

# **Leaders, Committees and Political Parties: The Impact of Legislative Professionalization on State Legislative Structures and Procedures**

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**ABSTRACT:** Two measures of state legislative institutional power have been developed in recent years. Richard Clucas (2001) has developed a measure of state house speaker power that is based on the formal institutions of the office, and I have developed a measure that taps into the autonomy of committee systems in the legislative process (Martorano 2006). The goal of this paper will be to assess how legislative professionalization has impacted the development of the institutional powers of chamber leaders and committee systems in state legislatures. In general, I find that increased legislative professionalization leads to weaker presiding officers and more autonomous committee systems.

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## **Leaders, Committees and Political Parties: The Impact of Legislative Professionalization on State Legislative Structures and Procedures**

The concept of legislative professionalization has been an integral part of the study of state legislatures for over three decades. The concept of legislative professionalization was first measured in the early 1970s. In 1971, the Citizen's Conference on State Legislatures (CCSL) and John Grumm published separate works that described and measured the concept of legislative professionalization. The CCSL's measure assessed each state legislature in nine areas related to functionality, accountability, informedness, independence and representativeness: they are staffing, compensation, time, committee structure, facilities, leadership, rules and procedures, size and ethics. Grumm's measure focused on four areas that he believed personified a professional legislative setting: compensations, length of session, expenditures for legislative services and operations and a CCSL "legislative services" score.

Initially, these measures were used to explore the impact of institutional reforms on the types of public policies adopted by state legislatures. Grumm (1971) using his measure found that more professionalized legislatures were more likely to be associated with welfare liberalism. However, additional studies were unable to find major differences between more professional and less professional legislatures. Using the CCSL measure, Ritt (1973) found that there was little difference between more and less professional legislatures regarding the levels of policy expenditures adopted by each state. Several other studies attempted to find a link between professionalization and policy outputs, but the results were largely inconsistent (Asher and Van Meter 1973, Karnig and Sigelman 1975, Roeder 1979). Lance LeLoup (1978) suggested that the problem may lie with how legislative professionalization had been conceptualized and measured.

Specifically, he asserted that past measures had been mixing the notions of capability and professionalization, and that the two concepts were not in fact equivalent.

Seeing legislative professionalization as a useful analytical concept, scholars turned their attention to refining the concept's measurement. In the 1980s, Sarah Morehouse (1981) and Ann M'O. Bowman and Richard Kearney (1988) developed additional measures of the concept. Despite the development of these newer measures, little remained known about the forces that impacted legislative professionalization or the impact of the concept itself. In 1992, Peverill Squire asserted that the problem with previous measures of legislative professionalization, the Grumm and CCSSL, measure in particular was their basis in the "ideal" rather than the "real." Specifically, he suggested that a more appropriate measure should assess the state legislature's professionalization level relative to that of the U.S. Congress since legislative reformers often use it as a model when proposing reforms. Squire (1992) developed a measure of legislative professionalization that scores the states relative to Congress in three areas (compensation, staff members per legislator, and total days in session), and uses it to test the assertion that increased legislative professionalization will increase membership diversity in legislative chambers. This study led to a significant increase in the number of studies exploring legislative professionalization and its impact.

The goal of this paper is to test the impact of legislative professionalization on the structural and procedural arrangements evident in American state legislatures. Specifically, I will use Squire's (1992; 2006) measure of legislative professionalization to explore how the concept is related to the formal powers of chamber leaders and standing committee systems in the state legislative process. This paper will explore these relationships using both pooled data from a sample of state legislative lower houses from 1955-1995 (for committee system

autonomy only) as well as a cross-sectional dataset that explores all 99 state legislative chambers for the 2001-02 legislative session (for both committee system autonomy and presiding officer power).

The two measures of state legislative institutional power that I will explore have been developed in recent years. Richard Clucas (2001) has developed a measure of state house speaker power that is based on the formal institutions of the office, and I have developed a measure that explores the autonomy of standing committee systems in the legislative process (Martorano 2006). The goal of this paper will be to assess how legislative professionalization has impacted the development of these institutional powers.

### **Theoretical Background**

Increasingly, state governments have been under pressure to become more active players in the formation and implementation of public policy. Both citizen demand and the continuing devolution of policy responsibility from the federal government to state governments are the primary causes of these new roles for state governments. One reaction to these forces has been an increase in the professionalization of the lawmaking bodies of the American states. Numerous studies have put forth measures of legislative professionalization, attempted to identify the factors accounting for variation in legislative professionalization across the states as well as the potential impact of this variation (CCSL 1971; Grumm 1971; Ritt 1973; Asher and Van Meter 1973, Karnig and Sigelman 1975, Roeder 1979; LeLoup 1978; Morehouse 1981; Bowman and Kearney 1988; Mooney 1994; Squire 1992; 2006; King 2000).

State legislative scholars have long been interested in studying the structures and procedures that inform and influence the operations of state legislatures. Studies of structures and procedure at the state level have focused attention on rule adoption and/or evolution (Hamm,

Hedlund and Martorano 2001, 2006; Clucas 2001) or exploring the applicability of congressional theory at the state legislative level (Martorano 2004, 2006; Brown et al. 1997; Overby and Kazee 2000; Overby, Kazee and Prince 2004). A much smaller number of studies have tried to actually relate rules and procedures affecting committees to their performance with mixed results (e.g., Rosenthal, 1974; Hamm and Moncrief, 1982, Francis 1989, Hamm and Hedlund 1990). All of these studies have identified legislative professionalization as an influential force on state legislative structure and procedure, however, none made legislative professionalization the focus of their analyses. This paper seeks to place legislative professionalization at the focus of the analysis by focusing on exploring its impact on the formal powers of chamber leaders and the autonomy of standing committee systems.

### **Legislative Professionalization and the Powers of Chamber Leaders**

If asked to describe the overall all power of chamber leaders in the U.S. House of Representatives and U.S. Senate, most of us would describe presiding officers that possessed a significant degree of power. That is, at the congressional level, the chamber leadership provides many institutional mechanisms that they can use to control both the legislative leadership and the rank-and-file membership. However, at the state legislative level, the powers of chamber leaders takes on much more variability, with some leaders being very powerful and others somewhat weaker (Clucas 1998, 2001).

What accounts for this variability chamber leader power? In his analysis, Clucas (2001) asserts that state legislative house speaker power is a function of electoral competition and career opportunity structure. Specifically, he finds that speakers will be more powerful in state houses where electoral competition between the two major political parties is high and in chambers

where the opportunities to advance to higher office are minimal. He considers legislative professionalization as a possible explanation in his analysis, but multicollinearity issues prevented a clear analysis of its impact.

I posit it here that decisions concerning how much institutional power should be given to leaders is one that is synonymous with determining whether the legislative process in a chamber is to be centralized (stronger chamber leaders) or decentralized (weaker chamber leaders).<sup>1</sup> Determining how power should be dispersed within a legislative chamber is one of the more important decisions made by members. The members of the legislature must decide whether or not they want legislative power and resources to be centralized into a single or small number of leaders or would they prefer that the power of the chamber and its resources be dispersed widely amongst the members (most typically through the standing committee system). This decision often has an important affect on how public policy outputs are ultimately dispersed to the constituents of the chamber's members.

The question of centralization versus decentralization is an essential one because it is likely to have direct consequences regarding the ability of a chamber's membership to attain their individual goals as members of the legislature. The goals of members vary widely and may include reelection, achieving power and leadership positions in the chamber, the adoption of a particular set of public policies, or the ability to advance their political career out side of the chamber. Regardless of the specific goals of individual members, research at both the congressional and state levels indicates that members actively seek to organize the legislative

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<sup>1</sup> This discussion concerning centralization vs. decentralization of the legislative process will re-emerge when discussing the autonomy of standing committee systems in the state legislative process. I assert that the chamber membership's decision to either centralize or decentralize decision-making in the legislative process is essentially a choice between strong leadership versus autonomous standing committees.

chamber in which they serve in ways that will help them attain their goals in the most efficient ways (Fenno 1973; Squire 1988a,1988b; Berkman 1993, 1994).

In a chamber in which power is centralized, the chamber leadership should possess a significant degree of influence via structures and procedures that directly link the actions of the chamber's leadership to the success of the individual members. For example, in a chamber in which power is centralized in the chamber leadership, it is likely that much of the power to make key decisions in the legislative process, and hence influence the policy outcomes of the legislative process rests in the hands of a single individual – the presiding officer. In contrast, in a highly decentralized chamber, much of the power to make decisions in the legislative process and influence policy outcomes is dispersed amongst the rank-and-file membership via committee and subcommittee chairmanships. Conventionally, a highly centralized legislative chamber is one in which the Speaker, President or other presiding officer possesses a number of institutional tools that allows she or he to exert great influence over the legislative process and over the general membership of the chamber. In a highly decentralized chamber, institutional power is often concentrated within the committee system because it provides the most efficient way to disperse power in ways that ensure that the individual goals of members are realized (i.e., members serve and work on committees that possess jurisdictions that correspond most closely with the public policies that are most important to their constituents). Much of the research exploring the centralization/decentralization of power in legislative chambers has been conducted through the lens of principal-agency theory.

Principal-agent explanations of phenomenon associated with the legislative process arose out of efforts to study Congress and legislative politics within a positive theory framework. Specifically, principal-agent principals were used to explain both the existence of leadership

positions and committee systems in legislative settings. From the leadership perspective, these scholars asserted that the concept of legislative leaders emerged to help the chamber overcome the collective action problem (i.e., the costs of producing a collective benefit like public policy is traditionally too high for most individual members to endure alone). Under this framework, the individual members provide leaders, in particular party leaders, with power and resources to overcome these costs (Cox and McCubbins 1993; Fiorina and Shepsle 1989, Sinclair 1999; Smith 2000; Clucas 2001). Thus, from a principal-agent framework institutional power is centralized within chamber leadership positions because it helps members overcome the cost barrier in attaining public policy. In particular, past research has indicated that members are more willing to centralize power within the chamber/ party leadership when they believe that the attainment of their personal goals is directly tied to the success or failure of their political party (Rohde 1991; Clucas 2001).

Principal-agent theory has also been applied to the existence and creation of committee systems. Scholars have developed three different theories concerning the existence of committee systems and each views standing committees as agents of a specific principal in the legislative process (Maltzman 1997). For adherents to the distributive theory (Shepsle 1979; Shepsle and Weingast 1981), standing committees exist to aid individual members in attaining their reelection goals by providing the major route for securing specialized benefits for members' constituencies. Under the informational theory (Krehbiel 1991), the role of standing committees is to serve the parent chamber by providing specialization and expertise making the legislative process more efficient and therefore reducing uncertainty regarding legislative outcomes. Finally, for the partisan theory (Cox and McCubbins 1993), the purpose of the committee system is to secure continued majority status and further the political agenda of the chamber's majority



political party. Under each of these theories, conditions would exist under which we would expect the members of the chamber to instill committees with institutional tools that make them powerful actors in the legislative process.

At least theoretically, institutionally strong or powerful legislative leaders cannot truly coexist in a chamber with institutionally strong or powerful committee systems because legislative power in a chamber cannot be both centralized and decentralized at the same time. In fact, previous research has also indicated that this is the case. Squire (1988b), differentiating between the opportunities for career advancement within state legislatures has argued that members who serve in chambers in which there is a good chance that their service will “springboard” them to higher political office, prefer that power is decentralized in the chamber. The decentralization of power in this case provides the individual members with the resources (i.e., greater ability to claim credit for public policy outcomes) and leadership positions (i.e., committee chairmanships) that allow them to best establish a record that will be appealing to voters when seeking higher office. In contrast, he asserts that legislative power will be centralized in the speaker or presiding officer in chambers in which the chances for moving up are not very likely in an effort to provide “cohesiveness and continuity (Squire 1988b: 728).”

A measure of institutional house speaker power has been developed by Richard Clucas at the state legislative level (Clucas 1998, 2001). In developing this measure, he sought to focus on specific aspects of the legislative process that could enhance or limit the effectiveness or power of a state legislative house speaker. Specifically, Clucas asserts that speaker power can be broken down into five major areas:

- 1) Appointment Power – accounts for the extent of speaker power over the selection of committee chairs and other party/chamber leaders;

- 2) Committee Power – accounts for the extent of speaker power over the assignment of members to committees as well as his/her power over deciding the number of standing committees;
- 3) Resource Power – accounts for the extent of speaker control over legislative employees and the existence of a legislative campaign committee that is at the speaker’s disposal;
- 4) Procedural Power – accounts for the extent to which the speaker controls the assignment of bills to committees and the direction of floor proceedings; and
- 5) Tenure Power – accounts for the extent to which the speaker may be limited due to term limitations associated with his/her position.

To create his measure of institutional speaker power, Clucas created separate “mini-indices” under each of these powers and combined them into a single score. He then attempts to account for the forces that can explain institutional speaker power. In his analysis, he finds that electoral competition and career opportunity structure are the major forces shaping a state house speaker’s institutional power. Specifically, he finds that speakers will be more powerful in state houses where electoral competition between the two major political parties is high and in chambers where the opportunities to advance to higher office are minimal.

To perform his analysis, Clucas utilized speaker power data from the 1995-96 legislative session. I have taken his measure and used it to calculate institutional power scores for both state house speakers and state senate presiding officers for the 2001-02 legislative session (See Appendix A).<sup>2</sup> The formal chamber rules of the 99 state legislative chambers were the primary source consulted for the information. The *Book of the States* (Council of State Governments) for 2001-02 and the *Inside the Legislative Process* (National Conference of State Legislatures (NCSL) 1996-2002) were consulted as secondary sources. In calculating my speaker/presiding

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<sup>2</sup> The various aspects of the legislative process in state houses and state senates do not vary as much as they do in the U.S. House and U.S. Senate (Hamm, Hedlund and Martorano 2001). Therefore, I calculated a presiding officer score for state senates. The biggest challenge in calculating the measure was determining “who” was the true presiding officer in each senate (i.e., Lt. Governor, Majority Leader, President, etc.).

officer scores for 2001-02 I was able to collect and code information for four of the five components. Unfortunately, I was unable to locate an updated source for the data needed to calculate resource powers and I have omitted this aspect of the index from this analysis.<sup>3</sup>

It is hypothesized that legislative professionalization will be negatively related to presiding officer power (Hypothesis #1). More professional legislatures are thought to be more similar to the U.S. Congress and typically provide members with more opportunities for furthering their political careers outside of the legislature (Squire 1988b). The goals of individual members in these chambers are tied less to the successes and/or failures of their political party and more to their own individual successes and/or failures. In this situation, members have an incentive to organize the chamber in a manner that gives them more power and control over the legislative process (i.e., a strong committee system).

### **Legislative Professionalization and the Autonomy of Committee Systems**

Many scholars have provided evidence that committees have played a critical role in the decision making activities of American state legislatures throughout history (e.g., Zeller 1954; Jewell 1962; Rosenthal 1974; Francis 1989). If the committee system is an important part of the legislative process then, we should expect state legislative chambers to provide them with institutional tools that will allow them to be active players in the legislative process. That is, if the work done in committees is meaningful and influences the final policies adopted by the legislature, we would expect that legislative chambers would formally provide committees

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<sup>3</sup> Clucas cites “unpublished National Conference of State Legislatures (NCSL) data” as the source of much of his information. I suspect that much of this ended up in NCSL’s *Inside the Legislative Process*, which periodically surveys state legislatures regarding their operating procedures. While updates occur regularly, the updates do not actually update existing information, rather they provide new information. Information concerning resources powers – presiding officer control over employees was collected in 1996 and has not be updated. Employees are typically not mention in the formal chamber rules and rather than employ outdated NCSL data, I chose to omit this portion of the index.

particular rights and powers in the legislative process that would allow them to behave as autonomous actors in the legislative process.

Like the decision to empower chamber leaders, the decision to provide a formal arrangement for the autonomy of committee system is one that concerns the distribution of power in the legislative process. Generally, speaking the decision to centralize or decentralize power is tied to the goals of the chamber's membership. In a chamber in which power is centralized, the chamber leadership should possess a significant degree of influence via structures and procedures that directly link the actions of the chamber's leadership to the success of the individual members. For example, in a chamber in which power is centralized in the chamber leadership, it is likely that much of the power to make key decisions in the legislative process, and hence influence the policy outcomes of the legislative process rests in the hands of a single individual – the presiding officer. In contrast, in a highly decentralized chamber, much of the power to make decisions in the legislative process and influence policy outcomes is dispersed amongst the rank-and-file membership via committee and subcommittee chairmanships. Conventionally, a highly centralized legislative chamber is one in which the Speaker, President or other presiding officer possesses a number of institutional tools that allows she or he to exert great influence over the legislative process and over the general membership of the chamber. In a highly decentralized chamber, institutional power is often concentrated within the committee system because it provides the most efficient way to disperse power in ways that ensure that the individual goals of members are realized (i.e., members serve and work on committees that possess jurisdictions that correspond most closely with the public policies that are most important to their constituents). Much of the research exploring the

centralization/decentralization of power in legislative chambers has been conducted through the lens of principal-agency theory.

The challenge here is to devise an institution-based measure of committee system power that is able to capture the essence of committee system autonomy. I have explored the issue of committee system autonomy in previous research (Martorano 2006), and I assert that the institutional autonomy of committees can be broken down into five basic components: The components are, the committee system's ability to:

- 1) Receiving Legislation Power– accounts for formal requirements that all bills be referred to committees for consideration, bill pre-filing and the meeting of committees during the interim between sessions;
- 2) Screening Legislation Power – accounts for formal requirements that do not force committees to consider all referred legislation, do not place a deadline on committee consideration of legislation, do not require committees to file reports concerning all referred legislation and that make it difficult for the floor to withdraw bills from committee consideration;
- 3) Shaping Legislation Power – accounts for formal requirements that give committees the power to introduce original legislations, to propose substitute legislation for matters referred to them and to incorporate committee amendments into legislation before floor consideration;
- 4) Affecting Passage of Legislation Power – accounts for formal requirements that make it difficult for the floor to overturn adverse committee reports, that require that legislation be placed on the floor calendar in the order reported from committees, and make it difficult for the floor to amend legislation after it has been reviewed by committees; and
- 5) Gathering Information Power – accounts for formal requirements that allow committees to subpoena witnesses, subpoena documents, conduct investigations and hold public hearings.

Committee system autonomy is measured using an index that combines the procedures described above. The above structures and procedures are coded in a manner in which a score of negative score indicates that the structure or procedure makes committees less autonomous

actors in the legislative process, a positive score indicates that the structure or procedure works to enhance committee system autonomy, and a score of zero indicates that the procedure is neutral or not mentioned in the formal rules of procedure (See Appendix B).<sup>4</sup>

It is hypothesized that legislative professionalization will be positively related to committee system autonomy. Since, more professionalized legislatures are those that are considered to be most like the U.S. Congress as well as those chambers in which service within the legislature is often considered a career or full-time job, it is likely that the goals of members in these types of chambers are more likely to lead to the adopt of structures and procedures that will allow members to more easily accomplish their legislative goals and claim personal credit for these accomplishments. Strong and autonomous committees are a hallmark of a legislative chamber in which power is decentralized which will allow individual members to have more autonomy and a better ability to claim credit for their activities.

### **Measuring Legislative Professionalization and Other Control Variables**

The purpose of this paper is to assess what impact, if any; legislative professionalization has state legislative institutional structures. In the ensuing analysis, *legislative professionalization* will be measured using the measure developed by Squire (1992, 2006). Squire's measure is an index that combines legislator salaries, days in session, and operating costs of the legislature relative to Congress. Squire's (1992) original measure only covered a single year. In a recent paper, Squire (2006) calculates his measure of legislative professionalization for 1910, 1935, 1945, 1954, 1960, 1979, 1986, 1996 and 2003. This paper

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<sup>4</sup> All of the procedures are coded on a scale of -1 to +1, where a negative score indicated that the procedure clear limits committee system effectiveness and a score of +1 enhances committee system effectiveness. A score of 0 indicates that the rule is neutral. If no mention was made of the procedure in the formal chamber rules, state constitution or statutes, the chamber received a score of zero indicating neutrality. Appendix A provides further description of the coding used.

will combine these measures of legislative professionalization with data on committee system autonomy for legislative sessions occurring between 1955 and 1995 as well as 2001-02 and presiding officer power for the 2001-02 session.

In the pooled cross-sectional dataset (1955-1995) for committee system autonomy, the measure was applied in the following manner. The 1954 score was used for the 1955-1957 sessions, the 1960 score for the 1959-1969 sessions, the 1979 score for the 1971-1981 sessions, the 1986 score for the 1983-1989 sessions, and the 1996 score for the 1991-1995 sessions. The 2003 score was used in the cross-sectional (2001-02) dataset. While, not optimal given that the same measure of professionalization will repeat itself within each time interval, I argue that since institutional change is typically rather slow, this should only mildly impact later results. Recall that it is expected that legislative professionalization will be negatively related to presiding officer power and positively related to committee system autonomy.

There are a number of other contextual factors that should be accounted for in any analysis of state legislative institutions. The first of these factors involves the workload facing the chamber, and will be operationalized via two separate measures, one for the 1955-1995 data and one for the 2001-02 data. *Policy Complexity* is measured using the same measure used in Martorano (2006). The purpose of the measure is measure the scope and complexity of the workload faced by the legislative chamber. Policy complexity is measured as follows:

$$\text{Policy Complexity}^5 = \frac{\# \text{ Bills introduced} * \text{Average length per bill}}{\text{Legislative days in the session}}$$

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<sup>5</sup> The components of the measure are based upon the previous legislative session. The measure is also divided by 100 to make interpretation easier later as it is easier to think about the impact of an increase in complexity of 100 vs. one.

Specifically, the measure is the number of bills introduced during the previous legislative session multiplied by the average length per bill in the previous session divided by the legislative days spent in session during the previous regular session. In this analysis, the average length per bill was measured by counting the number of pages in the session laws of the previous session, multiplying by the number of lines per page and dividing by the total number of enactments.<sup>6</sup> Given the complexity of this measure, for the 2001-02 data this same concept will be measured by simply dividing the number of bills introduced in the 1999-00 legislative session by the number of days in the 1999-00 legislative session, and this measure will be referred to as *workload*. It is expected that both measures will be positively related to committee system autonomy as members have an incentive to give committees more leeway to act independently as they face a workload that is expanding in both size and complexity. It is unclear, theoretically how this concept should impact presiding officer power, but it will still be included in those models.

A second contextual factor that may intervene is *chamber size*. This measure will be operationalized simply as the number of members in the chamber. It is expected that chamber size will be positively related to committee system autonomy, since it may be likely that in larger chambers, members may choose to distribute power to committees in effort to allow them to better build their personal legislative records. Once again, it is unclear how this factor would impact presiding officer power, but it will be included.

Political parties are an inevitable aspect of the legislative landscape. The potential impact of political parties will be accounted for through a measure called *majority party strength*. It is

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<sup>6</sup> The preferred way of calculating average length per bill would be to take a random sample of laws enacted in a session and actually measure the length of each bill and then take the average of the sample. I began to calculate average bill length in this manner and found that it was an extremely time consuming task and would take months to complete the collection of this information for the states included in this study.



operationalized as the percentage of seats held by the majority political party in the chamber. It is expected that this variable will be negatively associated with presiding officer power and positively associated with committee system autonomy. The logic here is that in chambers where the percentage of seats held by the majority party is relatively small are also chambers in which party competition is also higher – thus, in accordance with Clucas (2001), chambers that are more competitive will give the presiding officer more power to ensure that the party agenda has the best possible chances for success, which will ensure future electoral success for the party. Conversely, in a chamber where partisan competition is minimal (e.g., where the majority party holds a larger percentage of the seats, it is likely that members may be more willing to decentralize power by giving committees more autonomy in the legislative process, since the members do not necessarily need a strong leader to ensure that the party is successful.

In several states, the house and senate share the same rules of procedure. That is, both chambers employ the same rules and both chambers must approve any changes in those rules. The variable, *joint rules state*, is coded one if the legislative chamber in question uses joint rules as the primary source of procedure rather than individual chamber rules. There is not hypothesized impact of joint rules on either dependent variable of interest.

There are some additional factors that should be controlled for. The next three control variables will only be included in analyses using the 24 state pooled, cross-sectional dataset (1955-1995). The first two are *new speaker* and *tenure of the previous speaker*. These controls are necessary because it may be the case that a particular speaker may be blocking (either formally or informally) institutional changes that the members wish to make. Thus, the election of a new speaker may result in institutional change in the chamber regardless of other forces, or it may be the case that new leadership was necessary to finally achieve the desired procedural

changes (Swift 1997). New speaker is a dichotomous variable simply indicating whether or not the speaker is new for the session and the tenure of the previous speaker counts the number of sessions the previous speaker held the position before the new speaker took over, as procedural change simply may be more likely after a speaker who enjoyed a particularly long reign.

The final control included in the pooled, time series analysis is *reform period*. This variable is coded one for the years 1965 through 1979. The purpose of this variable is to account for three historical events of this era that led to movements to reform legislative procedures in the U.S. states: 1) mandatory reapportionment of legislative districts; 2) the effort by the Citizens' Conference on State Legislatures to reform state legislative practices (CCSL 1979); and 3) the Watergate scandal. All three of these events caused institutional changes in state legislative chambers and should be controlled for in the analysis. There is no expected impact for any of these variables – new speaker, the tenure of the previous speaker and reform period – on committee system autonomy.

There are also two control variables that will only be included in the 50 state cross-sectional (2001-02) analysis. The first is *term limits*, which will be a dummy variable coded one for chambers that are term limited. It is expected that term limits are negatively related to presiding officer power and positively related to committee system autonomy. In a chamber where term limits have been imposed, member's have an incentive to be concerned more with individual goals (that can be obtained via committee memberships) than with party or chamber goals given that their time in the chamber is limited. The second control is *senate chamber*, and it is a dummy variable coded one for state senate chambers. The purpose of this variable is to determine whether or not chamber difference may exist.

## Analysis

Given the nature of the data, I chose to run several different analyses on each of the dependent variables. Three models were explored using presiding officer power as the dependent variable and five models were explored using committee system autonomy as the dependent variable. Tables 1 and 2 summarize the hypotheses as well as the results of these models. Tables 3-8 give the full results of the models.

### [Tables 1-8 about here]

Presiding officer power was explored using OLS regression on a cross-sectional dataset. The regression was run in STATA and the analysis was clustered on state so robust standard errors were calculated. The first model analyzed all 99 chambers and found as expected that legislative professionalization was indeed negatively related to presiding officer power.<sup>7</sup> However, this relationship doesn't quite meet the minimal threshold for statistical significance, with a p value of  $p < .124$  (See Table 3). The only variables in the model to reach statistical significance are term limited states, which as hypothesized is negatively related to presiding officer power and senate chambers. It appears that on average, presiding officers in state senates are institutionally less powerful than their house counterparts. Is it the case that their relatively smaller sizes allow state senates to mirror the U.S. Senate in terms of being a chamber in which collegiality may trump strong partisan leadership?

I also ran the same models splitting the sample by chamber. The results of the full model are replicated only on the senate sample. In that model both legislative professionalization and term limited states are negatively and significantly related to presiding officer power. That is, in more professionalized, term limited state senates, presiding officers, on average, will have less

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<sup>7</sup> Because of missing data for workload and the exclusion of Nebraska (because of its non-partisan nature) and other states with evenly split chambers, the number of cases in the multivariate analysis drops to 89 for the full sample, 46 for house chambers and 43 for senate chambers.

institutional power. In the state house model the only variable that attains statistical significance is joint rules state. It appears that state house speakers are institutionally less powerful in those states that work from a set of procedural rules shared by the two chambers. It may be the case that since presiding officer power is generally lower in state senates relative to state houses, that in joint rule states the house and senate must compromise on the overall power of chamber leaders leading to house speakers that may be weaker than speakers in non-joint rule states.

To summarize, it appears that there is some modest support for the contention that presiding officers will be less powerful in more professionalized chambers. This is likely because the more professionalized chambers are also those that are considered career-oriented chambers and thus continued service in them is appealing. Therefore, members would prefer to distribute power more throughout the chamber, most likely through the committee system rather than consolidate power into a single individual. Doing this will allow individual members to more easily cultivate a record of service that they could use to “claim credit” in future electoral cycles. The other interesting finding from this analysis is the significant impact of term limits. For similar reasons noted above, it appears that the presence of term limits leads to a less institutionally powerful presiding officer. Although individual members will not be able to use their legislative records to seek continued service in the chamber, they will need these records to springboard themselves into service in another public office.

Table 2 summarizes the results of the five models explored using committee system autonomy as the dependent variable. The first two models explore committee system autonomy over time in 24 lower houses from 1955-1995.<sup>8</sup> The first model is a Prais-Winsten regression

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<sup>8</sup> For some states not all years in the time series were available for coding. The following states and year ranges were coded: DE (1955-1985); CA, MT (1955-1991); KS (1955-1993); AZ, CT, FL, IL, IN, IA, MI, MN, NC, OH, PA, RI, SC, SD, VT, WA, WV, WY (1955-1995); KY, VA (1956-1994). Regular legislative sessions are held in even years in KY and VA, while regular sessions are held in odd years in the remaining states. Two-thirds of the

with panel corrected standard errors that is corrected for first-order serial autocorrelation. The second model is random effects model that is also corrected for first-order serial autocorrelation.<sup>9</sup> The remaining three models explore committee system autonomy using a cross-sectional dataset covering all chambers for the 2001-02 legislative session.<sup>10</sup> Just like for presiding officer power, the first explores all 99 chambers and the remaining analyses split the sample by chamber.

I will discuss the results from the longitudinal dataset first. In both the Prais-Winsten and random-effects model three variables are significantly related to committee system autonomy: legislative professionalization, policy complexity and joint rules state. As expected, more professionalized chambers also possess committee systems that are more autonomous. In the random effects model, this relationship is significant at close to the  $p < .05$  level (See Table 6) and is significant at the  $p < .08$  level in the Prais-Winsten model. Policy complexity is also related to committee system autonomy in the anticipated way. In both models, it is positively associated with autonomy. That is, chambers that are facing a workload that is relatively larger and complex will also be chambers that adopt procedures that make committees more autonomous in the legislative process. Finally, in both models committees systems appear to be more autonomous in states with joint rules of procedure.

Moving on to the cross-sectional analysis exploring committee system autonomy during the 2001-02 legislative session. It appears that legislative professionalization has no impact on

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data for this research was collected by the author. The remaining one-third of the data was provided for use in this research by Keith Hamm (Rice University) and Ronald Hedlund (Northeastern University). All of the rules data in this analysis was coded by the author, and any coding errors are the full responsibility of the author. Due to some missing data in the independent variables the N in the multivariate analysis is 458.

<sup>9</sup>A fixed effects model may be more appropriate to completely control for all state effects. However, given the operationalization of legislative professionalization in the analysis (i.e., repeated measures for intervals of time), I believe that a fixed effects model may be too restrictive of a specification and potentially underestimate its actual effects on committee system autonomy.

<sup>10</sup>The same limitations in footnote #8 apply to these data.

committee system autonomy, although the findings concerning policy complexity in the earlier models are consistent given that workload statistically significant and positively associated with committee system autonomy. When the analysis is split by chamber, workload is still positively and strongly related to committee system autonomy in both state houses and state senates. Additionally, in state senates, committee system autonomy is positively associated, as predicted, with majority party strength as well as term limited states (See Table 8).

To summarize, my expectations concerning the relationship between legislative professionalization and committee system autonomy were confirmed in the longitudinal analysis, but not the cross-sectional analysis. I believe the lack of relationship between these two concepts in the cross-sectional analysis may be due to the “stickiness” of institutions. In his recent, analysis of legislative professionalization, Squire finds that most chambers either “treaded water or regressed slightly from 1970-2003 (Squire 2006: abstract).” It may be the case that although legislative professionalization declined, the institutions that were adopted during its rise are still in place yet to be altered. It is often the case that institutional change can lag significantly behind other contextual legislative changes as it takes time for chambers to change and adapt accordingly. As expected, the most consistent predictor of committee system autonomy is the “work challenges” facing the chamber – as the bodies legislative endeavors become greater and more complex, committees have been given more autonomy to process and direct the course of legislation in the chamber. This finding is also consistent with an informational perspective (Krehbiel 1991) on the role of committees in the legislative process.

## **Conclusions and Future Endeavors**

The goal of this paper was to explore the influence of legislative professionalization on the institutional structure and procedures in state legislative chambers. The results of this analysis have discovered that, in general, increased levels of legislative professionalization will lead to institutionally weaker presiding officers and more autonomous committee systems.

This finding is consistent with what would be expected given the potential motivations of the members that serve in state legislative chambers. Past research has shown that the goals and preferences of members are different regarding whether or not they view service in the state legislature as a temporary endeavor, a long-term career or a springboard to something better. It is likely that a more professionalized legislature is more apt to be of the long-term career or springboard variety. Therefore, it becomes vital for members to organize the chamber in ways that will allow them to best build legislative records that will allow them to prove to voters that they have been working hard for them and deserve to continue serving or be elected to a higher or more prestigious office. One of the most efficient ways to achieve this goal is to disseminate power throughout the chamber via the committee system rather than consolidate power into the hands of chamber leadership that may have the collective interests of the chamber at heart, but not the individual interests of chamber members.

Also uncovered in this analysis and consistent with the above discussion was the negative impact of term limits on presiding officer power. It appears that in term limited states (especially in senate chambers), that presiding officers are less powerful than their counterparts in non-term limited states. Is it the case that the members in these chambers have begun to adapt to the imposition of term limits and started to reform their procedures in ways that allow them to prepare for a career beyond their legislative chamber? One reaction to this phenomena – would

be to weaken chamber leaders and increase the opportunities for even the “greenest” members to start building political records that will be vital to seeking other electoral offices, once service in that particular legislative chamber is no longer an option. Unfortunately, this analysis cannot identify conclusively that this is the case given that only cross-sectional data could be analyzed. However, this finding is interesting and warrants additional inquiry.



**Appendix A: Measuring Institutional Presiding Officer Power (Taken from Clucas 1998)**

<p><b>Appointment Power</b></p> <p>5 points = Speaker selects all committee chairs and party leaders  4 points = Speaker selects chairs and a majority of the party leaders  3 points = Speaker selects chairs; selects few or no other leaders  2 points = Speaker shares power to select chairs; selects few or no other leaders  1 point = Speaker does not select chairs; selects few or no other leaders</p>
<p><b>Committee Power</b></p> <p>5 points = Speaker assigns all members to committee; decides number of committees  4.5 points = Speaker assigns all members to committee; shares power over number of committees  4 points = Speaker assigns all members to committee; does not decide committees  3.5 points = Speaker assigns majority members; decides number of committees  3 points = Speaker assigns majority members; shares power over number of committees  2.5 points = Speaker assigns majority members; does not decide committees  2 points = Speaker shares power over assignments; decides number of committees  1.5 points = Speaker shares power over assignments; shares power over number of committees  1 point = Speaker shares power over assignments; does not decide committees  0 points = Speaker is not involved in either process</p>
<p><b>Resource Power</b></p> <p>5 points = Legislative campaign committee exists; Speaker has control over legislative employees  3 points = Legislative campaign committee exists; Speaker has no control over legislative employees  1 point = No legislative campaign committee; Speaker has control over employees  0 points = No legislative campaign committee; Speaker has no control over employees</p>
<p><b>Procedural Power I – Bill Referral</b></p> <p>5 points = Speaker has complete control over bill referral  4 points = Speaker controls referral; but there are restrictions on its use  3 points = Speaker shares power over referral; there are no restrictions on referrals  2 points = Speaker shares power over referral; there are restrictions on referrals  1 point = Speaker is not formally involved in bill referral</p>
<p><b>Procedural Power II – Floor Procedure</b></p> <p>5 points = Speaker prepares calendar, decides questions, directs chamber  4 points = Speaker controls two of these floor powers  3 points = Speaker controls one of these floor powers  1 point = Speaker has no control over floor proceedings</p>
<p><b>Tenure Power</b></p> <p>5 points = No limits on Speaker tenure  4 points = Speakers’ tenure limited to 8 years  3 points = Speakers’ tenure limited to 6 years  2 points = Speakers’ tenure limited to 4 years  1 point = Speakers’ tenure limited to 2 years.</p>

## Appendix B: Structures and Procedures Related to Committee System Autonomy

Procedure (Function)	Description	Coding
1) All bills to committee (Receiving Legislation)	Requirement that all bills be referred to a committee for consideration	1=All to standing comm. .5=All to standing or select 0=No mention -1=No (includes Comm. of Whole)
2) Committee consideration of bills (Screening Legislation)	Indicates whether committees have to consider all referred legislation	1=No 0=No mention -.25=Must consider, but can table -.5=Comm. members can force consideration -1=Yes
3) Committee reporting of bills (Screening Legislation)	Indicates whether committees have to report all referred bills back to the chamber	1=No 0=No mention -1=Yes
4) Action deadline (Screening Legislation)	Indicates whether committees have to consider and/or report bills back to the floor within a designated time period.	1=No 0=No mention -1=Yes
5) Withdrawal of legislation (Ensures that the floor cannot easily bypass committee decision-making)	Positive value indicates that bills cannot be easily withdrawn from committee consideration	1=>majority is needed 0=No mention -1=Majority or less is needed
6) Committee sponsoring of bills (Shaping Legislation)	Indicates whether committees have the power to sponsor and introduce original legislation	1=<maj. of comm. support needed .75 = maj. of comm. musts support .5=2/3 of comm. must support 0=No mention -.25=Unanimous consent of comm. needed -1=No
7) Incorporation of committee amendments (Shaping Legislation)	Indicates whether committee amendments are incorporated into bills before they are considered by the full chamber (i.e., the floor does not have the ability to reject committee amendments separately from the bill)	1=Yes 0=No mention -1=No
8) Substitute bills (Shaping Legislation)	Indicates whether committees can offer substitute bills in lieu of those referred to them	1=Yes 0=No mention -1=No
9) Handling of adverse committee reports (Affect Passage)	Indicates level of difficulty for the floor to overturn an adverse or negative committee report	1=Dies in comm. .5=2/3 of chamber needed 0=Majority of chamber needed -.5=1/3 of chamber needed -1=1, 2 or 3 members needed
10) Calendar order procedures	Indicates whether bills go on the calendar for floor consideration in the order reported out of committee consideration	1=Yes .5=Order of introduction 0=No mention -.5=Rules comm. can set order at any time -1=No
11) Floor amending procedures (Affect Passage)	Indicates whether there are restrictive procedures for amending bills on the floor	1=2/3 or unanimous consent needed 0=majority or less needed

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**Table 1**  
**Summation of Hypotheses and Results: Presiding Officer Power**

	Cross-Sectional Data 2001-02 (OLS)					
	Full		House		Senate	
Independent/Control Variables	Hyp.	Act.	Hyp.	Act.	Hyp.	Act.
Professionalization	-	-	-	-	-	-
Workload		+		-		+
Chamber Size		+		+		+
Majority Party Strength	-	+	-	+	-	+
Term Limits State	-	-	-	-	-	-
Joint Rules State		-		-		+
Senate Chamber		-				

Blue = p<.1; Yellow = p<.05; Green=p<.01  
Hyp. = Hypothesized Direction; Act. = Actual Direction

**Table 2**  
**Summation of Hypotheses and Results: Committee System Autonomy**

Independent/Control Variables	Pooled Data 1955-1995				Cross-Sectional Data 2001-02 (OLS)					
	PW		RE		Full		House		Senate	
	Hyp.	Act.	Hyp.	Act.	Hyp.	Act.	Hyp.	Act.	Hyp.	Act.
Professionalization	+	+	+	+	+	-	+	-	+	-
Policy Complexity	+	+	+	+						
Workload					+	+	+	+	+	+
Chamber Size	+	+	+	+	+	-	+	-	+	+
Majority Party Strength	+	-	+	-	+	+	+	-	+	+
New Speaker		+		+						
Tenure of Previous Speaker		-		-						
Reform Period		-		-						
Joint Rules State		+		+		+		+		+
Term Limits State					+	+	+	+	+	+
Senate Chamber						-				

PW=Prais-Winsten Regression

RE=Radom Effects

Blue = p<.1; Yellow = p<.05; Green=p<.01

Hyp. = Hypothesized Direction; Act. = Actual Direction

**Table 3**  
**Accounting for Presiding Officer Power in 2001-02 (OLS Model)^**

	<b>Presiding Officer Power</b>	
	<b>B (Robust SE)</b>	<b>p</b>
<i>Professionalization</i>	-4.79 (3.06)	.124
Workload	.017 (.020)	.415
Size	.003 (.006)	.564
Majority Party Strength	.011 (.040)	.786
<b>Term Limits</b>	<b>-1.57 (.747)</b>	<b>.041</b>
Joint Rules State	-.464 (1.00)	.645
<b>Senate Chamber</b>	<b>-2.40 (.740)</b>	<b>.002</b>
<b>Constant</b>	<b>18.36 (2.81)</b>	<b>.000</b>
N	89	
F-Statistic	4.92 (p<.000)	
R-Square	.242	

^Regression with robust standard errors. Analysis was clustered on state to control for individual state effects. All analysis was performed using STATA.



**Table 4**  
**Accounting for Presiding Officer Power in 2001-02, by Chamber (OLS Model)<sup>^</sup>**

	<b>Presiding Officer Power</b>	
	<b>House</b>	<b>Senate</b>
	<b>B (Robust SE)</b> <b>(p)</b>	<b>B (Robust SE)</b> <b>(p)</b>
Professionalization	-1.86 (3.40) (.586)	-7.22 (4.16) (.090)
Workload	-.005 (.019) (.790)	.074 (.055) (.177)
Size	.005 (.005) (.399)	.019 (.050) (.714)
Majority Party Strength	.018 (.052) (.727)	.028 (.047) (.548)
Term Limits	-.708 (.705) (.321)	-2.25 (1.13) (.053)
Joint Rules State	<b>-2.73 (.760)</b> <b>(.001)</b>	1.83 (1.56) (.246)
Constant	<b>17.61 (3.39)</b> <b>(.000)</b>	<b>13.97 (3.83)</b> <b>(.001)</b>
N	46	43
F-Statistic	3.67 (p<.005)	2.42 (p<.043)
R-Squared	.125	.221

<sup>^</sup>Regression with robust standard errors. Analysis was clustered on state to control for individual state effects. All analysis was performed using STATA.

**Table 5**  
**Accounting for Committee System Autonomy, 1955-1995**  
**(Prais-Winsten Model)<sup>^</sup>**

	<b>Committee System Autonomy</b>	
	<b>B (PCSE)</b>	<b>p</b>
<i>Professionalization</i>	<i>1.50 (.88)</i>	<i>.084</i>
<b>Policy Complexity</b>	<b>.006 (.003)</b>	<b>.041</b>
Size	.001 (.003)	.646
Majority Party Strength	-.003 (.004)	.444
New Speaker	.089 (.056)	.111
Tenure of Previous Speaker	-.020 (.024)	.393
Reform Period	-.009 (.103)	.927
<b>Joint Rules</b>	<b>4.07 (.768)</b>	<b>.000</b>
Constant	-.487 (.534)	.366
N	458	
# of States	24	
Avg. # obs/state	19.08	
Rho	.903	
R-Square	.088	

<sup>^</sup>Computed in STATA using Prais-Winsten Regression with panel corrected standard errors.

**Table 6**  
**Accounting for Committee System Autonomy, 1995-1955**  
**(Random-Effects Model)^**

	Committee System Autonomy	
	B (SE)	p
<i>Professionalization</i>	<i>1.70 (.878)</i>	<i>.053</i>
<b>Policy Complexity</b>	<b>.007 (.003)</b>	<b>.005</b>
Size	.003 (.003)	.261
Majority Party Strength	-.003 (.004)	.261
New Speaker	.090 (.061)	.136
Tenure of Previous Speaker	-.017 (.029)	.959
Reform Period	-.005 (.103)	.127
<i>Joint Rules</i>	<i>1.44 (.752)</i>	<i>.056</i>
Constant	-.892 (.584)	.127
N	458	
# States	24	
Avg. # obs/state	19.1	
Within R <sup>2</sup>	.113	
Between R <sup>2</sup>	.261	
Overall R <sup>2</sup>	.169	

^Autocorrelation corrected, random effects regression model computed in STATA using the xtregar command.

**Table 7**  
**Accounting for Committee System Autonomy in 2001-02 (OLS Model)<sup>^</sup>**

	<b>Committee System Autonomy</b>	
	<b>B (Robust SE)</b>	<b>p</b>
Professionalization	-.109 (1.97)	.956
<b>Workload</b>	<b>.055 (.014)</b>	<b>.000</b>
Size	-.005 (.004)	.189
Majority Party Strength	.018 (.020)	.370
Term Limits	.573 (.457)	.216
Joint Rules State	.437 (.591)	.464
Senate Chamber	-.440 (.378)	.251
<b>Constant</b>	<b>4.91 (1.78)</b>	<b>.008</b>
N	89	
F-Statistic	4.49 (p<.000)	
R-Square	.247	

<sup>^</sup>Regression with robust standard errors. Analysis was clustered on state to control for individual state effects. All analysis was performed using STATA.

**Table 8**  
**Accounting for Committee System Autonomy in 2001-02, by Chamber (OLS Model)<sup>^</sup>**

	<b>Committee System Autonomy</b>	
	<b>House</b>	<b>Senate</b>
	<b>B (Robust SE)</b> <b>(p)</b>	<b>B (Robust SE)</b> <b>(p)</b>
Professionalization	-3.21 (2.17) (.146)	2.32 (2.46) (.351)
Workload	<b>.046 (.012)</b> <b>(.000)</b>	<b>.096 (.031)</b> <b>(.003)</b>
Size	-.008 (.004) (.034)	.005 (.027) (.841)
Majority Party Strength	-.029 (.030) (.336)	<b>.053 (.024)</b> <b>(.036)</b>
Term Limits	.227 (.613) (.713)	<i>1.03 (.517)</i> <i>(.054)</i>
Joint Rules State	.378 (.669) (.575)	.714 (.758) (.351)
Constant	<b>8.94 (2.37)</b> <b>(.000)</b>	.782 (2.46) (.752)
N	46	43
F-Statistic	6.99 (p<.000)	2.22 (p<.06)
R-Squared	.261	.386

<sup>^</sup>Regression with robust standard errors. Analysis was clustered on state to control for individual state effects. All analysis was performed using STATA.