are not as pronounced as the differences between the U.S. Senate and U.S. House (Martorano, Hamm and Hedlund 2000). In fact, this research showed that state legislative committee structures and procedures evolved in generally the same manner in upper and lower chambers over the course of the twentieth century. Thus, it does not appear that any more leverage would have been gained concerning the determinants of institutional change by included upper chambers, and they are excluded from the analysis in the interest of time and project manageability.

Third, a decision was made to focus only on committee procedures (i.e., rules requiring all bills be referred to committees, floor amending rules, etc.) rather than

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8 Further, major mid-session changes in procedures are quite rare. More often, chambers will get around "procedures that need fixing" by using motions to suspend the rules. They then make the formal rules change the next legislative session. This coding decision may have some implication for later analysis as it is possible that by not coding mid-session changes in procedure, a small number of changes may be overlooked if the chamber simply adopts the previous session's rules without identifying the changes made mid-session.
structures (i.e., the listing of committee names, size, jurisdictions, etc.). Procedures were chosen over structures as there are a greater number of procedures to utilize and further it is the procedural aspects of committee systems that help to give committees more or less power relative to the full chamber. Central to all of three of the congressional theories being tested in this dissertation is the notion that the committee system is central and that it should be given a great deal of power in the chamber (Weingast and Marshall 1988; Krehbiel 1991; Cox and McCubbins 1993).

Fourth, this dissertation is only concerned with exploring the formal aspects of committee structure and procedure. Thus, the data for this research will come from both the internal/formal (formal chamber rules) and external/formal (state constitutions and statutory law) sources of procedure that were discussed in the previous chapter. In some cases this may pose a problem, as the inability of chambers to easily change the external/formal may need to be dealt with because the theories in question were developed for the U.S. Congress. In both congressional chambers (i.e., the House and Senate), the members of each session are solely responsible for determining their operating procedures and thus there was never any need to deal with structural or procedural constraints being imposed outside of the institution.

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9 Of course, the Senate does carry its rules over from session to session, but the members of the current session have the ability to alter those rules if they see fit without anyone else’s approval. This is not the case with state legislative procedures that are dictated by constitution or statute. In order to change these procedures at a minimum (for statutes) both chambers need to agree (in some cases by extraordinary majority) and at a maximum agreement of both chambers as well as the public (for constitutional provisions) is needed.
Data Collection: Sources and Methods

Thankfully, I did not have to start the data collection process from scratch. Keith Hamm and Ronald Hedlund have allowed me access to data that they are collecting as part of their committee specialization project (NSF Grants SES-8411353 and SBR-9511518) as well as data collected for earlier research projects. In all they have given me access to one-third of the data needed to complete the dataset, and I will now take the time to thank them for their assistance and generosity. The remainder of the data is being collected with the assistance of the National Science Foundation via Dissertation Improvement Grant (SES-0079928) awarded in August of 2000.

A myriad of different sources and methods were used to collect the basic information vital to the constructing the dataset employed in this dissertation. The following information was required: state legislative committee procedures, some information about state legislative committee structures, basic session information (number of bills introduced, days in legislative session, etc.), session law information, and partisan composition.

The following sources were consulted to ascertain the basic information needed about state legislative committee structures and procedures as well as the basic session information: legislative journals (ex.: The Journal of the House of Representatives of the State of Ohio) legislative handbooks/manuals (ex.: Wisconsin Blue Book, Pennsylvania Legislative Handbook), state constitutions and state statutory law (ex: North Carolina Annotated Code). In many cases, these materials (in particular, legislative journal and handbooks/manuals) were made available from the Center for Research Libraries at the
University of Chicago or state or state university libraries via the Rice University Interlibrary Loan Office. In other cases (most commonly state constitutions and statutory law), the University of Houston Law Library, the University of Texas-Austin Law Library and the Internet were used to gather this information. Specifically, the following information was gathered: the chamber rules of procedure, committee related structures and procedures found in constitutions or statutes, the number of bills introduced each session and the number of days spent in legislative session.

The session law information was gathered from session law books (ex: Laws of Rhode Island) and microfiche at the University of Houston Law Library (Houston, TX), the University of Minnesota Law Library (Minneapolis, MN) and the University of Texas Law Library (Austin, TX). Specifically, the following session law information was collected: the number of enactments per session, the number of pages of enactments and the number of lines per page of the enactments.

Finally, the information concerning the partisan composition of each chamber during each session in the analysis was collected from The Book of the States, located in Rice University’s Fronden Library. The Book of the States was also used to collect information about legislative turnover and speaker information (i.e., names and tenure).

While, most of the committee structure and procedural data and basic session information was collected from material borrowed from Rice University Interlibrary Loan, several field research trips were made to collect data from various states.10

10 Specifically, three research trips were conducted. The first field trip occurred in the fall of 2000 and was a 12 day, four state excursion. During this trip the state capitol of Indianapolis, Indiana, Charleston, West Virginia and Columbus, Ohio were visited, and the data for these three states was collected at the state
Data Coding

With respect to coding the data the basic session information (bills introduced and legislative days in session), state session law information (number of enactments, number of pages of enactments and lines per page) and the partisan composition of the chamber are all numerical data and their raw numbers were simply recorded. These raw figures will be discussed later as they will be used to construct the major explanatory variables.

However, the committee system structures and procedures needed to be read, interpreted, and translated into a numerical coding scheme in order to be analyzed. Fortunately, a system for coding state legislative committee structures and procedures was already in place. Prior to starting this dissertation I had the opportunity to collaborate with Keith Hamm and Ronald Hedlund on several papers (Hamm, Hedlund and Martorano 1998, 1999, 2001 and Martorano, Hamm and Hedlund 2000) that dealt explicitly with state legislative committee structures and procedures. In writing this series of papers, we developed a system for transforming the written rules of procedure of the chamber into data that can be rigorously analyzed.

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library of each of these states. In addition, the University of Kentucky in Lexington was visited and all of the needed information from this state was acquired.

The second trip took place in spring 2001. The purpose of this trip was to visit the Wisconsin Historical Society Library in Madison, Wisconsin and the University of Minnesota Law Library in Minneapolis, Minnesota over the course of a week. Both of these libraries have extensive, historical state legislative holdings and the trip allowed data to be collected from a number of states. The final research trip taken was to the University of Texas Law Library in Austin, Texas. I had anticipated collecting all of the necessary session law information in town at the University of Houston Law Library. However, the library and its state session law holdings were destroyed in the flooding that occurred when Tropical Storm Allison stalled over Houston in early June. At that point I had only collected some of the session law information. Therefore I made a three-day trip to Austin, Texas where I finished collecting the state session law information at the University of Texas Law Library. I also visited the Texas State Library, where I had access to the 1993 rule manuals for several states.
This coding system developed is a two-stage process that entails the transfer of the text of particular structures and procedures to a "template" (See Appendix 4-C) and then translating these rules into numerical code (See Appendix 4-D). In general, the numerical coding wherever possible employs a coding scale that allows the structures and procedures assessed in terms of the relative power afforded to the committee system relative to the floor of the chamber. In most cases, a negative numerical coding indicates that the structure or procedure causes the committee system to be weak relative to the full chamber, while a positive coding indicates a strong committee system relative to the floor.

For this dissertation, the majority of the data was coded solely by me. However, the data lent to me by Keith Hamm and Ronald Hedlund was dual coded by Keith Hamm and myself for the earlier research projects. We each coded approximately 1/3 the rules of procedure used in this analysis, and found that we both coded the rules the same way approximately 85 percent of the time. Combining the significant amount of data I collected along with the earlier coded data resulted in a final data set that contains 492 =(roughly 21 two-year electoral/session cycles\footnote{For some states, early session (i.e., 1955) or late session (i.e., 1991, 1993, 1995, etc.) information was unavailable. Thus some states may only have 18 sessions coded rather than 21.} * 24 states) sets of state legislative committee related structures and procedures.

**Methods of Analysis**

Three distinct methods of analysis will be used in this dissertation. The next chapter (Chapter 5) provides a descriptive analysis of committee system procedures over
roughly the second half of the twentieth century. This descriptive analysis is important because it will ultimately provide this research with a meaningful and dynamic dependent variable that can be used to test the three theories of congressional organization that inform this research.

The next two chapters (Chapters 6 and 7) are analytical chapters. Chapter 6 is a multi-variate analysis that assesses the explanatory and predictive powers of the distributive, informational and partisan theories of legislative organization. Finally, Chapter 7 offers a dynamic analysis that will ultimately assess the theories’ ability to predict changes in the procedures of interest in this dissertation.
Chapter 5
The Development of State Legislative Committee Procedures

This chapter has two purposes. The first purpose is to take some time and explore the development of state legislative committee procedures over the latter half of the twentieth century. The second purpose is to fully define and measure the dependent variables used in subsequent chapters.

Dimensions of State Legislative Committee Procedures and their Development

Recall from Chapter Three that there are several proposed dimensions of state legislative committee procedures. This section looks at the development over time of each of the attributes of those dimensions. The first dimension deals with the ability of committees to hold meetings and gather information. Recall that the public access to committee meetings dimension includes the following attributes: 1) regularly scheduled committee meetings, 2) advance notice of committee meetings and their 3) agendas, 4) open committee hearings and 5) committee deliberations and the requirement that committees hold public hearings on all legislation referred to them. The information gathering dimension includes the ability to: 1) subpoena people 2) subpoena documents, 3) conduct investigations, 4) meeting between sessions 5) meet before sessions and 6) hire staff.

The next set of dimensions deals primarily with the functioning of committees and includes procedures that tap the ability of committees to impact the content of public policy through legislation as well as the ability of committees to set and control their own agendas and timetable. Specifically, this includes the legislation receiving, initiation, and rewriting dimension that is composed of: 1) requirement that all bills be referred to
standing committees, 2) ability of committees to offer substitute bills, 3) the automatic incorporation of committee amendments, 4) the ability of committee to introduce bills, and 5) limitations on referral of bills to multiple committees. The other dimension in this set is the ability of committees to control their own agendas and timetables and includes the following indicators: 1) requirement that all referred legislation be considered, 2) existence of deadlines for committee action, 3) ability of the floor to demand a committee report and 4) the ability of the floor to withdraw legislation from committee consideration.

The final dimension is the ability of committees to protect their decisions on the floor of the chamber. The individual procedures in this dimension are: 1) requiring that bills be placed on the final action calendar in the order reported from committees. 2) not requiring committees to report back all bills referred, 3) making adverse committee reports difficult to overturn on the floor, 4) not allowing the minority on a committee to submit a report, and 5) making it difficult to amend legislation on the floor.

Over time state legislative committee procedures have undergone significant changes. Earlier research (Hamm, Hedlund and Martorano 1999; Martorano, Hamm and Hedlund 2000) has shown that over the course of the twentieth century state legislative committee structures and procedures have seen dramatic changes. This research has also shown that many of these changes have occurred in the latter part of the twentieth century. That is, committee structures and procedures at the state legislative level remained fairly stable for the first half of the century. This is one of the primary reasons that this project is focuses only on the last half of the century.
Within the timeframe of this project, 1955 to 1995, state legislative committee procedures have seen both stability and change. We will start by describing the "state" of state legislative committee procedures in 1955 and then progress 40 years to 1995, discussing both similarities and differences. Figures 5-1 to 5-5 display the extent to which procedures within the dimensions have developed over time in 23 state legislative lower houses. As is shown, some stay relatively the same while others change dramatically. In this part of the chapter, three snapshots (1955, 1975 and 1995) of state legislative committee system procedures will be discussed and compared.

State legislative committee procedures in 1955

Public access to committee proceedings is possible only if committees hold meetings and the public knows when they are and what is being considered. In 1955, public access to committee proceedings was rather limited (See Figure 5-1). Committees in 30 percent of chambers studied – or only seven states (California, Florida, Kentucky, Minnesota, Ohio, Rhode Island and Virginia) – were required to hold regular meetings to discuss issues before them. Advance notice of committee meetings was required in only 56.5 percent of the chambers in the study while advanced notice of meeting agendas were required in only 13 percent of the chambers (California, Indiana and West Virginia). Less than half of the chambers were required to make their hearings and deliberations open to public inspection (43.5 and 39.1 percent, respectively). Finally in 1955, a single chamber, the Connecticut house required hearings on all legislation referred to a committee.
Figure 5-1
Public Access to Committee Meetings in 23 states, 1955-1995

Figure 5-2
Information Gathering Ability in 23 states, 1955-1995
The committee system would be limited without the ability to gather information, and in 1955 well over have the chambers in the study had at least some formal way of gathering information. The most widespread procedure on the books in 1955 was the power of committees to subpoena people, and force them to testify in front of the committee (See Figure 5-2). Fifteen of the 23 chambers or 65.2 percent possessed this power in 1955. The ability to subpoena documents was the second most popular power occurring in 11 or 47.8 percent of the chambers. These two procedures are unique in that in most states where they exist, they are either constitutionally or statutorily delineated powers. The existence of investigation authority, staff, and meeting before and between sessions was far less frequent in 1955. In fact, only three chambers (Michigan, Pennsylvania and Virginia) were afforded explicit investigative powers, only eight chambers provided committees with staff support, only one allowed committees to meet before commencement of the session and only four states allowed interim meetings.

State legislative committees in 1955 fared much better in their ability to receive, rewrite and initiate legislation (See Figure 5-3). In 78 percent (or 18) of the chambers studied, all legislation must be referred to a standing committee for consideration before becoming law. Florida, Indiana and South Carolina were the only chambers to not have this requirement (the Delaware and Virginia rules make no mention). Committees had the ability to introduce legislation in just over 60 percent (or 14) of the states examined and the multiple referral of legislation was permitted in 56.5 percent of the chambers. Nine (Connecticut, Delaware, Florida, Illinois, Kansas, Minnesota, Montana, Washington, and West Virginia) or 39 percent of the chambers explored allowed committees to present substitute versions of the bills referred to them. However, only
Figure 5-3
Ability to Receive, Rewrite and Initiate Legislation in 23 states, 1955-1995

Figure 5-4
Controlling the Committee Agenda and Timetable in 23 states, 1955-1995
two chambers in the study, South Dakota and Virginia automatically incorporated committee amendments into legislation before it was returned to the floor for a vote and in ten chambers there is clear indication in the rules of procedure that amendments are not to be incorporated and must be approved by the chamber on the floor.

How did committees fare with regards to controlling their own agendas and timetable in 1955? The answer is not very well (See Figure 5-4). In 15 of the 23 (65.2 percent) chambers under study, committees were required to consider all legislation referred to them. Only one chamber, the South Dakota house, did not require committees to consider all referred legislation. In 82.5 percent (or 19) of the states studied, the floor had the power to withdraw bills from committee consideration. Of the four states that did not give the floor the power to withdraw bills from consideration, two of them (Connecticut and Washington) provided the floor the power to request that committees consider referred legislation. Only two chambers in the 23 chamber sample have neither a floor withdraw or request option in 1955. They are the Montana and Vermont houses. The only item on this dimension working in the favor of the committee system in 1955 is the low occurrence of deadlines for committee action. Clear deadlines for committee action existed in just over a quarter or six (Florida, Michigan, Minnesota, Vermont, Washington and Wyoming) of the chambers assessed.

In 1955, it appears that committee decisions were not procedurally final in state legislative chambers. By and large, committees had very few mechanisms for protecting their positions during the floor consideration stage (See Figure 5-5). The only procedure that existed widely was that in just over half of the chambers bills were required to be placed on the calendar either in the order reported from committees or in numerical order.
Figure 5-5
Committee Position Protection on the Floor in 23 states, 1955-1995

- Regular Calendar Order
- Adverse Difficult to Overturn
- Floor Amending Difficult

No Need to Report All
No Minority Reports
While, this procedure guarantees that the floor cannot skip over bills without a suspension of rules, and thus guarantees consideration, it really does very little to ensure that the committees' decisions are upheld on the floor. Much more powerful procedures include making adverse reports difficult to overturn, not requiring committees to report all referred legislation, making floor amending difficult and not allowing minority committee reports. Unfortunately, in 1955 very few chambers adopted any of these procedures. For instance, adverse committee reports were difficult to overturn in only two chambers studied – Florida and North Carolina houses. Only one chamber, the Connecticut house did not require committees to report back all referred legislation. Floor amending was considered difficult (requiring greater than a majority or limits on time of amendments) in only three chambers (Florida, Indiana and South Carolina) evaluated. Finally, a single chamber, the Michigan house, did not allow the minority of a committee to submit a report with the majority.

State legislative committee procedures in 1975

What changes were there in state legislative committee procedures, if any in the 20 years between 1955 and 1975? In some areas change was dramatic and in other areas there is little change at all.

With respect to the procedural dimensions that refer to the ability of committees to hold meetings and gather information, the amount of change is dramatic (See Figure 5-1). Public access to committee proceedings in 1975, increased greatly over the period of 20 years (See Figure 5-1). A regular schedule of committee meetings was now required in 13 of the 23 chambers (56.5 percent) in the study. This is an increase of seven
chambers or about 25 percent from 1955. Advance notice of committee meetings was required in 82.6 percent or 19 of the chambers in the study, an increase of just over 25 percent. There was also an increase in chambers adopting the requirement that committee meeting agendas are announced in advance. In 1955 only three chambers had such a requirement and by 1975, nine chambers or just under 40 percent of the chambers have adopted this provision. The largest increases in rule adoption between 1955 and 1975 are the adoption of requirements that committee hearings and deliberations are open to public inspection. In 1955, these rules appeared in less than half of the chambers explored, and in 1975 almost every chamber was required (in most cases it is a statutory requirement) to have their committee hearings and deliberations open to the public. The exceptions are Kentucky and Michigan where there is no mention of requiring hearings or deliberations to be open and Virginia where there is no mention requiring open committee hearings. The only indicator to exhibit no change between 1955 and 1975 is the requirement that all bills receive a committee meeting. The Connecticut house is still the only chamber to have this requirement.

State legislative chambers also exhibited change between 1955 and 1975 in procedural resources afforded to committees to enhance their ability to gather information (See Figure 5-2). By 1975, committees in five more chambers in the study (an increase of about 22 percent) were given the power to subpoena people to get their testimony. Another five chambers also granted committees the power to subpoena documents between 1955 and 1975. The ability of committees to meet in the interim periods between annual session in the biennium also increased. In 1975, eleven chambers (47.8 percent of those studied) adopted provisions for interim committee
meetings (an increase of seven chambers). The ability of committees to conduct investigations and meet before the start of the biennial session period changed only slightly in the 20 years since 1955. Only two more chambers in the sample (California and West Virginia) provided committees with explicit investigative powers and only one additional chamber (Indian) allowed committees to meet before the start of the session. In the case of committee staff there is no change.

The situation with respect to the adoption of procedures that facilitate the ability of committees to receive, rewrite and initiate legislation remained fairly stable (See Figure 5-3). In 1955, 78 percent of the chambers required that all legislation be referred to standing committees. In 1975, the existence of this provision increases to 87 percent (or 20 out of 23 chambers). The only chamber to clearly state that all bills do not have to be referred to a standing committee in 1975 is the Illinois house (although they did have the requirement in 1955). For the remaining indicators on this dimension, there are only changes of one, two or three chambers between 1955 and 1975. There was an increase by one in the number of chambers that provide for the introduction of committee sponsored legislation, and three more chambers allowed legislation to be referred to more than one committee. Two more chambers afforded committees the power to suggest substitute versions of bills, while one less chamber (South Dakota dropped incorporation) allowed amendments to be incorporated before floor consideration and two more chambers clearly banned the practice.

Between 1955 and 1975 committees retained just about the same level of control over their agendas and timetables. Therefore, the situation is just as bad in 1975 as it was in 1955. One more chamber adopts a provision that requires committees to consider all
referred legislation, increasing the percentage of chambers in this study adopting the procedure to just under 70 percent. Figure 5-4 shows that the percentage of chambers that allows the floor to withdraw bills from consideration decreases. However, this decrease is matched with an increase in the percentage of chambers that allow the floor to demand that a committee consider and report a bill (i.e., overall the committee system does not gain). Finally, the only committee power positive move on the this dimension between 1955 and 1975 is a decline the number of chambers placing deadlines on committee action from six chambers to four (Florida, Illinois, Montana and Vermont – only Florida and Vermont had deadlines in 1955).

Finally, how has the ability of committees to protect their positions during the floor stage evolved in these 20 years? The answer is not much (See Figure 5-5). For the most part, all of the indicators on this dimension remain stable in the session between 1955 and 1975. The existence of a regular calendar order increases slightly between 1967 and 1971, but stabilizes back to the 1955 level by the 1975 session. As for the adoption of procedures that do not require committees to report all referred legislation, make floor amending difficult and do not allow minority reports, there is absolutely no change between 1955 and 1975. The only change on this dimension is with regard to procedures that make adverse committee reports difficult to overturn. In 1975 two more chambers (Illinois and Kansas houses) have made it harder to overturn adverse committee reports.

Thus, in the years between 1955 and 1975, the ability of state legislative committees to hold meetings and gather information increased. However, their ability to impact policy and control their decision making processes, and their ability to protect
their decisions in later stages of the legislative process remains relatively unchanged and in some instances weak.

**State legislative committee procedures in 1995**

What happens in the last half of the time period of interest to this study? Procedurally, are state legislative committees given more or less power in the 20 years between 1975 and 1995?

Figure 5-1 shows that public access to committee meetings between 1975 and 1995 stayed fairly consistent. Committee hearings and deliberations that were open to the public existed in almost every chamber in the study (94.4 percent for each). The existence of a regular committee meeting schedule appeared at the same rate (55-56 percent) that it did in 1975, and the requirement that committee meetings be announced in advance increases slightly (about 5 percent). Two chambers (Minnesota and Ohio) also required hearings on all referred legislation. Connecticut dropped its requirement in 1991. The greatest change occurred in the adoption of procedures requiring committee agendas to be announced in advance. In 1975, just under 40 percent of the chambers required advance notice of the agenda, and in 1995 the percentage has increased about 15 percent to 55.6 percent.

With respect to information gathering ability there are some slight increases and drops between 1975 and 1995 (See Figure 5-2). Over the 20 years, adoption of procedures that allow committees to subpoena both people and documents gradually increases for total increases of about 7 and 15 percent respectively between 1975 and 1995. The adoption of clear investigative power for committees also increase in this
period from about 22 percent in 1975 to 28 percent in 1995. In 1995, not a single state allows committees to meet before the commencement of the biennial session period, while the ability to meet in the interim drops to 39 percent from 48 percent after peaking in the 1980s. Finally, once again the formal provision of committee staff also declines from 34.8 percent in 1975 to 16.7 percent in 1995. Only Kentucky, North Carolina and West Virginia formally mention providing committees staff in their formal chamber rules.

When considering the ability of committees to receive, rewrite and initiate legislation, there is also very little change between 1975 and 1995 (See Figure 5-3). The most dramatic positive change is that by 1995, all but one chamber (Connecticut) in the study clearly required that all bills introduced be referred to standing committees for consideration (increase of 7.5 percent between the two periods). The most dramatic negative change is the decrease in the percentage of chambers that provide clear rights for committees to sponsor legislation. The percentage of chambers adopting a procedure in this area drops 15 percent between 1975 and 1995. The good news on this dimension is that 8.5 percent fewer chambers provide for the multiple referral of legislation and an additional chamber provides for incorporated committee amendments (South Dakota readopted the procedure in 1981). Less good news is that there was about a three percent drop off in the number of chambers allowing committees to propose substitute versions of referred legislation.

By 1995, state legislative committees gained some procedural control over their agendas and timetable (See Figure 5-4). In 1995, the number of chambers requiring committees to consider all referred legislation was cut in half giving state legislative
committees more power to decide which bills to consider. However, the ability of the floor to both withdraw legislation from committee consideration and request legislation considered also increased slightly. On a more positive note, by 1995 there is not a single state legislative lower house that places deadlines on committee action. Therefore, by 1995 state legislative committees are given a great deal of leeway over their agendas (decreases in consideration requirements) and moderate control over their timetables (no more deadlines, but the floor can still demand reports or take bills away).

The most consistent procedural pattern over the time period is the floor maintaining its ability to overturn committee decisions during the floor consideration stage. Once again between 1975 and 1995 there is little change on this dimension and the changes that do occur are not to the advantage of the committee system (See Figure 5-5). The use of a system that placed bills on the floor consideration calendar in the order reported from committees or in numerical order continues to decline during this period. The total decline is about 20 percent and in 1995, only 6 chambers (Connecticut, Michigan, Minnesota, Rhode Island, South Carolina, and Vermont) have a regular calendar order. The adoption of rules that make adverse committee reports difficult to overturn decreases about 8.7 percent between 1975 and 1995. Finally, between 1975 and 1995 there is no change in the adoption of procedures by state legislatures that make more floor amending difficult, do not require committees to report all referred legislation and prohibit minority reports.

In sum, the only major changes in state legislative committee procedures between 1975 and 1995 occurs in the area of agenda and timetable control. During these 20 years.
state legislative committees were given much more control over their agendas and slightly more control over their timetables.

Overall, over the 40 years that this study unfolds state legislative committee systems have developed in ways that have made them more accessible to the public, that have given them greater ability to gather information and greater ability to control their own agendas and timetable. The ability of state legislative committees to impact policy through receiving, rewriting and initiating legislation evolved little between 1955 and 1995, while throughout the period the floor maintained its ability to override committee decisions during the floor consideration stage.

Determining the Interrelationships Between Committee System Procedures

The previous analysis displayed clearly how state legislative committee procedures have evolved over the time period of interest to this dissertation. They were also discussed within a framework that suggests that a very specific pattern of adoption exists. However, the simple analysis above does nothing to prove or disprove the existence of particular dimensions of formal state legislative committee system procedures. In this part of the analysis, factor analysis is used to see if any particular combinations of state legislative rules of procedure exist in state legislatures, and if so are they the same or similar to the dimensions proposed earlier.

Creating the factor structure was quite difficult. Seventeen of the 25 indicators associated with the above discussed combinations/dimensions were included in the factor analysis. While only one item was removed for its infrequent occurrence (i.e., ability to meet before sessions), uncertainty as to the reliability of seven other measures —
staffing, establishing regular committee meetings, requiring a hearing, referring all bills to standing committees, the ability of committee minorities to file reports, multiple referrals and the placing of bills on the calendar in regular order—necessitated that they be omitted on the side of caution in this type of analysis. For the most part, the written rules in a number of chambers were silent on these items and it is dangerous in this type of analysis to assume whether they do or do not exist. For example, in legislatures with a small workload, bills could go on the calendar in the order that they were reported from committee without the necessity of a rule being in place since it may have been an informal agreement or understanding. Meeting during the interim was not included because several legislatures are in what we would call continual session throughout the entire two-year session period, thus eliminating the possibility of meeting during the interim.

The results of the factor analysis are presented in Table 5-1. It is a varimax-rotated solution and dimensions with eigenvalue of less than 1.06 are omitted. Factor loadings less than .40 are also excluded to make interpretation easier. While, not exactly the same as proposed earlier, the uncovered factor structure is quite similar. In particular, the factor analysis found six rather than five factor structures, and a few of the individual procedures to load on factors in ways anticipated earlier. In particular, the proposed committee openness factor does not exist in the uncovered factor structure. In fact, in the existing structure the proposed openness dimension falls on two different dimensions (i.e., openness and advance notice). Further, some of the indicators do not load on the factors proposed and some of the indicators do not load at all. Specifically, the incorporation of committee amendments loads on the advance notice factor
Table 5-1  
Factor Analysis of Committee System Powers and Procedures in U.S. State Legislatures*  

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<tr>
<td>of Agenda</td>
<td></td>
<td></td>
<td>.796</td>
<td>.601</td>
<td></td>
</tr>
<tr>
<td>Amendments</td>
<td></td>
<td>.678</td>
<td>.796</td>
<td>.799</td>
<td></td>
</tr>
<tr>
<td>are Incorporated</td>
<td></td>
<td>.796</td>
<td>.796</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adverse Reports</td>
<td></td>
<td>-.472</td>
<td>.601</td>
<td>.799</td>
<td></td>
</tr>
<tr>
<td>Hard to Overturn</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor Amending</td>
<td></td>
<td>.472</td>
<td>.601</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Difficult</td>
<td></td>
<td></td>
<td>.601</td>
<td>.799</td>
<td></td>
</tr>
<tr>
<td>Floor Cannot</td>
<td></td>
<td></td>
<td>.472</td>
<td>.601</td>
<td></td>
</tr>
<tr>
<td>Request Bills</td>
<td></td>
<td></td>
<td></td>
<td>.799</td>
<td></td>
</tr>
<tr>
<td>Reported</td>
<td></td>
<td></td>
<td>.799</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor Cannot</td>
<td></td>
<td>.713</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Withdraw Bills</td>
<td></td>
<td></td>
<td></td>
<td>.713</td>
<td></td>
</tr>
</tbody>
</table>

*Rotation Method: Varimax with Kaiser Normalization  
**Factor loadings less than .4 are excluded.
rather than the initiating of legislation factor. The inability of the floor to withdraw legislation from committee consideration loads on the initiating of legislation factor rather than the control of agenda and timetable factor as anticipated. Finally, the inability of the floor to request that a committee consider and report a bill does not load on any factor.

Ultimately, the factor analysis uncovered the six dimensions of state legislative committee system procedures. The first dimension is an Openness dimension and it is composed of two procedures. Both the formal provisions for committee hearings that are open to the public and for committee deliberations that are open to public load positively on this dimension indicating that if a chamber adopts one provision it typically adopts the other as well.

Information Gathering is the second dimension and it is composed of the three proposed indicators that were included in the factor analysis – ability to subpoena documents, ability to subpoena people and the ability to conduct investigations. All three load positively on the factor indicating that state legislative chambers typically adopt all three of the provisions. Only two of the proposed indicators load as anticipated on the Initiating of Legislation dimension. Both the ability of committees to introduce bills and offer substitutes load positively on this dimension. However, the inability of the floor to withdraw referred legislation also loads positively. At this time there is no clear explanation for this loading.

Control of the Committee Timetable and Agenda is the fourth dimension. The three procedures on this dimension – committees are not required to consider all legislation, committees not required to report all legislation and the absence of committee
deadlines for action – once again all load positively on the factor. This dimension differs from the agenda and timetable dimension proposed as the inability of the floor to withdraw legislation or request legislation reported do not load on this dimension. Further, the formal provision that committees do not need to report on all legislation was originally proposed to be part of the committee position protection dimension. However, not requiring committees to report legislation can also be part of the committee system’s ability to control its own agenda and timetable.

The final dimension is the Position Protection dimension. There are two procedures on this dimension – difficulty of the floor to overturn adverse committee reports and difficulty of amendment on the floor of the chamber. Yet again both indicators load positively on the dimension. This dimension differs from the proposed dimension as the requirement that committees report back all legislation loads on the Committee Control of Agenda and Timetable dimension rather than this one.

In sum, while the factor analysis does not uncover exactly the same factor structure as proposed earlier in this dissertation, the factor structure uncovered is in fact very similar. In addition to being similar to the proposed dimensions, the existing structure is also very similar to the structure found in the earlier analysis on procedures 685 legislative sessions spanning the entire century (Martorano, Hamm and Hedlund 2000) on which it is based.

However, the focus of this dissertation is on studying the adoption of and change in state legislative committee procedures. Unfortunately, the items in two of the six dimensions uncovered once adopted are not easily changed. Specifically, I am referring to the openness dimension and the information gathering agenda. By and large the items
composing these dimensions are statutory or constitutionally based. Therefore, they are extremely difficult to exchange, requiring approval by at a minimum both legislative chambers, and in the case of constitutional provisions, the approval of the public. From this point forward, both of these dimensions will be dropped from the analysis.

To be certain that the other dimensions are stable, the factor analysis was rerun without the items in the openness and information gathering dimensions. The result was a factor structure identical to the remaining dimensions. The only exception is that the odd loading of the incorporation of committee amendments on the Advance Notice dimension disappears (See Table 5-2). The next step is to determine whether or not this factor structure is stable. Ten identical factor analyses were run on random samples of 100 sessions, and the percentage of indicators loading the same as in the full sample factor analysis was calculated. If an item loaded the same, but also loaded on another dimension, it received only half credit (i.e. $\frac{1}{2}$ point). On average 80 percent of the items loaded the same, and out of the 10 trials half of them exceeded 80 percent and only two were below 60 percent. Thus, the uncovered factor structure is fairly stable.

Clearly, state legislative committee procedures do not exist in random and that there is a very distinct "pattern" of rule adoption. The dimensions uncovered in this chapter will be used in future analysis chapters as the dependent variable or the phenonomena to be explained by the major theories of legislative organization.

**Creating the dependent variables**

The dependent variables to be used in this dissertation will be scales of committee power based upon the uncovered dimensions in Table 5-2. They will simply be additive
### Table 5-2
**Factor Analysis of Committee System Powers and Procedures in U.S. State Legislatures Without Committee Openness and Information Gathering Items**

<table>
<thead>
<tr>
<th>Item</th>
<th>Dimension 1</th>
<th>Dimension 2</th>
<th>Dimension 3</th>
<th>Dimension 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiating Legislation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committees May Introduce Bills</td>
<td>.730</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committees May Offer Substitutes</td>
<td>.807</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do Not Have to Consider All Bills</td>
<td></td>
<td>.852</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do Not Have to Report All Bills</td>
<td></td>
<td></td>
<td>.768</td>
<td></td>
</tr>
<tr>
<td>No Deadline for Comm. Action</td>
<td></td>
<td></td>
<td></td>
<td>.526</td>
</tr>
<tr>
<td>Advance Notice of Meetings</td>
<td></td>
<td></td>
<td></td>
<td>.747</td>
</tr>
<tr>
<td>Advance Notice of Agenda</td>
<td></td>
<td></td>
<td></td>
<td>.845</td>
</tr>
<tr>
<td>Amendments are Incorporated</td>
<td></td>
<td></td>
<td></td>
<td>.693</td>
</tr>
<tr>
<td>Adverse Reports Hard to Overturn</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor Amending Difficult</td>
<td></td>
<td></td>
<td></td>
<td>.881</td>
</tr>
<tr>
<td>Floor Cannot Request Bills Reported</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor Cannot Withdraw Bills</td>
<td></td>
<td></td>
<td>.722</td>
<td></td>
</tr>
</tbody>
</table>

*Rotation Method: Varimax with Kaiser Normalization*

**Factor loadings less than .4 are excluded.**
indices that are summation of the raw scores of the items in the dimensions. In total there will be four state legislative committee procedure scores. They are listed in Table 5-3 along with their ranges, medians and modes.

The first score is the initiating legislation score and it is composed of the ability of committees to introduce legislation, suggest substitutes and the ability of the floor to withdraw bills from committee consideration. This score ranges from zero to three with a median of 1 and a mode of zero. The second score is the agenda and timetable score and it is composed of the extent to which committees are not required to consider and report all legislation and the absence or existence of committee deadlines. It ranges from negative three to positive two, and has a median of negative one and a mode of negative two.

Advance notice is the third score and it is composed of advance notice of committee meetings and agendas. It ranges from negative one to positive three. Its median and mode are both two.

The final score is the position protection score composed of procedures that make adverse reports difficult to overturn and floor amending difficult. It ranges from zero to positive two, and its median and mode are both zero.

Conclusion

This chapter does two important things. First, it provides a story of the evolution of state legislative committee procedures between 1955 and 1995. Overall, it showed that over time state legislative committees became more open to the public and were given greater powers to gather information. State legislative committees were also able
to gain some control (although modest) over their agendas and timetables during this period. Finally, it showed that while committees may play an important role in the legislative process, the floor still maintains procedures that allow them to overturn committee decisions when necessary.

Secondly, this chapter through factor analysis showed that state legislative committee procedures do not exist randomly. Rather six very distinct dimensions of committee procedure exist—openness, information gathering, initiating legislation, control of timetable, advance notice and position protection. Further, it was concluded that four of these (initiating legislation, control of timetable, advance notice and position protection) dimensions are statistical stable and can be used to construct meaningful dependent variables for analysis in later chapters.
<table>
<thead>
<tr>
<th>Score</th>
<th>Range</th>
<th>Median</th>
<th>Mode</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiating Legislation Score</td>
<td>-1 to 3</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Agenda and Timetable Control Score</td>
<td>-3 to 2</td>
<td>-1</td>
<td>-2</td>
</tr>
<tr>
<td>Advance Notice Score</td>
<td>-1 to 3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Position Protection Score</td>
<td>0 to 2</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Chapter 6
The Ability of Existing Theories of Legislative Organization to Account for
The Adoption of Committee Related State Legislative Rules of Procedure

Introduction

The three theories at the center of this dissertation are 1) the distributive theory, 2) the informational theory and 3) the partisan theory. Recall from Chapter 2 (Literature Review and Theoretical Foundations) that the distributive theory argues that the purpose of committees is to secure benefits for the constituencies of individual members of the legislature (Shepsle 1986; Weingast and Marshall 1988; Baron and Ferejohn 1989). Informational theory contends that the committee system’s role is to serve the legislative chamber and that specialization and dissemination of information to the entire membership is their primary function (Maass 1983; Gilligan and Krehbiel 1987, 1989, 1990; Krehbiel 1991). Finally, partisan theory suggests that the committee system exists to serve the goals of the majority party in the legislature (Kiewiet and McCubbins 1991; Cox and McCubbins 1993). Common to these theories is a view that the purpose of the committee system is to serve the goals of a distinct agent in a principal-agent relationship.

While considered competing explanations of legislative organization, very little research has thought to empirically test these theories in a truly competitive fashion (exceptions include Maltzmann 1997; Hall and Grofman 1990; Krehbiel 1990; and Brown et al. 1997). The primary goal of this chapter is to provide a competitive empirical test of these three theories by testing predictions about the adoption specific state legislative committee procedures.
State Legislative Committee Procedures of Interest: The Dependent Variables

Six dependent variables will be of interest in this analysis. Three of the six dimensions uncovered in the previous chapter (Chapter 5, Descriptive Analysis) will be the explanatory focus of this chapter. Recall that the six dimensions of committee power were 1) committee system openness; 2) information gathering ability; 3) initiation of legislation; 4) control over the committee’s agenda and timetable; 5) advance notice of committee meetings and agendas; and 6) ability of committee’s to protect their positions on the floor. Only the committee initiation of legislation, control over the committee’s agenda and timetable, and the ability of committee’s to protect their positions on the floor dimensions will be explored in this chapter. The other dimensions are excluded because many of the procedures composing them are determined through constitutions or statutes. Including them as dependent variables would result in an unfair test because their adoption or amendment requires the approval of both chambers and sometimes the general public, which is much more difficult achieve than simple the approval of the lower house. Thus, this analysis will only focus on the dimensions that are composed of Internal/Formal rules (See Chapter 3).

The remaining three dependent variables (automatic calendaring order, floor withdrawal power and codified committee party ratios) deal with specific committee procedures. These single procedure indicators have been included to provide a more
concise competitive test of the three theories of legislative organization\textsuperscript{1}. Automatic calendaring order has been included to provide an additional competitive test for evaluating the explanatory power of the partisan theory over the other two theories. A positive score for this variable indicates that bills go on the floor consideration calendar in numerical order or in the order reported by committees. A negative score indicates that the speaker or a subset of members (i.e., Rules or Calendaring Committee) controls the order of the calendar from day to day. The final two dependent variables are dichotomous measures that account for the presence or absence of formal procedures for the withdrawal of bills from committee consideration and codified committee party ratios\textsuperscript{2}. The formal ability of the floor to withdraw bills from committee consideration was included because it is one of the few procedures in which the distributive and informational theories make contradictory predictions. Codified committee party ratios was included as an additional test of the partisan theory. Although it is structural.

\textsuperscript{1} Automatic calendaring order was not included in the factor analysis because the meaning of zero is not as concise as it is in the other measures. For most of the procedures a value of zero indicates that the chamber rules make no mention of the procedure. In the case of automatic calendaring order, it is clear that there must be some system for ordering bills on the calendar, the rules just don’t clearly state the procedure. It was omitted from the factor analysis out of concern that the “unclear” zeros would interact with the “clear” zeros of other measures. Codified party ratios was not included in the factor analysis because it is actually a structural, not a procedural aspect of the committee system. It is included as a single indicator because it provides a very clean test of the partisan theory.

\textsuperscript{2} The following are the ranges, median and modes of the dependent variables.

<table>
<thead>
<tr>
<th>DV</th>
<th>Range</th>
<th>Median</th>
<th>Mode</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiating Legislation Score</td>
<td>-1 to 3</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Agenda and Timetable Control Score</td>
<td>-3 to 2</td>
<td>-1</td>
<td>-2</td>
</tr>
<tr>
<td>Position Protection Score</td>
<td>0 to 2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Automatic Calendar Order</td>
<td>-1 to 1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Floor Withdrawal Power</td>
<td>0 or 1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Codified Party Ratios</td>
<td>0 or 1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
codifying the partisan composition of the standing committees allows for a particularly clean test of the partisan theory.

**Specific Hypotheses Linking Theories of Legislative Organization to Committee Procedures**

The earlier theoretical discussion (See Chapter 2) provided only a sampling of the different expectations of the major theories of legislative organization with regards to committee system procedure. Recall from this earlier chapter that three general propositions about committee systems can be stated. First, distributive theory suggests that the procedures relating to standing committees should be shaped in ways that help individual members gain benefits for their electoral districts. Informational theory suggests that committee procedures that maximize specialization and minimize uncertainty (in both policy and political outcomes) should be adopted. Finally, partisan theory suggests that when the relative size of the majority party is small, procedures that minimize minority party influence should be adopted. From these three general propositions, the specific expectations about committee system procedure to be evaluated in this chapter can be delineated.

There are two sets of hypotheses in this analysis. The first set of hypotheses concerns the relationships between the three theories of legislative organization and the dimensions of committee system procedures uncovered in the earlier factor analysis (See Chapter 5). The second set concerns the relationships between the theories and the specific procedures discussed above — automatic calendar ordering, formal floor
withdrawal power and codified committee party ratios. All of the hypotheses to be tested in this chapter are summarized in Table 6-1.

Hypotheses regarding the distributive theory will be discussed first, followed by those for the informational theory and finally those relating to the partisan theory. With respect to the distributive theory, it is posited that the property rights index and codification of committee jurisdiction will be positively related to the committee initiation of legislation score, the control of the committee agenda and timetable score, and the committee position protection score, and automatic calendaring order. A positive relationship between these independent and dependent variables is anticipated because from a distributive theory perspective, committees are the mechanisms through which members secure benefits for their legislative districts, and thus are considered the stage of the legislative process where all major legislative decisions are made. Therefore, floor action simply becomes a rubber stamp for committee decisions. Thus, the committees should have the power to initiate legislation, control their own agendas and timetables, and committee decisions should be final (i.e., the greater the protection of property rights and the more codified committee jurisdictions the higher the scores on the procedural dimensions).

With regards to the formal power of the floor to withdraw legislation from committee consideration, it is hypothesized that both distributive theory indicators will be negatively related, as allowing the floor to do this would greatly diminish the power of the committee system. Under the distributive theory, the goal of the legislative process is to help individual members attain benefits for their constituents, and the committee stage
<table>
<thead>
<tr>
<th>Procedure</th>
<th>Distributive Theory</th>
<th>Informational Theory</th>
<th>Partisan Theory Relative Size of Majority Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procedure Scores Initiating Legislation</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Controlling Agenda and Timetable</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Committee Position Protection on the Floor</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Single Procedures Automatic Calendaring Order</td>
<td>+</td>
<td>-</td>
<td>+</td>
</tr>
<tr>
<td>Bills can be Withdrawn</td>
<td>-</td>
<td>-</td>
<td>+</td>
</tr>
<tr>
<td>Codified Committee Party Ratios</td>
<td></td>
<td>+</td>
<td>-</td>
</tr>
</tbody>
</table>

*Cell entries are the expected direction of the relationship. A blank cell entry means that no relationship is expected. NA means that variable is not applicable.*
is where these benefits are attained. Therefore, the floor should never need to withdraw legislation from committees and thus the rule is unnecessary. There should be no relationship between either distributive theory indicator and codified committee party ratios as the distributive theory is a party-free theory in that the partisan composition of the chamber should have no effect on members ensuring benefits for their districts (i.e., all members have equal ability to secure benefits regardless of party affiliation).

As for the informational theory, policy complexity will be positively related to the initiating committee legislation score, the committee control of the committee agenda and timetable score, and the committee position protection score. This is the case because as the tasks or issues facing the legislature grow more complex, there will be a need to provide increased efficiency in the legislative process by centralizing the role of the committee system, maximizing the opportunities for information transmission and limiting the extent to which individual members use the system for individual gain.

Policy Complexity will be negatively related to automatic calendar ordering. The reducing uncertainty aspect of the informational theory would suggest a positive relationship between policy complexity and automatic calendar order because placing bills on the calendar in the order reported from committee removes any questions about the order of consideration of bills on the floor. However, as the policy environment becomes more complex, the legislative chamber will have more legislation to consider in a limited timeframe. The informational theory also asserts that reducing uncertainty will lead to increased efficiency in the legislative process. Unfortunately, in the case of automatic calendar ordering reducing uncertainty by placing bills on the calendar in the
order reported from committees may not make the process more efficient. The reality of the legislative process is that some bills are more important than others. It often takes the "more important" bills longer to be introduced or longer to get out of committee. This does not change the fact that they are important and need to be considered. Thus, in order to be more efficient (i.e., allowing the chamber to consider these important bills) it may be necessary for the Speaker of the House or a Bill Scheduling/Rules committee to prioritize legislation by having control over the calendar order.

**Chamber size** will be positively related to the control of the committee agenda and timetable score, and the committee position protection score. It will also be positively related to automatic calendaring. Specifically, as the size of the chamber grows larger there will more of a need to codify and strengthen the committee system and provide certainty as to the scheduling of legislation. By predetermining the order of floor consideration (i.e., numerical order, order of introduction, order reported from committee, etc.) uncertainty over the order of floor consideration is diminished.

With regards to the ability of the floor to withdraw bills from committee consideration both **policy complexity** and **chamber size** should be positively related. Under the informational theory, the rules should provide the floor with the power to discharge committees from the consideration of legislation in order to ensure that in the end, the will of the entire membership of the chamber will be satisfied, in line with the **Majoritarian Principle** (See Chapter 2 for a lengthier discussion of this hypothesis). Specifically, the floor (or the chamber) needs the formal discharge power as a check to override committees if they are not acting with the interest of the chamber in mind. Once
again, there should be no relationship between either informational theory indicator and
codified committee party ratios as this is also a party-free theory.

The relative difference between the two political parties will be positively related
to the committee control of committee agenda and timetable score, the committee
position protection score and automatic calendar ordering. That is, as the sizes of the two
political parties in a chamber become more equal (i.e. approaches zero), the control of
committee agenda and timetable and committee position protection scores will decline
(and thus, the committee system loses power relative to the chamber). The theoretical
logic is that as the size of the majority party relative to the minority party grows smaller.
the need for the majority party to control the legislative process becomes more urgent all
other factors being equal. This includes adopting procedures that that keep majority party
members loyal, deter the minority party's ability to obstruct the legislative process, and
grants the majority party complete control over legislative outcomes.

There is no expected relationship between the relative difference between the two
political parties and the ability of the floor to withdraw bills from committee
consideration. It is assumed that the majority party leadership has "control" over
committee decision-making via the committee chairs (who share party affiliation with the
leadership). However, it is expected that the relative difference between the two political
parties will be negatively related to the codification of committee party ratios. As the
majority party loses its advantage over the minority party, it becomes necessary to codify
the partisan composition of committees to ensure continued majority party dominance of
the committee system.
Control Variables and Chapter Research Design

Remember from Chapter 4 (Research Design) that several control variables need to be included in addition to the five major explanatory variables (i.e., those operationalizing the three theories of interest). Ten control variables are included in this analysis. First, there is a dummy variable that accounts for a change in the political party that is in control of the chamber. This variable is included to control for the effect of partisan change versus differences in partisan strength.3

The next two controls account for legislative professionalization. Two dummy variables are included for medium professionalization and higher professionalization. Low professionalization is the excluded category. Please refer to Chapter 4, Research Design for a detailed discussion for why controlling for legislative professionalization is important.

The fourth control is a variable (post 1973) that is coded one, 1973 forward. Recall from Chapter 4 that this control accounts for a widespread national movement to reform state governments. Another dummy is included to account for massive reapportionment after the 1964 one man, one vote court decision. This variable is coded one for the session immediately following the first state legislative election after reapportionment.4

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3 Including duration of control by current political party was also considered. However, it is highly collinear with the difference in size between the two parties and was excluded.

4 Reapportionment varies from state to state. Most states reapportioned for the 1966 elections and thus the 1967 session is coded one for the reapportionment variable. In this analysis, only the first reapportionment
The sixth and seventh control variables account for the election of a new speaker in the chamber as well as the tenure (i.e., number of sessions served) of the previous speaker. A new speaker taking power after another speaker who served several sessions may be more inclined to alter legislative procedures. The eighth variable is turnover and it is simply the percentage of new members in the chamber in each legislative session. Recall from Chapter 4 that it is included because higher rates of turnover may make impact the adoption of legislative procedure.

The final two control variables account for the uniqueness of two states in the sample. Both Connecticut and Montana rely heavily on joint rules (i.e., both chambers use the same set of rules) of procedure rather than individual chamber rules of procedure. As such, the adoption of new or amended rules requires the approval of both the house and senate rather than just a single chamber. Therefore, changes in the independent variables of interest may not have the same impact on the dependent variables as in the other states.

All of the analysis in this chapter is performed on a pooled cross-sectional time series dataset. Thus, the effects of state and time must be accounted for in the analysis. This is typically done by including dummy variables for each state and year in the analysis. However with 24 states and 21 session years, including 42 additional variables in the analysis would be pushing the available degrees of freedom. Fortunately, there are

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after the 1964 one-man, one-vote decision is coded. Subsequent decennial reapportionments (or redistrictings) are not coded.
two statistical techniques that can help minimize the effect of state and time without including the extra variables.

Prais-Winsten regression with panel corrected standard errors is performed for the analysis that explores the committee procedure scores and automatic calendar order. This method was chosen to deal with existing first-order serial correlation. Logit maximum likelihood estimation with robust standard errors is used for the dichotomous dependent variables (floor withdrawal power and codified committee party ratios). Duration dependence was also a problem in these models. This analysis employs the correction for duration dependence for models including binary dependent variables developed by Beck, Katz and Tucker (1998). This method requires the creation of a variable in each model that accounts for the duration of the existence of a certain condition—in this case the absence or the presence of a legislative structure or procedure. This variable is then used to create a smooth function of duration dependence using natural cubic splines. Four splines (i.e., four segments of the smooth function) were calculated for each dependent variable and were then included in the full model. Thus, the final models are corrected by including the duration variable and the subsequent spline variables following the procedure put forth by Beck, Katz and Tucker (1998).

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5 The author thanks Randy Stevenson and Regina Branton for their assistance in learning these techniques.

6 An argument could be made that ordered logit should be used for these models given the ordinal nature of the dependent variable. However, ordered logits are cumbersome to interpret especially when there is the potential of the dependent variable taking on eight or nine values. Ordered logits were run on the models and the statistical relationships are similar between the ordered logit and regression models.

7 The author employed the Stata statistical package to calculate the values of each of the natural cubic. For a more complete explanation of the procedure, please see Beck, Katz and Tucker (1998).
Analysis and Findings

The purpose of this analysis is to determine to what extent can the distributive, informational and partisan theories be used as an overall explanation of the organization of legislative chambers at the state legislative level. Tables 6-2 through 6-4 and Figure 6-1 display the results. Overall, the models account for approximately seven to 42 percent\(^8\) of the variance to be explained. Therefore, they do not provide a complete explanation for the existence of committee system procedures in U.S. state legislatures, but they do provide some insight into what factors may account for the adoption of committee related procedures in state legislatures.

Overall, the results indicate that neither the distributive, informational nor partisan theory can account generally for legislative organization at the state legislative level. Specifically, in the models none of the variables representing the three theories has a consistent impact on committee system procedures. The specific results of the analysis will now be discussed theory by theory\(^9\).

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\(^8\) Similar studies at the congressional level (i.e., Binder 1997, Dion 1997) report much higher levels of explained variance. However, these studies also tend to control for national historical events that account for much of the explained variance. States have rich, varying histories and thus it is impossible to account for every historical event occurring in each of the states under study. Rather, I control only for historical events that impact all states in some way (i.e., Reapportionment, CCSL reform movement).

\(^9\) The models were tested for multicollinearity, and none was found amongst the independent and control variables. Multicollinearity was tested for by running each variable accounting for the three theories of legislative organization as a function of all other independent variables in the model. All of the adjust R-squares on these models were within acceptable limits and thus it was concluded that multicollinearity was not a problem in the analysis.
Can the distributive theory account for the adoption of committee procedures?

If the distributive theory is correct, and legislatures are organized in a manner that allows individual legislators to secure benefits for their districts than the property rights index and codified committee jurisdictions should be statistically significant in five of the six models. Specifically, over these two indicators, there is the possibility of 10 significant results. Relative to the informational and partisan theories, the distributive theory performs the most poorly. Specifically, it never performs as predicted.

In the two models (committee control of the committee agenda and timetable and committee position protection) where the property rights index is statistically significant, it is in a negative direction (Tables 6-2 and 6-3). In both of these cases, a positive relationship was anticipated, as it would be indicative of a chamber that vests a great deal of power in its committee system. The negative relationship uncovered indicates that in chambers that provide members with more rights in the committee assignment process (i.e., possess a higher property rights index), also limit the power of the committee system by giving them less control over their own agendas and timetables (i.e., have lower control of committee agenda and timetable scores) and by limiting their ability to protect their decisions on bills from modification by the floor (i.e., have lower committee position protection scores). This finding runs contrary to the basic principals of the distributive theory. Recall that the distributive theory supports a highly decentralized legislative chamber that places a large amount of importance and power in the committee system.
Table 6-2
Relationship Between Initiating Legislation and Controlling the Agenda and Timetable Score and Theories of Legislative Organization^  

<table>
<thead>
<tr>
<th>Distributive Theory</th>
<th>Initiating Legislation</th>
<th>Agenda and Timetable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Rights Index</td>
<td>.039 (.117)</td>
<td>-.681 (.121)</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td>.005 (.190)</td>
<td>.030 (.173)</td>
</tr>
<tr>
<td><strong>Informational Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Complexity</td>
<td>.013 (.035)</td>
<td>.002 (.062)</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>.0009 (.0008)</td>
<td>.0003 (.0002)</td>
</tr>
<tr>
<td><strong>Partisan Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diff. b/w Two Parties</td>
<td>-.0000 (.001)</td>
<td>-.001 (.001)</td>
</tr>
<tr>
<td><strong>Controls</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>-.023 (.041)</td>
<td>.047 (.082)</td>
</tr>
<tr>
<td>Medium Professionalization</td>
<td>.254 (.109)</td>
<td>.217 (.135)</td>
</tr>
<tr>
<td>Higher Professionalization</td>
<td>.086 (.122)</td>
<td>.032 (.186)</td>
</tr>
<tr>
<td>Post 1973</td>
<td>.027 (.042)</td>
<td>.123 (.092)</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>.034 (.072)</td>
<td>-.080 (.098)</td>
</tr>
<tr>
<td>New Speaker</td>
<td>.046 (.038)</td>
<td>-.050 (.054)</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>-.019 (.012)</td>
<td>.031 (.017)</td>
</tr>
<tr>
<td>Turnover</td>
<td>.003 (.001)</td>
<td>-.001 (.003)</td>
</tr>
<tr>
<td>Connecticut</td>
<td>1.762 (.138)</td>
<td>1.30 (.238)</td>
</tr>
<tr>
<td>Montana</td>
<td>1.800 (.166)</td>
<td>-.864 (.744)</td>
</tr>
<tr>
<td>Constant</td>
<td>.699 (.291)</td>
<td>-1.48 (.542)</td>
</tr>
</tbody>
</table>

| N                                    | 380                    | 379                   |
| # of States                          | 24                     | 24                    |
| Avg. # obs/State                     | 15.83                  | 15.79                 |
| Rho                                  | .813                   | .784                  |
| R-Square                             | .350                   | .266                  |
| Chi^2                                | 1163.27***             | 438.75***             |

*p<.05, **p<.01, ***p<.001  
^Prais-Winsten Regression with panel corrected standard errors.
Table 6-3

Relationship Between Committee System Advance Notice of Meetings Score and Position Protection Score and Theories of Legislative Organization^

<table>
<thead>
<tr>
<th></th>
<th>Position Protection</th>
<th>Calendar Order</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B (PCSE) z</td>
<td>B (PCSE) z</td>
</tr>
<tr>
<td><strong>Distributive Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Rights Index</td>
<td>-.201 (.060) -3.38***</td>
<td>.026 (.077) .33</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td>-.065 (.037) -1.73</td>
<td>-.175 (.106) -1.65</td>
</tr>
<tr>
<td><strong>Informational Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Complexity</td>
<td>.066 (.023) 2.94**</td>
<td>-.121 (.044) -2.75**</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>.002 (.001) 2.74**</td>
<td>.001 (.001) .50</td>
</tr>
<tr>
<td><strong>Partisan Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diff. b/w Two Parties</td>
<td>.002 (.001) 2.30*</td>
<td>.001 (.001) .74</td>
</tr>
<tr>
<td><strong>Controls</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>.011 (.026) .42</td>
<td>.061 (.052) 1.18</td>
</tr>
<tr>
<td>Medium Professionalization</td>
<td>-.026 (.048) -.55</td>
<td>.145 (.086) 1.69</td>
</tr>
<tr>
<td>Higher Professionalization</td>
<td>-.070 (.095) -.74</td>
<td>.128 (.110) 1.16</td>
</tr>
<tr>
<td>Post 1973</td>
<td>.030 (.025) 1.23</td>
<td>-.011 (.064) -.18</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>-.036 (.047) -.76</td>
<td>.020 (.083) .24</td>
</tr>
<tr>
<td>New Speaker</td>
<td>.008 (.017) .46</td>
<td>-.053 (.035) -1.50</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>-.006 (.007) -.93</td>
<td>.040 (.016) 2.55**</td>
</tr>
<tr>
<td>Turnover</td>
<td>.001 (.001) .83</td>
<td>-.003 (.002) -1.43</td>
</tr>
<tr>
<td>Connecticut</td>
<td>-.428 (.092) -4.67***</td>
<td>1.24 (.107) 11.52***</td>
</tr>
<tr>
<td>Montana</td>
<td>-.061 (.283) -.22</td>
<td>.783 (.486) 1.61</td>
</tr>
<tr>
<td>Constant</td>
<td>-.426 (.178) -2.40*</td>
<td>.670 (.389) 1.72</td>
</tr>
</tbody>
</table>

N = 380
# of States = 24
Avg. # obs/State = 15.83
rho = .844
R-Square = .109
Chi^2 = 50.54***

^Prais-Winsten Regression with panel corrected standard errors.

*p<.05. **p<.01. ***p<.001
For the remaining hypotheses (80 percent of them), neither the property rights index (for committee initiation of legislation, automatic calendar order, and floor withdrawal) nor codified committee jurisdictions (for committee initiation of legislation, committee control of the agenda and timetable, committee position protection, automatic calendar order, and floor withdrawal) achieved statistical significance.

In this analysis, there is no statistical support for the distributive theory as an overall explanation of committee related state legislative procedures. The indicators used to account for the theory do not perform as expected. Further, for two of the hypotheses, the indicators perform contrary to expectations.

**If distributive theory can’t, can the informational theory fare better?**

Clearly, the distributive theory is not an appropriate explanation of legislative organization. Thus, is the informational theory a better explanation? Is it the case that legislatures are organized in a manner that fosters specialization by members in committees in an effort to increase the transmission of information and thus enhance the efficiency of the legislative process? If the informational theory is the best explanation of legislative organization than policy complexity and chamber size should consistently be statistically significant. Once again over the six models estimated, there were nine relationships predicted between these two indicators – policy complexity (5 hypotheses) and chamber size (4 hypotheses). Overall, these indicators perform better than the distributive theory indicators. They perform as hypothesized 33 percent (three times out
<table>
<thead>
<tr>
<th></th>
<th>Withdrawal B (Rbt. SE)</th>
<th>z</th>
<th>Party Ratio B (Rbt. SE)</th>
<th>z</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Distributive Theory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Rights Index</td>
<td>-.465 (.692)</td>
<td>-.67</td>
<td>.596 (1.14)</td>
<td>.52</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td>.200 (1.07)</td>
<td>.19</td>
<td>.112 (1.16)</td>
<td>.10</td>
</tr>
<tr>
<td><strong>Informational Theory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Complexity</td>
<td>.001 (.481)</td>
<td>.00</td>
<td>1.92 (.587)</td>
<td>3.27***</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>-.004 (.011)</td>
<td>-.37</td>
<td>009 (.009)</td>
<td>-1.08</td>
</tr>
<tr>
<td><strong>Partisan Theory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Difference Between Two Parties</td>
<td>-.004 (.012)</td>
<td>-.33</td>
<td>-.029 (.011)</td>
<td>-2.64**</td>
</tr>
<tr>
<td><strong>Controls</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>.481 (1.447)</td>
<td>1.08</td>
<td>.346 (.456)</td>
<td>.76</td>
</tr>
<tr>
<td>Medium Professionalization</td>
<td>-.117 (.758)</td>
<td>-.54</td>
<td>-.113 (.748)</td>
<td>-1.51</td>
</tr>
<tr>
<td>Higher Professionalization</td>
<td>-.670 (1.18)</td>
<td>-.57</td>
<td>-.63 (1.09)</td>
<td>-2.41*</td>
</tr>
<tr>
<td>Post 1973</td>
<td>-.091 (.939)</td>
<td>-.10</td>
<td>3.01 (.794)</td>
<td>3.79***</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>.156 (.503)</td>
<td>.31</td>
<td>-.108 (.684)</td>
<td>-.16</td>
</tr>
<tr>
<td>New Speaker</td>
<td>-1.05 (.328)</td>
<td>-3.21***</td>
<td>.116 (.410)</td>
<td>.28</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>.394 (.230)</td>
<td>1.71</td>
<td>-.312 (.141)</td>
<td>-2.20*</td>
</tr>
<tr>
<td>Turnover</td>
<td>-.016 (.014)</td>
<td>-.19</td>
<td>-.038 (.017)</td>
<td>-2.22*</td>
</tr>
<tr>
<td>Constant</td>
<td>2.18 (3.64)</td>
<td>.60</td>
<td>-9.62 (4.71)</td>
<td>-2.04***</td>
</tr>
<tr>
<td>Duration Variable</td>
<td>.032 (.278)</td>
<td>.11</td>
<td>-.098 (.790)</td>
<td>-.12</td>
</tr>
<tr>
<td>Spline 1 ^^</td>
<td>-.003 (.030)</td>
<td>-.11</td>
<td>.008 (.054)</td>
<td>.16</td>
</tr>
<tr>
<td>Spline 2 ^^</td>
<td>.000 (.031)</td>
<td>.01</td>
<td>.002 (.031)</td>
<td>.07</td>
</tr>
<tr>
<td>Spline 3 ^^</td>
<td>.007 (.015)</td>
<td>.47</td>
<td>.002 (.015)</td>
<td>.10</td>
</tr>
<tr>
<td>Spline 4 ^^</td>
<td>-.009 (.006)</td>
<td>-.49</td>
<td>-.010 (.007)</td>
<td>-1.32</td>
</tr>
</tbody>
</table>

N 380 380
Log Likelihood -206.43 -131.33
Pseudo R² .123 .423
Chi-Square 87.29*** 623.99***

^Entries in parentheses are robust standard errors as the analysis has been clustered by state.

^^Duration variable and spline segment variables included in models to account for duration dependence.

*p<.05, **p<.01, ***p<.001.
of nine) of the time. However, 6 of the 9 (or two-thirds) hypotheses fail to be confirmed.

As expected both policy complexity and chamber size are positively related to the ability of committee’s to protect their position on the floor of the chamber (Table 6-3). Policy complexity is also negatively related to automatic calendar ordering. All of these results were expected.

The positive relationship between policy complexity and committee position protection indicates that as the amount and complexity of legislation (i.e., policy complexity) being considered in the chamber increases, the committee system is afforded more power in the legislative process. It is afforded this power because the committee system acts as a mechanism for reducing uncertainty in the legislative process through its ability to specialize into specific policy areas (i.e., division of labor).

A similar logic explains the positive relationship between chamber size and committee position protection. In larger chambers, it is much easier to create a committee in a manner that allows the preferences of committee members to be more reflective of the chamber as a whole. This is the case because there are simply more members on committees in larger chambers, and it becomes more likely that the committee memberships will be more diverse. In a small chamber like the Maine Senate (24 senators), it is very difficult to create chamber-reflective committees, as each committee comprises only three senators. In this situation it is quite likely that preferences of the committee will not always be similar to the legislative chamber as a whole.
The relationship between policy complexity and automatic calendar order (Table 6-4) verifies the notion that as the policy environment becomes more complex, it may be necessary for a chamber to move away from placing bills on the calendar in the order reported by committees in an effort to maximize certainty in the legislative process because in this instance reducing uncertainty may actually lead to inefficiency. Rather, the chamber must prioritize bills on the calendar to ensure that the most important legislation can be considered before the adjournment of the session.

An unanticipated relationship was also uncovered. There is a positive relationship between policy complexity and the codification of committee party ratios (Table 6-4), and its substantive impact is not negligible (see Figure 6-1a). Specifically, this result reveals that as the policy environment becomes more complex, legislative chambers are more likely to codify the partisan composition of legislative committees. Further, a one standard deviation increase in policy complexity makes the codification of committee party ratios over 20 percent more likely. After much consideration, it is unclear how to interpret this finding.

The most damaging findings for the informational theory indicators are the non-findings. Six of the hypothesized relationships failed to be statistically significant. No hypothesized relationship was found between policy complexity and initiating committee legislation (Table 6-2), control of the committee agenda and timetable (Table 6-2) and the adoption of a provision that allows the floor to withdraw bills from consideration (Table 6-4). A similar situation exists for chamber size and control of the committee agenda and
Figure 6-1
Changes in Probabilities in 23 U.S. State Legislatures of Adoption of Committee Party Ratios Listed

Average probability = the property rights index, policy complexity, chamber size, and the relative difference between the two political parties are set at their mean values and the dichotomous variables are set at their modal values, which are zero for codified jurisdictions, one for post-1973 reform, 1 for medium professionalization and 0 for higher professionalization.

a) Policy Complexity

b) Difference Between Two Parties

c) Higher Professionalization
timetable (Table 6-2), automatic calendar order (Table 6-3), and the floor withdrawal of legislation from committee consideration (Table 6-4).

On the whole, informational theory does not meet the earlier expectations of this research. However, it does fair substantially better than the distributive theory. Although, the number of non-findings is large, they are not as large as the number of non-findings for the distributive theory.

Is it party?

So far it has been determined that the distributive theory is a poor explanation of legislative organization, and the informational theory while performing better than the distributive theory is also an unsatisfying explanation of legislative organization. Can the partisan theory do any better? If chambers are not organized to benefit individual members or the chamber as a collective unit, are they organized in a manner that enables the majority political party achieve its policy goals? If, so than the relative difference between the two political parties should be statistically significant in four of the four of the six models. In all, two of the four hypotheses (or half) are borne out. The relative difference between the two political parties is positively related to the ability of committees to protect their positions on the floor of the chamber (Table 6-3) and negatively related to the adoption of codified committee party ratios (Table 6-4). In other words, the positive relationship between the relative difference between the two parties and committee position protection indicates that as the majority and minority parties
become closer in size (i.e., the measure decreases), power is taken away from committees in an effort to consolidate party leadership power by centralizing the legislative process.

The negative relationship between the relative difference between the two parties and the codification of committee party ratios indicates that as the majority and minority party become closer in size, it becomes more likely that committee party ratios will be codified in the chamber in an effort to ensure that the majority party controls a majority of seats on each committee. In fact, the impact of the relative difference between the two parties on the codification of committee party ratios is quite significant at about 12-17 percent in either direction (see Figure 6-1b). Specifically, a one standard deviation from mean decrease in the relative difference between the two parties in a chamber results in a 12 percent increase in the probability that committee party ratios will be codified. In the remaining two models – control of the committee agenda and timetable (Table 6-2) and automatic calendar order (Table 6-3), the variable fails to gain statistical significance.

In sum, the partisan theory performs as predicted more often than either the distributive or informational theory. However, it is still only correct half of the time. Therefore, the partisan theory while possibly a better explanation still cannot be considered an overall explanation of legislative organization.
Is it the control variables?

The only consistent finding with respect to control variables is that joint rules matter. The dummy variables for Connecticut and Montana were consistently statistically significant in the models in which they were included. However, at this time there is no clear explanation for this finding other than the notion that states with joint chamber rules of procedure are in some way different from other states. Specifically, the variable for Connecticut was statistically significant in all of the models in which it was included (all four procedural scores and automatic calendar order – Tables 6-2 and 6-3), and the Montana variable was significant in the committee initiation of legislation model (Table 6-2).

The remaining control variables very seldom achieve statistical significance. In fact, change of party control and reapportionment never gain statistical significance. This is quite a significant finding with respect to the control variables as it indicates that these forces do not impact the adoption of legislative procedures on their own.

Specifically, the variables accounting for legislative professionalization were statistically significant in only two models. First, with respect to the committee initiation of legislation by committees (Table 6-2), the medium professionalized legislature dummy is positive and statistically significant indicating that relative to low professionalized legislatures, medium professionalized legislatures give committees more power in initiating legislation. Second, higher professionalized legislatures are less likely to adopt the formal codification of committee party ratios (Table 6-6) relative to low professionalized legislatures. In fact, in highly professionalized chambers the likelihood
of adopting codified committee party ratios drops 52 percent to 14 percent (Figure 6-1c)\(^\text{10}\).

The post-1973 reform control variable is positively related to the codification of committee party ratios (Table 6-4). This finding may be the result of two forces. First, the codification of committee party ratios was one of the recommendations made by the CCSL reform movement in the late 1960s/early 1970s. Further, this finding may be related to the emergence of the Republican Party in the south in the 1980s and 1990s.

The election of a new house speaker is also statistically significant, but only in one model. It is negatively related to the adoption of a rule allowing bills to be withdrawn from committee consideration (Table 6-4). In fact, it is the only variable to reach statistical significance in the model. A possible explanation for this finding may be that in the face of new leadership chambers are reluctant to diminish the power of committee systems.

Related to the election of a new speaker, the tenure of the previous speaker is statistically significant in two of the six models. It is positively related to automatic calendar ordering (Table 6-3). That is the longer the previous speaker was in power, the more likely it is that a chamber will adopt provisions for the automatic placement of bills on the calendar. This could be a reaction to a speaker who abused his power by

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\(^\text{10}\) While not included in this chapter, full models were run using the omitted procedural dimensions from Chapter 5 (i.e., committee system openness, committee information gathering ability and advance notice of committee agendas and meetings). In these models the higher and medium professionalization measures were consistently statistically significant and positively related. This is an interesting finding as it suggests that professionalization (a concept that impacts both lower and upper houses equally) impacts these procedures that deal more generally with legislative procedure and thus legislative organization rather than with procedures that have a greater impact on committee power in the legislative process.
“unfairly” scheduling legislation. Previous speaker tenure is also negatively related to the codification of committee party ratios (Table 6-4) suggesting that the likelihood of codifying committee party ratios decreases that the number of sessions served by the previous speaker increases. At this time there is no explanation or conjecture for this finding.

The final control variable is turnover, and it was negatively related to the codification of committee party ratios (Table 6-4). As turnover increases in the chamber committees are given more power to initiate legislation. One conjecture for this finding may be that in light of volatile membership, there may be a small amount of stability on committees (i.e., even if chamber turnover is 50 percent, 3 or 4 committee members may return in the next session), and thus, committees are given a high degree of bill initiation control. Finally, with respect to the codification of committee party ratio finding, in a high turnover chamber, it may be the case that there is a potential for chamber party control to change frequently, and thus no party may be willing to codify committee party ratios when it is quite uncertain whether they will be the majority or minority from session to session.

A more refined look at legislative organization

Clearly, neither the distributive, informational or partisan theory can be considered the best and thus most general explanation of legislative organization. Is this because they are theories that were developed based upon observations of a single legislative institution – the U.S. House of Representatives? If this is the case than it is
reasonable to assume that the theories should perform better if tested only on legislative chambers that most closely resemble the U.S. House of Representatives. In this analysis, the measure of state legislative professionalization is calculated relative to the U.S. Congress. That is, the more professionalized state legislatures possess some characteristics that are similar to those found in the U.S. Congress. Specifically, this analysis will now be done splitting the dataset into two groups – more professional state legislatures (i.e., higher professionalized) and less professional state legislatures (i.e., medium and low professionalized). The results are displayed in Tables 6-5 through 6-8.

Before moving onto the results, something needs to be said about the distribution of higher to less professional legislatures in the sample. The measure of professionalism used to create the categories in this analysis was a continuous measure that ranged from zero (non-professional legislature or least like Congress) to one (the most professional state legislatures or most like Congress). Only one state legislature, the California General Assembly, ever comes close to attaining a score of one. Therefore, in this analysis a higher professionalized legislature is any state legislative chamber that scored .300 or better. Thus, this analysis be conducted is actually comparing higher professionalized state legislatures relative to lower professionalized state legislatures. The point is that it is not comparing state legislatures that are the same as Congress to those that are not.

Statistically, the three theories perform better in the models run on highly professionalized legislative chambers than they do in the models performed on medium and low professionalized legislative chambers. Further, while it is difficult to compare
### Table 6-5
Initiating Legislation And Theories of Legislative Organization in Higher Professionalized Chambers vs. Less Professionalized Chambers

<table>
<thead>
<tr>
<th></th>
<th>Higher Professionalized</th>
<th>Less Professionalized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B (PCSE)</td>
<td>z</td>
</tr>
<tr>
<td><strong>Distributive Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Rights Index</td>
<td>.167 (.190)</td>
<td>.88</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td>4.89 (2.71)</td>
<td>1.80</td>
</tr>
<tr>
<td><strong>Informational Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Complexity</td>
<td>.472 (.115)</td>
<td>4.10***</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>-.003 (.003)</td>
<td>-1.20</td>
</tr>
<tr>
<td><strong>Partisan Theory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diff. b/w Two Parties</td>
<td>.004 (.005)</td>
<td>.73</td>
</tr>
<tr>
<td><strong>Controls</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>-.176 (.096)</td>
<td>-1.83</td>
</tr>
<tr>
<td>Post 1973</td>
<td>.176 (.121)</td>
<td>1.45</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>-.134 (.235)</td>
<td>-.57</td>
</tr>
<tr>
<td>New Speaker</td>
<td>.180 (.083)</td>
<td>2.16*</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>-.041 (.031)</td>
<td>-1.32</td>
</tr>
<tr>
<td>Turnover</td>
<td>.003 (.003)</td>
<td>.87</td>
</tr>
<tr>
<td>Connecticut</td>
<td>-2.85 (2.66)</td>
<td>-1.07</td>
</tr>
<tr>
<td>Montana</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Constant</td>
<td>-2.70 (.813)</td>
<td>-3.32***</td>
</tr>
</tbody>
</table>

| N          | 92          | 288         |
| # of TS Groups | 9           | 22          |
| Avg. # obs/Group | 10          | 13          |
| Rho       | .720        | .881        |
| R-Square  | .503        | .411        |
| Chi$^2$   | 195.46***   | 101.83***   |

*p<.05, **p<.01, ***p<.001
^Prais-Winsten Regression with panel corrected standard errors.
Table 6-6

Control of Committee Agenda and Timetable
And Theories of Legislative Organization in Higher Professionalized Chambers vs. Less Professionalized Chambers^

<table>
<thead>
<tr>
<th></th>
<th>Higher Professionalized</th>
<th>Less Professionalized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B (PCSE)</td>
<td>z</td>
</tr>
<tr>
<td>Distributive Theory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Rights Index</td>
<td>-1.05 (.290)</td>
<td>-3.62***</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td>9.51 (2.63)</td>
<td>3.62***</td>
</tr>
<tr>
<td>Informational Theory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Complexity</td>
<td>.014 (.189)</td>
<td>.08</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>-.001 (.003)</td>
<td>-.43</td>
</tr>
<tr>
<td>Partisan Theory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diff. b/w Two Parties</td>
<td>-.010 (.007)</td>
<td>-1.43</td>
</tr>
<tr>
<td>Controls</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>.246 (.166)</td>
<td>1.48</td>
</tr>
<tr>
<td>Post 1973</td>
<td>.290 (.163)</td>
<td>1.79</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>.048 (.321)</td>
<td>.15</td>
</tr>
<tr>
<td>New Speaker</td>
<td>-.169 (.140)</td>
<td>-1.20</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>.069 (.038)</td>
<td>1.82</td>
</tr>
<tr>
<td>Turnover</td>
<td>-.004 (.005)</td>
<td>-.77</td>
</tr>
<tr>
<td>Connecticut</td>
<td>-7.50 (2.53)</td>
<td>-2.96**</td>
</tr>
<tr>
<td>Montana</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Constant</td>
<td>-1.86 (1.36)</td>
<td>-1.37</td>
</tr>
</tbody>
</table>

N           | 91          | 288        |
# of TS Groups | 9           | 22         |
Avg. # obs/Group | 10          | 13         |
Rho          | .625        | .771       |
R-Square     | .423        | .254       |
Chi^2        | 298.63***   | 791.23***  |

*p<.05, **p<.01, ***p<.001
^Prais-Winsten Regression with panel corrected standard errors.
**Table 6-7**  
*Committee Position Protection* And Theories of Legislative Organization in Higher Professionalized Chambers vs. Less Professionalized Chambers

<table>
<thead>
<tr>
<th>Theory</th>
<th>Higher Professionalized</th>
<th>Less Professionalized</th>
<th>z</th>
<th>z</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B (PCSE)</td>
<td>z</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Distributive Theory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Rights Index</td>
<td>-.258 (.105)</td>
<td>-2.45*</td>
<td>-.276 (.084)</td>
<td>-3.30***</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td>4.16 (1.35)</td>
<td>3.07**</td>
<td>-.048 (.036)</td>
<td>-1.33</td>
</tr>
<tr>
<td><strong>Informational Theory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy Complexity</td>
<td>.508 (.100)</td>
<td>5.09***</td>
<td>.059 (.023)</td>
<td>2.56**</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>-.001 (.001)</td>
<td>-.78</td>
<td>.002 (.000)</td>
<td>2.30*</td>
</tr>
<tr>
<td><strong>Partisan Theory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diff. b/w Two Parties</td>
<td>.012 (.004)</td>
<td>2.89**</td>
<td>.001 (.000)</td>
<td>1.62</td>
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<tr>
<td><strong>Controls</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>-.115 (.108)</td>
<td>-1.07</td>
<td>.006 (.027)</td>
<td>.22</td>
</tr>
<tr>
<td>Post 1973</td>
<td>-.255 (.089)</td>
<td>-2.86**</td>
<td>.005 (.031)</td>
<td>.16</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>-.190 (.224)</td>
<td>-.85</td>
<td>-.044 (.046)</td>
<td>-.96</td>
</tr>
<tr>
<td>New Speaker</td>
<td>.223 (.076)</td>
<td>2.93**</td>
<td>-.006 (.021)</td>
<td>-.29</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>-.064 (.018)</td>
<td>-3.62***</td>
<td>-.004 (.007)</td>
<td>-.61</td>
</tr>
<tr>
<td>Turnover</td>
<td>.003 (.003)</td>
<td>.98</td>
<td>.001 (.001)</td>
<td>1.02</td>
</tr>
<tr>
<td>Connecticut</td>
<td>-4.22 (1.30)</td>
<td>-3.24***</td>
<td>-.544 (.072)</td>
<td>-7.53***</td>
</tr>
<tr>
<td>Montana</td>
<td>-</td>
<td>-</td>
<td>-.097 (.335)</td>
<td>-.29</td>
</tr>
<tr>
<td>Constant</td>
<td>-3.85 (.682)</td>
<td>-5.64***</td>
<td>-.348 (.169)</td>
<td>-2.06*</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Higher Professionalized</th>
<th>Less Professionalized</th>
<th>z</th>
<th>z</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>92</td>
<td></td>
<td>288</td>
<td></td>
</tr>
<tr>
<td># of TS Groups</td>
<td>9</td>
<td></td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>Avg. # obs/Group</td>
<td>10</td>
<td></td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Rho</td>
<td>.399</td>
<td></td>
<td>.881</td>
<td></td>
</tr>
<tr>
<td>R-Square</td>
<td>.558</td>
<td></td>
<td>.144</td>
<td></td>
</tr>
<tr>
<td>Chi²</td>
<td>336.75***</td>
<td></td>
<td>1828.60***</td>
<td></td>
</tr>
</tbody>
</table>

*p<.05, **p<.01, ***p<.001

^Prais-Winsten Regression with panel corrected standard errors.
Table 6-8

*Automatic Calendar Order* And Theories of Legislative Organization in Higher Professionalized Chambers vs. Less Professionalized Chambers

<table>
<thead>
<tr>
<th>Distribution Theory</th>
<th>Higher Professionalized</th>
<th>Less Professionalized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Rights Index</td>
<td>-0.192 (.178) -1.08</td>
<td>0.076 (.090) .84</td>
</tr>
<tr>
<td>Codified Jurisdictions</td>
<td><strong>4.41 (1.58)</strong> <strong>2.78</strong></td>
<td><strong>-.203 (.109)</strong> <strong>-1.87</strong></td>
</tr>
<tr>
<td>Informational Theory</td>
<td>Policy Complexity</td>
<td>-.410 (.088) <strong>-4.68</strong>*</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>-.003 (.003) -1.36</td>
<td>.002 (.001) 1.44</td>
</tr>
<tr>
<td>Partisan Theory</td>
<td>Diff. b/w Two Parties</td>
<td>-.005 (.005) -1.05</td>
</tr>
<tr>
<td>Controls</td>
<td>Party Change</td>
<td>.152 (.100) 1.51</td>
</tr>
<tr>
<td>Post 1973</td>
<td>-.032 (.126) -.26</td>
<td>.001 (.079) .12</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>.141 (.142) 1.00</td>
<td>.012 (.089) .13</td>
</tr>
<tr>
<td>New Speaker</td>
<td>-.063 (.082) -.77</td>
<td>-.059 (.040) <strong>-1.46</strong></td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>.007 (.023) .30</td>
<td><strong>.055 (.019)</strong> <strong>2.81</strong></td>
</tr>
<tr>
<td>Turnover</td>
<td>-.007 (.004) -1.82</td>
<td>-.001 (.002) -.71</td>
</tr>
<tr>
<td>Connecticut</td>
<td><strong>-3.02 (1.47)</strong> <strong>-2.05</strong>*</td>
<td><strong>1.15 (.113)</strong> <strong>10.17</strong>*</td>
</tr>
<tr>
<td>Montana</td>
<td>-</td>
<td>.784 (.498) 1.57</td>
</tr>
<tr>
<td>Constant</td>
<td><strong>3.68 (.752)</strong> <strong>4.89</strong>*</td>
<td>.109 (.434) .25</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>N</th>
<th>92</th>
<th>288</th>
</tr>
</thead>
<tbody>
<tr>
<td># of TS Groups</td>
<td>9</td>
<td>22</td>
</tr>
<tr>
<td>Avg. # obs/Group</td>
<td>10</td>
<td>13</td>
</tr>
<tr>
<td>Rho</td>
<td>.710</td>
<td>.808</td>
</tr>
<tr>
<td>R-Square</td>
<td>.308</td>
<td>.076</td>
</tr>
<tr>
<td>Chi²</td>
<td>220.51***</td>
<td>273.84***</td>
</tr>
</tbody>
</table>

*p<.05. **p<.01. ***p<.001

*Prais-Winsten Regression with panel corrected standard errors.*
results across models, the amount of variance explained in models utilizing only the higher professionalized chambers is consistently higher than in the models excluding them.

However, the inferences drawn from these models must be done with caution because the two sub-samples used in the models differ significantly with respect to the distributions of several of the independent and dependent variables. Specifically, in the higher professionalized legislatures the property rights index never achieves a positive value. This means that in the relatively more professionalized state legislatures procedures are never formally adopted that guarantee members rights to service on legislative committees. This runs completely contrary to conventional wisdom that more professional legislatures function similarly to the U.S. Congress where members have many rights with respect to attaining committee memberships. Another unexpected distribution involves codified committee jurisdictions. Very few higher professionalized chambers have codified committee jurisdictions and in fact, the rate of adoption of codified committee jurisdictions is much higher in the lower professionalized legislatures. Once again, this goes against conventional wisdom. One would expect that higher professionalized legislatures would codify committee jurisdictions. Finally, the distribution of one dependent variable is in essence truncated in higher professionalized legislatures. Although the variable takes a value as high as positive two in the full sample, the control of the committee agenda and timetable score ranges only from negative three to zero in more professionalized legislatures. This means that higher professional states never formally adopt procedures that guarantee committee control
over their own "process" and in fact some have adopted procedures that actually limit committee control in this area. These differences in distribution must be taken into account when interpreting the findings.

Despite these distributional differences, the models run on the two subsets of state legislative chambers uncover some interesting results. Statistically, distributive theory performs much better. Recall that both variables accounting for the distributive theory were hypothesized to be positively related to the four dependent variables of interest in this section. Codified committee jurisdictions is statistically significant and positively related in three of the four models assessing only highly professionalized chambers – the control of the committee agenda and timetable score, the committee position protection score and automatic calendar ordering (Table 6-5 – 6-8). It fails to gain statistical significance in any of the models dealing with the non-highly professionalized chambers. However, given the distributions of some of these variables interpreting the results is not so clear-cut. The finding regarding the positive relationship between codified committee jurisdictions and control of the committee agenda and timetable simply indicates that higher professionalized state legislative chambers with more formally codified committee jurisdictions adopt fewer rules that limit the ability of committees to control the legislative process within their committees. It does not indicate that they adopt rules that actually give committees formal control over their own proceedings. This is the case because the distribution of the control of the committee agenda and timetable score never exceeds zero in the higher professionalized states, and thus it is impossible to infer the latter conclusion. The other two relationships indicate that higher professionalized
chambers with codified committee jurisdictions tend to adopt rules of procedure that give committees more power to protect their positions on the floor of the chamber and that utilize automatic calendaring.

The property rights index still largely performs contrary to expectations. In highly professionalized chambers, the property rights index is negatively and significantly related to the control of the committee agenda and timetable and the committee position protection scores. This result indicates that as committee membership property rights in the chamber increases, the power of committees decreases.

Theoretically, this finding is quite perplexing. However given the distribution of the variable (i.e., it either zero or negative) in higher professionalized chambers, this finding is not as surprising because any time a higher professionalized legislature has a zero or positive score on these scores (committee position protection in particular), the chamber is going to have a zero or negative score on property rights. This would lead to the finding of an inverse relationship.

With respect to the informational theory, policy complexity performs quite well in higher professionalized legislatures while chamber size falls flat (i.e., it is not statistically significant in any model). Policy complexity performs as predicted in three of the four models – committee initiation of legislation (positive relationship), committee position protection on the floor (positive relationship) and automatic calendar ordering (negative relationship). In the models performed on medium and low professionalized legislative chambers, the results are similar to the earlier analysis – both policy complexity and chamber size are positive and significantly related to committee position protection on
the floor, but policy complexity fails to be significantly related to automatic calendaring order. These results indicate that like the distributive theory, the informational theory also performs quite well in higher professionalized legislative chambers. However, once again this statistical result should be interpreted with caution. The distribution of policy complexity is very similar in both the higher and less professionalized legislative chambers. That is, the higher professionalized legislatures possess an average policy complexity only slightly greater than the less professionalized chambers.

Finally, how does the partisan theory fare? Not as well as the distributive or the informational theories. The relative difference between the two parties is positively and significantly related to the ability of committee's to protect their positions on the floor of highly professionalized legislatures, but although hypothesized it is not significantly related to either control of the committee agenda and timetable or automatic calendaring order in highly professionalized legislatures. In the models performed on medium and low professionalized chambers, the relative difference between the two parties never achieves statistical significance. Therefore, the partisan theory unlike the distributive and informational theories does not perform better in chambers that look most like the U.S. Congress. In fact, it performs about the same as it did in the earlier analysis (i.e., only being related to committee position protection on the floor).

Overall, the distributive and informational theories perform statistically better when tested only on legislative chambers are more professionalized relative to other state legislative chambers. However with respect the findings concerning the distributive theory, the results must be interpreted with caution. The distribution of the two variables
accounting for the distributive theory as well one dependent variable – control of the committee agenda and timetable possess do not match conventional wisdom for legislative chambers that are more (i.e., higher) professionalized. Therefore, it is inappropriate to draw the conclusion form this analysis that the distributive theory is a better explanation of legislative organization in higher professionalized legislatures. As for the information theory, it does perform better in two of the four models (committee initiation of legislation and automatic calendaring order). However, it is equally good at accounting for committee position protection in both subsets of legislative chambers. Thus, the findings are mixed. Finally, the partisan theory does no better explaining legislative organization in higher professionalized legislative chambers than in less professionalized chambers.

**Conclusion**

Overall, these results are not as clear as expected, but do provide some insight. Overall the theories perform rather poorly as general or universal explanations of state legislative organization. Considering the theories broadly, the distributive theory adds nothing to our knowledge about legislative organization in the states, and at best, the informational and partisan theories receive only nominal support. Most damaging to the argument that these theories are general accounts of legislative organization is the high degree to which the null hypothesis was confirmed in the analyses performed in Tables 6-2 through 6-4.
When separating the legislative chambers into two groups—more professionalized versus less professionalized, the theories perform better statistically. However, the inferences that can be drawn from these results are limited. This is due largely to distributional differences in the property rights, codified committee jurisdictions and control of the committee agenda and timetable variables between the higher and less professional state legislative chambers. For the most part, these differences make it difficult to draw a strong inference that the distributive theory is a better explanation of legislative organization in higher professionalized legislatures.

One of the more interesting findings to emerge from this analysis is the fact that in several cases multiple theories were supported in the same models (e.g., informational and partisan theories in the committee position protection on the floor in the full sample: distributive and informational in the committee position protection on the floor and automatic calendar order in highly professionalized chambers). These findings suggest that the theories may not actually be competitors. Rather, they may be complements to one another. That is, it may be the case that legislators choose to organize their chambers in a manner that allows them to fulfill multiple goals rather than a single goal. This is not a new concept. Fenno (1978) argued that congressmen actually had three specific goals as legislators: 1) getting reelected, 2) making good public policy; and 3) attaining leadership in the chamber. These goals correspond to the three theories of interest here. Achieving reelection is an important component of the distributive theory. The informational theory supports committee specialization and information transmission as mechanisms for making good public policy in an efficient manner. Linking the partisan
theory to the goal of chamber leadership requires a bit more imagination. In legislative settings, the road to chamber leadership begins with loyalty to one's political party. Further, leadership positions are more plentiful when your political party controls the chamber.

Finally to some extent, the state context matters. In particular, states that utilize joint rules consistently behave differently than states that rely primarily on chamber rules to conduct business. In four of the models, there was the possibility of the two joint rule states (Connecticut and Montana) being significant eight times, and significant results were uncovered five times.

However, this chapter presents only a cross-sectional evaluation of the three theories. That is, it really only explores the differences that exist across the various legislative chambers being studied. The next chapter will attempt to test whether or not the theories have any dynamic explanatory power by focusing more on temporal differences in legislative organization. Specifically, the chapter will attempt to address the idea of structural and procedural change. It will highlight under the conditions under which legislatures will change the way they "do business." In particular, it will explore the possibility that the development of legislative structures and rules of procedure may be path dependent. That is, a structure or procedure once adopted may be very difficult to change. For example, statutory or constitutional legislative rules are very difficult to change and once adopted cannot be usefully altered (e.g., once committee jurisdictions are clearly delineated, it may be difficult to alter them as long as the same committee system exists).
Chapter 7
Theories of Legislative Organization and Changes in
State Legislative Committees System Rules of Procedure

Introduction

The previous chapter explored the relationship between the three major theories of congressional organization and the adoption of state legislative committee procedures. Specifically, the analysis in the previous chapter uncovered some moderate correlations between the theories and the existence of particular state legislative procedures as they refer to the operation of committee systems. The previous chapter does not provide a dynamic analysis of the distributive, informational and partisan theories. That is, it does not test whether or not changes in the major independent variables in this study are associated with corresponding changes in the dependent variables of interest.

The goal of this chapter is to provide a dynamic test of these three theories of interest that mirrors the analysis provided in the previous chapter. The chapter is organized as follows. First, specific hypotheses concerning procedural change are delineated and discussed for each theory. Second, a multivariate analysis similar to that conducted in Chapter 6 is presented. This analysis indicates that there are no overwhelming statistical relationships between the three theories and changes in committee related state legislative procedures. This is partially due to the fact that state legislative committee rules of procedure prove to be quite “sticky” and change very infrequently. Because of this a more basic analysis of changes in the major independent variables will be conducted that will focus on looking at changes in the independent and dependent variables in the aggregate and then in each state individually over time. The
purpose of this part of the analysis will be to verify the results of the multivariate analysis.

**Linking Changes in Committee Procedures to Theories of Legislative Organization**

The expectations in this chapter are quite similar to those of the previous chapter. except instead of looking at what rules should exist, I hypothesize when the existing rules should be altered.

Distributive theory asserts that members seek to serve the needs of their districts, and the committee system is the central mechanism for achieving this goal. Thus, when a chamber adopts this perspective, legislative procedures need to be amended in ways that allow committees more power in the legislative process. Informational theory asserts the role the committee system plays in specialization and information transmission drives contentions about legislative rule changes. If this theory is correct, increased pressure for public policy (i.e., demands on the system) will lead to a greater need for specialization and thus an increased role for committees in the legislative process. Rules should be changed in ways that allow committees to gather information easily and provide committees with the tools to make decisions that are upheld by the full chamber. Finally, if the partisan theory is an accurate description of legislative organization then legislative rules of procedure need to be changed in ways that allow the majority party to centralize the legislative process (i.e., weaken committees) when the majority advantage is small and decentralize the process (i.e., strengthen committees) when the majority is strong.
These general propositions can be delineated into specific hypotheses. In this chapter, the dependent variables of interest will be the same as in Chapter 6: 1) Initiation of Legislation Score; 2) Control of Agenda and Timetable Score; 3) Position Protection Score; 4) Calendar Order; 5) Withdrawal Power; and 6) Codified Party Ratios. Table 7-1 summarizes the specific hypotheses to be explored in this chapter. Once again, hypotheses regarding the distributive theory will be discussed first, followed by those for the informational theory and finally those relating to the partisan theory. The hypotheses will be stated using measures that account for changes in the major independent variables, and these measures will be used in a multivariate analysis. The graphical analysis that follows later in the chapter will employ the original measures used in Chapter 6 for all the major independent variables except policy complexity, which will be a measure of the average logged policy complexity over the previous three legislative sessions.

With respect to the distributive theory, it is posited that the change in the property rights index and change in the codification of committee jurisdiction will be positively related to the committee initiation of legislation score, the control of the committee agenda and timetable score, the committee position protection score, and automatic calendaring order. Thus, as a legislative chamber chooses to assign a role to committees that focuses on the needs of individual members (i.e., assisting them in their goal of

---

1 I chose not to use the change measure in the subsequent line graphs because visually they are more difficult to interpret than the original measures, and the state by state timeline graphs visually show changes over time. However, in a pooled, cross-sectional statistical analysis the change measures are needed in order to capture the changes seen visually in the graphs.

2 The measures used in the multivariate analysis in this chapter will be the difference in the property rights index and codified jurisdiction between the previous and current legislative session.
<table>
<thead>
<tr>
<th>Procedure</th>
<th>Distributive Theory</th>
<th>Informational Theory</th>
<th>Partisan Theory</th>
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</thead>
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<td>Property Rights Index</td>
<td>Codification of Jurisdictions</td>
<td>Policy Complexity</td>
</tr>
<tr>
<td>Procedure Scores</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Initiating Legislation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Controlling Agenda and Timetable</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Committee Position Protection on the Floor</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>Single Procedures</td>
<td>+</td>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>Automatic Calendaring Order</td>
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<td></td>
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</tr>
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<td>Bills can be Withdrawn</td>
<td>-</td>
<td>-</td>
<td>+</td>
</tr>
<tr>
<td>Codified Committee Party Ratios</td>
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<td></td>
</tr>
</tbody>
</table>

*Cell entries are the expected direction of the relationship. A blank cell entry means that no relationship is expected. NA means that variable is not applicable.
securing district benefits), the legislative process will become more decentralized and legislative committees will become more powerful. In this case, as the difference in the property rights index between sessions increases, the committee initiation of legislation score, the control of the committee agenda and timetable score, and the committee position protection score should all increase making the committee system procedurally powerful. If the opposite were to occur (i.e., the difference in the property rights index between sessions decreases) then all of these scores should decrease as well. Further, as the chamber places more emphasis on the needs of individual legislators, bills should be placed on the calendar order in the order they are reported from committees.

With regards to the formal power of the floor to withdraw legislation from committee consideration, it is hypothesized that both distributive theory indicators will be negatively related. The logic behind these hypotheses are similar to above. If the goal is to make the legislative process more decentralized and focused on individual member goals, then the members should never change the rules to allow the chamber (i.e., the floor) to take bills from committee consideration. Just as in the previous chapter, there should be no relationship between either distributive theory indicator and codified committee party ratios as the distributive theory is a party-free theory in that the partisan composition of the chamber should have no effect on members ensuring benefits for their districts (i.e., all members have equal ability to secure benefits regardless of party affiliation). Thus, changes in the property rights index or the extent to which committee jurisdictions are codified should have no impact on the adoption of codified party ratios.
As for the informational theory, as the value of both measures (change in average policy complexity and change in chamber size) increase, chambers should change committee procedures in ways that allow them to maximize the gains from specialization. This would include giving committees more power to initiate legislation, control their own agendas and timetables and protect their positions on the floor of the chamber. Specifically, the change in average policy complexity over the three previous sessions\(^3\) will be positively related to the committee initiation of legislation score, the control of the committee agenda and timetable score, the committee position protection score and negatively related to automatic calendaring order. Once again, the logic is similar to that of the previous chapter. As the policy environment becomes more complex (i.e., average policy complexity increases), committees are going to need to become more autonomous in the legislative chamber and thus the initiation, agenda and timetable and position protection scores will be increased and bills will be placed on the calendar in the order reported from committee consideration.

The change in chamber size from session to session\(^4\) will be positively related the control of the committee agenda and timetable score, the committee position protection score, and automatic calendaring order. An increase in the size of the chamber will result in a need to codify and strengthen the committee system and provide certainty as to

---

\(^3\) In this chapter policy complexity is measured as the change in average logged policy complexity over the previous three legislative sessions. Members of a legislative chamber may wait several sessions before altering the rules to ensure that the increase in policy complexity is a lasting trend rather than a session specific anomaly. After reviewing graphs of policy complexity, it was determined that the three previous sessions provided the smoothest trends in policy complexity.

\(^4\) Chamber size in this chapter will be measured as the difference in chamber size between the previous and current legislative sessions.
the scheduling of legislation. By predetermining the order of floor consideration (i.e., numerical order, order of introduction, order reported from committee, etc.) uncertainty over the order of floor consideration is diminished.

With regards to the ability of the floor to withdraw bills from committee consideration both average change in policy complexity and change chamber size are positively related. As the number and complexity of bills facing the chamber increases, it becomes more important than ever that the floor ensure that the Majoritarian Principal (See Chapter 2) remains in effect. Therefore, an increase in policy complexity should result in the adoption of a rule that allows the floor to withdraw bills from committee consideration as it provides the floor with a mechanism to check “unruly” committees. Once again, there should be no relationship between either informational theory indicator and codified committee party ratios as this is also a party-free theory.

The change in the relative difference between the two political parties\(^5\) will be positively related to the control of committee agenda and timetable score, the committee position protection score and automatic calendar ordering. A negative value on this indicator indicates a shrinking of the majority party’s advantage and the larger the value, the smaller the number of majority party members. Thus, as the percentage of majority party members decreases, it is anticipated that the values of the above indicators will also decrease. A decrease in these scores will decrease the power of committees and allow

\(^5\) It is measured as the change in the relative difference between the two parties from the previous to the current legislative session. A negative value indicates a decrease in the majority party’s size and a positive value indicates an increase in the majority party’s size.
majority party leadership to centralize their control over the legislative process further protecting the majority party's advantage.

One again, there is no expected relationship between the change in the relative difference between the two political parties and the ability of the floor to withdraw bills from committee consideration. It is assumed that the majority party leadership has "control" over committee decision-making via the committee chairs (who share party affiliation with the leadership). However, it is expected that the change in the relative difference between the two political parties will be negatively related to the codification of committee party ratios. As the majority party sustains greater losses in its advantage over the minority party, it will become necessary to codify the partisan composition of committees to ensure continued majority party dominance of the committee system.

Once again, the specific hypotheses to be explored in this chapter are summarized in Table 7-1.

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**Statistically Testing the Dynamic Elements of the Three Theories**

The statistical models in this section use the current session's procedure(s) as the dependent variables. They are considered to be a function of the previous session's procedure plus the indicators of the three theories and the control variables used in the
previous chapter\textsuperscript{6}. Once again the models are run using Prais-Winsten regression with panel corrected standard errors\textsuperscript{7}.

The results of the statistical analysis are presented in Tables 7-2 and 7-3. These models focus on the committee initiation of legislation, committee agenda and timetable control, committee position protection and automatic calendar order scores. Statistical models run on codified party ratios and ability to withdraw bills from committee consideration are not included in this chapter. Due to the general lack of change in these procedures over time, most of the independent variables are dropped from the models because they predict the condition of no change perfectly, and thus it is impossible to draw any inferences from them.

Statistically, it appears that none of the three theories are dynamic explanations of state legislative committee procedural change. That is for the most part, most of the models fail to find any statistical relationship between the indicators accounting for the three theories and procedural changes in state legislatures.

The only anticipated finding occurs in the committee initiation of legislation model (Table 7-2). Codified committee jurisdictions are positively and significantly related to the committee initiation of legislation score. This finding suggests that as a legislative chamber formally codifies its committee jurisdictions, committees are given

\textsuperscript{6} Stating the models this way rather than using a change measure as a dependent variable better allows a better estimation of the independent effects of the major independent variables on the dependent variable (i.e., the models are already taken the past value of the dependent variable into account) (Borhnstedt 1969).

\textsuperscript{7} The problem for statistical analysis in this chapter is that change occurs so infrequently. Initially, I intended to perform two event history analyses – one that explored changes that gave committee systems more power and another that explored changes that diminished committee power. Unfortunately, procedural change was so infrequent that when it is parsed out into these two categories, it became impossible to estimate a complete and stable statistical model with any level of confidence.
Table 7-2
Relationship B/W Committee System Initiating Legislation Score And Controlling the Agenda and Timetable Score And Theories of Legislative Organization*

<table>
<thead>
<tr>
<th></th>
<th>Initiating Legislation</th>
<th></th>
<th>Controlling the Agenda and Timetable</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B (PCSE)</td>
<td>z</td>
<td>B (PCSE)</td>
</tr>
<tr>
<td>Distributive Theory</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Δ Property Rights Index</td>
<td>.089 (.073)</td>
<td>1.22</td>
<td>-.558 (.130)</td>
</tr>
<tr>
<td>Δ Codified Jurisdictions</td>
<td>.294 (.103)</td>
<td>2.85**</td>
<td>-.108 (.166)</td>
</tr>
<tr>
<td>Informational Theory</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Δ Policy Complexity</td>
<td>.006 (.014)</td>
<td>.42</td>
<td>.018 (.037)</td>
</tr>
<tr>
<td>Δ Chamber Size</td>
<td>.001 (.001)</td>
<td>1.25</td>
<td>-.001 (.005)</td>
</tr>
<tr>
<td>Partisan Theory</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Δ Difference Between Two Parties</td>
<td>-.001 (.001)</td>
<td>-.91</td>
<td>.0002 (.001)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Controls</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>-.042 (.029)</td>
<td>-1.44</td>
<td>.011 (.078)</td>
</tr>
<tr>
<td>Medium</td>
<td>.051 (.028)</td>
<td>1.81</td>
<td>.016 (.072)</td>
</tr>
<tr>
<td>Professionalization</td>
<td>.073 (.029)</td>
<td>2.56**</td>
<td>.056 (.082)</td>
</tr>
<tr>
<td>Higher</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionalization Post 1973</td>
<td>-.001 (.021)</td>
<td>-.07</td>
<td>.011 (.056)</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>.129 (.051)</td>
<td>2.54**</td>
<td>-.086 (.101)</td>
</tr>
<tr>
<td>New Speaker</td>
<td>.049 (.023)</td>
<td>2.06*</td>
<td>-.024 (.048)</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>.009 (.006)</td>
<td>1.60</td>
<td>.006 (.009)</td>
</tr>
<tr>
<td>Turnover</td>
<td>.001 (.001)</td>
<td>1.49</td>
<td>-.004 (.002)</td>
</tr>
<tr>
<td>Connecticut</td>
<td>.041 (.027)</td>
<td>1.48</td>
<td>.098 (.060)</td>
</tr>
<tr>
<td>Montana</td>
<td>.047 (.050)</td>
<td>.93</td>
<td>-.025 (.274)</td>
</tr>
<tr>
<td>Lagged DV</td>
<td>.966 (.015)</td>
<td>64.94***</td>
<td>.886 (.035)</td>
</tr>
<tr>
<td>Constant</td>
<td>-.129 (.115)</td>
<td>-1.12</td>
<td>-.444 (.320)</td>
</tr>
</tbody>
</table>

N                        | 353                    | 351                      |
# of States               | 24                     | 24                       |
Avg. # obs/State          | 14.7                   | 14.6                     |
Rho                      | .012                   | .190                     |
R-Square                  | .970                   | .833                     |
Chi²                      | 31434.26***            | 4241.89***               |

*p<.05, **p<.01, ***p<.001
^Prais-Winston Regression with panel corrected standard errors.
Table 7-3
Relationship Between Position Protection Score and Calendar Order and Theories of Legislative Organization

<table>
<thead>
<tr>
<th>Distributive Theory</th>
<th>Position Protection</th>
<th>Calendar Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Δ Property Rights Index</td>
<td>- .017 (.036)</td>
<td>.015 (.081)</td>
</tr>
<tr>
<td>Δ Codified Jurisdictions</td>
<td>- .003 (.017)</td>
<td>- .317 (.076)</td>
</tr>
<tr>
<td>Informational Theory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Δ Policy Complexity</td>
<td>.001 (.012)</td>
<td>- .025 (.026)</td>
</tr>
<tr>
<td>Δ Chamber Size</td>
<td>.0004 (.0003)</td>
<td>.0002 (.001)</td>
</tr>
<tr>
<td>Partisan Theory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Δ Difference Between Two Parties</td>
<td>- .0002 (.0003)</td>
<td>.0001 (.001)</td>
</tr>
<tr>
<td>Controls</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Change</td>
<td>.037 (.020)</td>
<td>- .006 (.051)</td>
</tr>
<tr>
<td>Medium</td>
<td>.001 (.024)</td>
<td>.023 (.045)</td>
</tr>
<tr>
<td>Professionalization</td>
<td>.008 (.027)</td>
<td>.005 (.052)</td>
</tr>
<tr>
<td>High Professionalization</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post 1973</td>
<td>.025 (.020)</td>
<td>- .047 (.048)</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>- .035 (.031)</td>
<td>- .040 (.068)</td>
</tr>
<tr>
<td>New Speaker</td>
<td>- .006 (.013)</td>
<td>- .041 (.031)</td>
</tr>
<tr>
<td>Tenure Prev. Speaker</td>
<td>- .0006 (.003)</td>
<td>.012 (.009)</td>
</tr>
<tr>
<td>Turnover</td>
<td>.0008 (.001)</td>
<td>-.001 (.002)</td>
</tr>
<tr>
<td>Connecticut</td>
<td>- .034 (.020)</td>
<td>.162 (.053)</td>
</tr>
<tr>
<td>Montana</td>
<td>.025 (.137)</td>
<td>.005 (.186)</td>
</tr>
<tr>
<td>Lagged DV</td>
<td>.941 (.031)</td>
<td>.896 (.029)</td>
</tr>
<tr>
<td>Constant</td>
<td>- .023 (.104)</td>
<td>.226 (.211)</td>
</tr>
</tbody>
</table>

| N                         | 353             | 353             |
| # of States               | 24              | 24              |
| Avg. # obs/State          | 14.7            | 14.7            |
| rho                       | .513            | .258            |
| R-Square                  | .863            | .836            |
| Chi²                      | 1553.85***      | 4938.31***      |

*p<.05, **p<.01, ***p<.001

Prais-Winsten Regression with panel corrected standard errors.
more power over the drafting and changing of legislation. This finding was predicted by the hypotheses discussed earlier. In two other models, the distributive theory indicators are statistically significant, but the effect is opposite to hypothesized. The property rights index is negatively related to the committee agenda and timetable control score, when theoretically it should be positively related. The results indicate that as the change in property rights grows larger, committees are given less power over their own agendas and timetables. Finally, codified committee jurisdiction is negatively related to the automatic calendaring order score when expectations suggest the opposite. This finding suggests that as committee jurisdictions become more codified, the speaker of the house or some other force like a Rules committee will determine the order in which legislation is considered on the floor of the chamber.

The informational and partisan theory indicators fail to reach statistical significance in any of the models, and the control variables are statistically significant in only the committee initiation of legislation and automatic calendaring models. In the initiation of legislation model, higher professionalization is positive and significant. This indicates that relative to low professionalized chambers, committees in more professionalized chambers have more power to initiate legislation. The first legislative session after reapportionment and the election of a new speaker are positively related to committee initiation of legislation as well. Finally, the dummy variable for Connecticut is positively related to automatic calendaring order.

These results should be interpreted with caution, however, since change in state legislative committee procedures is actually quite rare (i.e., the dependent variables are
extremely stable). Specifically, with regards to the procedures of importance in this chapter, the rate of change never exceeds 4.68 percent (23 changes in 492 sessions for the control of the committee agenda and timetable score). The committee initiation of legislation score has the next highest rate of change at 4.47 percent (22 cases of change), followed by changes in codified committee party ratios (2.64 percent or 13 changes). Automatic calendar order is next highest with 15 changes (3 percent). The ability of the floor to withdraw bills from committee consideration is next with six changes (1.21 percent). The committee position protection score has the lowest rate of change – 1.01 percent or only five changes in the 492 sessions coded.

This high rate of stability in state legislative committee procedures poses quite a challenge to this research. In a fully specified statistical model this high degree of stability may actually mask significant relationships between changes in the variables accounting for the three theories and changes in committee related state legislative procedures. Rather, than rely solely on this statistical analysis, the next part of this chapter will take an aggregate look at changes in the major independent variables and their ability to accurately account for changes in state legislative committee procedure. This aggregated analysis will be followed by an analysis that disaggregates changes in the independent variables and corresponding procedural changes over time to the state legislative chamber level. Specifically, a series of line graphs will be explored that identify substantial changes in the major indicators (i.e., property rights index, codified jurisdictions, average policy complexity, chamber size and the relative difference
between the two major political parties), and look to see if there are corresponding changes in the procedures of interest.

**Aggregating Changes in the Independent and Dependent Variables**

In the aggregate, neither the distributive, informational or partisan theory can still provide an accurate explanation for changes in state legislative committee procedures. Tables 7-4 through 7-6 display cross tabulations of the aggregation of changes in the major independent variables (i.e., property rights index, codified committee jurisdictions, average logged policy complexity, chamber size and the relative difference between the two political parties) and their aggregate ability to accurately predict changes in the dependent variables of interest (i.e., committee initiation of legislation score, control of the committee agenda and timetable score, committee position protection on the floor score, withdrawal of bills from committee consideration and the codification of committee party ratios).

The process of aggregation is as follows. For example, for the property rights index, there is the possibility of 468\(^8\) correct outcomes for each procedure of interest. Specifically, for each case in the dataset there are four outcomes associated with each dependent variable:

1) Property rights **does not** change and there is **no** procedural change:

2) Property rights **changes** and there is a procedural change in the **expected direction**;

\(^8\) In order to calculate change, the first observation in each state is lost for all variables except average logged policy complexity. For average logged policy complexity, the first four observations are lost because it is the change in the average over the three previous legislative sessions. Therefore the total number of possible outcomes is actually less than the size of the full dataset.
Table 7-4
Cross Tabulation of any Independent Variable Change and Correct Procedural Change

<table>
<thead>
<tr>
<th>Predicted DV** Correctly</th>
<th>Change Occurring in Independent Variable*</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No Change</td>
<td>Change</td>
<td></td>
</tr>
<tr>
<td>Wrong</td>
<td>251</td>
<td>1489</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.9%</td>
<td>97.5%</td>
<td></td>
</tr>
<tr>
<td>Correct</td>
<td>8503</td>
<td>36</td>
<td></td>
</tr>
<tr>
<td></td>
<td>97.1%</td>
<td>2.5%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8754</td>
<td>1525</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

$X^2 = 8295.30^{***}$

* Refers to any change in Property Rights Index, Codified Jurisdictions, Average Logged Policy Complexity, Chamber Size or Relative Difference between Two Parties
** Refers to a change in any of the 6 Dependent Variables (Committee Initiation of Legislation, Control of Committee Agenda and Timetable, Committee Position Protection, Withdrawal of Legislation, and Committee Party Ratios.
***p<.001.
Table 7-5
Cross Tabulation of ANY Independent Variable Change and Correct Procedural Change in Cases where there is Change in only **ONE** of the IVs

<table>
<thead>
<tr>
<th>Predicted DV Correctly</th>
<th>Any Independent Variable Change</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No Change</td>
<td>Change</td>
<td></td>
</tr>
<tr>
<td>Wrong</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>122</td>
<td>894</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.2%</td>
<td>98.5%</td>
<td></td>
</tr>
<tr>
<td>Correct</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3675</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>96.8%</td>
<td>1.5%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3797</td>
<td>908</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

\[ X^2 = 3926.17^{***} \]

* Refers to any change in Property Rights Index, Codified Jurisdictions, Average Logged Policy Complexity, Chamber Size or Relative Difference between Two Parties

** Refers to a change in any of the 6 Dependent Variables (Committee Initiation of Legislation, Control of Committee Agenda and Timetable, Committee Position Protection, Withdrawal of Legislation, and Committee Party Ratios.

***p<.001.
## Table 7-6
Cross Tabulation of ANY Independent Variable Change and Correct Procedural Change in Cases where there is Change in *Multiple* IVs

<table>
<thead>
<tr>
<th>Predicted DV Correctly</th>
<th>Any Independent Variable Change</th>
<th>No Change</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wrong</td>
<td></td>
<td>43 (4.9%)</td>
<td>596 (96.6%)</td>
</tr>
<tr>
<td>Correct</td>
<td></td>
<td>843 (95.1%)</td>
<td>21 (3.4%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>886 (100%)</strong></td>
<td><strong>617 (100%)</strong></td>
</tr>
</tbody>
</table>

\[X^2 = 1252.60^{***}\]

* Refers to any change in Property Rights Index, Codified Jurisdictions, Average Logged Policy Complexity, Chamber Size or Relative Difference between Two Parties

** Refers to a change in any of the 6 Dependent Variables (Committee Initiation of Legislation, Control of Committee Agenda and Timetable, Committee Position Protection, Withdrawal of Legislation, and Committee Party Ratios.

***p<.001.
3) Property rights changes and there is a procedural change in the wrong direction; and

4) Property rights does not change and there is a procedural change.

Aggregate this potential number of options for the five dependent variables and the property rights index has the potential to be correct 2,340 times. Aggregating the other independent variables similarly means that codified committee jurisdictions has the potential for predicting 2,340 outcomes, average logged policy complexity has the potential to correctly predicting 1,855 outcomes, and chamber size and the relative difference between two parties can potentially predict 1,872 outcomes. This is a total of 10,279 outcomes.

Table 7-4 displays these results aggregated for the full dataset. This table confirms what the previous multivariate analysis in this chapter indicated. Changes in the variables accounting for the distributive, informational and partisan theories are incredibly poor predictors of changes in state legislative committee procedures. In fact, all together changes in the three theories only accurately account for 2.5 percent (or 36 cases) of changes in state legislative committee procedure. The only bright spot in this cross tabulation is the high extent (97% of the time) to which no changes in the independent variables are associated with no changes in the dependent variables (lower left cell of Table 7-4). Remember the rows are accounting for whether or not the outcome in each case aligns with the hypotheses presented early. It is not measuring whether or not there was change or no change in the dependent variables. However, this
does not overcome the low rate at which changes in the independent variables do not align with the appropriate changes in procedures.

Is it possible that changes in the independent variables are interacting with one another causing this inability to accurately predict? That is, is it the case that two or more of the independent variables are moving in opposite directions and confounding the ability of one or either variable to account for changes in procedure. Not really. Tables 7-5 and 7-6 split the sample into two groups – 1) cases in which only one of the major independent variables changed and 2) cases where multiple independent variables changed. The results of these tables are quite similar to Table 7-4 (aggregation of the full dataset). The aggregated changes in the independent variables are still not very successful at accounting for correct changes in state legislative committee procedures whether only one independent variable (1.5 percent) is changing or multiple independent variables (3.4 percent) are changing. Therefore, it is unlikely that any interactions in changes between the independent variables are masking their ability to accurately account for procedural changes. This analysis like the multivariate statistical models also indicates that neither the distributive, informational or partisan theory are very good predictors of state legislative committee procedures.

**Graphical Presentation of Changes in the Indicators of the Three Theories of Legislative Organization and Subsequent Changes in State Legislative Committee Procedures**

Given the results of the multivariate models and the previous aggregated cross tabulations, it may be useful to disaggregate the data and attempt to assess the dynamic
relationship between the three theories and state legislative procedural change by graphing the changes in the major independent variables over time in each state and determining whether or not a corresponding and hypothesized change in procedure occurred as well. Figures 7-1 through 7-4 display these graphs. States in which the value of the independent variables (most often happened with the property rights index, codified jurisdictions and chamber size) did not vary substantially are omitted.

Before discussing the specific results, it is important to discuss the decision rules that were used to determine whether or not a “significant” change occurred in the independent variables. For the property rights index, codified committee jurisdictions, and average logged policy complexity, a significant change is considered any change that is approximately equal to or greater than 10 percent of the variable’s range. For chamber size, a significant change is any change in membership that is equal to or exceeds five members. Finally for the relative difference between the two parties, a significant change is any fluctuation that brings the difference between the two parties to approximately 20 percent or less as well as any fluctuations of 2.5 percent or more below and within a difference of 20 percent.

Also, for all variables except the relative difference between the two parties, changes in procedure were looked for in the session in which the change in the independent variable took place as well as two sessions beyond (i.e., in case it took legislators one to two sessions to react). For the relative difference between the two parties, changes in procedure were only looked for in the session in which the change took place. This is the case because the members of the chamber know the partisan
breakdown of the chamber as the enter, and for example, it is illogical to think that when
the majority party controls 52 percent of the seats (i.e., the minority controls 48 percent).
they are going to wait until next session to suppress the minority since there is a chance
that by the next session they could be the minority.

Once again, the three theories – distributive, informational and partisan – perform
poorly. Table 7-7 summarizes the information about the changes in the major
independent variables graphed over time in Figures 7-1 through 7-4. By and large, most
changes in the independent variables do not result in any corresponding change in any of
the procedures of interest in this chapter. In fact, for all of the independent variables the
percentage of changes not resulting in a corresponding procedural change exceeds 80
percent. Further, in the few instances where a corresponding procedural change does
occur, the theories appear to account for as many or more incorrectly as they do correctly
(See Table 7-7). The following discussion looks more specifically at the performance of
the three theories as dynamic explanations of legislative organization by looking at
changes over time in the variables accounting for each theory.

[Table 7-7 about here]

Changes in distributive theory indicators by state over time

Figure 7-1 displays line graphs by state of the raw value of the distributive theory
indicators: the property rights index and codified committee jurisdictions. In eight states
(FL, IN, IA, KY, NC, OH, PA and VT) there were ten changes in the property rights
index between 1955 and 1995. Recall that the property rights index is hypothesized to be
related to five of the six dependent variables of interest in this chapter. Potentially 50
Table 7-7

Summary of Changes in the Major Independent Variables and Corresponding Procedural Changes

<table>
<thead>
<tr>
<th></th>
<th># Changes (# possible rule changes)</th>
<th>% (#) Correctly* Predicted</th>
<th>% (#) No Procedural Change Occurred</th>
<th>%(#) Incorrectly * Predicted</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Distributive</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property Rights Index</td>
<td>10 (50**)</td>
<td>6 %</td>
<td>84 %</td>
<td>10 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3)</td>
<td>(42)</td>
<td>(5)</td>
</tr>
<tr>
<td>Codified Committee Jurisdictions</td>
<td>6 (30)</td>
<td>3 %</td>
<td>90 %</td>
<td>7 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1)</td>
<td>(27)</td>
<td>(2)</td>
</tr>
<tr>
<td><strong>Informational/Organizational</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Logged Policy Complexity</td>
<td>97 (485)</td>
<td>2 %</td>
<td>97 %</td>
<td>1 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(10)</td>
<td>(468)</td>
<td>(7)</td>
</tr>
<tr>
<td>Chamber Size</td>
<td>27 (108)</td>
<td>3 %</td>
<td>96 %</td>
<td>1 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3)</td>
<td>(104)</td>
<td>(1)</td>
</tr>
<tr>
<td><strong>Partisan</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relative Difference b/w Two Parties</td>
<td>213 (852)</td>
<td>2 %</td>
<td>95 %</td>
<td>3 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(19)</td>
<td>(811)</td>
<td>(22)</td>
</tr>
</tbody>
</table>

*Based upon possible procedural (rule) change.
**The total number of possible rules changes equals the number of changes in the independent variable multiplied by the number of dependent variables it is hypothesized to be related to (i.e., 10 changes * 5 hypotheses with dependent variables)
rule changes may be associated with these ten changes in the property rights index (10 changes * 5 dependent variables).

Throughout the time period in these eight states, only eight changes in state legislative committee procedure occur with or directly after a change in the property rights index. Three of these changes occurred in the direction that the theory would anticipate and five did not. The expected changes occurred in Iowa (between 1975 and 1977) when the ability of committee to initiate legislation was decreased and withdrawing bills from committee consideration was made easier following a decrease in the property rights index, and in North Carolina in 1977 when the committee initiation of legislation score was decreased.

The first two contradictory changes are found in Florida when committees were given more power to initiate legislation and withdrawing bills from committee consideration was made more difficult despite a decrease in the property rights index between the 1961 and 1963 sessions. The other contradictory changes can be found in Iowa when the control of the committee agenda and timetable score was increased (between 1975 and 1977) despite a decrease in the property rights index, in North Carolina when withdrawing bills from committee consideration was made harder in 1977. and in Vermont when the control of the agenda and timetable score was increased (1985) despite a decrease in the property rights index.

To summarize, out of the eight procedural changes, three (Initiation Scores in Iowa and North Carolina) conform to expectations and five do not (Florida, Agenda and
Figure 7-1

Line Graphs of Distributive Theory Variables by State with Corresponding Procedural Changes Noted

Connecticut

Year

Florida

Year

In 1963, initiation score was increased and withdrawing bills from committees was made harder.
Figure 7-1, cont'd

Indiana

Year


Property Rights Index

0

-0.2

-0.4

-0.6

-0.8

-1

-1.2

No change in any of the DVs of interest.

Iowa

Year


Property Rights Index

0

0.1

0.2

0.3

0.4

0.5

0.6

No change in any DVs of interest.

In 1977, the Issuance Score declined and Timetable and Agenda Control Score increased. Withdrawing bills from committees was also made easier.
Figure 7-1, cont'd

Kentucky

No change in any of the DVs of interest.

North Carolina

In 1977, imitation score was decreased, and withdrawing bills from committees was made harder.
Figure 7-1, cont'd

Ohio

Year


Property Rights Index

No change in any DVs of interest.

Pennsylvania

Year


Property Rights Index

No change in any DVs of interest.
Figure 7-1, cont’d

Rhode Island

No change in any of the DVs of interest

Vermont

In 1985, Timetable and Agenda Control score increased.
Figure 7-1, cont'd

Washington

In 1993, Initiation Score decreased, and Calendar Order score was increased.

West Virginia

In 1967, Timetable and Agenda Control score decreased.
Timetable Score in Iowa, North Carolina and Vermont). In all, this is a support rate of 6 percent, a non-support rate of 10 percent and a non-finding rate of 84 percent.

The results are not much better for codified jurisdictions. Referring still to Figure 7-1, there were six changes in codified jurisdictions and three changes in committee procedures that result with or just after these changes in codified jurisdictions. The only anticipated change occurs in Washington in 1993, when committee jurisdictions were no longer codified, and the committee initiation of legislation score was decreased. The contradictory changes were in Washington in 1993 when automatic calendaring order was adopted as committee jurisdiction became uncodified and in West Virginia when the control over the committee agenda and timetable score was decreased even though committee jurisdictions became fully rather than partially codified in 1967.

Thus, only three out of 30 possible procedural changes actually occurred. Only one of these changes agreed with expectations (initiation score in Washington in 1993) and two did not (Washington 1993 and West Virginia 1967). Overall, in 90 percent of the changes in codified committee jurisdictions there was no corresponding change in committee system procedure.
Change in informational/organizational theory indicators over time

Figure 7-2 displays state by state line graphs of average policy complexity over the three previous legislative sessions. In the 24 states in this study, there were 97 significant changes in average policy complexity between 1961 and 1995. This translates into 485 possible corresponding changes in the rules of procedure (i.e., 97 changes * 5 dependent variables). Ten changes (2 percent) of the chamber rules that corresponded with changes in average policy complexity were in agreement with the hypotheses discussed earlier, and another seven alterations were not predicted by the above hypotheses.

For example, in Michigan there was a significant increase in average policy complexity in 1971. As a result, the committee control of the agenda and timetable (1971) score was increased. There is a similar situation in Minnesota. In both the 1975 and 1977 sessions there were significant increases in average policy complexity, and the control of the committee agenda and timetable score was increased in both sessions. Finally, in Washington there was a relatively steep increase in average policy complexity between 1963 and 1967. During this period the committee control of its agenda and timetable score was increased twice, in 1965 and 1967. Other changes that behave as hypothesized are:

- **Increases in committee initiation of legislation score**: IA ('83);
- **Increases in control of committee agenda and timetable score**: IA ('77); WY ('69);
- **Taking away automatic calendar order**: SD ('73);
Figure 7.2

Line Graphs of Average Policy Complexity Variables by State
with Corresponding Procedural Changes Noted

Arizona

In 1982 Initiation score was decreased.

Connecticut

No change in any DV of interest.
Figure 7-2, cont'd

Florida

No change in any DVs of interest.

Illinois

In 1967, Timetable and Agenda Control score was decreased.

In 1983, Protection score was decreased.
Figure 7-2, cont’d

**Indiana**

No change in any DVs of interest.

**Iowa**

In 1977, Initiation score was decreased and the Timetable and Agenda Control score was increased. Withdrawing bills from committees was made easier.

In 1983, Initiation and Calendar Order scores were increased.
Figure 7-2, cont'd

Kansas

[Graph showing trend in Avg. Lagged Policy Completeness over years, noting no change in any DVs of interest.]

Kentucky

[Graph showing trend in Avg. Lagged Policy Completeness over years, noting no change in any DVs of interest.]
Figure 7-2, cont'd

Michigan

In 1971, Timetable and Agenda Control score was increased.

Minnesota

In 1975, Calendar Order score was increased.
In 1975 and 1977, Timetable and Agenda Control score was increased.
Figure 7-2, cont'd

North Carolina

No change in any DVs of interest.

Ohio

No change in any DVs of interest.
Figure 7-2, cont'd

Pennsylvania

[Graph showing avg. logged policy complexity over years with notes on no changes in any DVs of interest.]

Rhode Island

[Graph showing avg. logged policy complexity over years with notes on no changes in any DVs of interest.]
Figure 7-2, cont'd

South Carolina

No change in any DV's of interest.

South Dakota

In 1973, Calendar Order score was decreased.
Figure 7-2, cont’d

Virginia

No change in any DVs of interest.

Vermont

No change in any DVs of interest.
Figure 7-2, cont’d

Washington

In 1965 and 1967, Timetable and Agenda Control score was increased.

West Virginia

No change in any DVs of interest.
Figure 7-2, cont’d

Wyoming

In 1969, Timetable and Agenda Control score was increased.

In 1971, Calendar Order score was decreased.
• **Making it easier to withdraw bills from committee**: IA ('77).

However, some procedural changes were made in directions contrary to the hypothesized relationships. For example, in Arizona between 1981 and 1987, there was a dramatic increase in average policy complexity. However in 1983, the committee initiation of legislation score was decreased when theoretically it should have been increased. There was a similar situation in Illinois. Average policy complexity increased significantly in 1983, but the committee position protection score was decreased. Other examples where a procedural change that is contrary to the hypotheses occurred are:

• **Decreases in committee initiation of legislation score**: IA ('77);
• **Decreases in control of committee agenda and timetable score**: IL ('67);
• **Adoption of automatic calendar order**: IA ('83); MN ('75);
• **Taking away automatic calendar order**: WY ('71).

The other indicator of the informational theory is chamber size. Changes in chamber size occurred relatively infrequently at the state legislative level. Most notably, many states adjusted their size after the one-man, one-vote reapportionment ruling in 1964. Twenty-seven changes in chamber size occurred in the 24 states in this study between 1955 and 1995. Out of a possible 108 procedural changes (27 changes * 4 dependent variables), only four procedural changes occurred with or near a change in chamber size (See Figure 7-3). Three of these changes were in hypothesized directions and one was not.
The first anticipated change occurs in Illinois between in 1983 when chamber size declined from 180 to 120 members, and the chamber altered its rules in a manner that caused a corresponding decrease in the committee position protection score. The second and third expected changes occurred when the South Dakota house reduced its size from 75 to 70 members in 1973 and the control of the committee agenda and timetable score was decreased and automatic calendaring order was no longer used.

There was only one procedural changes that ran contradictory to expectations. In 1963 in Florida, withdrawing bills from committee consideration was made harder despite an increase in the number of members serving in the chamber. In all, 94 percent of the total number of procedural changes possible associated with changes in chamber size did not occur.

Change in partisan theory indicators over time

The most changes occurred in the 24 states in this study in the relative difference between the two major political parties in the chamber. Between 1955 and 1996, there were substantial changes in the relative difference between the two political parties 213 times. This translates into 852 potential procedural changes (213 changes * 4 dependent variables) (See Figure 7-4).

Out of the 852 possible changes, there were 19 procedural changes that conformed to expectations and 22 performed contrary to expectations. For example, committee party ratios were codified in 1985 in California as the relative difference between the two parties dropped to about 10 percent or a 55 to 45 percent split. In
Figure 7-3
Line Graphs of Chamber Size by State
with Corresponding Procedural Changes Noted

Arizona

Connecticut
Florida

In 1963, withdrawing bills was made harder.

Iowa

No change in any DV's of interest.
Figure 7-3, cont'd

Illinois

[Graph showing trend over years with notable changes in 1983, text referring to a decrease in protection score.]

Indiana

[Graph showing trend over years with a notable drop in 1983 and text noting no change in any DV of interest.]
Figure 7-3, cont'd

Montana

No change in any DVs of interest.

Ohio

No change in any DVs of interest.
Figure 7-3, cont'd

Pennsylvania

No change in any DVs of interest.

South Dakota

In 1973, Calendar Order was decreased.

In 1977, Agenda and Timetable Control score was decreased.
Figure 7-3, cont’d

Vermont

No change in any DVs of interest.

Virginia

No change in any DVs of interest.
Figure 7-3, cont'd

Wyoming

No change in any DVs of interest.
Figure 7-4

Line Graphs of Relative Difference Between Two Major Parties by State with Corresponding Procedural Changes Noted

Arizona

California

In 1965, Calendar Order score is increased.

Party Ratios are adopted in 1985.
Figure 7-4, cont'd

Connecticut

No changes in DVs of interest.

Delaware

In 1981, both the Timetable and Agenda Control score and limitation score were decreased. Calendar Order score is also decreased.
Figure 7-4, cont’d

Florida

In 1989 and 1991, Timetable and Agenda Control score was increased.

Illinois

In 1985, Calendar Order score was decreased and Timetable and Agenda Control score is increased. Party Ratios are uncodified.

In 1967, Agenda and Timetable score was decreased.

In 1973, Position Protection score is decreased.

In 1975, Position Protection score is increased.
Figure 7-4, cont’d

Indiana

In 1979, the Calendar Order score is increased. It is decreased in 1981.

In 1983, Position Protection score and Timetable and Agenda Control score are increased.

Iowa

In 1977, Timetable and Agenda Control score increased.

In 1983, Calendar Order score was increased.
Figure 7-4, cont’d

Kansas

In 1981, Timetable and Agenda Control and Calendar Order scores were decreased. It was increased in 1983.

Kentucky

No change in any DVs of interest.
Figure 7-4, cont'd

Michigan

Party Limits are codified in 1993. They are not codified in 1995.

Minnesota

In 1975, Timetable and Agenda Control score was increased.

In 1975, Calendar Order score was increased.
Figure 7-4, cont’d

Montana

In 1965, Timetable and Agenda Control score is decreased.

North Carolina

Figure 7-4, cont'd

Ohio

In 1995, Party Ratios are codified.

Pennsylvania

Party Ratios are codified in 1969.

In 1977, Calendar Order score was decreased.
Figure 7-4, cont'd

South Dakota

In 1973, Calendar Order score was decreased.

In 1977, Timetable and Agenda Control score is decreased.

Virginia

In 1993, Calendar Order score was decreased.
Figure 7-4, cont'd

Vermont

In 1985, Timetable and Agenda Control score was increased.

Washington

Party Rules are codified in 1965 and Timetable and Agenda control score is increased.
Timetable and Agenda control score is increased again in 1967.
Timetable and Agenda control score is increased in 1987.
Party Rules are uncodified in 1981 and recodified in 1983.
In 1993, Calendar Order score was increased.
Figure 7-4, cont'd

West Virginia

No change in any DVs of interest.

Wyoming

In 1969, Timetable and Agenda control score is increased.
Montana, the committee agenda and timetable control score was decreased in 1965 as the difference between the two parties hovered at about 20 percent. Finally in South Dakota, automatic calendaring order was taken away in 1973 as the relative difference between the two parties dropped to zero (an even split between the parties). Other examples of procedural changes occurring that conform to partisan theory expectations are:

- **Increase in control of committee agenda and timetable score**: MN ('75); WA ('65 and '87); WY ('69)

- **Decrease in control of committee agenda and timetable score**: IL ('61 and '67);

- **Increase in committee position protection**: IL ('75)

- **Adoption of automatic calendar order**: IN ('79); IA ('83); MN ('75); WA ('93)

- **Taking away automatic calendar order**: IL ('95); VA ('93)

- **Codification of committee party ratios**: MI ('93); NC ('89)

- **Uncodification of committee party ratios**: WA ('81).

However, another 22 instances of procedural change did not conform to the expectations of the partisan theory. For example in Florida, the committee agenda and timetable control score was increased in both 1989 and 1991 despite a continuous decline in the relative difference between the two major political parties in the chamber. In Rhode Island, committee party ratios were codified despite the fact that the relative difference between the Democratic and Republican parties in the chamber was about 80 (i.e., ~90 percent in the majority). Rhode Island failed to codify party ratios earlier when
the partisan make-up of the chamber was much closer (i.e., 1955-1957). Finally, in Washington, despite a ten percent decrease in the relative difference between the two parties, the chamber still chose to adopt procedures that increased the committee agenda and timetable control score in 1967. Other instances in which procedural changes did not conform to theoretical expectations include:

- **Increases in control of committee agenda and timetable score**: IN ('83); VT ('85);

- **Decreases in control of committee agenda and timetable score**: DE ('81); IL ('67); KS ('81); SD ('77); WY ('69);

- **Increase in committee position protection score**: IL ('75 and '95); IN ('83);

- **Decrease in committee position protection score**: IL ('83);

- **Taking away automatic calendar order**: DE ('81); IN ('81); KS ('81); PA ('77);

- **Codification of committee party ratios**: RI ('91);

- **Un-codification of committee party ratios**: IL ('95); MI ('95d).

**Summation of disaggregated graphical analysis**

The analysis of the line graphs confirms yet again the discovery of the multivariate models and the cross tabulations – that none of the three theories provide dynamic explanations of legislative organization. For the most part, changes in the indicators assigned to each theory fail to lead to substantial procedural changes with regards to the operation of legislative committees. In fact, 84 percent of the possible procedural changes associated with changes in the property rights index do not occur, 90
percent of those associated with changes in codified jurisdictions do not occur, 97 percent of the procedural changes that could be associated with the changes in average policy complexity do not occur, and 96 percent of those associated with chamber size never occur. Finally, 95 percent of the changes associated with shifts in the relative difference between the two major political parties in the chamber never happen (See Table 7-7). With respect to the changes that do occur, there appear to be just as many or more cases where procedural changes are in the opposite direction as hypothesized as those that are in the hypothesized direction (e.g., graphs for property rights index, average policy complexity and relative difference between the two major political parties).

Conclusion

The results of this chapter are not very satisfying. Three separate analyses lead to the conclusion that neither the distributive, informational or partisan theories can help explain changes in committee related state legislative procedures. With the exception of the committee initiation of legislation model (which found some support for the distributive theory), the other multivariate models failed to garner any statistically significant results leading one to infer that none of these theories are adequate explanations of procedural change. Further, two models (Party Ratios and Withdrawal) had to be dropped because it was determined that their estimations were extremely un-interpretable due lack of changes in either of these procedures.

Second, the aggregated cross tabulations confirmed the lack of relationship between the three theories and changes in state legislative committee procedures. Across
the board there was very low agreement between changes in the major independent variables and anticipated changes in state legislative procedures. However, the cross tabulations did show that for the most part procedural changes did not occur when there were no substantial changes in the major independent variables.

Finally, the line graphs provided even further evidence that the three theories are not very useful explanations of procedural change. In fact they found that the theories are unsupported as much as they are supported. In fact for most of the major indicators of the three theories, there were as many or more opposite to hypothesized changes as there were hypothesized changes. The biggest problem was that many of the changes in the independent variables had no corresponding procedural change associated. Thus, the indicators of the three theories were changing, but legislative procedures were not. This was one of the most interesting findings in the analysis. The rate was much higher than conventional wisdom would expect. Does this finding provide proof that although similar, state legislatures simply do not function like the U.S. Congress? In the future, it would be very interesting to further explore the potential reasons for this finding.

Another interesting discovery of this chapter was the extent to which state legislative committee procedures proved to be quite stable within states over time. This lack of change in legislative procedures was unexpected but not all that surprising given past research. Riker (1980) argues that institutions are far less likely to be altered due to majority rule cycles because the transaction costs associated with altering institutions are too great. Thus, in the case of state legislatures, members would be less likely to change
structures such as committees or individual procedures (i.e., rules) because the time used to make the changes and learn the new procedures is to costly a price.

The neo-institutional literature advances another argument for the stability of institutions over time. March and Olsen (1989) argue that

Institutions preserve themselves, partly by being resistant to many forms of change, partly by developing their own criteria of appropriateness and success, resource distributions, and constitutional rules. Routines are sustained by being embedded in a structure of routines, by socialization, and by the way they organize attention (55).

Thus, neo-institutionalists argue that institutions are less susceptible to change because they are in effect formalizations or codifications of “routines of behavior” that individuals have become comfortable working within. Thus, in the case of state legislatures, members do not frequently change the structures and procedures because they represent a legislative processes that they know and are comfortable legislating within. This stability in state legislative committee procedures is another area that deserves research attention in the future.

In sum, combining the findings of the statistical analysis, cross tabulations and line graphs forces the conclusion that the theories are not dynamic explanations of changes in procedures that relate to the functioning of state legislative committees. Is this really surprising given that these theories were generally developed by observing congress at a snapshot in time, and have never been truly temporally tested? The only theory that even attempts to have a dynamic component is the aspect of the partisan theory (Binder 1997; Dion 1997) that seeks to predict when minority rights will be expanded and contracted. However, this “arm” of partisan theory research was
developed separately from the arm that theorizes about the majority party’s use of the committee system (Cox and McCubbins 1993) and focuses primarily on minority rights concerning procedures on the floor of chamber (i.e., debate rights, proportion required for cloture, floor amending, etc.). Binder (1997) and Dion’s (1997) work focuses on congressional development prior to the-20th century and Cox and McCubbins’s (1993) work focuses on Congress in the early 1990s. This may be a reason why the partisan theory is not translating as well to state legislative committee procedures.

However, the results of the previous chapter (when compared to the results of this chapter) indicate that the theories may be better explanations of cross-sectional variance between state legislatures rather than temporal variance within a state legislature. Recall, that it was concluded that the informational and partisan theories had moderate support. Given, the distribution of logged policy complexity, chamber size and the relative difference between the two parties (i.e., while they vary quite a bit within states, the largest variances within these variables are across states) and the lack of procedural change, is it possible that at the state legislative level these are not dynamic theories of procedural change but rather explanations of the existence of particular state legislative committee procedures in legislative chambers that have attained particular levels of policy complexity, party competition, etc.? This question warrants future research. However, before it can be addressed it may be necessary to take a step back and attempt to better understand the factors underlying the stability of state legislative committee procedures.
Chapter 8
Conclusion

This dissertation had two purposes. The first was to add generally to the subfield of legislative politics by assessing the ability of three popular and competing theories of congressional organization to account for committee related state legislative rules of procedure in a sample of U.S. state legislatures. Second, it was hoped that this dissertation would add in some way to our specific knowledge of U.S. state legislatures and their development. The latter goal was accomplished to a greater extent than the former.

Summation of Findings

Part of this dissertation (i.e., Chapter 3 and 5) was devoted to exploring state legislative procedures and their development. Specifically, this dissertation (i.e., Chapter 3) presented a framework in which to study state legislative rules of procedure by highlighting the specific sources and origins of legislative structures and procedures at the state level. It was asserted that state legislative rules of procedure differ from those at the congressional level. In particular, it was shown that state legislative procedures possess both internal/external and formal/informal foundations. Additionally, this dissertation presented a logical way to think of rules of procedure relating to committees by placing them into dimensions. This research also added to our knowledge of state legislatures by showing that distinct patterns exist in the development of state legislative committee procedures over time (i.e., Chapter 5). In particular, during the latter half of the twentieth century, the state legislative committee stage became more open to the
public and committees were given greater powers to gather information. The chapter also
discovered that although committee control over their own agendas and timetables
increased, during the last half of the twentieth century; the floor still maintained
procedures that allow them to overturn committee decisions when necessary.

Chapter 5 also confirmed the conjecture of Chapter 3 that state legislative
procedures do not exist in random. That is, particular rules of procedure often exist in
state legislative chambers in distinct patterns or sets. Specifically, six very distinct
dimensions of committee procedure were discovered – committee system openness,
committee information gathering, advance notice of committee agendas and meetings,
committee initiation of legislation, control of committee agenda and timetable, and
committee position protection on the floor. The knowledge acquired in both these
chapters will certainly be useful in informing and shaping future research projects
concerning the legislative process in the U.S. states.

Unfortunately, the results of the multivariate analyses performed in Chapters 6
and 7 were not as fruitful. Specifically, the results do not allow any solid inferences to be
drawn concerning which of the three theories – distributive, informational or partisan – is
the best overall explanation of legislative organization, and in fact lead to the conclusion
that at best these theories may only provide conditional explanations. However, it should
be noted that the cross-sectional analysis performed in Chapter 6 provided some support
for the informational and partisan theories, but for the most part no consistent significant
relationships were uncovered.

The analysis also showed that relative to the full sample of state legislative
chambers, the theories on the whole performed better in models run only on those states
considered more professional. However, significant differences in the distributions of several key indicators makes it difficult to draw any conclusive inferences from this finding. Specifically, it was discovered that the more professionalized legislative chambers had structures that worked against committee property rights, codified committee jurisdictions at a lower rate, and often adopted rules that severely limited the ability of committees to control their own agendas and timetables. All of these discoveries run contrary to the conventional wisdom that the more professionalized state legislative chambers are the chambers that most resemble the U.S. Congress. This startling finding is one that demands research in the future.

The analysis in Chapter 7 makes a strong argument for the conclusion that neither the distributive, informational nor partisan theory are very dynamic explanations of procedural change in state legislatures. However, it does confirm earlier research that argues institutions, such as legislative rules of procedure will not be changed frequently (even if it is easy to do so) because the costs associated with any changes are often greater than the members wish to bear (Riker 1980). In the future, it may be valuable to further explore this “stickiness” of procedures at the state legislative level, and attempt to better understand why procedures do not change rather than why they do.

Possible Alternative Explanations for the Lack of Support for the Three Theories

Based upon the results of Chapters 6 and 7, one is forced to conclude, despite the assertions of the scholars who have developed them, that the distributive, informational and partisan theories may not be as applicable to other legislative settings as they are to the U.S. House of Representatives. Before discussing this conclusion and its larger
meaning, it is necessary to discuss possible reasons for the lack of support for the
distributive, informational and partisan theories in this research.

First, let's explore some methodological possibilities. It is possible that the
measures accounting for the three theories were operationalized incorrectly. I do not
believe that this is the case. In particular for the informational theory, I took an accepted
measure of workload (bills introduced/days in session) and actually made it more
accurate by adding a component that accounts for the complexity of the legislation (i.e.,
the addition of average bill length). With respect to the partisan theory, I used the
standard measure of comparing the "strength" of the two political parties in the chamber
– the absolute relative difference in size between the two. Finally, beyond studies of
preference outlier members on committees, the distributive theory has never actually
been operationalized. I believe that my choices of the property rights index and codified
committee jurisdictions were appropriate. The protection of individual member rights in
the committee assignment process and clear jurisdictional boundaries for committees are
basic principals of the distributive theory.

Another possibility is that the models used in this research are not complete.
Maybe some important elements of the "story" at the state legislative level have been
omitted. For example, Douglas Dion (1997) in his analysis of minority procedural rights
in the U.S. House of Representatives finds that several important contextual factors need
to be included in the model in order for his partisan theory to "work." These include the
Reed speakership, Andrew Johnson's presidency and late Reconstruction. Contextual
information like the election of a speaker with extraordinary power or statewide political
scandals is not included in this analysis. This contextual information has not been
purposefully omitted. Unfortunately at the state legislative level, widespread information concerning contextual characteristics such as speaker power, bipartisan coalitions, political scandals, and the extent to which external actors control legislative process is often insufficient and widely unavailable. The only way to include this information in this analysis would be to conduct in-depth case studies of each of the 21 legislative sessions studied in each of the 24 states included in the dissertation (i.e., 492 case studies). Before investing the time in case study research, it was important to gauge whether or not the distributive, informational or partisan theories had any applicability generally to legislative organization at the state legislative level, and accomplishing this goal was the focus of this dissertation. Since the results were not as convincing as preferred, it may be the case that the key to unlocking the ability of applying these theories in the states lies in including the contextual information that can be uncovered in case studies. It may also be the case that the contextual information uncovered through case studies may also confirm what this dissertation has already discovered – that the theories simply do not apply generally to other legislative bodies.

Finally, assuming that the research design and analytical methods employed in this dissertation were appropriate, a possibility for the lack of support for the three theories in this dissertation may simply be that these theories are not general explanations. Maybe Mezey (1993) and Squire (1999 Call for Papers) are correct. Maybe these theories are too “Housecentric.” That is, the theories may not work at the state legislative level because they were developed to explain legislative organization in a single institution (i.e., Congress), and thus are simply too unique to apply more broadly.
The above is most likely too severe given that replications of congressional studies of the three theories at the state legislative level have resulted in positive results (e.g., Overby and Kazee 2000; Aldrich and Battista 2001). Therefore, it is still possible that these theories may be of some use in understanding how state legislatures organize themselves. However, the results of this dissertation indicate that it is not very useful to extend them to the area of state legislative committee procedure. But, this does not preclude them from being extended to other areas of state legislative organization such as committee memberships.

**Impact on the Study of Legislative Organization and Legislative Politics**

Based upon the findings of this dissertation, where does the study of legislative organization and the study of legislative politics proceed? The results of this dissertation are bit of a disappointment for those scholars who suggest that the distributive, informational and partisan theories are general explanations and therefore universally applicable to other types of legislatures (i.e., state or cross-national bodies). Specifically, this dissertation has convincingly proven the null hypothesis – that these theories cannot widely account for the existence and altering of committee related state legislative procedures.

In the end, the debate remains unresolved and the subfield of legislative studies is still without a general explanation of legislative organization. The next step in the subfield is to work toward developing a general explanation. At this stage, I do not know the explanation. Earlier, it was suggested that there is a possibility that the models employed in this dissertation may have omitted potentially important contextual
information that is typically included in congressional studies. Conducting a series of in-depth case studies of legislative organization in legislative arenas other than the U.S. Congress may provide the necessary foundation for developing a theory of legislative organization that applies generally to all legislative chambers. Further, it may be the case that elements of these existing theories (i.e., distributive, informational and partisan) can be included in a new theory of legislative organization that applies to all legislative bodies. In the end it may be the case that the best that we can achieve is a series of theories of legislative organization that explain legislative organization only within certain contexts.

However, in order for our knowledge of legislative organization to advance further, scholars must come to terms with the notion that theories developed and only studied at the congressional level are not universalistic explanations. Rather, they only apply to Congress and to other legislative chambers that closely resemble it. This is not to say that elements of congressional theories cannot be modified and used to help us understand legislatures that do not closely resemble Congress. What is meant is that it is time for legislative scholars to change their research strategy. Instead of devoting the bulk of future research in the subfield to debating the minutiae of the legislative process at the congressional level, it is time to begin devoting more research to understanding legislative politics generally. This means developing theories and assessing them in not just one legislative institution but in a number of legislative institutions.
Future Research

While this dissertation was not able to resolve the debate concerning the distributive, informational, and partisan theories, and in fact concluded that they are largely inapplicable to legislative procedures at the state legislative level, several ideas for future research projects have emerged upon its completion. These future research projects are in addition to conducting case studies at the state legislative level in an effort to develop a more complete and general theory of legislative organization.

Two of the major findings of this dissertation call for further research. First, the unanticipated distributions of the property rights index, codified committee jurisdictions and control of the committee agenda and timetable score in more professionalized legislative chambers need to be explored further. Conventional wisdom suggests that the more professional state legislatures should possess structures and procedures that are similar to the U.S. Congress. This would include guaranteeing members assignments to committees, providing clear and extensive committee jurisdictions and creating an institutionally strong committee system with the power to determine what legislation it will consider and when it will consider it. This research while not looking for it, found the exact opposite. Why is it the case that the more professional state legislative chambers included in this research have chosen not to adopt these basic structures and procedures? And, what does this incongruence mean for how state legislative professionalization is calculated? Should these states still be considered more professional given that they largely do not resemble Congress in this area?

The second research project is tied to the finding that institutional change is rare. Specifically, it was discovered that state legislative committee procedures do not change
frequently. Why is this case? There are several ways to go about addressing this question. Similar to the concept of punctuated equilibrium in the study of public policy (Baumgartner and Jones 1993), is it the case that changes in state legislative structures and procedures only occur under extraordinary circumstances? That is, does it take a major shock to the system to ignite alteration in a legislative chamber’s basic institutions? The state legislatures provide two excellent opportunities for studying this possibility. First, the advent of term limits in several state legislatures is an extraordinary event that has created a ripe environment for large-scale institutional change. The imposition of a limitation on the amount of time members may serve has caused changes in member preferences and goals (Carey, Niemi and Powell 2000). These dramatic changes should also bring about substantial changes in state legislative structures and procedures that reflect these new member preferences and goals.

The second extraordinary event is the recent rise of the Republican Party in the South. In several states, the Republican Party has been able to gain control of several legislative chambers for the first time since Reconstruction. This situation presents an opportunity to gauge the impact of a switch in chamber control between political parties, one of which was in the minority for decades. One of the questions to be addressed is to what extent has the Republican Party modified legislative structures and procedures in chambers that they now control. Specifically, have they followed the lead of congressional Republicans that adopted sweeping structural and procedural changes in the House after regaining control in 1994 after spending many years in the minority?

In addition, this subset of state legislatures provides an opportunity to test some of the propositions about minority procedural right expansion and contraction previously
studied only in the pre-20th century U.S. House of Representatives (Binder 1997; Dion 1997). During the 1980s and 1990s, the Republican Party has consistently grown in strength in southern state legislatures (i.e., they have begun to hold increasing numbers of legislative seats). Specifically, it would be interesting to assess how the Democratic Party reacted procedurally during this period in which the size of their majority declined. Specifically as the theory suggests, were minority rights obstructed or suppressed as the Republican Party gained more and more seats?

Finally, in addition to studying state legislative procedural change under the extraordinary conditions above, another future research project will focus on studying the stability of rules more broadly. This project would survey state legislators to try to uncover what they perceive motivates changes (or causes stability) in state legislative rules of procedure. Specifically, the study will seek to address how legislators perceive formal and informal rules of procedure generally (i.e., are the important, etc.), and how they perceive changing those rules of procedure (i.e., are they more or less willing to change formal rules of procedure and/or codify informal norms).

In addition to research projects that attempt to account for state legislative committee procedures, there are potential research projects that can assess the impact of committee procedures on the state legislative process. One specific project is assessing the impact of rules of procedure on committee performance. Does the adoption of procedures that build an institutionally strong committee system result in a strong committee system in terms of legislative outputs? This question can be assessed by looking at the performance of committees in the legislative process. For example, if a chamber formally gives committees the power to initiate and amend legislation, do
committees actually introduce their own legislation and do they amend the bills referred
to them at a relatively high rate?

Even though this dissertation did not succeed in solving the debate surrounding
the distributive, informational and partisan theories, it has made an important
contribution. First, it provided an assessment of how committee related state legislative
rules of procedure have developed in the modern period as well a provided a framework
for studying state legislative rules of procedure. Both of which can be employed in future
research that seeks to further understand committee systems.

Second, the results of the multivariate analyses testing the applicability of the
three theories to the state level indicate that the three theories are generally poor
explanations of one aspect of legislative organization - committee related rules of
procedure. This is not surprising given that the scholars developed the theories after
observing the legislative process in the U.S. House of Representatives. Finally and in
some ways most importantly, the results of this dissertation have uncovered many
questions for future research that deal more generally with the nature of state legislative
rules of procedure and their impact on the legislative process in the U.S. states.
Appendix 2-A
State Selection

As mentioned in Chapter 4, it is necessary that the state legislatures employed in this analysis are representative of all U.S. state legislatures. By and large, the sample of 24 states in this dissertation are representative of the whole on three indicators: legislative professionalism, legislative turnover and partisan competition.

With respect to professionalism the sample of 24 states in this dissertation is almost completely representative of the United States as a whole. I have categorized all 50 states using the adaptation of King’s (2000) professionalism measure discussed earlier in this chapter. The measure was calculated for each state in 1963, 1973, 1983 and 1993. Next each state was classified as being citizen, hybrid or professional based upon its “average” over the four time points. For example, Alabama was considered a citizen legislature in 1963, 1973 and 1983 and a hybrid legislature in 1993. Therefore, I have classified it as a citizen legislature because it had citizen legislature status for most of the time period of interest to this research. If a state was split evenly between two types, I classified the chamber as the type of legislature that it was in 1993. For example for two of the time points, Colorado was considered hybrid and it was considered professional the other two time points. However, it is considered a hybrid legislature in 1993 and that is the classification it was given.

Taking the 50 states, 15 or 30 percent are considered citizen legislatures. Six of these 15 states are included in my sample of 24 states. This constitutes 25 percent of my sample, which is close to the 30 percent found in the universe of states. Twenty-five or 50 percent of the states are considered hybrid legislatures, and in my sample 12 of these 25 states are included. This constitutes 50 percent of my sample, an exact match. Finally, in my 25 state dataset, 25 percent (6 states) of the states are considered professional legislatures. This is just slightly more than the 20 percent (10 states) of all 50 states that are considered professional legislatures. Thus, with respect to legislative professionalism, the 24 states used in this dissertation are reasonably representative of the 50 states as a whole.

The results are similar with respect to legislative turnover. All 50 states were classified using a combination of the data used by Shin and Jackson (1978) and Niemi and Winsky (1986). Specifically, each of the 50 states was classified as having low (less than 25%), medium (Between 25 percent and 50 percent) or high turnover (over 50%) based upon their average rates of turnover between 1951 and 1960 (1961-1970 was used for AK and HI) and between 1981 and 1985. The states were then categorized as either being:

1) Low turnover for both periods
2) Medium turnover in 1951-60 and Low in 1981-85
3) High turnover in 1951-196 and Low in 1981-1985
4) Medium turnover for both periods.
5) High turnover in 1951-60 and medium in 1981-85
6) High turnover for both periods.

Once again, the sample of 24 states used in this dissertation possesses a distribution in these six categories similar to the entire universe of the 50 states. For all 50 states, four states (eight percent) have low turnover rates in both periods. The sample of 24 states contains two of these states, which is also 8 percent of the 24 state sample. The proportion of the 50 states that went from high turnover to low turnover is 6 percent. In the dataset used in this dissertation this proportion is 8 percent. Thirty-four percent of 50 states are considered to have medium turnover rates in both periods. Correspondingly, 32 percent of the 24 states employed in this research have medium turnover rates in both periods. The proportion of states in the dataset that transformed from medium to low turnover and from high to medium turnover between the two periods are not completely representative but pretty close. Thirty-two percent of the states in the 24 state sample were considered to have medium turnover rates in 1951-60 and low turnover in 1981-85. This is slightly higher than the 26 percent when considering all 50 states. Conversely, the 24 state sample is slightly under representative when considering states that transformed from high turnover rates in 1951-60 to medium turnover rates in 1981-85. This category contains 12 of the 50 states (24 percent), but the dataset in this dissertation contains on 3 of these states out of the 24 (13 percent). While not perfect, the 24 states employed in this dissertation are reasonably representative of all 50 states with respect to legislative turnover.

Finally, the 24 states are compared to all 50 states with respect to party competition. The partisan composition of each state legislative lower house was coded for each of the following sessions (1955 or 1956, 1975 or 1976, 1995 or 1996\(^1\)). A chamber was considered competitive if the difference between the two political parties was less than 20 percent (i.e., a 60/40 split or better). Once again, “the average” was taken across the three sessions and a state was classified accordingly. When considering all 50 states, 38 states (or 76 percent) are considered non-competitive and 12 (or 24 percent) are considered competitive. In the 24 state sample, 15 states (or 63 percent) are non-competitive and 9 states (38 percent) are considered competitive. Thus, the sample of states used in this dissertation slightly under represent non-competitive states and over represent competitive states.

In sum, the 24 states chosen for inclusion in this dissertation are reasonably representative of all 50 states on two indicators: legislative professionalization and legislative turnover. On the other indicator, party competition, the 25 states over represent competitive states and under represent non-competitive states. However, the differences are not too severe. Further, it is impossible to have perfect representation on all three indicators and the high degree of representativeness on both the professionalization and turnover indicators was better than expected.

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\(^1\) Even years were used for states with odd-year elections: LA, KY, MS, VA.
Appendix 2-B
Explanation of Timeframe Selection

One of the many advantages of studying the legislative process at the state level is that there exists a greater degree of variability both across states and across time. One of the major limitations of congressional research is that it often only addresses a small number of phenomena (i.e., certain rules or procedures) because the long periods of stability that occur at the congressional level. When moving to the state, the rate of stability decreases and thus provides more opportunity for studying multiple phenomena.

The timeframe of this dissertation is limited to the time period 1955/56 through 1995/96. This time period encompasses 21 legislative sessions, and was chosen because the rate of change in legislative procedures during this period is substantially higher than in the earlier part of the century. This is vital for the purposes of this dissertation as one of its main goals is to study the development of procedures over time as well as assess the ability of congressional theories of legislative organization to explain this development (i.e., changes). Previous collaborative research (Hamm, Hedlund and Martorano 1999, 2001 and Martorano, Hamm and Hedlund 2000) in this area of was performed on a dataset of 685 sessions that spanned the entire century – 1909-1999 (in this dataset the formal rules of procedure for the last session of every decade were coded). In particular, this research demonstrated that committee related structures and procedures for the first half of the twentieth century are largely stable and show little change.

Using this dataset, I have isolated 37 lower house chambers and split the one session per decade sample into two samples. Specifically, I have calculated the amount of change in state legislative procedures between the years 1909 and 1949 and I have calculated change between 1959 and 1999. The amount of change is simply the percentage of committee related procedures that were different in 1949 than 1909 and different in 1999 from 1959. I then compared the rates of change between these two subsamples, and have discovered that the average rate of change was considerably higher between 1950 and 1999 (28.03%) than between 1909 and 1949 (12.27%).

The two figures below are bar graphs of the percentage of procedural changes during each period. When comparing 1909 to 1949, the Florida house changed the largest percentage of its committee related procedures (35%), while the Colorado and Delaware houses did not change any. A comparison between 1959 and 1999 shows that Idaho changed the fewest procedures (11%) and Michigan the most (60%). The figures also show that across the board, change is occurred more frequently between 1959 and 1999 than 1909 and 1949.

\[\text{Standard deviation is 9.68.}\]

\[\text{Standard deviation is 8.37.}\]
% of Committee Procedures Changed, Comparing 1959 to 1999
Appendix 2-C  
Coding Template

STATE:  
CHAMBER:  
YEAR:  

<table>
<thead>
<tr>
<th>RULE</th>
<th>NARRATIVE</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Committee Listing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Are committees listed in the rules?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Names</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Size</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• jurisdiction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• sub-committees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• party ratio</td>
<td></td>
<td></td>
</tr>
<tr>
<td>II. Committee Assignment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Who assigns members to committees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is there a seniority rule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• chamber and/or committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Do all members have to reassigned in each session</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Can members be removed from committees during the session</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• How and Why</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is there a limit on #assignments/member</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Who assigns chairmen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Who appoints vice-chairmen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Can members hold more than 1 chair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is there a ranking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MINORITY MEMBER SYSTEM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
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<td></td>
</tr>
<tr>
<td>Who appoints</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are there exceptions or limits to the assignment of members to committees</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### III. Process

**Assignment of Bills**

- Who assigns bills to committees
- Are multiple referrals possible
- Are study bills in the rules
- Do committees classify bills
- Must all bills be referred to a committee
- Can committees introduce bills
- Can committees introduce bills longer than individuals

**Procedure**

- Are hearings required
- Must committee meetings be announced in advance
- Must all committee meetings be open
- Hearings
- Deliberations
- Who calls hearings
- Who can testify at hearings
- Do committees file reports
- Are minutes kept
<table>
<thead>
<tr>
<th>Questions</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Are voting records kept</td>
<td></td>
</tr>
<tr>
<td><em>Limitations</em></td>
<td></td>
</tr>
<tr>
<td>Must committee consider all matters referred to them</td>
<td></td>
</tr>
<tr>
<td>Is there a deadline for committee action</td>
<td></td>
</tr>
<tr>
<td>What happens after this deadline</td>
<td></td>
</tr>
<tr>
<td>Can bills be withdrawn/action requested</td>
<td></td>
</tr>
<tr>
<td>Can bills be prefilled</td>
<td></td>
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<tr>
<td>Can committees meet before session</td>
<td></td>
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<tr>
<td>Can committees meet in the interim</td>
<td></td>
</tr>
<tr>
<td><em>Decisions</em></td>
<td></td>
</tr>
<tr>
<td>Are committee amendments incorporated in the bill or are they separate recommendations that are approved by the membership</td>
<td></td>
</tr>
<tr>
<td>Can committees offer substitute bills</td>
<td></td>
</tr>
<tr>
<td>Does it get a new number</td>
<td></td>
</tr>
<tr>
<td>Do all committees lose control of all bills after a certain date</td>
<td></td>
</tr>
<tr>
<td>Is there a sifting/steering committee</td>
<td></td>
</tr>
<tr>
<td>Who appoints</td>
<td></td>
</tr>
<tr>
<td>Are there rules concerning adverse committee reports</td>
<td></td>
</tr>
<tr>
<td>Can the minority</td>
<td></td>
</tr>
<tr>
<td><strong>offer recommendations</strong></td>
<td></td>
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<td>--------------------------</td>
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</tr>
<tr>
<td>• Can the membership adopt the minority report</td>
<td></td>
</tr>
<tr>
<td>• Can a bill be rereferred</td>
<td></td>
</tr>
<tr>
<td>• Can bills be amended on the floor</td>
<td></td>
</tr>
<tr>
<td>• Can committees engage in rules and regulations oversight</td>
<td></td>
</tr>
<tr>
<td>• Must committee action in legislative review be sustained by the whole membership</td>
<td></td>
</tr>
<tr>
<td>• Are there limitations on debate</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Calendars</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>• Are there multiple floor action calendars</td>
<td></td>
</tr>
<tr>
<td>• Do bills go onto the floor calendar in the order that they are reported</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Rules and Resources</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>• Are committee rules uniform chamber wide</td>
<td></td>
</tr>
<tr>
<td>• Are the Joint rules uniform</td>
<td></td>
</tr>
<tr>
<td>• Is there a back-up rules source</td>
<td></td>
</tr>
<tr>
<td>• How can the rules be suspended or changed</td>
<td></td>
</tr>
<tr>
<td>• Are committee staffs provided</td>
<td></td>
</tr>
<tr>
<td>• Do committee chairs have office space</td>
<td></td>
</tr>
<tr>
<td>VARIABLE</td>
<td>DESCRIPTION</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>STYR</td>
<td>State and Year ID</td>
</tr>
<tr>
<td>YEAR</td>
<td>Year ID</td>
</tr>
<tr>
<td>STATE</td>
<td>State ID</td>
</tr>
<tr>
<td>CNAMEs</td>
<td>Indicates that Comm. Names are listed</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td>CSIZE</td>
<td>Indicates that Comm Size is listed</td>
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<tr>
<td></td>
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</tr>
<tr>
<td>CSRANGE</td>
<td>Range of Comm sizes</td>
</tr>
<tr>
<td>CJURIS</td>
<td>Indicates that Comm Jurisdiction is listed</td>
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<tr>
<td>SUBCOMM</td>
<td>Indicates that Sub-Comm are listed</td>
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<tr>
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<td></td>
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<tr>
<td>PTYRAT</td>
<td>Indicates that a Party Ratio is listed</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>PTYRAT2</td>
<td>Tells what the Ratio is</td>
</tr>
<tr>
<td>MEMASS</td>
<td>Indicates who assigns members to Comm.</td>
</tr>
<tr>
<td>MINMEM</td>
<td>Minority Party has a role in assigning its members to committees</td>
</tr>
<tr>
<td>SENIOR</td>
<td>Indicates that there is a Seniority rule</td>
</tr>
<tr>
<td>SENIOR2</td>
<td>Offers specifics of rule</td>
</tr>
<tr>
<td>SENIOR3</td>
<td>There is a seniority rule with respect to</td>
</tr>
<tr>
<td>Committee Chair Selection</td>
<td>Description</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>REASSIGN</td>
<td>Indicates that members must be reassigned each session</td>
</tr>
<tr>
<td>REMOVE</td>
<td>Indicates that members can be removed</td>
</tr>
<tr>
<td>HREMOVE</td>
<td>Explains why removed</td>
</tr>
<tr>
<td>LIMITASS</td>
<td>Indicates that there is a negative impact limit on committee assignments</td>
</tr>
<tr>
<td>LIMIT2</td>
<td>Information about the limitation</td>
</tr>
<tr>
<td>LIMIT3</td>
<td>Indicates that there is a positive &quot;limit&quot; with respect to comm. Assignments</td>
</tr>
<tr>
<td>CHAIR</td>
<td>Who assigns Chairmen</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>VCHAIR</td>
<td>Who assigns Vice-chairmen</td>
</tr>
<tr>
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<tr>
<td>MULTICHAI</td>
<td>Indicates that members can more than 1 chair</td>
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<td></td>
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<td></td>
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<tr>
<td>RANKMIN</td>
<td>Indicates that there is a ranking minority system</td>
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<td></td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>MINASS</td>
<td>Who assigns ranking Minority members</td>
</tr>
<tr>
<td></td>
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<tr>
<td>BILLASS</td>
<td>Who assigns bills to committees</td>
</tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
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<td>-------</td>
<td>-------------------------------------------------------</td>
</tr>
<tr>
<td>MULTREF</td>
<td>Indicates that multiple referrals are possible</td>
</tr>
<tr>
<td>STUDY</td>
<td>Indicates that study bills are an option</td>
</tr>
<tr>
<td>CLASSIFY</td>
<td>Indicates that committees must classify bills</td>
</tr>
<tr>
<td>ALLREF</td>
<td>Indicates that all bills must be referred to committee</td>
</tr>
<tr>
<td>APPROP</td>
<td>Indicates that all Appropriations bills must go to a particular committee</td>
</tr>
<tr>
<td>COMINTRO</td>
<td>Indicates that committees can intro bills</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
<td>------------------------------------------------------------------</td>
</tr>
<tr>
<td>INTRLONG</td>
<td>Indicates that committees can intro longer</td>
</tr>
<tr>
<td>HEAR</td>
<td>Indicates that hearings are required</td>
</tr>
<tr>
<td>ADVANCE</td>
<td>Indicates that meetings must be announced in advance</td>
</tr>
<tr>
<td>AGENDA</td>
<td>Indicates that the agenda must be posted in advance</td>
</tr>
<tr>
<td>REGMEET</td>
<td>Indicates that there is a regular schedule of committee meetings</td>
</tr>
<tr>
<td>COMMREQ</td>
<td>Indicates conditions under which committee</td>
</tr>
</tbody>
</table>

- **.5**=Takes 2/3 Comm
- **-.25**=Unan Consent
- **0**=No Mention
- **-1**=No

- **.5**=Y to public hearing
- **-.25**=Can't report adversely w/o hearing
- **.5**=Y to must give sponsor say
- **-.25**=Must hear anyone who asks
- **-1**=No
<table>
<thead>
<tr>
<th>Variable</th>
<th>Description</th>
<th>Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>OPEN</td>
<td>Indicates that meetings must be open to public</td>
<td>1=Y, 0=No Mention, -1=No</td>
</tr>
<tr>
<td>OPENHEAR</td>
<td>Indicates that hearings must be open to public</td>
<td>1=Y, 0=No Mention, -1=No</td>
</tr>
<tr>
<td>OPENDELI</td>
<td>Indicates that deliberations must be open to the public</td>
<td>1=Y, .5=Press. No Public, 0=No Mention, -1=No</td>
</tr>
<tr>
<td>CALLHEAR</td>
<td>Who can call a hearing</td>
<td>Text</td>
</tr>
<tr>
<td>TESTHEAR</td>
<td>Who can testify</td>
<td>Text</td>
</tr>
<tr>
<td>REPORT</td>
<td>Indicates that committees must file reports</td>
<td>1=Y, 0=No Mention, -1=No</td>
</tr>
<tr>
<td>MINUTE</td>
<td>Indicates that committees must keep minutes</td>
<td>1=Y, 0=No Mention, -1=No</td>
</tr>
<tr>
<td>RECORD</td>
<td>Indicates that committees must record votes</td>
<td>1=Y (actual roll calls), .5=Sign Reports submitted</td>
</tr>
<tr>
<td>Variable</td>
<td>Description</td>
<td>Code</td>
</tr>
<tr>
<td>----------</td>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>CONSALL</td>
<td>Indicates that committees must consider all matters referred to them</td>
<td>0 = No Mention, -1 = No, -1 = Y, -0.5 = Prop. Of Comm can force consideration, -0.25 = Must consider but can table in comm</td>
</tr>
<tr>
<td>MUSTREP</td>
<td>Indicates whether or not committees must report all referred legislation back to the chamber</td>
<td>0 = No Mention, -1 = Y, 1 = No</td>
</tr>
<tr>
<td>DEADLINE</td>
<td>Indicates that committees have a deadline to act</td>
<td>0 = No Mention, -1 = Y, 1 = No</td>
</tr>
<tr>
<td>AFTDEAD</td>
<td>What happens after the deadline passes</td>
<td>Text</td>
</tr>
<tr>
<td>REQUEST</td>
<td>Committee consideration of a bill an be requested</td>
<td>1 = No or UC needed, 0.5 = 2/3 or &gt;Majority, -0.5 = 1/3, -0.75 = &lt;Maj., but some %, -1 = 1, 2, or 3 members</td>
</tr>
<tr>
<td>WITHDRAW</td>
<td>Indicates that bills can be withdrawn from committee consideration</td>
<td>1 = No or UC needed, 0.5 = 2/3 or &gt;Majority, 0 = Majority, -0.5 = 1/3</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
<td>Value Explanation</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Withdraw()</td>
<td></td>
<td>- .75 = &lt; Maj., but some %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- 1 = 1, 2, or 3 members</td>
</tr>
<tr>
<td>PREFILE</td>
<td>Indicates whether or not bills can be prefiled</td>
<td>1 = Y</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- 1 = No</td>
</tr>
<tr>
<td>MEETBEF</td>
<td>Indicates whether or not committees can meet</td>
<td>1 = Y</td>
</tr>
<tr>
<td></td>
<td>before sessions</td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- 1 = No</td>
</tr>
<tr>
<td>MEETINT</td>
<td>Indicates whether or not committees can meet</td>
<td>1 = Y</td>
</tr>
<tr>
<td></td>
<td>between sessions</td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- 1 = No</td>
</tr>
<tr>
<td>INCAMEND</td>
<td>Indicates whether or not committee amendments are</td>
<td>1 = Y</td>
</tr>
<tr>
<td></td>
<td>incorporated into a bill</td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- 1 = No</td>
</tr>
<tr>
<td>SUBST</td>
<td>Indicates if committees can offer substitute</td>
<td>1 = Y</td>
</tr>
<tr>
<td></td>
<td>bills</td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- 1 = No</td>
</tr>
<tr>
<td>SUBNEW</td>
<td>Does the substitute get a new number</td>
<td></td>
</tr>
<tr>
<td>LOSECONT</td>
<td>Indicates whether or not committees lose control</td>
<td>- 1 = Y</td>
</tr>
<tr>
<td></td>
<td>of bills after a certain date</td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 = No</td>
</tr>
<tr>
<td>SIFT</td>
<td>Indicates if there is a sifting/steering committee</td>
<td>- 1 = Y</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 = No Mention</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 = No</td>
</tr>
<tr>
<td>APPSIFT</td>
<td>Who appoints this committee</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1=PO</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2=Comm. On Comm</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3=Outside Player (Lt. Gov)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4= PO + Min Leader</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5=Chamber</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6=Party Caucus</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9=No Mention</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADVERSE</th>
<th>Indicates that there are rules for adverse committee reports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1=Y</td>
</tr>
<tr>
<td></td>
<td>0=No Mention</td>
</tr>
<tr>
<td></td>
<td>-1=No</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ADVERSE2</th>
<th>Details of rule</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Text</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ADSTAY</th>
<th>Adverse report stays in committee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1=Yes</td>
</tr>
<tr>
<td></td>
<td>0=No Mention</td>
</tr>
<tr>
<td></td>
<td>-1=No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADOVER</th>
<th>Indicates how hard it is to overturn an adverse committee report on the floor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1=Dies in Committee</td>
</tr>
<tr>
<td></td>
<td>.5=2/3 of members</td>
</tr>
<tr>
<td></td>
<td>0=Majority</td>
</tr>
<tr>
<td></td>
<td>-.5=1/3</td>
</tr>
<tr>
<td></td>
<td>-1=1, 2, or 3 members</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MINREC</th>
<th>Indicates that the minority can offer a report</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1=Y</td>
</tr>
<tr>
<td></td>
<td>0=No Mention</td>
</tr>
<tr>
<td></td>
<td>-1=No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACCMIN</th>
<th>Indicates that the floor can accept the report</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1=Y</td>
</tr>
<tr>
<td></td>
<td>0=No Mention</td>
</tr>
<tr>
<td></td>
<td>-1=No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REREFER</th>
<th>Indicates that bills can be rereferred</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1=Y</td>
</tr>
<tr>
<td>Variable</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
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</tr>
<tr>
<td>FLAMEND</td>
<td>Tells how bills can be amended on the floor, if at all. Assuming -1 when there are no specific rules for floor amending.</td>
</tr>
<tr>
<td>CLOSED</td>
<td>Chamber uses a closed rule system similar to US House.</td>
</tr>
<tr>
<td>OVERSIGH</td>
<td>Indicates that committees can engage in legislative oversight of admin rules and regs.</td>
</tr>
<tr>
<td>LEGREV</td>
<td>Indicates that committees can engage in legislative review.</td>
</tr>
<tr>
<td>LIMDEBAT</td>
<td>Indicates whether or not there are limits to debate by members on the floor.</td>
</tr>
<tr>
<td>MULTCAL</td>
<td>Indicates that there are multiple floor calendars.</td>
</tr>
<tr>
<td>CALORD</td>
<td>Indicates whether or not bills go on Calendar in a Rules prescribed order.</td>
</tr>
<tr>
<td><strong>UNIRULES</strong></td>
<td>Tells whether or not committee rules are uniform chamber wide</td>
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<td>---------------------------------------------------------------</td>
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<tr>
<td><strong>UNJOINT</strong></td>
<td>Indicates whether or not joint rules are uniform</td>
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<td></td>
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<tr>
<td><strong>SUSPRULE</strong></td>
<td>Indicates procedure for suspending the formal rules of procedure</td>
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<tr>
<td><strong>BACKUP</strong></td>
<td>Names the back-up rules source</td>
</tr>
<tr>
<td><strong>STAFF</strong></td>
<td>Indicates that committees are provided staffs</td>
</tr>
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<tr>
<td><strong>OFFICE</strong></td>
<td>Indicates that committee chairs are assigned office space</td>
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<tr>
<td><strong>SUBDOC</strong></td>
<td>Indicates committee ability to subpoena documents</td>
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</tr>
<tr>
<td><strong>SUBPEOP</strong></td>
<td>Indicates committee ability to subpoena people</td>
</tr>
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</tr>
<tr>
<td><strong>INVEST</strong></td>
<td>Indicates committee ability to conduct</td>
</tr>
<tr>
<td>investigations</td>
<td>0=No Mention</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
</tr>
</tbody>
</table>
References


Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, Wisconsin, West Virginia, and Wyoming.


