

Legislative Bipartisanship:
Explaining Variation in Cross-Party Coalition Building Activity in the 99 State
Legislative Chambers

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Over the last 30 years, as legislative party polarization has increased, bipartisan compromise has become normatively more appealing and apparently less attainable. While an extensive literature is devoted to the antecedents and consequences of party polarization and gridlock, almost no attention has been devoted to the individual legislator level foundations of these aggregate level phenomena. Here I examine the factors that determine the extent to which individual legislators spend time on forming cross-party coalitions—bipartisanship. It is these individual actions shaped by institutions, elections, and citizen and elite preferences that determine collective outcomes, including party polarization and gridlock.

The analysis will ultimately be based on two national surveys of state legislators conducted 7 years apart, but in this initial draft I examine only the 2002 survey. Legislators were asked how much time each spent on building coalitions to pass legislation. They were asked separately about building coalitions within their own party and across parties. The first section describes the data and presents the basic descriptive information on the time legislators spend on each type of coalition building. I also show the variation in the fraction of total coalition building time members spend on cross-party coalition activity across the 99 state legislative chambers.

The second section summarizes the existing literature and develops hypotheses regarding the time legislators will spend on building bipartisan legislative coalitions. Existing work focuses almost exclusively on chamber level measures and consequences legislative partisanship, respectively polarization and gridlock. And the vast bulk of this analysis is on Congress rather than state legislatures. Thus little attention is paid to

institutional characteristics that are invariant, or relatively invariant, over time in Congress. Thus, congressional studies examine gridlock over time as dependent upon divided party control, party polarization and intraparty homogeneity (see for example, Binder 1999) but not upon legislative or leadership professionalization. Because these studies are aggregate level studies, they cannot model variation in bipartisan behavior at the level of the individual member.

The third section develops hypotheses to explain the time individual members report spending on bipartisan legislative coalition building and the fourth section tests these hypotheses using a survey of legislators conducted in 2002.

Legislators Cross-Party Coalition Building Activity.

In recent decades, scholars, citizens and pundits have all debated the extent and consequences of dramatic increases in party polarization and conflict. At the national level, twice in 1995-1996, President Clinton and the Republican controlled Congress' refusal to compromise over the budget led to a federal government shutdown¹. The political warfare between the President and the Congress continued unabated for Clinton's two terms in office. The bitter debate over Clinton's ethics investigations, climaxed with the House of Representatives impeachment and trial of President Clinton in 1999. Heated rhetoric and policy stalemate are often part of a hard fought presidential election campaign, but the election of 2000 was exceptional. The closeness and

¹ Since 1981 there have been three other shutdowns, but these were relatively inconsequential lasting for hours in two instances and the three-day Columbus day weekend in 1990.

ambiguity of the result led to a protracted conflict, fought in courtrooms, and through the media, ending in a controversial decision by the Supreme Court. The bitterness of campaign 2000 did not end for many of the protagonists, with many Democrats believing they really won the election. The 2008 election of President Obama and the divisive battle to adopt health care reform heightened partisan conflict in Congress and nearly resulted in another government shutdown in 2011.

These conflicts have parallels in many state legislatures. State governments have had shutdowns as well—for example, in the last five years two in Minnesota (2005 and 2011), one in New Jersey (2006) and one in Pennsylvania (2007). Shutdowns typically occur when a state budget is not passed by the start of the fiscal year. Although there are alternative mechanisms, such as continuing resolutions, to avoid a shutdown when a budget is not passed, even budget delays create uncertainty and can impose costs on other governmental units. Brinkmanship and late budgets occur with much greater frequency than shutdowns. Budget problems are often consequences of recessions, when revenues typically fail to meet expectations. For example, in 2009, 8 of the 46 states that began their fiscal year on July 1 had failed to pass a budget as had 7 states in 2003 (Haggerty, 2009). Some states have become perennially late in passing their budgets. New York has passed a late budget in 18 of the last 22 years with 6 more than 100 days late. Legislative walkouts or boycotts are a strategy to prevent a quorum and halt legislative action. Those in Wisconsin in 2011 and in Texas in 2003 created national headlines, but walkouts have also occurred in other states including California, 1994, Alabama, 1999, Nevada, 1999, Oregon, 1002 and Indiana, 2005 (Kurtz, 2011).

These headline grabbing instances of gridlock reflect partisan polarization.

Polarization has been studied most extensively at the national level. The simplest measure is used to characterize the level of partisanship in Congress is Congressional Quarterly's Party Unity score. A Party Unity vote is one in which the majorities of the two parties vote on opposing sides. Since 1953 when CQ began compiling the measure, its low occurred in 1970 when majorities of the Congressional parties voted in opposition on 32% of all votes. This percentage grew reasonably steadily for the next two decades reaching just over 50% in 1990. In the following two decades the Party Unity percentage varied considerably but seldom dipped much below 50%. It peaked at 72.4% in 1995; its second highest year was its most recent, 2011, at 70.8% (CQ Weekly 2012).

Partisanship in Congress has been paralleled by that in the state legislatures. Poole and Rosenthal (1997) pioneered a technique to estimate the ideologies of legislators as exemplified by their voting behavior. Shor and McCarty (2011) use a similar scaling technique to estimate polarization in state legislatures for over a decade beginning in the mid-1990s. They find polarization in California dwarfs that in Congress, although most states are less polarized than Congress, and a few show little polarization. Over this relatively short time period of already heightened polarization, most states showed increasing polarization, although a minority (22 chambers) showed evidence of depolarization.

While these ideological estimation techniques provide much more information than simple Party Unity scores, the latter provide some basic descriptive information lacking in the former. The Party Unity scores indicate the percent of votes on which majorities of both parties were in agreement—bipartisan agreement. At the low point for Congressional polarization, 68% of votes were bipartisan, while at the high point, only

28% were bipartisan. While the difference—40 points—between the two is large, even in the period of greatest legislative conflict, almost a third of the legislation passed was uncontroversial or had substantial bipartisan agreement.

Given Shor and McCarty's findings that state legislatures vary greatly in polarization, but are typically somewhat less polarized than Congress, we might expect lower party unity scores for most state legislatures than those in Congress.

Unfortunately there is no equivalent of the Congressional Party Unity scores collected on state legislatures. Even if there were, it would permit only the aggregate chamber level analysis that exists on Congress. It would not be possible to model the individual legislator decisions that, along with majority party agenda control collectively determine the voting record. It is the factors that determine these individual decisions to construct partisan or bipartisan legislative coalitions that permit us to directly test the theoretical explanations of partisan behavior which are ultimately about individual level actions.

The dependent variable in this analysis is from a set of survey items that asked legislators 'How much time do you actually spend' on eight legislative activities. For each activity legislators were provided a 5-point scale with one end-point (1) labeled 'Hardly Any' and the other (5) 'A Great Deal'. The dependent variable is the item that asks about time spent 'Building coalitions across parties to pass legislation'. Another item in the set, time spent 'Building coalitions within own party to pass legislation,' is a control variable in the model. Here I am interested in the amount of time a legislator spends on cross-party coalition building **relative** to that spent on building legislative coalitions within one's own party.

These items were included in a national survey of all state legislators conducted in the spring of 2002.² Two follow up surveys were sent as well as a postcard reminder with a response rate of 40% yielding 2982 respondents. This response rate is comparable to that of other academic surveys of state legislators, and of elites in general.³

Figure 1 shows the time legislators report spending on each type of coalition building. Each is a unimodal distribution with the median the middle scale position and each distribution has a slight negative skew—that is, the mass of the distribution is to the right of the mean. What is surprising is how similar the distributions are. As shown in Figure 2, half of the legislators report spending the same amount of time on each type of coalition building. Those spending more time on building coalitions in their own party do exceed those who spend more time building coalitions across parties—respectively 31% and 19%. However, in net 69% of the legislators report spending as much or more time building cross party coalitions as they spend on building coalitions within their own party. These distributions are quite similar in the 1995 state legislator survey⁴ which asked the same items.

² The survey was part of the Joint Project on Term Limits, a cooperative effort between state legislative scholars and the National Conference of State Legislatures, the Council of State Governments, and the State Legislative Leaders Foundation. Support for the survey was provided in part from NSF Grant #SES-02131. These data, anonymized to protect the identity of the respondents, are available from the Inter-university Consortium for Political and Social Science Research. 2002 State Legislative, Survey Principal Investigators John Carey, Richard G. Niemi, Lynda W. Powell and Gary Moncrief.

³ See the review article on surveying state legislators by Maestas, Neeley and Richardson, 2003.

⁴ The current survey replicated much of the legislator survey by John M. Carey, Richard G. Niemi and Lynda W. Powell (2000). For details on the 1995 survey, see Carey, Niemi and Powell (2000).

State legislative chambers vary in the fraction of time members devote to cross-party coalition building. Figure 3 shows the distribution of this fraction—chamber averages of the time a member devotes to cross-party coalition building divided by the sum of his time devoted to cross-party and within-party coalition building.

The unicameral and nonpartisan legislature of Nebraska has the highest fraction of cross-party coalition building activity—63%. One could question the appropriateness of asking legislators in a nonpartisan legislature about partisan activities. Yet even in Nebraska, many legislators surveyed indicate their party preference⁵ and most are shown as affiliated with parties on the websites of the state Republican and Democratic parties. Party identification was obtained for 97% of the state legislators in Nebraska for the 2002 survey. Hence it seems appropriate to include Nebraska in this analysis. While early work indicated the lack of party voting and polarization in Nebraska (Wright and Schaffner 2002, 374), more recent work has shown increasing party polarization (Masket and Shor 2011). Thus it is reasonable that Nebraska legislators have the highest value in Figure 3 based on the 2002 survey data.

The ten chambers with the highest mean fractions of time spent on cross-party coalitions also include both chambers in Texas, the lower chambers of Illinois, and the Senates of Arkansas, Delaware, Indiana, Minnesota, Missouri, and Washington. Texas too has had a notable history of bipartisanship. The Texas Senate, for example, has a tradition of parking “an inconsequential ‘stopper’ bill at the top of the calendar. . . Any other bill needs a two-thirds vote to bring it up out of the ‘regular order of business.’”

⁵ Legislators in the 1995 survey were asked their party preference. In the 2002 survey, this information had already been compiled and legislators were not asked in the survey itself.

Once on the floor a simple majority can pass it.” (McNeely, 2011) While there are ways to circumvent this practice (and it could be dispensed with completely if the majority wished), allowing a bill with only a simple majority of support to pass is rare and will generate bitter complaints of unfairness.

At the other extreme, the ten chambers with the lowest mean fractions of time spent on cross-party coalitions are both chambers in Hawaii, Idaho and Ohio, the upper chambers of Rhode Island and West Virginia and the lower chambers of Massachusetts and New Jersey.

Chambers in the bottom decile have mean values ranging from .4 to .45 compared to .51 to .63 for chambers in the top decile. The standard errors of these estimates are large reflecting the small sample sizes, particularly in the upper chambers. (Six states have upper chambers of fewer than 30 members and the average survey response rate is 40%.) It is reasonable to ask whether this chamber variation is meaningful. There are no other studies that have asked these survey items or indeed any similar measures of within and cross-party coalition building activity and thus no comparable benchmarks.

The most similar measure I identified, Congressional bipartisan cosponsorship, was used in a paper by Laurel Harbridge (2010). She finds that bipartisanship has decreased greatly in Congressional floor voting, while bipartisanship in legislative cosponsorship has changed little. The difference is due to stronger and more partisan agenda control—fewer bills with bipartisan support reach the floor now compared to several decades ago. Her findings are thus consistent with the general notion that bipartisanship is more extensive than the literature on Congressional polarization might lead one to expect.

The next section examines whether chamber differences in the relative time devoted to within and cross-party coalition building are theoretically explicable—a reasonable necessary, although not sufficient condition, for the value of these survey items.

Hypotheses

Although there is no scholarship directly on point, there is an extensive literature, primary on Congress, related to gridlock and polarization that is germane to modeling cross-party coalition building. As Binder (1999, 521) notes, “partisan theories of legislative gridlock traditionally have centered on the effect of divided government on policy outcomes.” While there is considerable disagreement about the consequences of divided government for legislative productivity (Binder 1999; Mayhew 1991, Brady and Volden, 1998; Fiorina 1996), expectations regarding its moderating effect on national policy outcomes are more straight forward. Alesina and Rosenthal (1995) are among many who argue in favor of our intuitive understanding that divided government results in more moderate policy outcomes relative to undivided government by balancing the extremism of the two parties. Indeed they argue that voters understand the moderating effect of divided government and incorporate this understanding in their voting decisions. With regard to the states rather than the federal government, if no single party controls the legislature (two chambers except in Nebraska) and holds the governorship, then policymaking is often the result of a bipartisan compromise.

While policy makers may intuitively understand the compromises that need to be made to craft legislation that will be supported by the legislature and governor, these

results are more likely achieved by discussion and negotiation—that is, time spent building cross-party coalitions of support. In the Senate Ted Kennedy and Orrin Hatch, members from opposite sides of the ideological spectrum, coauthored an impressive number of important social-welfare bills in precisely these circumstances. As Hatch described, “We disagreed on nearly every issue and continued to do so for all the years we served together in the Senate. But to our mutual surprise, during our service on the Senate Labor, Judiciary, and other committees, we soon realized that we could work well together. If the two of us—positioned as we were on opposite sides of the political spectrum—could find common ground, we had little trouble enlisting bipartisan support to pass critical legislation that benefited millions of Americans” (Newsweek 2009).

Individual state legislators must consider the partisan composition of their chamber and the other relevant branches of government in deciding how to build a legislative coalition to get their legislation enacted into law. First, most obviously, members of the minority party in a chamber must get some votes from majority party members to write a bill that can pass in their own chamber. (Majority members are coded 1, minority members 0 and the very small number of other or unaffiliated .5. Also coded .5 are the legislators in the 3 tied chambers. A dichotomous 1-0 variable for tied chambers will also be included in the model as a check on the validity of coding members in tied chambers as .5. While there are too few members in this circumstance to accurately estimate the effect of tied chambers it is important to control for ties to properly estimate the other chamber level parameters.)

Second, majority members in a chamber in a divided government state must also accommodate the views of the other party sufficiently to gain the support of members of

the majority party in the other chamber, if that party differs from their own, and of the governor, if he is of the opposing party. In these circumstances, members who require the votes of members of the opposing party should devote more time to cross-party coalition building, than members who do not.

Congressional Quarterly's Party Unity scores also reveal that, even on party votes, some members can't be counted on as a certain party vote. The highs and lows of Congressional party loyalty roughly parallel those of party polarization. For each member of Congress CQ calculates the percent of party votes on which that member voted with his or her party. An average of this party unity score is calculated for each session for Republicans and for Democrats in each chamber. The lows in both chambers and in both parties all occurred between 1968 and 1972. Levels of party unity increased rather steadily with equivalent high values for House Republicans in 1995, 2001 and 2003 and House Democrats in 2007 and 2008. The high for Senate Republicans was in 2003 and that for Democrats in 2009 and 2010. The range is quite substantial—from lows of 51% to 60% of members voting with their party on party votes to highs of 91% to 94%. Some members are, of course, considerably more loyal than others, even when overall party is at its peak. For example, in 2010 Democratic Senator Nelson voted with his party only half the time (Zeller, 2011).

A member of the majority party in a chamber could have some uncertainty about whether enough members of one's own party will vote for her legislation to for it to pass even in her own chamber. All else equal, the smaller the margin of majority control, the greater the risk of defeat for a majority member's legislation and hence the advantage of securing some support from the other party. The logic is not the same for a member of

the minority party. The greater the margin of the majority party's control, the harder a minority member must work to secure a minimal winning coalition for their bill. Thus the relationship between the majority party's margin of control and the time a member devotes to building a cross-party coalition of support for her legislation should be negative for a majority member and positive for a minority member.

In some chambers a simple majority is insufficient to pass legislation. Members in these chambers need to build supermajorities and hence require minority support. There are 15 chambers that, at the time of the survey, required a supermajority larger than that held by the majority party to pass legislation. These include chambers that require a supermajority either for a quorum or to cut off debate and call the question. Karl Kurtz writing in *The Thicket at State Legislatures* cited his colleague Brenda Erickson for compiling data on both types of supermajority requirements (2011, 2007). (Texas has a 2/3 supermajority requirement for a quorum—its Senate's customary voting practice parallels its quorum requirement.)

Of course, these obstructive tactics may be costly for the members who engage in them--leaving the state to prevent a quorum is more than just inconvenient. If they are costly, they are likely to be reserved for important issues. Generally, members in these chambers should be expected to spend more time building cross-party legislative coalitions than members in other chambers.

There is a large literature debating the extent to which parties succeed in pressuring legislators to vote with their party on party votes. (See Smith, 2007 for a summary of this literature.) Congressional studies by definition focus on two chambers and a very limited range of over-time institutional variation. In contrast, state legislative

chambers vary greatly in the carrots and sticks party leaders can use to incentivize members' party loyalty. There are no ideal measures of these powers of party leaders. The measure of professionalism that John Carey, Dick Niemi and I developed based on member compensation, session length, and total expenditures on legislative administration (Carey, Niemi and Powell, 2000, and Carey, Niemi, Powell and Moncrief, 2006) and the measure of leadership compensation I compiled (2012) will be used here as indicators of the powers of legislative leaders.

In general, the larger the state population, the more professional its legislature. (The correlation between logged state population and professionalization is .69.) The diverse political and economic factions in these large states create complex legislative issues. The demands of constituency service also increase in proportion to constituency population size which is larger too in more populous states. For these reasons, the total time a legislator spend on her job is greater in more populous states and the defining features of legislative professionalization—legislator compensation, days in session and staff—increase roughly in proportion to state population size. Professionalization was intended to increase legislative capacity and to do so in part by more professional chamber leadership structures—structures which are likely to provide leaders with more leverage over party members.

Leaders are more likely to be compensated for their time in these professionalized legislatures. Of the dozen most professionalized states, only Wisconsin, according to the Book of the States (2003), does not provide significant additional compensation for leaders. It is also in these professionalized legislatures, that leadership is more likely to

be a full-time rather than part-time job⁶.

Strong leaders have a wide range of powers at their disposal. One of the most important is based on their ability to fundraise for members of their caucus. Members in some chambers, most notably the lower chamber of New Hampshire, have very modest campaign fundraising needs. However, in the professionalized legislatures where these highly compensated leaders are concentrated, members represent large constituencies and have proportionately large campaign fundraising needs. Leader compensation does seem to be an indicator of a leader's fundraising opportunities. The top leaders of both majority and minority parties in chambers with compensated leaders have rates of return on their fundraising time over 4 times that of ordinary members, while in chambers with uncompensated or minimally compensated leaders, the top leaders have rates of return less than double that of ordinary members. (See Powell, 2012, for details.) Thus these highly compensated leaders have relatively more to contribute to members' reelection efforts and can use this resources advantage to more strongly incentivize the party loyalty of caucus members.

Leader compensation is particularly difficult to measure. While it is easy to distinguish chambers that provide very little compensation for leaders from those that provide significant compensation, it is not possible in many chambers to put a precise dollar value on the amount of additional compensation. For example, in some chambers, leaders are paid a salary for the days in the interim when they have official meetings, but the number of such days is not readily available. And the value of compensation for subordinate leaders, such as Minority Leaders or committee chairs, compared to the

⁶ For details on the relationships between leader compensation and other aspects of leadership power, see Powell, 2012, Chapter 7.

primary leader varies greatly across chambers as well. It is possible, however, to identify the 28 chambers that have minimal to no additional compensation for the highest chamber office a member can hold (most commonly Speaker or Senate President)⁷. Here chambers with significant compensation are coded 1 and the remainder 0.

An alternative to these measures would be to use items from the survey that ask respondents to indicate the power of the majority leader and of the minority leader to determine legislative outcomes in their chamber. However, these items ask about leaders influence over legislative *outcomes* not about the power of leaders over the *policy conformity of members of their caucus*. It is the latter that is of interest here. While the two types of influence are related they are not equivalent. The survey item asking about the influence of legislative leaders on outcomes is also dependent on the relative sizes of the majority and minority parties. For example (in multivariate analysis not shown here), the power of the minority leader over legislative outcomes is strongly negatively related to the size of the majority party's margin of control while the power of the majority party leader is more modestly positively related.

Ideological polarization between the parties and ideological coherence within parties are also features that have been identified as characteristics of polarization and causes of gridlock. The legislator survey asks members to place themselves on a 7-point ideological scale with the following labels: (1) Extremely Liberal (2) Liberal (3) Slightly

⁷ The Book of the States shows additional compensation for Presiding Officer, Majority Leader, Minority Leader and in some cases other leaders. Here I use the information on the highest paid internally elected leader. I distinguish between chambers with no or minimal compensation (less than \$1000 per year), and those with more compensation. States with no compensation in either chamber are: AZ, AR, MO (upper only), NE, NM, RI, SD, TX, VA and WI. The following states fall below \$1000 per year: AK \$500/yr, MT \$5/day during session, NH \$50 two-year term, NV \$900/yr, WY \$3/day. These data are shown in Tables 3.11 and 3.12 in *The Book of the States*, 2003, Volume 35.

Liberal (4) Moderate/Middle of the Road (5) Slightly Conservative (6) Conservative (7) Extremely Conservative. Here I have used the distance between the mean placement of the Republican legislators in the state and the Democratic legislators in the state. I use the state rather than the chamber because there are often too few party members in a chamber, especially minority party members, to provide an accurate placement. Indeed, despite a 40% response rate the numbers are often small for minority members in the legislature as a whole. Even using the state as a whole, the standard error of this measure will inevitably remain large. (It is yet more difficult to measure the ideological overlap between the two parties--a task left for future work.)

An alternative would be to use voting measures instead of self placements. Available measures, however, either do not match the exact year of the survey, or assume that the voting ideology of a member remains fixed for their career in the legislature. Each is someone problematic for this analysis. Further, the voting measures may incorporate the effects of party influence—a feature that I would like to measure separately from member ideology.

In general, similar to the argument in the gridlock literature, the greater polarization between the parties on issues, the less time members in those chambers should spend on bipartisan coalition building. Existing research studying gridlock and polarization is based on aggregate analysis and the explanatory variables are all measured at the chamber or state level. It is, however, only analysis at the *individual* level that can test the micro-level foundations of our theories. Since I am modeling the behavior of individuals, I can examine *which* legislators spend time building cross-party coalitions. It is the more moderate legislators who should spend more time building cross-party

coalitions. By balancing off the more extreme members of their own party with members of the opposing party they are more likely to construct legislation closer to their own ideal point. Member moderation is simply measured by distance from the legislator's self-placement to the liberal endpoint for Democrats and the conservative endpoint for Republicans.

Constituency competitiveness has also been argued to promote bipartisanship in bill cosponsorship by pressuring "members from more competitive districts to show they are moderate and willing to work across the aisle" (Harbridge 2010, 2). Constituency competitiveness may work through ideological moderation either by preferentially electing moderate candidates or by encouraging candidates to become more moderate in their platform to win and, subsequently in their legislative performance, to retain office. While asking members to place themselves on the ideological dimension may elicit their sincere preference, it more likely reflects their public position. If constituency competitiveness works as hypothesized it should show a significant positive coefficient in the model absent member moderation, and no effect if moderation is included.

Finally, there are three individual level variables likely to be related to members' time allocation. We might expect committee chairs to spend more time on cross-party coalition building than ordinary members given their responsibilities for authoring and passing legislation. While party leaders are similarly responsible for passage of their party's legislative agenda, they may negotiate primarily with the leaders of the opposing party rather than its members and thus may spend less time on cross-party negotiation than committee chairs. Members with more tenure may, over time, have formed more relationships with members of the other party than more recently elected members, and

these relationships are likely to foster greater legislative bipartisanship.

Empirical Analysis

The dependent variable in the analysis, time spent building legislative cross-party coalitions, is based on the responses of individual legislators. The independent variables test the hypotheses (expectations shown in Table 1) developed in the previous section. In addition, time spent building coalitions within one's own party is included as an individual level control variable in the model. Table 2 shows the coding of the independent variables. Nine of the IVs are measured at the individual level and five at the chamber level. Thus the data are multilevel in structure, and a Bayesian hierarchical model will be used to estimate the effects of the variables at both chamber and individual levels.

At the individual level, the model is as follows:

$$y_i \sim N(\alpha_{j|i} + \beta_1 \text{Majority member}_i + \beta_2 \text{Maj. member in divided govt}_i + \beta_3 \text{Size maj} * \text{Majority member}_i + \beta_4 \text{Ideological moderation}_i + \beta_5 \text{Constituency partisan favorability}_i + \beta_6 \text{Party Leader}_i + \beta_7 \text{Committee chair}_i + \beta_8 \text{Log tenure}_i + \beta_9 \text{Time Spent Building same party coalition}_i, \sigma_y^2)$$

At the chamber level, the chamber dummy variables, the α_j , are modeled:

$$\alpha_j \sim N(\gamma_0 + \gamma_1 \text{Size of majority}_j + \gamma_2 \text{Supermajority requirement}_j + \gamma_3 \text{Legislative Professionalization}_j + \gamma_4 \text{Leader compensation}_j + \gamma_5 \text{Party ideological difference}_j + \gamma_6 \text{Tied chamber}_j, \sigma_a^2)$$

for $i = 1, \dots, n$ where n is the number of survey respondents and $j = 1, \dots, 99$
where j is the legislative chamber

The model is estimated using Markov chain Monte Carlo (MCMC) methods. (For a discussion of estimation of this type of multilevel model, see Gelman and Hill 2007, 251-171.) Approximate convergence was achieved with all values of $R_{hat} \approx 1.0$. Estimates of the individual and chamber level coefficients are shown in Table 3 which contains the mean coefficient values and their standard deviations. Statistical significance is based on the percentile distributions of the coefficients.

Consistent with the expectations from Table 1, minority members in a chamber do spend more time building coalitions across parties to pass legislation relative to the amount of time they spend building coalitions within their own party. Table 4 shows the magnitude of effects for all the independent variables. In calculating the magnitude of effect of minority status, the comparison is made between members of the minority and majority--both in chambers of average size of margin of control. (It is necessary to specify a comparison value for margin of control because members' minority-majority status is interacted with size of majority in the model.) Minority members spend .74 units more time on bipartisan coalition building (on the 5-point scale) than majority members in average chambers. This is the largest magnitude of effect shown in Table 4 and is statistically significant at the .001 level. This reflects the simple reality that if a minority member wishes to see his legislation pass, some members of the majority must vote for it.

A similar calculation is made for members in tied chambers. Here too I compare members in tied chambers to majority members serving in chambers with average margins of control. Members in the tied chambers spend .36 units more time on building bipartisan coalitions than the baseline category. While this result is sensible, it should, of course, be viewed cautiously because of the number of tied chambers⁸.

Similarly, members who serve in divided governments (those in which no party has the majority in both chambers and occupies the governorship) recognize that for their legislation to be enacted into law it must secure bipartisan support. Members in states with divided control spend .16 more units of time on bipartisan coalition building than members in states with unified government.

The effect of size of minority is, as hypothesized, different for members of the majority and minority. The larger the majority the less time majority members devote the building bipartisan legislative coalitions while the reverse is true for members of the minority. The magnitude of the effect is about equal for both—members in the majority in a chamber with margin of control one standard deviation above average spend about .12 unit less time than members of the majority in chambers with margins of control one standard deviation below average.

There are three variables related to the effects of ideology on bipartisanship. First, the coefficient on member moderation is expected to be, and is, positive. More

⁸ Individuals in tied chambers are assumed to have a value of .5, that is, midway between those of minority and majority members on the 0-1 coding of majority-minority status. This term is interacted with size of majority. This assumption of a .5 value for members in tied chambers is tested by including a 0-1 dummy variable for tied chambers in the model. The approximately 0 coefficient for tied chambers indicates that the .5 assumption is appropriate. Including the tied variable tests whether the intercept value is correct. There is no need to test the slope coefficient for tied members because all of them are, by definition, in chambers where size of majority equals 0.

moderate members do indeed spend more time constructing bipartisan legislative coalitions. A member who is one standard deviation more moderate than average spends .15 units more time on bipartisan coalition building than a member who is one standard deviation below average. The ideological distances between the mean legislators in the two parties in a state has little effect although it has the correct direction of effect and is just statistically discernable at the .10 level. Theoretically, the greater the distance between the parties, the more gridlock, as it is harder for the parties to find common ground. (The minimum effect needed to be statistically discernable is large reflecting the standard error of this variable. There are simply few minority legislators, and hence respondents, in many states.)

Constituency partisan favorability is unrelated to time spent building legislative coalitions in the full model as shown. If member moderation is omitted from the model then the larger the fraction of constituents who identify with the opposing party, the more time the legislator spends on bipartisan coalition building. Thus the effects of constituency competition work largely or wholly by electing more moderate members or at least those who will adopt a moderate legislative agenda.

Committee chairs were expected to spend more time than other members on bipartisan coalition building and they do so, although, the actual effect, as shown in Table 4, is modest. Chairs spend .07 units more time than others on this activity. Chamber and party leaders were expected to spend less time than chairs, and the coefficient on leaders is slightly negative and statistically insignificantly. Committee chairs, who are responsible for negotiating legislation that will be enacted into law, spend more time negotiating bipartisan coalitions than do leaders who, while they are responsible for the

entire legislative agenda, may negotiate directly with the other party's leaders, not its more numerous caucus members and hence devote relatively less time to bipartisan activity.

Both committee chairs and legislative leaders may be strategically sensitive to the need to devote time to bipartisan negotiation—for example if their party controls both chambers by large margins and holds the governorship they might devote relatively less time than chairs and leaders, for example, in tied chambers or under divided government. Such interactions are not included in the model estimated here. There are practical constraints in the number of interactions that can be estimated in a world of 99 chambers. I am considering alternative model specifications to test for these effects.

Length of tenure is also positively associated with bipartisan activity, although the effect is small here also. The notion is that members who have been in the chamber longer have had more time to establish relationships with members of the other party than more newly elected members.

Three institutional features of legislatures are more strongly related to bipartisanship. First members in chambers with supermajority quorum or cloture requirements in excess of the seats held by the majority party do, as expected, expend more time building bipartisan legislative coalitions. Members in these chambers spend .12 of a point more time on bipartisan activity.

Legislative and especially leader professionalization were expected to be negatively related to legislative bipartisanship. The coefficient on professionalization is negative but insignificantly different than zero. The coefficient on leader compensation, the crude measure of leader professionalization used here, is negative and statistically

discernable at the .001 level. Members in the chambers with more highly compensated leaders spend .16 unit less time in bipartisan activities. This finding is suggestive and I am working on developing a better measure and understanding of the effects of party influence on members' legislative activities. The extent of party influence on voting behavior has been the focus of a large number of Congressional studies with quite varied findings. The relationship observed here will, I hope, ultimately give me some leverage on this question.

Future Research

This research is an exploration of a new approach to longstanding areas of research—polarization and gridlock. Most of the basic findings are consistent with our understanding of the legislative process in our system of checks and balances. Legislators, in trying to construct bills that can pass both chambers and will be signed into law by the governor (or that have enough support to override a gubernatorial veto), consider the partisan and ideological composition of these entities. If one party lacks control of all three institutions, legislators must secure bipartisan support to change the status quo. Thus I find that legislators in states with divided party control and legislators in chambers with supermajority requirements greater than the fraction of seats held by the majority party spend more time building bipartisan legislative coalitions than do members in other circumstances. Similarly, members of the minority, by necessity, spend more time than members of the majority on bipartisan coalition building. Members of the majority devote more time to this activity the smaller their chamber majority, with the reverse relationship for minority members.

The factors outlined in the preceding paragraph operate at the chamber level. Within chambers we can also determine which members are more likely to engage in cross-party coalition building. Most notably, ideology is important to determining which individual members devote time to bipartisan coalition building. Party moderates are more likely to create legislation closer to their ideal point with a bipartisan rather than a purely partisan legislative coalition. Thus party moderates spend more time on cross-party coalition building than party extremists.

These findings are theoretically expected and it is reassuring that they are identified in the model. The most intriguing finding relates to the effect of leadership professionalization. In chambers with more highly compensated leaders, members spend less time on bipartisan coalition building than in other chambers. The measure used here is a simple dichotomous measure that my ongoing research suggests is a crude indicator for strong party leadership structures—ones in which leaders have substantial resources they can use to persuade caucus members to support the party agenda when they otherwise would not have done so. I am pursuing a better measure and understanding of this process. A future task is to link time on bipartisan coalition building to legislative outcomes.

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Figure 1

Time Spent on Building Within and Across Party Coalitions

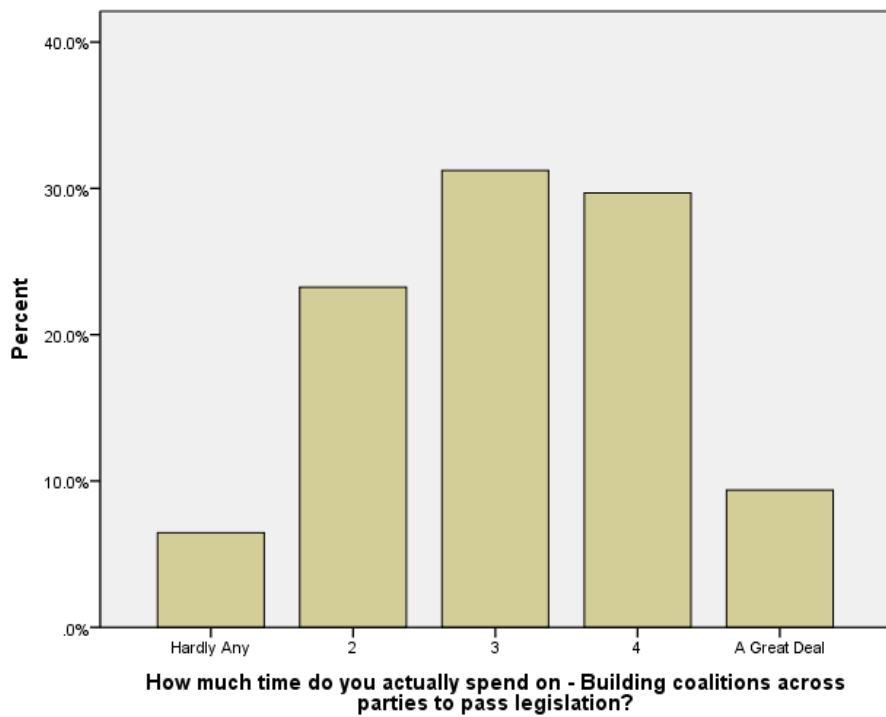
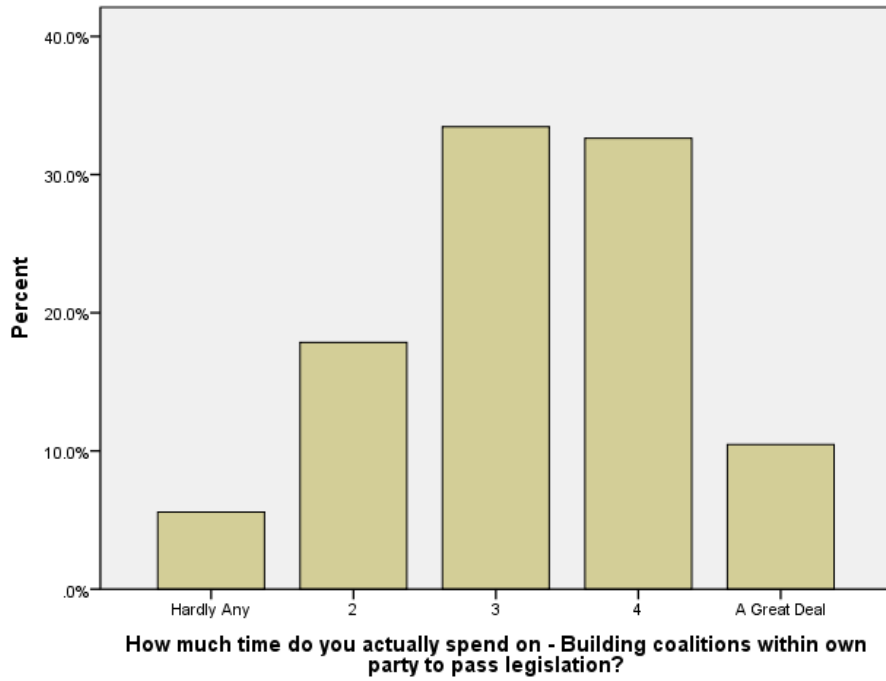


Figure 2

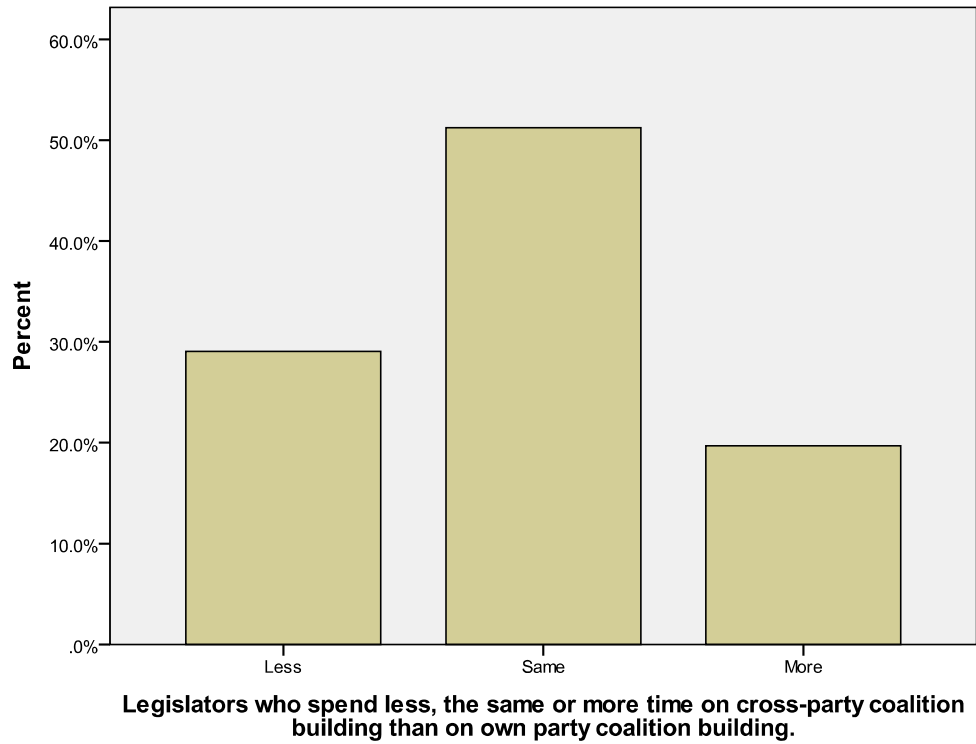


Figure 3

Chamber Averages of the Fraction of Time Members Devote to Cross-Party Coalition Building.

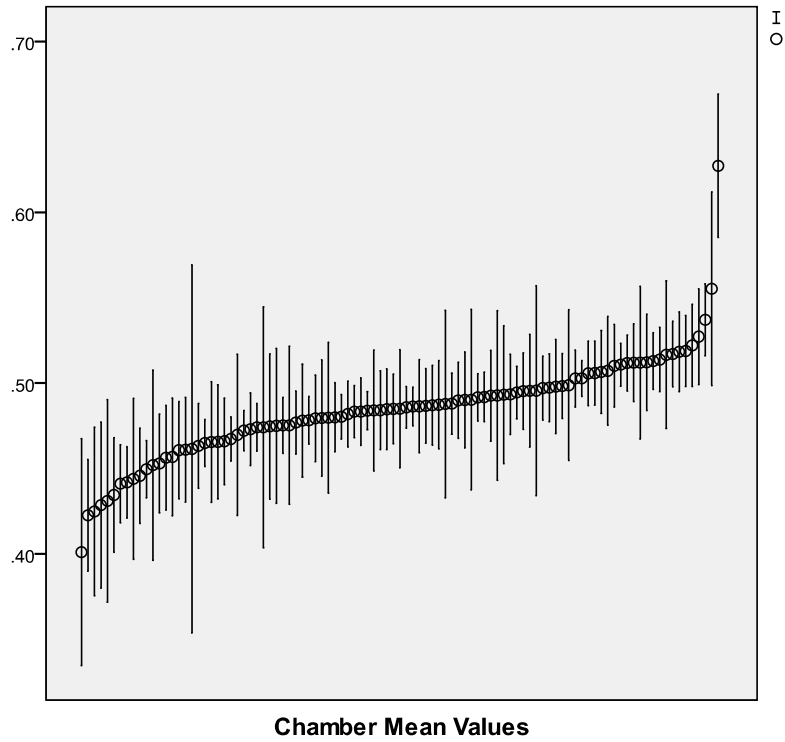


Table 1

Expected Direction of Relationship Definitions of Independent Variables

Independent Variables	
Individual Level	
Member of majority in chamber	-
Member of majority in divided government state	+
Size of Majority * Member of majority in chamber	-
Ideological moderation	+
Constituency Partisan Favorability Toward Legislator	-
Majority or Minority Party Leader	< coef for com chair
Committee Chair	+
Logged Years Remaining in Term Limited Chambers	+
Chamber level	
Size of Majority in Chamber	+
Supermajority requirement	+
Legislative Professionalization	-
Leader Compensation	-
State Party Ideological Difference	-

Table 2

Definitions of Independent Variables

Independent Variables	Coding of variables
Individual Level	
Member of majority in chamber	Coded 0 for minority members, 1 for majority members and .5 for members in tied chambers and a very small n of independents. Data from NCSL supplemented by Carey, Niemi, Powell and Moncrief (2006).
Member of majority in divided government state	Product of Member of majority in chamber and Divided government state (see below).
Size of Majority * Member of majority in chamber	Product of Size of majority (see below) and member of majority in chamber
Ideological moderation	Distance of the legislator's self placement on the 7-point liberalism conservatism scale from 1 for Democrats and 7 for Republicans.
Constituency Partisan Favorability Toward Legislator	(legislator's perceived percent of voters who feel closer to the legislator's party divided by the total percent feeling closer to either major party) - .5. The legislators who affiliate with neither majority party are coded 0.
Majority or Minority Party Leader	Coded 1 for Senate Presidents, House Speakers, Presidents Pro Tempore, Speakers Pro Tempore, Majority Leaders, Minority Leaders, assistant leaders in a few cases and 0 otherwise. Data from NCSL supplemented by the author.
Committee Chair	Coded 1 for Committee Chairs and 0 otherwise. Data from NCSL supplemented by the author.
Logged Years Remaining in Term Limited Chambers	Log of the number of years eligible to serve in term-limited chambers, 0 for chambers without term limits. Data and coding Carey, Niemi, Powell and Moncrief (2006)
Chamber level	
Size of Majority in Chamber	Fraction of legislators in the majority party minus .5. Data from NCSL supplemented by the author.
Supermajority requirement	Chambers that require a supermajority either for a quorum or to cut off debate and call the question (Kurtz 2007, 2011).
Legislative Professionalization	Based on Carey, Niemi and Powell (2000) using the updated data from Carey, Niemi, Powell and Moncrief (2006).
Leader Compensation	Coded 1 in chambers in which the primary leader receives more than \$1000 annual compensation, 0 otherwise. <i>The Book of the States</i> 2003.
State Party Ideological Difference	Magnitude of difference between the mean Republican and mean Democrat self-placement on the 7-point liberalism-conservatism item.

Table 3

Time Spent Building Legislative Coalitions

Individual Level	
Member of majority in chamber	-.45*** (.11)
Member of majority in divided government state	.16*** (.05)
Size of majority * Member of majority in chamber	-2.44*** (.44)
Ideological moderation	.12*** (.01)
Constituency partisan favorability toward legislator	-.13 (.13)
Majority or Minority Party Leader	-.04 (.08)
Committee Chair	.07* (.04)
Log Tenure	.05* (.03)
Time spent building same party legislative coalition	.58*** (.02)
	N=2800
Chamber level	
Size of Majority	1.18*** (.44)
Supermajority requirement	.12** (.07)
Legislative professionalization	-.15 (.12)
Compensation for Leaders	-.16*** (.06)
State Party Ideological Difference	-.10* (.06)
Tied Chamber	-.01 (.17)
Constant	1.44*** (.17)
Multiple R at chamber level	.76
	N=99

Standard deviations for the Bayesian means are shown in parentheses

Table 4

Magnitude of Effect of Independent Variables on Time Spent

Member of minority in chamber with average size majority compared to member of majority in same chamber	.74
Member in tied chamber compared to member of majority in chamber of average size majority	.36
Member of majority in divided government state	.16
Effect of size of majority for majority members	-.12
Effect of size of majority for minority members	.11
Ideological moderation	.15
Constituency partisan favorability toward legislator	-.02
Majority or Minority Party Leader	-.04
Committee Chair	.07
Log Tenure	.03
Supermajority requirement	.12
Legislative professionalization	-.03
Compensation for Leaders	-.16
State Party Ideological Difference	-.04

Using the coefficients from Tables 3, I compute the difference in predicted change in time comparing a case one std deviation above the mean to a case one std deviation below. For dichotomous variables, high value is compared to low value.