Localism and Factionalism
in American State Legislatures

Gerald Gamm, University of Rochester
and
Thad Kousser, University of California, San Diego

Abstract: The study of state legislatures is usually grounded in the idea that state legislators navigate their way through an array of statewide issues, that the bills considered at the state level look, in miniature, like those considered by Congress. But a significant portion of legislative business, today and in the past, has been entirely about local governments. Drawing on a new database of 170,000 bills—covering selected sessions over the last 120 years for thirteen different states—we demonstrate the prominence of bills affecting specific localities on state legislative agendas. We then develop a theory linking the goals of legislators to their propensity to introduce these special bills, rather legislation with a statewide impact. The analysis demonstrates the powerful effect of legislator salaries and state incomes on the numbers of special bills introduced, as well as a robust and strong effect of party competition. As Key (1949) predicted, one-party state legislatures are much more likely to consider special bills, while competitive, two-party states are more likely to debate statewide policy.

Prepared for delivery at the 2007 State Politics and Policy Conference,
Austin, Texas, February 22-24th

This project draws on a database of bills that was assembled and coded, over many years, by a team of researchers supervised by Nancy Burns (University of Michigan) and Gerald Gamm (University of Rochester) and funded by the National Science Foundation, SBR-9709544. All of these researchers were superb, and some of them became collaborators with Burns and Gamm. We owe a great debt to each of them: Scott Allard, Kelly Bowman, Laura Evans, Seth Goldstein, Chetan Gulati, Matt Jacobsmeier, Cindy Kam, Corrine McConnaughy, Deborah Meizlish, Jon Onyiriuka, Brian Roraff, Adam Shapiro, Eric Snider, Susanna Supalla, and Dustin Tingley. For locating and coding all the biographies and rosters of state legislators, we are very grateful to Chris Lee. We also wish to acknowledge the librarians in the Interlibrary Loan Department of Rush Rhees Library, who located all the legislative journals we have used in this project.

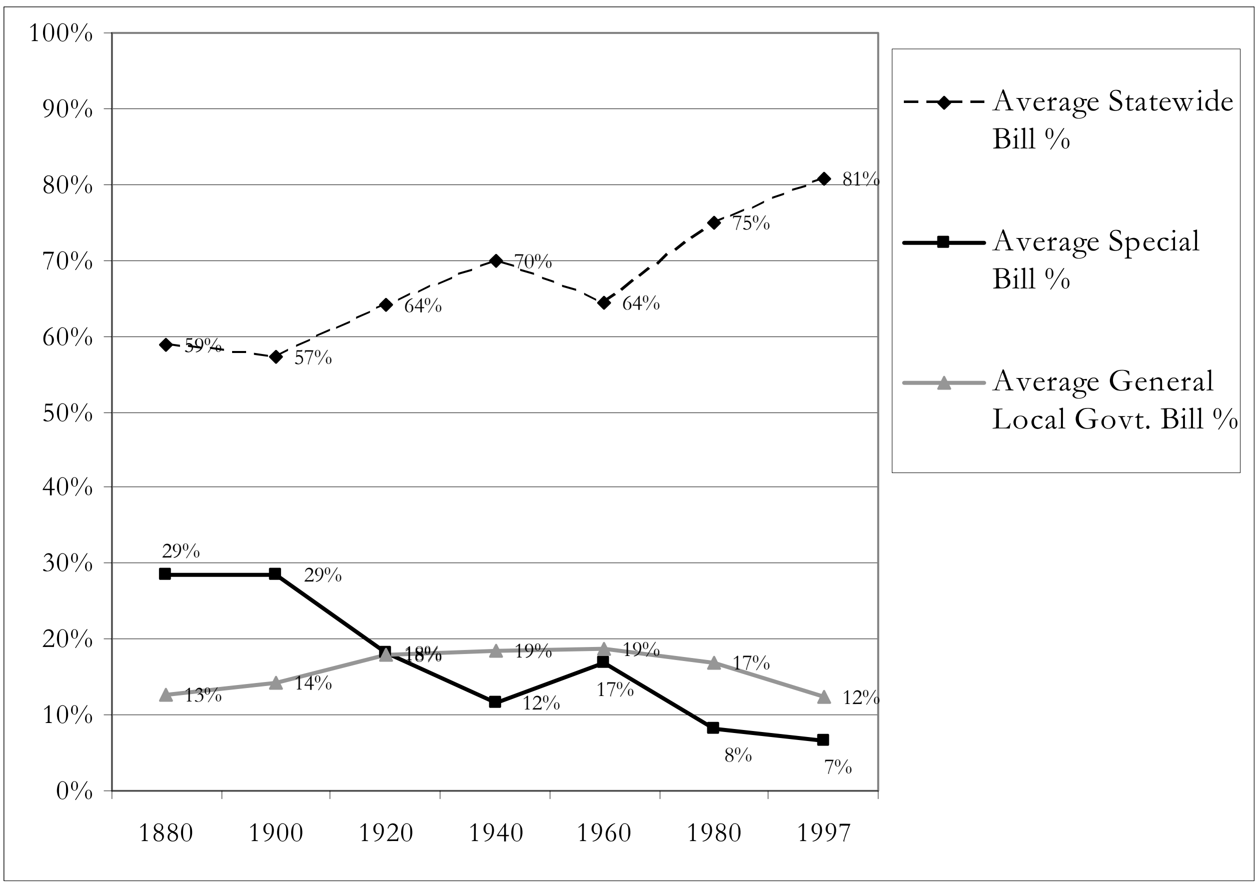
Overview

The study of state legislatures is usually grounded in the idea that state legislators navigate their way through an array of statewide issues, that these chambers duplicate on a state level the kind of work that the United States House of Representatives and Senate pursue on a national level. Indeed, Squire and Hamm identify this characteristic as perhaps the most important basis of comparison between state legislatures and Congress. “At a macro level the functions and roles that the two sorts of legislative institutions play are the same,” Squire and Hamm (2005, 2) write in their magisterial study. “With the exception of trade and defense issues, state legislatures and Congress consider the same sorts of legislation regarding taxation, spending, and the like.” Consistent with this approach, Moncrief, Thompson, and Cassie (1996, pp. 320-321), in their survey of research on state legislatures, single out budgeting and oversight as the only policymaking arenas that merit discussion.

Writing in 1954, in a report of the American Political Science Association, Zeller (1954, p. 3) recommended various reforms for state legislatures, noting that these chambers are increasingly facing “the same types of problems that all but overwhelm Congress.” The movement for more professional state legislatures, which crested in the 1960s and 1970s, was animated, of course, by the vision that these legislatures could be better equiped to handle the business coming before them. Chambers filled with amateurs—with members who were poorly paid, overwhelmed by large numbers of bills during brief sessions, and with little staff support—were hardly in a position to manage education, welfare, housing, and taxation policy. Proposals for longer, more frequent sessions, higher salaries, and larger staffs were all propelled by the belief that the issues coming before state legislatures required expertise that amateurs lacked.

As Figure 1 shows, illustrating data gathered from thirteen different states, statewide bills have long composed a majority of the business coming before the average state legislature. In 1881 and 1901, a majority of all the bills in these states dealt with statewide issues, and the number rose through the 20th century. Corresponding with the movement for more professional legislatures, the proportion of statewide bills increased from 64 percent in 1961 to 81 percent in 1997. Clearly the number of statewide bills has always been significant, and it has grown greater in recent years.

Figure 1. Variation Across Time in the Types of Bills Introduced

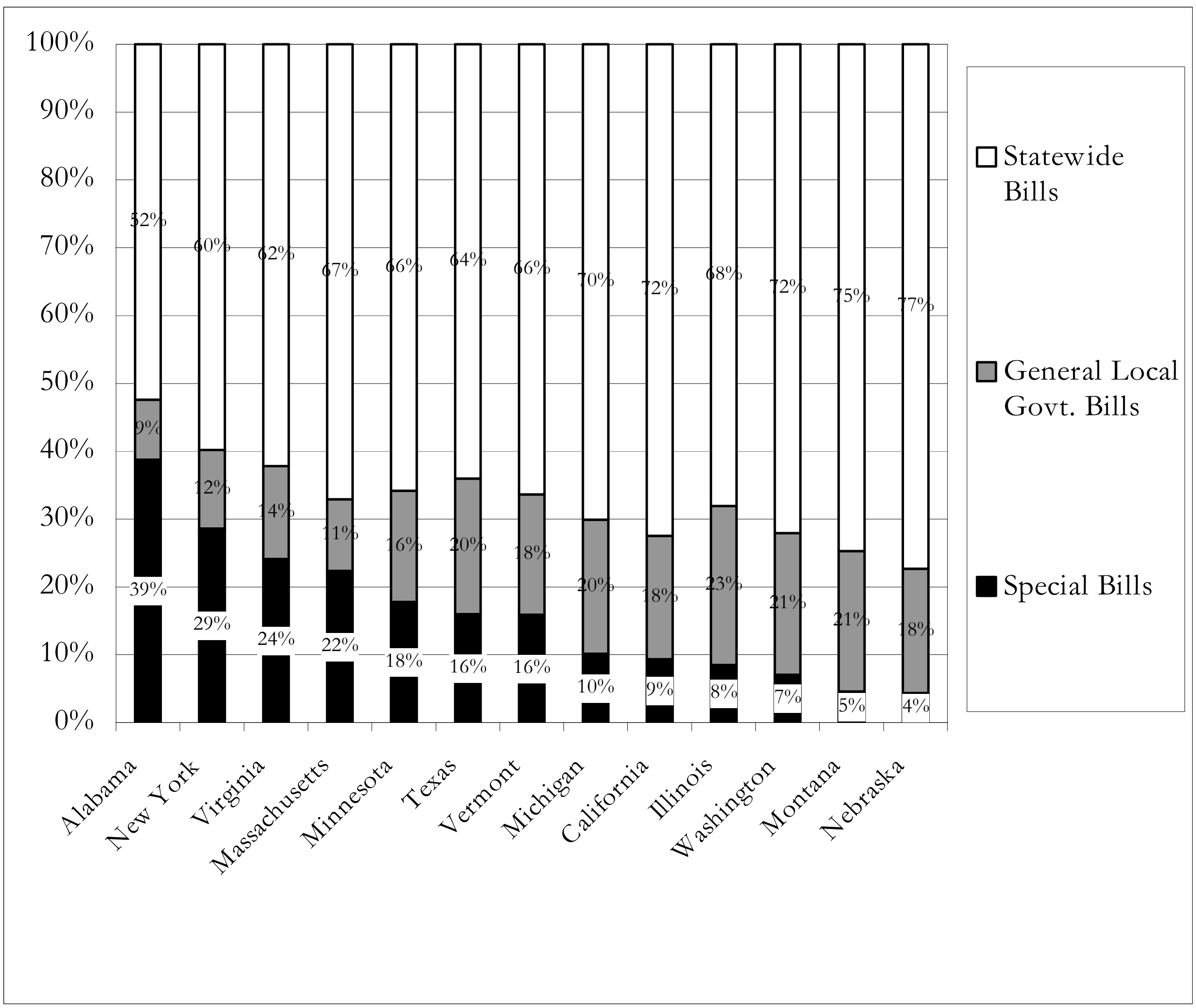


But a significant portion of legislative business, today and in the past, has been entirely about local governments. This is a species of legislation that gets little attention in most literature on state legislatures, but it has always been a major component of state legislative work. As late as 1961, as Figure 1 shows, one out of every three bills dealt with local, rather than state, issues. Indeed, as we begin to examine specific states and years, the press of local legislation at times dominated all the work of the legislature. In the 1900 session of the Alabama legislature, for example, 71.5 percent of all bills introduced were local bills—and 70.1 percent of all bills dealt not with local issues generally, but with the concerns of a specific, named locality. This was not simply a southern, or Alabamian, phenomenon. Almost 60 percent of the bills considered in the New York legislature in 1901 were local bills of some sort, and 53 percent of all bills dealt with a specific locality. Nor was this simply an ancient tendency. Of the bills introduced into the Massachusetts legislature in 1961, a majority were local bills and 35 percent were special bills.

Localism has always been a prominent feature of American state legislatures, distinguishing these chambers, in fundamental ways, from Congress. The extent to which a legislature devotes its work to local, rather than state, issues has varied over time and over states. As Figure 1 shows, special bills (i.e., bills dealing with a single, specified locality) and general local bills have generally declined as a proportion of all bills over the last century. But the decline has not been constant, and it has not been complete. As recently as 1961, 17% of all bills were special bills, and another 19% were general local bills. Even in 1997 both forms of local bills continued to persist, together composing nearly one-fifth of all business in these legislatures.

Not only have the numbers of special bills, general local bills, and statewide bills varied with time, but they have also varied greatly across states. Figure 2 shows results from the thirteen states for which we have collected a complete database of bills for specified years. For Figure 2, data is pooled across time, so the numbers in the table represent bills introduced over the last 120 years. In Alabama, statewide bills constitute only a bare majority of all bills

Figure 2. Variation Across States in the Types of Bills Introduced



introduced over this time, while 39 percent of all bills have been special bills, and another 9 percent have been general local bills. Indeed, in more than half the states we examine, special bills and general local bills together make up at least one-third of all legislation in these chambers. New York and Massachusetts, which have always boasted two of the nation's most professional legislatures, have long waded through swamps of special legislation. Special bills over the last century have constituted 29 percent of all bills considered in the New York assembly and 22 percent of all bills considered in the lower house of the Massachusetts General Court. Meanwhile, special bills have historically been inconspicuous in states as diverse as Nebraska, Montana, Illinois, and California, where they have made up less than 10 percent of all bills since the 1880s.

Given the tendency to emphasize statewide policymaking in studies of state legislatures and the frequency with which scholars compare these chambers to Congress, the vast numbers of these special bills challenges deeply held assumptions about the nature of work that these legislatures do. The dataset we draw on, which has been assembled over the last decade, is unprecedented in its size and sweep. We have identified every bill introduced into the lower house of thirteen state legislatures in seven sessions over the period 1881-1997. In total, then, our database includes about 170,000 distinct bills, each identified and coded from the original surviving journals of these legislatures. Of these, 50,642 deal with local issues—either as special bills or as general local bills.

Documenting the pervasiveness of special legislation and general local legislation is not the only purpose, nor even the primary goal, of this paper. Indeed, although we are now able to demonstrate the nature of state legislative business—and the role of local bills in this business—in truly systematic fashion, we are not the first to observe the role of localism in state legislatures. Teaford (1984, p. 84), for example, noted that "thousands" of bills that came before state legislatures in the late 19th century were special bills. For nearly all these bills, he observed, drawing on an array of historical sources, "the first step in the lawmaking process was the framing of local legislation by local interests" (Teaford 1984, p. 84). Burns and Gamm make a similar point, drawing on an analysis of bills introduced in three states in the period 1871-1921 (Burns and Gamm 1997, p. 59). Participating in a 1955 conference examining challenges to state legislatures, Wiltsee mentioned the continued press of "local and special legislation," mentioning that one southern state had considered 1,200 such bills in its 1953 session (Wiltsee 1956, p. 19). And a 1998 volume edited by Hanson examines the myriad ways in which state and local governments interact.

But what explains why special bills made up 54.0 percent of Alabama's business in 1961, but just 2.1 percent of Michigan's business that year? What explains why the proportion of special bills in California rose from 1.1 percent in 1981 to 8.4 percent in 1997, or the proportion in Texas fell from 20.6 percent in 1961 to 7.7 percent in 1981? We cannot, of course, explain any single data point or even any pair of data points. What we can do in this paper, though, is develop and test hypotheses for variation in the numbers of special bills over time and among states. As the paper progresses, we lay out a general theory to explain the predominance of general or special bills in a legislature, then generate and test specific hypotheses that grow out of this theory.

The variation is not simply a function of professionalism. It is not the case that professional legislatures focus on statewide legislation, and amateur legislatures on special bills. As we noted above, Massachusetts and New York, which rank high on any measure of professionalism, have always been among the states considering the largest numbers of special bills. And the recent decline in special legislation has not been confined to states whose legislatures have professionalized. On the contrary, the proportion of special bills in recent years has declined in Vermont and Montana, not states high on any list of professional legislatures.

Rather, considering legislators as goal-seeking political actors, we develop a theory that accounts for the proportion of special bills, general local bills, and statewide bills in relation to how these bills promote legislators' goals. We find that high legislative salaries are associated with relatively large numbers of special bills, as our theory predicts, and we also find evidence that turnover and state incomes affect the mix of state legislation. But our most dramatic finding is the importance of vigorous two-party competition in these states. Analyzing this database, we can test Key's classic argument that two-party politics produces meaningful policies, while one-party states result in factionalized, localized politics. "Factional fluidity and discontinuity probably make a government especially susceptible to individual pressures and especially disposed toward favoritism," Key writes in *Southern Politics* (1949, p. 305). "In a loose, catch-as-catch-can politics highly unstable coalitions must be held together by whatever means is available." Party-based politics, in contrast, according to Key, should promote "conditions favorable to government according to rule or general principle" (Key 1949, p. 305). Key's hypothesis, which has long been difficult to test in a systematic way, is powerfully confirmed in our analysis. The more dominant the majority party in a state legislature, the greater the proportion of special bills in that legislature and the small the number of statewide bills. This finding is strong and robust. Special bills, we show, were an outcome of the one-party Democratic states of the South, but they were just as much the product of one-party Republican states in the North.

I. Identifying Types of State Legislation

The central database for this paper has been drawn directly from the legislative journals of thirteen states. We selected the states to maximize variation along an array of dimensions: region, urbanization, legislative professionalism and careerism, state incomes, racial and ethnic composition, home rule provisions, state constitutional arrangements, legislative structure, partisan rules of legislative elections and organization, and the date of the state's admission to the Union. (Two of the states, Montana and Washington, first appear in this database as territories, and we coded bills from the original territorial journals in 1881 just as we coded bills from state legislative journals for all the other states and years.) The states we include are: Alabama, California, Illinois, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New York, Texas, Vermont, Virginia, and Washington.

For each state, we identified every bill introduced into its lower house for seven different sessions between 1880 and 1997.[1] In the great number of cases, we studied the regular sessions of 1881, 1901, 1921, 1941, 1961, 1981, and 1997. We made exceptions only when state legislatures did not meet in regular session in one of these seven years. The exceptional years came in Alabama (1880, 1900, 1919, and 1939), Vermont (1880 and 1900), and Virginia (1920, 1942, and 1960). Our universe of bills—our full set of roughly 170,000 bills—consists of every bill introduced into the lower houses, including not only all house bills but also those senate bills that came before the house for consideration. In states, most notably Massachusetts, where bills were not numbered or specified at the moment of introduction, we identified instead each item that was brought to the house for consideration. For Massachusetts, these items generally took

[1] In the case of Nebraska during its unicameral period, we, of course, study the only chamber that exists.

the form of "petitions." Many of these petitions later became bills, while others (like bills introduced in all the other states) died in committee.

For nearly every state and year, we needed to turn directly to the legislative journals to count total numbers of bills brought before the lower house. In most cases, house bills were clearly numbered in indexes, and we could easily identify senate bills that came before the house. But, in many other cases, no straightforward indexes exist. Where bills were numbered, but where no numbered bill index exists, we scanned indexes to locate the highest number assigned to a house bill, then created senate bill indexes from scratch. Where bills were not numbered, we constructed bill indexes based on subject matter and page numbers, or, if we could not find evidence of duplication in the published indexes, we counted each subject entry in the index (after determining that each entry coincided with a specific bill). And where no indexes exist in any form, we counted bills by going through the journal, day by day, building our own page-by-page bill indexes. Whatever method we employed, we closely supervised the research assistants doing this work, and we required that at least two people, working independently, count the bills for each state and year. Our data on total bills, then, was verified, in every instance, by at least two different people.

From this population of bills, we coded every bill that dealt with local affairs. We ultimately found 50,642 such bills, some of them general local bills and the remainder of them special bills. These local bills constituted 30 percent of the whole population. The remaining 70 percent of bills—the statewide bills—were not examined further.

Special bills were easily identified. Any bill referring to a specific local government, special district, or local place is coded as a special bill. In addition, bills limiting their action to a "class" of governments, where the classification singles out just one local government or a handful of local governments, is also coded as a special bill. Examples of special bills include:

—Alabama 1880 (H. 23): "To prohibit the sale, giving away, or otherwise disposing of, spirituous, vinous, or malt liquors within two and one-half miles of the Forest Home (Methodist) church, in Butler county."

—Illinois 1901 (H. 748): "To regulate the changes of venues in criminal cases in Cook county."

—Virginia 1920 (S. 293): "To empower the board of supervisors of Grayson county to borrow the sum of $90,000 and to issue bonds therefore, for the repair and construction of roads and bridges in Wilson, Elk, Creek and Old Town managerial districts."

—Michigan 1941 (S. 184): "To fix base salaries of Judges of Probate in counties between 250,000 and 300,000 population to $6,000 per year." (Only Oakland County satisfied this population classification.)

—Alabama 1961 (H. 844): "To provide for the payment of an expense allowance to members of the board of revenue or court of county commissioners of all counties having a population between 14,300 and 14,800." (Only Bibb County satisfied this population classification.)

—New York 1961 (Int. 342): "To amend the education law in relation to providing sabbatical leaves for full-time teachers in the community colleges of New York City."

—Minnesota 1981 (H. 835): "Relating to state lands, providing for the transfer of certain lands to the city of Hastings."

—California 1997 (S. 1376): "Requires the Great Basin Unified Air Pollution Control District to direct the City of Los Angeles to implement measures in existing law to mitigate the air quality impacts of its activities relating to Owens Lake."

We classified as **general local bills** those bills that dealt with local governments or local affairs, but did not single out one place or a very small group of places. These general local bills included bills that dealt with units of governments beneath the state level, such as cities, towns, villages, municipalities, water districts, school districts, sewerage districts, park districts, counties, and local courts and commissions. But these also included bills that addressed issues that primarily affected local governments. Thus we coded bills as "general local" rather than "statewide" if they addressed local bonds, property taxes, taxation beneath the state level, intrastate boundaries, local school policy, local government employees, local utilities, local government infrastructure, and government services typically supplied at the local level. Examples of general local bills include:

—Montana Territory 1881 (H. 7): "An act concerning county sinking funds and certain taxes."

—New York 1901 (Int. 1139): "An act to amend the Election Law, relative to the registration of electors for village elections in villages of the first and second class." (Large numbers of villages satisfy this classification.)

—Nebraska 1921 (H. 67): "A bill amending statutes of 1913 regarding the establishment of school districts."

—Texas 1941 (H. 246): "Authorizing any incorporated place to attach land within five miles of current borders which is not already incorporated."

—Vermont 1961 (H. 165): “An act authorizing selectmen to permit public telephones in public places.”

—Alabama 1981 (S. 105): “Amend an act relating to competitive bids so as to require certain municipal and county boards to let competitive bids on certain service and rental contracts or other contracts exceed a certain monetary amount; and to provide exemptions.”

—Massachusetts 1997 (H. 624): “To provide for payments in lieu of taxes to municipalities for certain properties exempt from taxation.”

Statewide bills made up the remaining 70 percent of bills in the population. These bills range broadly in subject matter. None of them, however, deal with local governments, local places, or distinctly local issues. Statewide bills include, for example, the 1921 New York bill (Int. 1274) “to amend the Public Health Law, in relation to inspections and certificates of sanitary condition of slaughter-houses, creameries and kindred and allied establishments.” They include, too, the 1997 California bill (A. 140) amending the Labor Code, requiring “the Occupational Safety and Health Standards Board to promulgate safety standards, orders, rules, and regulations for the safe control of moving traffic on a public street or highway where construction work is occurring.”

From the group of 50,642 local bills, we engaged in more detailed study. For each state and year, we randomly drew samples of at least 100 bills, for which we collected all information related to the bill’s introduction. In total, this sample included 9,378 bills. We then scrutinized these bills closely. We researched the introduction of each of these bills, including the title and subject matter of the bill, the identity of the person introducing the bill (or, in cases where the bill was not introduced in the house by one of its members, whether the bill originated in the senate or in committee), the initial committee referral, the membership of the committee to which the bill was referred, and whether the bill was special legislation or general local legislation. For a sub-sample of these bills—3,943 bills—we then traced the bill through the entire legislative process, tracking further committee referrals, amendment activity, actions in committee and on the floor of the chamber, and the final disposition of the bill in the house, senate, and governor's desk.

II. A Theoretical Framework to Explain Patterns of Bill Introductions

To explain variation across states and across time in the nature of bill introductions in state legislatures, we consider the logic that might drive an individual legislator to author a particular type of bill. One possible rationale for introducing bills with a local focus could be to redistribute resources from the state to a legislator's district. The high levels of local legislation that we observe a century ago might indicate that state legislatures were primarily arenas for log rolls, with members cooperating with each other to raid the state fisc and send it back home. Legislators moved away from such deals, perhaps, when their career patterns tied their incentives to the state and made raiding the common resource pool less desirable.

Yet a closer look at these bills and their fates has convinced us that this distributive logic will not help explain legislator decisions. Very few of the local bills, it turns out, raid the state. According to our content coding of 9,378 randomly sampled bills with a local focus, only 7% of them shift resources from the state to a local entity. Looking at the floor votes on 3,943 of these bills also reveals that the vast majority of successful ones pass overwhelmingly, rather than by the minimum winning coalition that pork distributions should garner under the logic of models like Baron and Ferejohn's (1989). It appears that these locally focused bills often attract expansive coalitions and accomplish broader goals than simply sending pork back to a district.

Our theory about what causes members to introduce them, by consequence, allows for the wide range of ambitions that can drive legislators. In his study of Congress, Fenno (1973) famously set three goals—enacting policy change, gaining influence within the house, and seeking reelection—that could explain a member's behavior. We expand this set of goals slightly in order to reflect the dual authority over state and local affairs that state legislatures possess. In our framework, legislators pursue four goals, to varying degrees, and author bills in order to reach them. First, they may care about policies that directly affect their districts; that is, functions performed by any governmental unit in any part of the areas that they represent. Second, they may care about policies with a statewide impact that goes beyond their districts' borders. (Partitioning a legislator's policy goals into district and statewide objectives in this manner is our only amendment to Fenno's original framework.) Third, they can be concerned with their influence within the statehouse, building reputations that will enhance their prestige and power. Fourth and finally, they court the favor of their constituents in order to secure reelection. Any piece of legislation will, if successful, produce some combination of payoffs that moves them toward these four goals.

In order to predict what type of legislation a member will introduce, then, we consider the potential payoffs produced by each of three different kinds of bills: bills that deal with statewide issues, bills that affect local governments across the state, and bills that target a specific locality. We summarize these payoffs in Table 1. We assign a high payoff of "π_H" to an action that moves a legislator furthest toward a particular goal, a low payoff of "π_L" to an action that provides a moderate amount of progress, and "0" to an action that does nothing to help.[2]

Consider first a legislator's ambition to affect policy in his or her district. Any bill that has a statewide impact will, by definition, also affect every part of the legislator's district. These effects can be profound, as in the 1961 New York bill extending the state's rent control law (Int. No. 4973), or apparently minor (as in another New York state bill from 1961, Rec. No. 516, which proposed an amendment to the state's motor vehicle law "in relation to removing or secreting the ignition keys of unattended motor vehicles"). But, in some way, every one of these bills affects a member's whole district. Consequently, and somewhat counterintuitively, we assume that a statewide bill brings the highest possible payoff ("π_H") for a legislator's goal of shaping district policy. So too does a bill that affects local governments throughout the state. Whether it governs all cities, all counties, all school districts, or even all mosquito abatement districts (as did Nebraska's L.B. No. 66, introduced in its 1981 session), its impact will span a legislator's entire district. By contrast, a special bill will (in most cases) shift policy only in a subset of a legislator's district, because it affects only one governmental unit. For this reason, special bills will normally provide only a π_L payoff toward district policy goals. The exception to this rule—and the one payoff that varies under our assumptions—comes when the unit of local government that is affected by the bill fills the entire district. This can occur when districts are very small (as in Vermont's single-township districts, where until the 1960s legislative districts were coterminous with the state's 240-odd towns and cities) or when a city (such as Boston, Chicago, New York, or Detroit) is very large, so that a district is a small piece of a big city.

[2] These symbols make the ordering of the payoffs clear. We use symbols rather than numbers because were are not willing to make any further assumptions about the relative distances between a high payoff and a low payoff, compared with the space between a low payoff and an action that provides no payoff.

Table 1. Payoffs and Risks for Three Types of Legislation

	Statewide Bill	*General Local Government Bill*	*Special Bill*
Policy in the District	π_H	π_H	π_L (π_H for small districts or large cities)
Policy Statewide	π_H	π_H	0
Influence Within the House	π_H	π_L	0
Reelection	π_L	π_L	π_H
Time Costs of Introduction	t_H	t_M	t_L

The payoffs that bills provide for a legislator's goal of shaping state policy are more straightforward. Both statewide and general local government bills yield a high payoff, since their effects extend across the entire state. Special bills, with their clearly circumscribed reach, fail to yield any benefit to a members' ambitions to affect policy beyond his or her district. Local bills also do nothing to further a legislator's goal of gaining influence within the house, we assume, because of their particularistic focus. While taking care of the district may help a member back home, these are not the types of bills that build a reputation as a legislative heavyweight. We posit that general local government bills, with their universal impact, do help members improve their influence in the capitol community and yield a π_L payoff. The best thing that legislators can do to improve their reputation within a statehouse, though, is to pass statewide legislation, which gives them a π_H benefit. Finally, we assume that the rewards for passing special bills come when members run for reelection. All three types of bills, if successful, bring tangible benefits to district voters, and yield at least a low payoff. Yet these benefits are more transparent to voters when they are delivered through special bills, which make it easier for legislators to claim credit by advertising their capitol work to their constituents (Mayhew 1974, p. 77). For this reason, bills that name the city or other unit that they affect yield a π_H payoff.[3]

When legislators decide on the mix of bills they will introduce, we posit, they consider what each type of legislation will do for their ambitions in these four realms. But they also need to worry about the time costs of drafting and carrying bills.[4] For a special bill, this may not be too burdensome. Those who have won an election and live in a district know much about its needs, and are often advised by local elected officials about exactly what needs to be done. General local government bills should take more time to craft, since their effects across the state must be investigated and negotiated, but at least legislators can still rely on the expertise of local officials in these matters.[5] When it comes to statewide issues, though, legislators will need to devote a considerable amount of time to drafting bills, a potential drawback of authoring too many statewide bills. We assume that any legislator has a fixed time budget, but that this budget can be expanded when a legislative session lasts longer or when an expert staff is available to assist members.

Taking into account all of these goals, payoffs, and costs, we can formalize the utility function that a legislator seeks to maximize by introducing a particular mix of bills. The utility

[3] It may strike readers as contradictory that we posit that local bills provide fewer policy benefits to a district, but provide a larger reelection payoff. The key to this distinction is that payoffs are in the eye of the beholder. Legislators themselves, fully informed about their activities in a state capitol, judge their policy accomplishments in their district. The reelection chances, by contrast, are governed by the perceptions of district voters, who (we assume) pay more attention to the benefits of special bills because they can be more clearly advertised.
[4] An additional consideration that we do not address here is that different types of bills may have different expected probabilities of passage. Since we assume that payoffs are yielded only by successful bills, this should affect a legislator's mix of bill introductions and is worth further investigation.
[5] In the states and years that we cover, many state legislators are themselves local officials or were local officials in the recent past, and service in local governments is often more of a well-paid, full-time job than state legislative service, making local governmental actors a potentially important source of expertise.

that a legislator gets from passing one successful statewide bill is the sum of the payoffs that this type of bill delivers toward the four member goals, weighted by the emphasis that she or he places on each goal:

$$U = \pi_H W_{District} + \pi_H W_{State} + \pi_H W_{Influence} + \pi_L W_{\mathrm{Re}election}$$

and the utility derived from introducing "k" of these statewide bills is:

$$\begin{aligned} U &= \sum_{i=1}^{k} \left[\pi_H W_{District} + \pi_H W_{State} + \pi_H W_{Influence} + \pi_L W_{\mathrm{Re}election}\right] \\ &= k\pi_H W_{District} + k\pi_H W_{State} + k\pi_H W_{Influence} + k\pi_L W_{\mathrm{Re}election} \end{aligned}$$

From a set of "l" general local bills, a legislator obtains the following utility:

$$U = l\pi_H W_{District} + l\pi_H W_{State} + l\pi_L W_{Influence} + l\pi_L W_{\mathrm{Re}election}$$

And from a set of "m" special bills, a legislator obtains:

$$U = m\pi_L W_{District} + m\pi_H W_{\mathrm{Re}election}$$

Adding up these three utilities, and noting the overall time constraint, a legislator chooses a mix of bills (k, l, m) to maximize her or his overall utility:

$$U = W_{District}[(k+l)\pi_H + m\pi_L] + W_{State}[(k+l)\pi_H] + W_{Influence}[k\pi_H + l\pi_L] + W_{\mathrm{Re}election}[m\pi_H + (k+l)\pi_L]$$

such that she or he satisfies the time constraint:

$$T = kt_H + lt_M + mt_L$$

What we gain by this exercise in abstraction is the ability to provide a general framework that links many of our explanatory variables to individual legislator decisions and then to aggregate legislative behavior. It clarifies our hypotheses about causal pathways, and reveals contingent effects and additional observable implications of our theory that were not obvious to us. It focuses our attention on three ways that explanatory factors can influence the types of bills that members introduce:

1. A factor can shift a legislator's priorities, causing him or her to weight one goal more strongly and introduce more bills that provide high payoffs for that goal.

2. A factor might loosen or tighten a legislator's time constraint, or reduce the costs associated with one type of bill.

3. A factor could directly change the payoffs associated with one type of bills, in the way that being a legislator from a big city can increase the district policy payoffs of a special bill that affects this big city.

In the next section, we use this framework to develop our hypotheses about how the characteristics of state legislatures may help to explain the types of bills that their members introduce.[6] These characteristics range from a legislature's level of professionalism to the career paths of its members to the size of the majority party's margin, but what unites them is that all should exert their causal influence through the mechanisms specified in our theoretical framework. After reporting how we measure these variables and setting forth our hypotheses (and alternative hypotheses suggested by other theories), we discuss the potential effects of control variables measuring a state's demographic characteristics and legal environment.

III. Hypothesized Effects of Explanatory Variables

Legislative Salaries. Many theories about legislatures view the reelection incentive as a constant, an ambition that always and everywhere consumes legislators. While this may be fitting for today's Congress, the assumption of a consistent drive to stay in office seems

[6] While our theory is about the choice made by an individual legislator, this should translate into aggregate predictions about how variation in some characteristic changes the mix of bills produced by the legislature as a whole. Different members of a body may place different priorities on their goals and thus react in different ways to changes in explanatory factors—indeed, we plan to investigate this variation in future research—but as long as we have correctly characterized the majority of members in any house, our aggregate predictions should hold.

misplaced in state legislatures, where extremely low salaries in some states make office-holding burdensome and lead to frequent voluntary retirements. This was obviously true of the great majority of state legislatures in the past. But even in the modern era, there is tremendous variation in the compensation—including both regular salaries and per diem payments—made to state legislators for their service. In 1997, California's legislators made $106,950 per year, while Montana's members received $6,500. Which of these sounds like the better job, worth every effort to keep? To politicians, we hypothesize, service in a high-paying house is more attractive, which makes members place more weight on their goal of securing reelection.

When they do care more about reelection, according to our theoretical framework, they will introduce more bills that target a specific locality. In our overall utility function, it is clear that this type of legislation delivers more "bang for the bill" toward a member's reelection goal, so any increase in the weight placed on this goal means that legislators can raise their utility by introducing more district legislation. This will come at the expense of statewide and general local government bills, which both bring the same π_L payoff toward reelection goals. Combining this incentive effect for all legislators, the aggregate mix of legislation should respond to compensation levels. To measure salaries in a manner that is comparable across time and states, we use the ratio of salary (plus per diem) to per capita state income reported in Burns, Evans, Gamm, and McConnaughy (2006, p. 28).

This hypothesis, we observe, contradicts the idea that high salaries, a marker of professional legislatures, should be associated with greater attention to statewide issues and less concern with district bills. In measuring professionalism in state legislatures, scholars emphasize salaries, session lengths, and staff (Squire 1993, pp. 480-481; King 2000, p. 329). Indeed, reform efforts in the 1960s were motivated in part by the belief that higher salaries would yield more sophisticated and professional legislatures. And reformers clearly identified the need for better statewide policy in their calls for professionalization. Thus we present an alternate hypothesis, linking higher salaries to greater attention to statewide legislation and less concern with bills focused on single localities. Although at odds with the theory we lay out in this paper, this alternate hypothesis better captures the relationship between salaries, professionalism, and policymaking that dominated calls for reform in the 1960s and that continues to shape scholarly discussion.

> *H1. In legislatures with higher salaries, members will introduce more special bills, and fewer addressing statewide and general local government issues.*
>
> *Alternative H1A. Higher salaries attract more professional legislators who are less concerned with parochial issues, and thus introduce fewer special bills.*

Session Length. As many scholars have noted and as Squire and Hamm (2005) demonstrate, the length of legislative sessions varies widely across states and over time. We propose that holding a longer session leads to many more statewide bills (and a few more general local bills) for two reasons. First, a longer session expands the amount of time that members have to work on such relatively complex legislation, and, second, it motivates them to make this time investment by pushing them to care more about their influence within the house. Both shifts should bring the same aggregate effect. When their time constraints are relaxed, legislators are better able to bear the costs of crafting statewide policy, as well as the slightly less burdensome general local government bills, and do so in return for the high overall payoffs that both types of bills bring. Members should also shift their attention away from specific localities when they want to establish a good reputation within the house. Since it seems likely that members value this reputation more highly when they spend most of the year in the capitol, rather than only a month or two, longer sessions should motivate them to introduce more bills with a wide impact. Since statewide bills have the widest impact and the best reputation-building payoff in our framework, the increase in this category should be larger than the increase in local government bills. We measure session lengths in calendar days, supplementing the 20th century figures reported in Burns et al. (2006, p. 27) with data from other sources.[7]

> *H2. In legislatures with longer sessions, members will introduce many more statewide bills, slightly more general local government bills, and fewer special bills.*

Staff. Unfortunately, at this point we have no systematic measures of legislative research and staffing resources over the long time period of our study. However, our clear theoretical prediction is that the presence of expert staff will reduce the costs of introducing statewide and general local bills, making these types of legislation more common.

Turnover. Over the past century, all of the legislatures that we study shifted from resembling biennial (or annual or, in the case of Alabama, quadrennial) conventions composed mostly of one-term members to becoming more bounded institutions (Polsby 1968) with low turnover rates. This transformation should also shift the priorities of legislators, we argue. When members begin to come back to the capitol session after session, they should change from thinking of themselves as district delegates to identifying more closely with the state. Their policy priorities will change accordingly, as they start to care more about the statewide rather than the district impact of bills. They will also value their influence within the house more when this house is part of their future as well as their present.[8] Special bills do nothing to help

---

[7] We transformed the data from Burns et al (2006, p. 27) into average annual session days by dividing them by two when a legislature met once every two years or by four when the body met once every four years. For the 1880 and 1900 sessions, we used data obtained from personal communications with state archivists for Massachusetts, Nebraska, New York, and Texas, and from personal communication with Prof. Peverill Squire for the remainder of the states.

[8] While a shift toward statewide policy interests should generate an equivalent boost in the introductions of statewide and general local bills, a shift toward interest in gaining influence within the house should lead to an especially large rise in statewide bills, since these are the most prestigious. If changes in turnover have a bigger effect on statewide bill introductions than they do on general local government introductions, then, this will be evidence that turnover exerts at least some of its causal effect by motivating legislators to value their influence

legislators achieve either of these goals, since special bills by definition do not affect statewide policy and by our intuition do not help improve a member's reputation. According to our theoretical framework, legislatures with lower turnover will produce more statewide and general local government bills, while bodies with high turnover will general more district-focused legislation. We gauge turnover using the method in Burns et al. (2006, p. 24), which reports the percentage of legislators who have never served in that house before.

H3. In legislatures with higher turnover, members will introduce more special bills and fewer bills of other types.

Party Competition. Using legislative rosters,[9] we have compiled the party breakdown in each session and calculated the majority party's margin of control, as a percentage of total seats. How should the mix of legislation vary between one-party states and those with closely competitive two-party systems? One view, which we present as an alternative hypothesis, is that tight competition will lead legislators to author many special bills in an attempt to win over their constituents.

But two classic works on parties suggest that the effect may run in the opposite direction. V.O. Key's *Southern Politics in State and Nation* (1949) makes it clear that one-party states in the South often featured ferocious politics, but that the absence of party discipline meant that competition often took the form of factionalism or regionalism. "In the running of state governments—in the determination of what is done, for whom it is done, when it is done, and who pays for it—factions of the Democratic party play the role assigned elsewhere to political

within the house. If the effects on statewide and local government bills are symmetric, this would indicate that turnover only works by shifting a member's policy interests from the local to the statewide level.

[9] Because we lacked rosters with party labels for the three earliest years in Alabama, we used Walter Dean Burnham's party control dataset (ICPSR #0016) to measure party breakdowns in the Alabama lower house in 1880, 1900, and 1919. In Nebraska (1941, 1961, and 1981) and Minnesota (1921, 1941, and 1961), we have left party competition blank because these officially nonpartisan bodies did not report the party affiliations of their members (as Nebraska's *Blue Book* did do in 1997).

parties" (Key 1949, p. 298). Members of a house dominated by one party might resort to special bills as the only way to differentiate themselves from their co-partisans. When coalitions of legislators are brought together by demagogues, machines, or regional allegiances, as they often are in one-party states, it can be difficult to develop a statewide program. When there is sharp two-party competition, though, incentives to focus on statewide rather than district policy can be strengthened. Parties can provide the necessary links between members, and Cox and McCubbins's (1993) theory of parties predicts that when competition is closest, legislators will have the greatest personal incentive to build their party's "brand name" by helping to move its statewide program. Thus our primary hypothesis links strong party competition to a greater emphasis on statewide, rather than special, bills.

> *H4. In legislatures with larger majority margins (and thus less party competition), members will introduce more special bills and fewer bills of other types.*

> *Alternative H4A. Because lower levels of party competition leave legislators less eager to please their constituents with district-focused bills, larger majority margins should lead to more statewide and general local government bills.*

Large Cities or Small Districts. As we have mentioned, the payoff that a legislator obtains from introducing a special bill will be larger when that locality covers an entire district. This will occur more frequently in states with a large metropolis, like New York, Illinois, or Michigan, where many legislators come from small sections of big cities. To measure this, we identified the biggest city in each state for all of our time periods using Gibson and Jung (2005), recorded its population, and compared this to the population of the state overall (Haines 2006, pp. 1-180 to 1-365). Since individual cities and towns will also be more likely to cover entire districts when these districts have small populations, we computed average district sizes by dividing state populations by the total number of lower house seats, taken from our rosters.

H5. When a state's biggest city makes up a larger portion of its overall population, legislators will introduce more special bills and fewer bills of other types.

H6. When the average size of legislative districts in a state is larger, legislators will introduce fewer special bills and more bills of other types.

Income per capita. Although it does not fit into our framework of factors that alter legislators' priorities, a state's per capita income may affect the mix of bills by altering the demands made by voters. In his study of Brazil, Desposato (2000, pp. 33-35) argues that poorer voters will demand private goods from politicians while the affluent seek public good such as governmental services. Extending his logic to the states, constituents in relatively poor states or eras will demand things like a school in their district, while richer votes want changes in state education policy. This will lead to a positive relationship between state per capita income (in constant dollars)[10] and the proportion of statewide bills that legislators introduce. It is possible, too, that state income affects the mix of bills through an indirect route, since wealthier states are better able to support the staffs, salaries, and lengthy sessions associated with professional legislatures. Regardless of whether we have correctly identified the causal mechanism at work, we want to control for state income because many previous studies have found it to be an important predictor of state policy outputs (Dawson and Robinson 1963, Dye 1966, Hofferbert 1966, and Winters 1976).

H7. In states with higher per capita incomes, legislators will introduce fewer special bills and more bills of other types.

Home Rule. An important legal constraint that should lead to less meddling by state legislators in the business of specific cities is the imposition of a "home rule" law granting cities

[10] For our sessions in 1940 and later, we measure per capita income using the time series produced by the Bureau of Economic Analysis (2006), which begins in 1929. For the 1880, 1900, and 1920 sessions, we use the state income estimates calculated for these years by Easterlin (1957, p. 753). For every session, we transform incomes into constant 1982-1984 dollars using the January urban consumer price index (CPI-U) figures reported in U.S. Department of Labor (2006).

some measure of autonomy over their affairs. In the absence of such laws, cities and other local governments can be legally subject to every whim of state authority. "It must now be conceded," Judge John F. Dillon famously wrote, "that the great weight of authority denies *in toto* the existence, in the absence of special constitutional provisions, of any inherent right of local self-government which is beyond legislative control" (quoted in McBain 1916, p. 15; see also Frug 1980, pp. 1109-1113). According to Dillon's Rule, localities were mere "creatures of the state." Home rule, when and where it was enacted, gave them the power to govern their own affairs and should, in a straightforward manner, compel the state legislature to spend less time on special bills. Using Krane, Rigos, and Hill (2001), which contains detailed chapters on home rule provisions for every state in our sample, we identified the sessions that were held when a strong home rule provision was in place. Alabama, Nebraska, Vermont, Virginia, and Washington have never had effective home rule provisions, while the other states obtained it at clearly identified points: California (1879), Illinois (1971), Massachusetts (1966), Michigan (1909), Minnesota (an 1896 law that was widely adopted by the 1920s), Montana (1972), New York (1924), and Texas (1913). We note, though, that norms may be just as powerful as written rules here, since Vermont observers contend that the cities and towns possess great autonomy and the essential attributes of self-government, though the state lacks any formal provision for home rule. This could dampen the observed impact of the rule itself.

> *H8. In states with home rule provisions, legislators will introduce fewer special bills and more bills of other types.*
>
> *Alternative H8A. Because norms are as important as official rules in this area, home rule provisions will have no effect on the mixture of state bill introductions.*

Population Characteristics. Although we have no theoretical reason to expect that they are linked to the mix of legislation in a state, we investigated the effects of a number of demographic variables that could be important controls: population size, population density, the nonwhite population percentage, and the rural population percentage, all taken from Haines (2006, pp. 1-180 to 1-365). Since none of them exerted an apparent effect that was larger than the size of its standard error, and because their exclusion did not change the substantive or statistical significance of other variables, we omit these factors in the final multivariate analysis presented below.

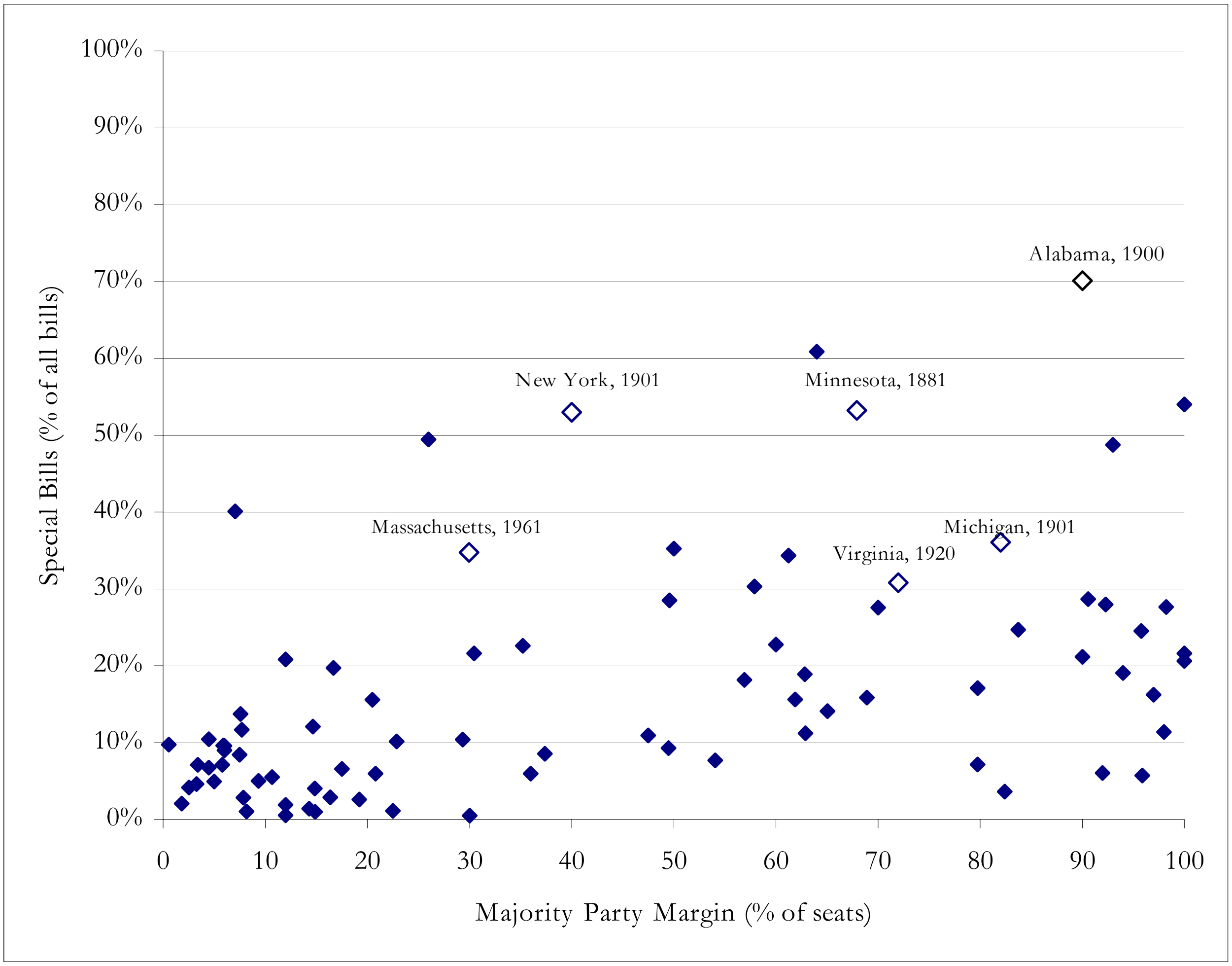
IV. Empirical Findings

Before testing all of these hypotheses together in a multivariate model, we explore some of the additional empirical implications of our theoretical framework. What became clear when we examined the benefits associated with each type of bill was that statewide and general local government bills promised similar patterns of payoffs, while special bills brought a quite different set of rewards. Because of this, our hypotheses predict that incentives that push legislators to introduce more special bills will often shift them away from both statewide and general local government measures, and vice versa. Thus our hypotheses have a clear implication for aggregate patterns in bill introductions across states. If we are correct, our data should reveal negative correlations between the percentage of special bill introductions and, separately, statewide and general local government introductions. Meanwhile, the latter two types of bills should be positively correlated with each other.

This is, in fact, what we find, giving us greater confidence that our framework correctly captures the differing payoffs from different types of legislation. The percentages of special bills and statewide bills introduced in our sessions are correlated at -0.89, a statistically and substantively strong link. Looking back at Figure 2, this becomes apparent at the state level, as the black bars representing special bills vary inversely with the white bars representing general legislation. Special bills are also negatively linked with general local legislation (the gray bars), and correlate at a statistically significant -0.59 across our 89 sessions. Finally, there is a positive (though fairly weak and not significant at the 95% confidence level) link between statewide and general local government bills, with a correlation coefficient of 0.17. What these patterns imply is that legislators trade off between introducing special bills to take care of their districts, or some type of more general legislation. Note that this is not simply the result of any additive identity. We might have observed that general local government and special legislation increase (or fall) together, and that both are negatively correlated with statewide bill introductions. This was our original intuition, but a close look at the payoffs that each bill can provide led us to a wholly different framework, and this framework seems to offer a better fit with our data.

We explore the major hypotheses that come out of this framework first with graphs and then in a comprehensive model. Figure 3 displays the relationship between party competition and the percentage of special bills that are introduced during a legislative session. Hypothesis H4 states that when the majority party's margin of control is larger, the lack of competition should cause politics to devolve into factionalism and regionalism, with little emphasis on statewide policymaking, resulting in more special bills. This is exactly the pattern shown in Figure 3. When two-party competition is tight—for instance, in cases where the majority's edge is less than 20% of the seats—then legislators typically spend only 5-15% of their bill introductions on special legislation. However, when one party begins to dominate (a 50% majority margin represents a 75% to 25% edge in the seat share), legislators sometimes devote a third or even a half of bill introductions to special district issues. This pattern is not driven solely by the one-party South or sessions taking place just after the "System of 1896" (Burnham 1970) either. Labeling some of the sessions that produce this relationship shows that one-party Republican regimes in Michigan, Minnesota, and New York, as well as the 1961 session in Democratic-led Massachusetts, also produced many local bills. The level of party competition appears to affect the content of state legislation in dramatic ways, with one-party legislatures more likely to consider special bills and two-party legislatures more inclined to yield bills that

Figure 3. The Effect of Party Competition on Special Legislation

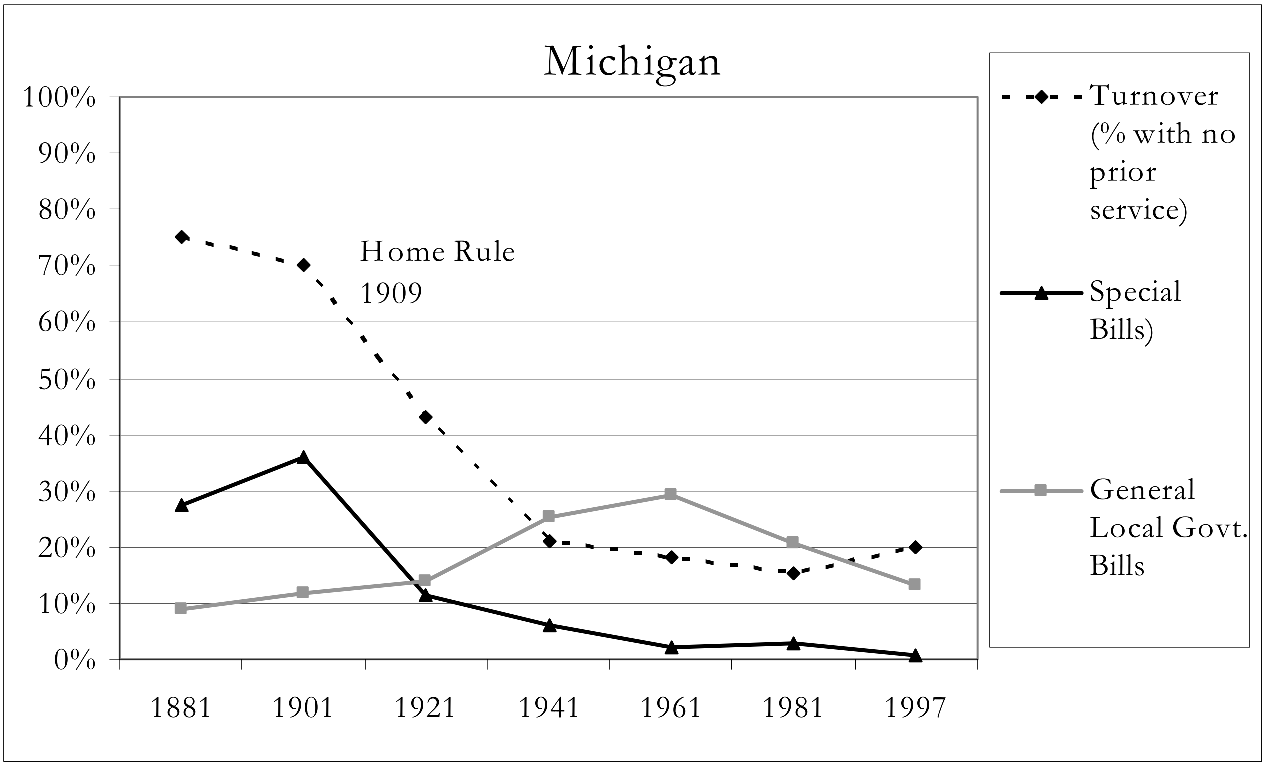


promise policy payoffs for the whole state. This database—made up of tens of thousands of bills introduced over more than a century's time in thirteen states—offers powerful, systematic evidence in support of Key's famous insight.

Next, Figure 4 traces the time series of bill introductions and turnover in two states which adopted home rule during our period of study. In Michigan, there is a clear negative correlation between the introductions of general local government bills (which are low from 1881 to 1921 but then rise at mid-century) and special bills (which drop just as general local bills rise). Turnover patterns may provide a partial explanation of these shifts. In 1921, just as the bill introduction rates cross, turnover dips below 50% for the first time. From 1941 onward, over three-quarters of the members of Michigan's House have prior experience, and the types of bills that they author appear to reflect the prioritization of broader policy concerns that Hypothesis H3 predicts. Lower turnover rates also seem to lead to fewer special bills in New York, providing more evidence in favor of the contention that legislators who return to the statehouse session after session abandon some of their emphasis on parochial matters.

These figures are also consistent with the contention in Hypothesis H8 that the passage of home rule should lead to a dramatic reduction in the number of special bills. Both Michigan and New York experience these drops, though in New York it is not much steeper than other declines in special bill introductions. Across the states, the apparent impact of home rule varies. Its implementation does coincide with a large decline in Massachusetts (from 34.7% to 15.6%) and smaller decreases in Minnesota (from 15.9% to 11.8%) and Illinois (from 9.7% to 7.1%), but it is followed by increases in Texas (from 16.2% to 24.5%) and Montana (from 1.0% to 1.9%). It is worth reserving judgment on Hypothesis H8 until we can estimate the impact of home rule through multivariate models.

Figure 4. The Effects of Home Rule and Turnover, Michigan and New York



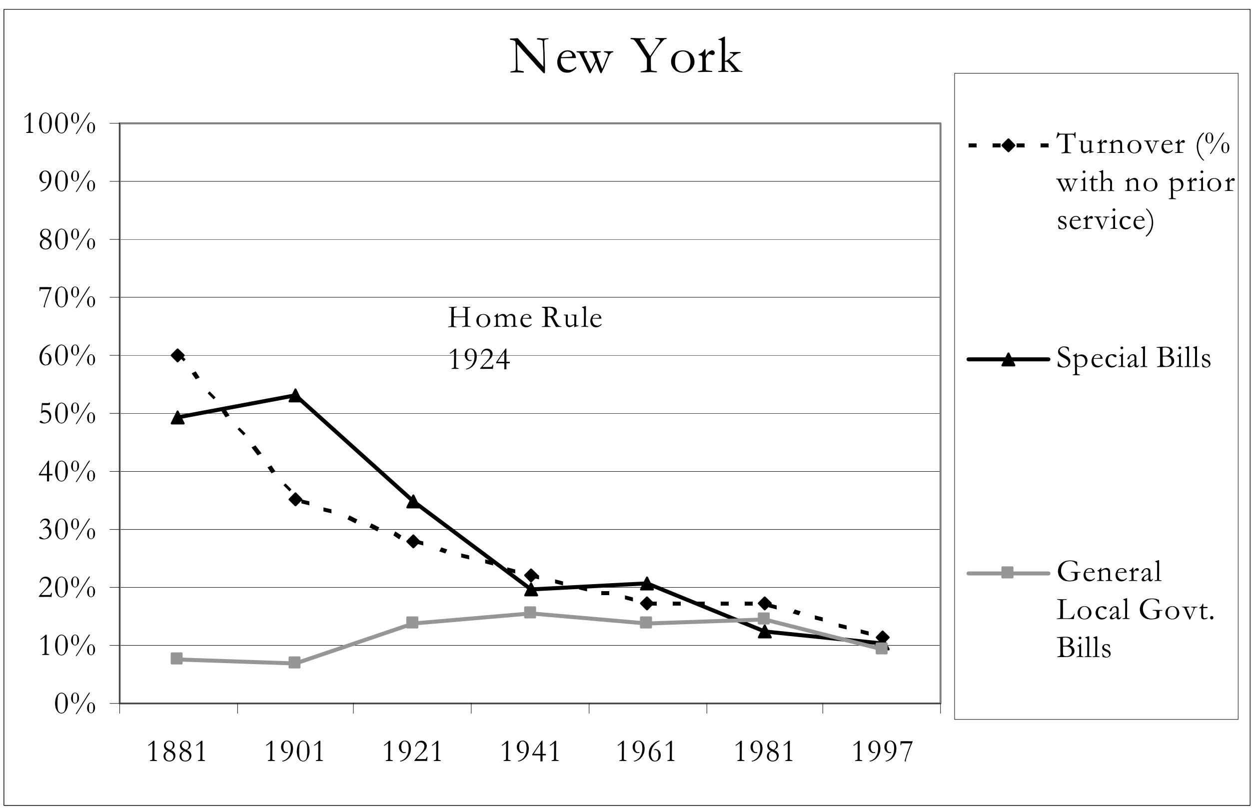


Table 2 reports the results of these models, which examine all of our hypotheses by estimating the effects of each of our explanatory factors, holding all of the other factors constant. We show how changes in these factors lead to predicted changes in, first, the percentage of special bills introduced in a session and, second, the percentage of statewide bills introduced. (Since predicted changes in the percentage of general local government bills are determined wholly by the first two estimates, and can be obtained by summing these coefficients and then changing the sign of that sum, we do not report them). There are 82 observations in each model, reduced from our 91 total cases because we are missing total bill introductions from two years and because six of our sessions were held in non-partisan bodies for which no party competition figures could be used. These are least square models, which assume that the variables have linear effect of the percentages of each type of bill introductions, and that the errors for each prediction are independent and all normally distributed.

We take two steps to help ensure that the latter assumption is met. First, we estimate the two reported models jointly as "seemingly unrelated" regressions to allow for the fact that our prediction error for special bills in, say, California in 1981 may be correlated with our error for statewide bills in that observation. Second, we estimate weighted least squares models, using the number of total bill introductions as our weights, because we are more certain about the measures obtained from 10,324 bills introduced in New York in 1981 than we are about measures from Montana's 137 bills introduced in 1881. As a robustness check, we also estimate, and report in Table 3, even more conservative models which add state and year fixed effects. We include state fixed effects to account for the possibility that our prediction error for Virginia in 1880 may be linked to our error for Virginia in 1900, 1929, etc. We include year fixed effects to account for the possibility that some unmeasured trend creates a link between our errors in Illinois in 1881, Massachusetts in 1881, Michigan in 1881, and so forth.

Table 2. Explaining Variation, Using State and Year Fixed Effects

	Predicted Change in Special Bill Percentage	*Predicted Change in Statewide Bill Percentage*
Salary of Legislators	4.44**	-3.78**
(relative to state income per capita)	(1.03)	(0.83)
Session Length	-0.003	0.004
(in calendar days)	(0.012)	(0.01)
Turnover %	0.11	-0.03
(member with no previous service)	(0.09)	(0.08)
Majority Party Margin	0.22**	-0.16**
(as % of total seats)	(0.04)	(0.03)
Average District Size	-0.03	0.02
(thousands of residents)	(0.02)	(0.01)
Size of Biggest City	0.10	-0.07
(as a % of state population)	(0.08)	(0.07)
Home Rule Provision	-6.77**	3.78
	(2.92)	(2.36)
Income per capita	-0.12	0.75**
(in thousands of 1982-84 dollars)	(0.37)	(0.30)
Intercept	2.43	72.99
	(7.10)	(5.75)
Number of Observations	82	82
R-Square	0.59	0.68

*Table entries are estimated coefficients (standard errors) from an SUR model, weighted by the total number of bill introductions in an observation. ** indicates that an estimate is significant at the 95% confidence level in a two-tailed test, * indicates that an estimate is significant at the 90% confidence level in a two-tailed test.*

The findings in Table 2 provide support for four of our hypotheses, three of which hold up through a number of robustness checks.[11] The first statistically significant and substantively important effect is that of legislative salaries. Higher salaries lead to more special legislation and fewer statewide bills, just as Hypothesis H1 predicted. A good way to gauge the scale of the estimated effects of this variable (and others) is to see how much the mix of legislation would change if we moved from a case where salaries were one standard deviation below the mean to a case with salaries one standard deviation above average. This would be like shifting from Montana in 1981, where the legislative salary of $2,000 was 0.22 of the state per capita income at the time, to Michigan in 1981, where the $27,000 salary was 2.54 as large as the state income, and holding all other factors constant. Such a shift leads to a predicted 10.3 percentage point increase in the percentage of special bills introduced, and an 8.8 percentage point decrease in statewide bills. Although Table 3 shows that the estimated effect is damped when state and year fixed effects are included, it is still strong and clearly significant. This robust empirical finding is consistent with our hypothesis that higher salaries increase reelection incentives, leading members to author more special bills for which they can claim credit in campaigns.

Another aspect of professionalism, session length, does not appear to have any influence on bill introductions. The estimated effects of this variable are weak and much smaller than their standard errors. The impact that turnover has on the mix local and statewide bills, though it runs in the direction predicted by Hypothesis H3, also falls short of statistical significance. Even more surprisingly, the results reported in Table 3 suggest that legislatures with higher turnover produce a smaller percentage of district bills, contrary to our logic that members of high-turnover

[11] In addition to estimating the models with state and year fixed effects reported in Table 3, we also estimated models with only state fixed effects, with only year fixed effects, with robust errors clustered on states, with robust errors clustered on years, separate models of statewide and local bills without the SUR linked error structure, and models with no weights. Only the effects of legislative salaries, majority margins, and incomes were consistently significant across these approaches.

bodies act like local delegates. Yet note that because turnover rates decreased all across the country over our period of study, a model that includes fixed effects primarily draws on the cross-sectional variation in turnover across states in a given year. Some low-turnover states, such as Massachusetts and New York, also produced many local bills, though both states shifted toward a statewide focus as their turnover rates decreased. Before jettisoning our hypothesis in this area, we plan to explore this complicated relationship in greater depth.

By contrast, the link between majority margins and bill introductions is consistent across model specifications and in keeping with our Hypothesis H4. As the majority party grows larger, a legislature produces more special bills and fewer statewide bills. Both effects are clearly significant at the 95% confidence level, and a look at the shift caused by moving from cases one standard deviation below to one deviation above the mean is again instructive. Shifting a majority margin like New York's in 1961 (when Republicans held a 56%-44% majority) to Vermont's in 1921 (when Republicans held an 88%-8% edge) brings a 14.8 percentage point increase in special bills and an 11.1 percentage point decrease in statewide bills. Two other explanatory factors that emerge from our theoretical framework appear to exert the effects anticipated in Hypotheses H5 and H6, but fall short of statistical significance. Where districts are small or where one city is large, legislators appear to introduce more local bills and fewer statewide measures. But even though all of these estimated coefficients are larger than their standard errors, none of them is statistically significant at the 95% confidence level or robust across model specifications.

A state's per capita income also seems to be an important influence on the content of legislation: legislators from richer states can afford to have more of a statewide focus. An income shift from Alabama's per capita figure in 1961 ($1,540) to California's in 1981 ($11,951)

Table 3. Explaining Variation, Using State and Year Fixed Effects

	Predicted Change in Special Bill Percentage	*Predicted Change in Statewide Bill Percentage*
Salary of Legislators	2.48**	-3.18**
(relative to state income per capita)	(1.10)	(1.05)
Session Length	-0.006	-0.003
(in calendar days)	(0.14)	(0.013)
Turnover %	-0.24**	0.16*
(member with no previous service)	(0.09)	(0.09)
Majority Party Margin	0.10**	-0.11**
(as % of total seats)	(0.04)	(0.04)
Average District Size	-0.001	0.03
(thousands of residents)	(0.021)	(0.02)
Size of Biggest City	-0.41**	0.17
(as a % of state population)	(0.20)	(0.19)
Home Rule Provision	-2.39	1.93
	(2.63)	(2.52)
Income per capita	-2.44**	4.15**
(in thousands of 1982-84 dollars)	(1.03)	(0.99)
State Fixed Effects	*included*	*Included*
Year Fixed Effects	*included*	*Included*
Intercept	44.88	43.81
	(9.87)	(9.44)
Number of Observations	82	82
R-Square	0.85	0.83

*Table entries are estimated coefficients (standard errors) from an SUR model, weighted by the total number of bill introductions in an observation. ** indicates that an estimate is significant at the 95% confidence level in a two-tailed test, * indicates that an estimate is significant at the 90% confidence level in a two-tailed test.*

should lead to an increase of 7.8 percentage points in statewide bill introductions. Income does not appear to affect the number of special bills in the model reported in Table 2, but notice that its estimated effects are symmetric in Table 3. Whether legislators are reducing the percentage of special or local general government bills to compensate for it, they certainly seem to author more statewide legislation when they represent more affluent states, consistent with H7. Finally, we find some support for Hypothesis H8's prediction that Home Rule would keep state legislators from authoring as many special bills. The presence of a Home Rule law brings an estimated 6.8 percentage point decrease in special bills in the model reported in Table 2. Yet this effect disappears in Table 3, when state fixed effects are included. Their inclusion "soaks" up the effect of Home Rule in states that never enact it, meaning that that estimate in Table 3 conveys the impact of the shift to Home Rule in states that enact it during our study. It does not appear that this change in the constraints placed on state legislators affects the sorts of bills that they introduce.

V. Discussion

For the last two generations, reformers have called for dramatic changes in the composition of American state legislatures. In the 1960s, political observers argued that the press of state business required more professional legislatures. Then, in the 1990s, a new breed of reformers argued that state legislatures had grown distant from ordinary citizens, successfully enacting term limits in many states. Both reform movements focused on questions of representation and resources, on the women and men who compose the states' representative assemblies. While the first reform movement demanded higher salaries, longer sessions, and larger staffs, the second movement sought an infusion of amateurs into politics.

The immediate objective of each body of reforms was to change the composition of the legislatures and the resources available for action, but the underlying goals were to change the nature of legislative business. Quoting the 1970-1971 *Book of the States*, Hickock (1992, p. 48) observes that "the goal of legislative reform among the states was to create an 'effective decision-making process addressed to urgent problems.'" Similarly, summarizing arguments made by advocates for term limits, Carey, Niemi, and Powell (2000, p. 20) observe that proponents sought "'new blood' and new ideas" in legislatures.

In testing a theory that relates goal-seeking behavior by legislators to the mix of legislative business, we can explain one major aspect of that business. The distinction between special legislation, general local bills, and statewide bills is ultimately the distinction between parochial concerns and broad concerns. (For an example of this approach, drawing on comparisons between national legislatures, see Crisp et al. 2004.) In explaining variations in the mix of these bills, we are looking to the behavior of legislators and the goals and context shaping their actions.

Higher salaries, we find, lead legislators to propose larger numbers of special, district-only bills. This is fully consistent with our hypothesis, in which legislators, seeking to keep high-paying jobs, work hard to curry favor with their constituents. State incomes, on the other hand, as we hypothesized, are negatively correlated with special legislation. Legislators in wealthier states, it appears, see their constituents as more apt to favor statewide policy than bills directed at particular districts. Finally, we see strong confirmation here of Key's contention that parties matter. In the absence of vigorous two-party competition, legislators are especially likely to focus on the particularistic and fragmented bills that constitute special legislation. It is in the states where both parties are viable that statewide policymaking flourishes.

References

Baron, David P., and John A. Ferejohn. 1989. "Bargaining in Legislatures." American Political Science Review 83: pp. 1181-1206.

Bureau of Economic Analysis. 2006. *Annual State Personal Income*. Accessed at http://www.bea.gov/bea/regional/spi/ in August, 2006.

Burnham, Walter Dean. 1970. *Critical Elections and the Mainsprings of American Politics*. New York: W.W. Norton.

Burns, Nancy, Laura Evans, Gerald Gamm, and Corrine McConnaughy. 2006. "Pockets of Expertise: Careers and Professionalism in 20th-Century State Legislatures." Unpublished revision of paper presented at the 2005 Annual Meeting of the American Political Science Association, Washington, D.C.

Burns, Nancy, and Gerald Gamm. 1997. "Creatures of the State: State Politics and Local Government, 1871-1921." *Urban Affairs Review* 33: pp. 59-96.

Carey, John M., Richard G. Niemi, and Lynda W. Powell. 2000. *Term Limits in the State Legislatures*. Ann Arbor: University of Michigan Press.

Cox, Gary W., and Mathew D. McCubbins. 1993. *Legislative Leviathan: Party Government in the House*. Berkeley and Los Angeles: University of California Press.

Crisp, Brian F., Maria C. Escobar-Lemmon, Bradford S. Jones, Mark P. Jones, and Michelle M. Taylor-Robinson. 2004. "Vote-Seeking Incentives and Legislative Representation in Six Presidential Democracies." *Journal of Politics* 66: pp. 823-846.

Dawson, Richard E. and James Robinson, "Interparty Competition, Economic Variables, and Welfare Policies in the American States." *The Journal of Politics*, XXV (May) 1963:265-289.

Desposato, Scott W. 2001. *Institutional Theories, Social Realities, and Party Politics in Brazil.* Dissertation completed at the University of California, Los Angeles.

Dye, Thomas R. *Politics, Economics, and the Public: Policy Outcomes in the American States.* Chicago, IL: Rand McNally and Company, 1966.

Easterlin, Richard M. 1957. State Income Estimates. In *Population Redistribution and Economic Growth: United States, 1870-1950*, Vol.1, The American Philosophical Society.

Fenno, Richard F., Jr. 1973. *Congressmen in Committees*. Boston: Little, Brown.

Frug, Gerald E. 1980. "The City as a Legal Concept." *Harvard Law Review* 93: pp. 1057-1154.

Gibson, Campbell, and Kay Jung. 2005. "Historical Census Statistics on Population Totals By Race, 1790 to 1990, and By Hispanic Origin, 1790 to 1990, For Large Cities and Other Urban Places in The United States." U.S. Census Bureau Working Paper No. 76, accessed at http://www.census.gov/population/www/documentation/twps0076.html in August, 2006.

Haines, Michael R. 2006 "State Populations," in *Historical Statistics of the United States, Earliest Times to the Present, Millennial Edition, Vol. 1*, editors Susan B. Carter, Scott Sigmund Gartner, Michael R. Haines, Alan L. Olmstead, Richard Sutch, and Gavin Wright (New York: Cambridge University Press).

Hanson, Russell L., ed. 1998. *Governing Partners: State-Local Relations in the United States*. Boulder, Colo.: Westview Press.

Hickock, Eugene W., Jr. 1992. *The Reform of State Legislatures and the Changing Character of Representation*. Lanham, Md.: University Press of America.

Hofferbert, Richard I. "The Relations Between Public Policy and Some Structural and Environmental Variables." *American Political Science Review*, 60 1966: 73-82.

Key, V. O., Jr. 1949. *Southern Politics in State and Nation*. New York: Knopf.

King, James D. 2000. "Changes in Professionalism in U.S. State Legislatures." *Legislative Studies Quarterly* 25: pp. 327-343.

Krane, Dale, Platon N. Rigos, and Melvin B. Hill, Jr. 2001. *Home Rule in America: A Fifty-State Handbook*. Washington: CQ Press.

McBain, Howard L. 1916. *The Law and the Practice of Municipal Home Rule*. New York: Columbia University Press.

Mayhew, David R. 1974. *Congress: The Electoral Connection*. New Haven: Yale University Press.

Moncrief, Gary, Joel A. Thompson, and William Cassie. 1996. "Revisiting the State of U.S. State Legislative Research." *Legislative Studies Quarterly* 21: pp. 301-335.

Polsby, Nelson W. 1968. "The Institutionalization of the U.S. House of Representatives." *American Political Science Review* 62: pp. 144-168.

Squire, Peverill. 1993. "Professionalization and Public Opinion of State Legislatures." *Journal of Politics* 55: pp. 479-491.

Squire, Peverill, and Keith E. Hamm. 2005. *101 Chambers: Congress, State Legislatures, and the Future of Legislative Studies*. Columbus: Ohio State University Press.

Teaford, Jon C. 1984. *The Unheralded Triumph: City Government in America, 1870-1900*. Baltimore: Johns Hopkins University Press.

U.S. Department of Labor. 2006. *Consumer Price Index, All Urban Consumers – (CPI-U), U.S. City Average, All Items*. Accessed at ftp://ftp.bls.gov/pub/special.requests/cpi/cpiai.txt in August, 2006.

Wiltsee, Herbert. 1956. "Recent Trends in Strengthening State Legislatures." In *Streamlining State Legislatures: Report of a Conference Held at the University of California, Berkeley, October 27-29, 1955*. Prepared by Stanley Scott. Berkeley, Calif.: Howell-North Press.

Winters, Richard F. "Party Control and Policy Change." *American Journal of Political Science*, 20 1976:597-636.

Zeller, Belle, ed. 1954. *American State Legislatures*. Report of the Committee on American Legislatures, American Political Science Association. New York: Thomas Y. Crowell.