



Jurisdiction, Institutional Structure, and Committee Representativeness

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I model the ideological representativeness of state legislative committees and their majority-party slates, testing hypotheses derived from extant models of committees and institutional choice. Committee representativeness and the representativeness of majority-party slates vary across states as a function of their effective number of parties and professionalization, but the jurisdiction of a committee has little discernible effect on representativeness of either. A possible mechanism is that competitive parties create committees that more closely adhere to the party ratio of the chamber, eliminating many possible outlying committees.

An important controversy in legislative politics concerns the rationale behind committees. Are committees set up to facilitate and protect vote trades (Weingast and Marshall 1988, Shepsle and Weingast 1987), to deliver information to the floor (Gilligan and Krehbiel 1987, 1989; Krehbiel 1991), or to help members of the majority party obtain re-election (Cox and McCubbins 1993)? Or are some committees set up for each of these purposes, depending on how they affect others (Cox and McCubbins 1993; Maltzman 1997)?

Competition among these theories has generally been over which theory best accounts for the observed facts in Congress. Broadly, distributive theories predict unrepresentative committees, informational models predict representative committees, and partisan models generally predict representative committee slates of the majority party. The partisan and conditional models both predict variation across jurisdictions. Some researchers (Krehbiel 1991; Cox and McCubbins 1993; Groseclose 1999; Maltzman 1997) have found few unrepresentative committees in Congress, while others (Weingast and Marshall 1988; Hall and Grofman 1990; Londregan and Snyder 1994; Adler and Lapinski 1997) have found significant (though minority) numbers of them, and the methodological disputes within this debate remain lively. More recently, some researchers have also looked for outlying committees in state legislatures (Overby and Kazee 2000, Overby, Kazee, and Prince 2004, Battista 2004). Here, unrepresentative committees are rare.

However, relatively little work has focused on the opportunity these varied theories provide to examine different, yet rational, reasons why legislatures divide themselves into committees. While one legislature might allocate power along distributive principles, another might organize along some other principle. Overby, Kazee, and Prince (2004) use a 45-chamber dataset to regress the proportion of clearly outlying committees on variables including professionalization, region, the number of committees, partisan majority, the relative power of committees and parties, minority control over its appointments, and the effective number of parties. They find, essen-

tially, that the proportion of outliers is unpredictable. The only significant variable in their regressions is the relative power variable. Prince and Overby (2005) make a similar finding for state senates. Looking only at the proportion of committees differing from their chamber at a 0.05 level of significance discards information in two ways. First, a legislature with all of its committees significant at 0.06 will appear the same as a legislature with no committee differing at a 0.50 level of significance.¹ More generally, using a 0.05 level of significance to determine outliers imposes a very strict limit; only the most outlying committees will be caught. It is likely their results would differ if they had examined the proportions of committees unrepresentative at the 0.10, 0.20, or 0.25 level of significance. Second, an aggregate, chamber-level analysis ignores any possible variation across jurisdictions.

This article offers a simple informal theory of legislative institutions highlighting some of the "usual suspects" from both the state legislative and congressional literatures. Doing so allows a fuller test of theories and formal models developed primarily with an eye towards the U.S. House. Further, it allows for the placement of Congress within a larger universe of legislatures, which can help us understand why Congress is organized as it is by examining what leads to other institutional choices. Using OLS with corrections for clusters on a nonrandom sample of twelve state legislative chambers, I find that committee representativeness is explainable between chambers, but not within them, responding to party competition and professionalization but not to the jurisdiction of the committee. The representativeness of majority-party slates exhibits the same response. A possible mechanism that links parties and committees is the extent to which the chamber assigns members to committees in roughly the same partisan ratio as we see in the chamber.

THEORY: VARIATION ACROSS JURISDICTIONS

Rational legislators might choose to have some representative committees and some that are not. Cox and McCubbins'

¹ Though my approach of using the actual representativeness score, or the mean of it, does of course have a higher risk of finding factors that affect representativeness without necessarily creating any 0.05-level outliers.

(1993) partisan model argues that the two critical determinants are the extent to which a committee's actions affects other members and the extent to which the committee serves a homogeneous clientele (200). To the extent that the committee's actions affect other members, the party will police it through careful assignments. To the extent that a committee serves a particular clientele, it should be composed of homogeneous high-demanders (Groselose 1994: 199-200). This is a general theory, and should generalize well to the state legislative setting. All that it requires is that party labels are a valuable "brand name" that party leaders would not want to see lose value. If anything, we should expect this effect to be stronger in state legislatures than in Congress. State legislators receive less news coverage than do their congressional counterparts, and advertising budgets in campaigns are (in the vast majority of states) much lower, leaving voters with less independent, candidate-centered information to use in the election. This lower-information environment should increase the importance of heuristics like party cues, inflating the value of a good partisan brand-name, and leading to a majority party that guards its reputation more jealously (at least if there is a semi-credible threat of losing control of the chamber).

Maltzman (1997) offers a similar rationale in his conditional theory of committee behavior. He argues that committees are the agents of multiple principals; that they exist to serve themselves (or their constituents or an interest group), and the party, and the chamber. If a committee is of low salience to the party or the rest of the chamber, neither has any particular incentive to constrain the committee and the committee will behave as a classic high-demander (Weingast and Marshall 1988). On the other hand, when committees deal with a highly salient jurisdiction their behavior should be compatible with the informational model or, when the majority party is strong, with the party-dominated model (Maltzman 1997: 30-40).

Empirically, Cox and McCubbins' model implies that majority-party slates on control committees—committees that constrain the activities of other committees (Fenno 1973)—should be more representative of their caucuses than are other slates. Maltzman extends this logic. If his conditional model is correct, we should see either control committees that are representative of the chamber (in the event of weak parties), or control committees that have partisan slates representative of the caucus (in the event of strong parties), or both (if representative partisan slates combine to form a representative committee). If these models are correct, the more important a committee is to more legislators, the more representative it should be and the more closely it should correspond to the informational model.

THEORY: VARIATION ACROSS CHAMBERS

Where theories of jurisdictional differences argue that the same legislature ought to choose differently over different committees, other theories attempt to explain why different legislatures would choose differently over the same

committees. Battista (2003) offers a formal model of organizational choice in legislatures. The essential result is that if we divide internal legislative institutions into tools for policymaking and everything else (or any other dichotomy), legislators will have strategic preferences that completely favor one type, and legislatures will be institutional monocultures (Battista 2003: 343-346). In the real world, where assumptions never perfectly hold, this means that we should expect policy-oriented institutions to occur in clusters; the presence of one should predict the presence of another (351). This will be true even if some institutions are externally imposed upon the legislature, as legislators react strategically to their environment and those who find the legislature more to their liking remain longer (Battista 349-50). Squire (1988) offers a similar logic in his analysis of institutional patterns in several state legislatures. As informational, representative committees would be more useful for policymaking than distributive committees, chambers with more policy-oriented institutions should have more representative committees.

The most obvious suspect for such a policy-oriented institution is legislative professionalization. From the 1960s into the 1980s, proponents of vigorous legislatures consistently wrote that increases in pay and staff support and the removal of limitations on session length were necessary to recruit more "high-quality," policy-oriented legislators (Rosenthal 1971, 1974; Citizen's Conference on State Legislatures 1971). If the proponents of professionalization were right, and more professionalized legislatures did attract a different type of legislator, it makes sense that this new breed might choose to alter the legislature to suit their preferences. An obvious target for institutional meddling is the committee system, and more policy-oriented legislators might choose to create more representative committees, on average and all else equal, than would the less policy-oriented legislators they replaced, as a more representative, information-oriented committee system should be better able to deliver whatever outcomes the legislators prefer in an uncertain world. This is not to say that professionalized legislators are immune to pork-barrel politics or are unconcerned with electoral matters, just that professionalized, policy-oriented legislators should have a stronger taste for institutions that help them obtain their preferred social outcomes.

The empirical implication is that if these proponents are correct in linking changes in institutional support to increasingly policy-oriented legislators, then professionalization should produce more representative committees, committees that more closely match the predictions of informational theory. However, here I only have measures of the institutional professionalization of the legislature as a proxy for the dominant preferences or attitudes of legislators in a given legislature. The problem is that some of the aspects of professionalization are not completely policy-oriented (or non-policy-oriented). It may be that non-professionalized legislators have a stronger preference for higher pay or greater staff support than professionalized legislators. If so, this could put different facets of professionalization

against each other—a longer session might attract more policy-minded legislators, but this might be masked if a higher salary attracts less policy-minded legislators. While the longer-term solution is surely to use better estimates of legislators' internal mental states, such as relevant survey questions, survey data on state legislators are either not yet publicly released or are too old reasonably to obtain roll-call votes to go along with them. My approach here, therefore, is to disaggregate professionalization and be inferentially cautious in interpreting results.

Another legislative institution long linked to policy output is party competition, though this is chosen by voters rather than directly by legislators. Key (1949) offers persuasive reasons to see parties as policy-oriented organizations. Or, rather, to see *competitive* parties as policy-oriented, for his point of comparison is the one-party solid Democratic South. Key's assertion is that parties (or some similar organization) are necessary to lift the attention of mass and elite into the policy arena and away from distributive matters and personality politics. This happens, Key asserts, because without competitive parties there is nobody articulating competing claims and calling current officeholders on their records along consistent lines. (302–10) To be sure, none of the states I examine is directly comparable to the one-party South, though two have heavy Democratic majorities. But the point remains that without effective competition over policy, we are unlikely to see policy-oriented concerns dominate a legislature, and that without competitive parties we are unlikely to see competition over policy. Thus, party competitiveness should be positively correlated with the representativeness of committees.

In summary, extant theories make several predictions about variation in committee representativeness. Maltzman's conditional theory predicts that control committees should be more representative of the chamber than non-control committees, at least in the absence of strong parties. Cox and McCubbins predict that control committees should have majority contingents that are more representative of their caucus than are non-control committees. Across chambers, chambers with more even partisan balances should have more representative committees than do chambers with one dominant party, and higher levels of professionalization, or of its components, should affect committee representativeness, but in an unclear direction.

DATA, MEASUREMENT, AND METHODS

I test these hypotheses using data on all committees in the lower chambers of Connecticut, Georgia, Iowa, Louisiana, Maine, Minnesota, and Rhode Island; the upper chambers of California, New Hampshire, South Carolina, and Vermont; and Nebraska's single chamber, for single sessions in years varying from 1997 to 1999. This is not a random sample of states. The chambers chosen were drawn from the universe of approximately 30 states who made their roll-call votes freely available electronically and in a reasonably digestible form (such as a list of votes or by placing their journals

online, as opposed to having to perform a database query for every possible bill number) in the relevant year.

The sample is intended to encompass useful variation in partisanship, region,² size, and professionalization. The Mountain West is omitted as these states did not generally have a well-developed net presence in 1997. This creates a bias towards Democratic states; 46 of the 98 partisan chambers were controlled by Republicans in 1997, but only two of the eleven partisan chambers here are Republican-controlled. Party does not appear as a variable in any model. The California Senate is the only west-coast state in the sample; it was included as it was the only highly professionalized legislature to make its roll-call votes available in a useful way in the time period.

Along all of the chamber-level variables I use, the sample mean is close to the population mean (within one-fourth of a standard deviation), and the sample standard deviations are likewise close to the population values except for session length, where the sample's standard deviation is only 60% of the population value. So while the sample is admittedly small and nonrandom, it is nonetheless highly representative of the population from which it is drawn.

The core dependent variables are committee and majority-slate representativeness, which reflect the organizational choices of the chamber. I use unidimensional *W-NOMINATE* scores derived from floor roll-call votes to estimate legislators' preferences. Because *W-NOMINATE* scores are not directly comparable between chambers, I measure representativeness using simulations. For each committee in each chamber, I simulate 10,000 random committees of the appropriate size, noting the median *W-NOMINATE* score of each. I then compare the actual committee's median *W-NOMINATE* score to the distribution of simulated committee medians in order to see how representative or unrepresentative it is. Each committee receives a score equal to the proportion of simulated committee medians that are at least as far from the chamber median as is the actual committee median. Majority-slate representativeness scores were constructed in the same manner, simulating 10,000 random slates of the appropriate sizes to generate a distribution of slates and comparing the actual majority slate to the distribution of random slates.

I simulate committees using simple random sampling. I sample without replacement within each generated committee as a real committee cannot have more than one instance of a given legislator, but replacing with every iteration, and ignoring the actual procedure used to assign members to committees in each chamber. Simulating using something close to the actual procedure would be useful in analyzing how much active effort each chamber was putting into the assignment process given its institutions. But these institutions are endogenous,³ and a legislature might choose institutions that supply representative committees without much

² Should others wish to make use of it; the theories here make no predictions about region.

³ In all of these states, chambers are constitutionally free to assign members to committees however they see fit.

active effort in assigning members to committees. In order to treat a representative committee created by institutions and a representative committee created by direct meddling in the assignment process equally, I use simple random sampling to construct the baseline distribution of committees.

This points to a larger question of how, and to what extent, to take account of the institutional variation among state legislatures. In some chambers, the formal rules dictate that each party controls its own assignments. In others, the chamber leader formally makes all appointments for majority and minority parties; in such cases there may or may not be informal systems that allow the minority to assign its own members effectively. Some chambers have explicit seniority systems built into their formal rules, others make no use of seniority. However, one's attention to the particular institutional structures should depend on the inferences one is trying to draw. This article makes little use of such information because the inferences do not depend on it. The question here is not whether a pure seniority system fosters less representative committees. The question here is why a legislature might choose to have generally representative committees, whether it creates those committees by direct manipulation of the assignment process for one or both parties, by creating or abolishing a seniority system as the case may be, or by any other possible institutional device.

It is likely that underlying variables make legislatures more and less likely to create different kinds of internal assignment processes, and that these processes might directly affect committee representativeness. Here, I explore the link between the first and third stages in this process, knowing that different legislatures with the same collective preference might choose different second stages, different roads to the same destination. In part, this inferential choice is intended to tighten the focus on the theoretically underlying variables (in this case, party competition and professionalization). However, this choice is in part also dictated by the relatively small number of chambers in this study—the dataset will simply not bear the introduction of many more chamber-level variables than I actually use.

The primary independent variables are committee jurisdiction, party competitiveness (which also taps into conditional party government), professionalization, and significant minority and majority over-representation on committees. For committee jurisdictions, I use a set of dummies for each of the following jurisdictions: Taxing and spending; Rules and legislative management; Education; Environment, natural resources, or fish-and-game related; Health and/or human services/welfare; Banking and/or insurance; Judiciary; Transportation; Agriculture; Government management; Labor, labor-business relations, or industrial relations; Ethics and/or other internal housekeeping; Criminal justice or public safety; Other; and Other, clearly minor (obviously non-substantive committees). A committee is coded 1 for each jurisdiction that falls under its purview. For example, a Health, Education, and Welfare committee receives a 1 in both the education and HHS variables. Likewise, most chambers will have multiple commit-

tees coded 1 for at least one jurisdiction. There seems little room to doubt that taxation and spending committees should be considered control committees. By their very nature, they constrain the resources that other committees have to work with. From this, Cox and McCubbins predict that the coefficient on taxing and spending committees should be significant and positive for majority-party slates. With some caveats, Maltzman's conditional model predicts that the coefficient on money committees should be significant and positive for whole committees.

To measure party competitiveness, I use the effective number of parties. This is simply the reciprocal of a Herfindahl index, which is the sum of the squares of the "market shares" of each party. In a legislature with 100 legislators, 60 of whom are Democrats and 40 Republicans, the Herfindahl index is $.6^2 + .4^2 = .52$, and the effective number of parties is $1/.52 = 1.923$ implying that the legislature has the same "market concentration" as a legislature with 1.923 equal-sized parties. Such indices have been used in the comparative literature, recently by Kollman and Chhibber (1998), though they used vote shares rather than seat shares. I drop legislators who are simply independent and there are no identifiable members of third parties. The measure corresponds closely to the size of the majority party in this sample. An advantage of the effective number of parties is that it is extensible to other legislatures and other years where there might be third-party membership, so using it renders this study more easily comparable to likely future studies. The measure also correlates highly with standard measures of conditional party government such as the standardized distance between party medians, or the proportion of legislators who would have to switch parties to achieve perfect ideological distinction, and unlike those measures is not itself derived from roll-call votes.

The effective number of parties in the sample ranges between 1.333 in Rhode Island to 1.996 in Minnesota. As I am using this variable to measure party competition, I coded the nonpartisan Nebraska legislature (with nonpartisan elections and no internal partisan institutions) as 1. Wright and Schaffner's (2002) recent work on the Nebraska Legislature lends support to this choice. Comparing pre-electoral surveys conducted by Project Vote Smart to W-NOMINATE scores generated for the same session, they find that the lack of party labels in legislative elections and the lack of party structure in the chamber itself combine to suppress what ideological divisions there might otherwise have been (376). This indicates a real lack of party competition over policy, hence the assignment of a lower-bound score. Models run with Nebraska omitted generate similar results with somewhat weaker *p*-values (in the 0.10 range instead of 0.05). Models run with the observed minimum of 1.333 entered for Nebraska are functionally identical to those reported here.

To measure professionalization, I use Squire's professionalization index based on pay, session length, and staff support in 1995 (Squire 2000). This is the closest year to my data for which professionalization data are readily available. As will be seen, professionalization is not a significant

≡ TABLE 1
CLUSTER-OLS MODELS OF COMMITTEE REPRESENTATIVENESS

Variable	Coef.	$p> t $	Coef.	$p> t $
Constant	0.164	0.354	0.196	0.360
Taxing and Spending	-0.010	0.905	-0.038	0.570
Rules and Legislative Management	-0.040	0.390	-0.056	0.279
Education	-0.115	0.094	-0.126	0.080
Enviro./NR/Fish and Game	0.008	0.880	-0.007	0.899
HHS	-0.029	0.746	-0.049	0.544
Banking and Insurance	-0.010	0.919	-0.020	0.839
Judiciary	-0.003	0.973	-0.016	0.873
Transportation	0.017	0.801	0.005	0.943
Agriculture	0.003	0.979	-0.031	0.735
Government Management	0.007	0.918	-0.016	0.813
Labor and Industrial. Relations	-0.010	0.928	-0.030	0.761
Ethics and Housekeeping	-0.084	0.115	-0.095	0.131
Criminal Justice	0.047	0.640	0.053	0.619
Other (clearly minor)	-0.216	0.224	-0.170	0.372
Professionalization	0.154	0.194		
Eff. # parties	0.204	0.057	0.213	0.007
Pay (\$K)			0.016	0.002
Session length (100's days)			-0.045	0.773
Staff (K)			-0.401	0.000
R ²	0.086		0.168	
N	226		226	
Number of clusters	12		12	

predictor. To see whether this results from different components of the index driving representativeness in opposite directions, I also break up the index into its components. As one might expect, these are correlated; I discuss collinearity problems as they arise.

Significant minority/majority party over-representation are both dummy variables. Each takes the value 1 when the minority/ majority party's share of a committee is at least ten percentage points higher than its share of the chamber, and zero otherwise. Significant majority over-representation is evident in 9.6 percent of committees, and 11.5 percent have significant minority over-representation. Minority-party over-representation also appears as a dependent variable.

I use OLS to test hypotheses, using robust/Huber-White standard errors and clustered by chamber. Results from multilevel or hierarchical linear models run using Pinheiro and Bates' *nlme* package for R did not substantively differ, but the significance levels for chamber-level variables were sometimes in the 0.10 range where they are in the 0.05 or 0.01 band here, as multilevel models are more sensitive to the number of chambers or groups. Note that for the effective number of parties, a theoretically appropriate one-sided test brings the significance back under the 0.05 criterion in multilevel models.

Likewise, the results do not substantively alter when the model is broken into two, a committee-level model with

dummies for chambers and a chamber-level model regressing mean values of the dependent variable against the chamber-level variables, though the significance levels for the chamber-level model are again slightly weaker.⁴ Again, the coefficient on the effective number of parties drops below the 0.05 line with a theoretically appropriate one-sided test. I report the results from OLS with clusters for expository clarity, because the multilevel models are complex enough to crash in some estimations, and because the models here do not make use of the particular advantages of multilevel models, such as cross-level interactions.

RESULTS

Table 1 presents the results of clustered regressions of committee representativeness. The left-hand model uses Squire's professionalization index. While it is not significant,

⁴ Similarly, models with the proportion of committees distinct at the 0.20 level as the dependent variable returns functionally identical results. With the proportion differing at the 0.10 level as the dependent variable, results are similar but the effective number of parties is significant only at about the 0.15 level with a two-sided test, and using the 0.05 level only pay and staff support are significant by any reasonable standard. For the majority-slate models, all of these models returned results inferentially identical to the models reported here.

≡ TABLE 2
CLUSTER-OLS MODELS OF MAJORITY-SLATE REPRESENTATIVENESS

Variable	Coef.	$p> t $	Coef.	$p> t $
Constant	0.258	0.275	-0.271	0.353
Taxing and Spending	-0.017	0.831	-0.029	0.706
Rules and Legislative Management	0.018	0.871	0.010	0.925
Education	0.024	0.862	0.014	0.916
Enviro./NR/Fish and Game	0.085	0.310	0.069	0.390
HHS	0.028	0.814	0.007	0.947
Banking and Insurance	-0.045	0.600	-0.041	0.623
Judiciary	0.028	0.819	0.016	0.892
Transportation	-0.044	0.635	-0.056	0.528
Agriculture	0.009	0.936	0.014	0.899
Government Management	0.151	0.180	0.149	0.174
Labor and Industrial Relations	-0.206	0.027	-0.218	0.016
Ethics and Housekeeping	0.032	0.670	0.016	0.839
Criminal Justice	-0.123	0.356	-0.135	0.331
Other (clearly minor)	-0.043	0.765	-0.085	0.571
Professionalization	-0.189	0.062		
Eff. # parties	0.120	0.388	0.333	0.033
Pay (\$K)			-0.005	0.304
Session length (100's days)			0.334	0.026
Staff (K)			-0.035	0.709
R ²	0.075		0.110	
N	209		209	
Number of clusters	11		11	

this may be due to its different components working against each other. To test for this, I break the index into its components of pay, staff support, and session length. The right-hand model reports these results.

Three items of interest emerge from Table 1. First, committee jurisdiction seems not to matter. Education and ethics committees are less representative than the reference category of Other, a hodgepodge of committees with some apparent substantive base, at a significance level of about 0.10. More important is that taxing and spending committees are indistinguishable from the reference category. Most jurisdictions have standard errors larger than the coefficients. This argues against Maltzman's model of committees as agents of multiple principals, which predicts that control committees should be more representative of the chamber than are non-control committees.⁵

Second, the effective number of parties is significant at around the 0.05 level in both models. This supports Key's view of party competition as encouraging a tighter policy focus. Substantively, we would expect a state with evenly

matched parties to have committees that were about 0.20 more representative than one-party chambers, which is substantial for a dependent variable that is bounded by 0 and 1. For reference, the standard deviation of committee representativeness scores is 0.28.

Third, professionalization is not significant (though it would be significant at a 0.10 level in a one-tailed test), but pay and staff support are both significant in opposite directions. Higher pay correlates with higher mean representativeness, but more generous staff support correlates with lower mean representativeness. Substantively, both variables are important. Increasing legislators' pay by \$10,000 increases, in expectation, the representativeness of the chamber's committees by 0.14, and increasing staff by 500 corresponds to a 0.19 decrease in representativeness. This does not neatly support or disconfirm the idea that professionalization would attract a different (and more policy-focused) class of legislator, though it does support the notion that professionalization (or at least its components) is an important predictor of other aspects of legislative life—there is clearly *something* going on here, though discerning the exact nature of what is going on would require more data. Here, collinearity between the components of professionalization does not appear to be causing any problems.

Table 2 reports the regression model results for the representativeness of majority contingents. As before, I report

⁵ Maltzman's theory, however, predicts this for only chambers with less-powerful parties. Yet, even if we allow the coefficient on taxing and spending committees to vary as a function of the effective number of parties (as a proxy for party strength) in a multilevel model, the coefficient remains clearly non-significant, as is the interaction term itself.

results for two models, one using the professionalization index and the other with the index broken into its components to examine whether the components are working against each other. The nonpartisan Nebraska legislature is absent from this section of the analysis.

As before, the coefficient effective number of parties is significant and positive, at least when the index is broken. When Squire's professionalization index is left whole, it is associated with lower majority-slate representativeness and significant at a 0.10 level. When the index is broken, there is a collinearity problem between pay and staff support, which seem to be, in this case, reflections of an underlying financial or physical support variable. When either is deleted, the other remains negative and is significant at the 0.01 level, and session length remains positive and becomes significant at the 0.025 level or better, and nothing else changes substantively.

That the components of professionalization would behave differently with respect to committees and majority slates is puzzling. The likely resolution is that, again, professionalization of the institution is not the true causal factor, but rather professionalization of the membership. Further, both forms of professionalization are multidimensional, the one being made up of different sets of resources and requirements, and the other made up of different distributions of preferences, goals, or attitudes. It may be that the internal partisan decision to impose stricter control on their committee slates draws on different preferences or attitudes than does the more general decisions (or nondecisions) that create representative committees, and so is related to institutional professionalization in a different way. The data needed to clarify the apparently complex relationship between institutional factors and collective preferences, however, is not yet publicly available.

Most theoretically relevant is that the coefficient on taxing and spending committees is highly insignificant in the reported models, and in all other models used in testing. This argues against the Cox-McCubbins model of committees, since majority slates on these control committees are no more representative than other jurisdictions. However, this should be interpreted carefully and conservatively; I discuss the issue in greater depth below.

A POSSIBLE MECHANISM

One possible connection between parties and committees is the ratio of the parties on each committee compared to the ratio in the chamber. If committee slots are divided between the parties in line with their relative strength in the chamber, this choice eliminates all of those unrepresentative committees composed overwhelmingly of a single party. All else equal, then, close adherence to the chamber's party ratio should create a more representative committee even if each party's assignments are largely random with respect to ideology. Conversely, over-representation of the minority party has the effect of drawing the committee's median away from the chamber median and so creates unrepresentative committees.

While minority over-representation might seem very odd to those steeped in the postwar Congress, it is not rare in state legislatures. If Key's (1949: 302-10) analysis of competitive parties is correct, then dominant-party legislatures should be generally characterized by factionalism, ad-hoc coalition-building, and a lower degree of competition and argument over policy matters. This should lead dominant-party chambers to allow larger departures from the party ratio of the chamber when assigning legislators, as factional politics go beyond, or ignore, party lines. The chamber leadership might stack a committee in favor of the minority as part of a larger logroll or as a reward for past votes including organizational or leadership-selection votes. Alternatively, the governing majority might simply not care about minority stacking if there is little ideological or policy distinction between parties, as we might expect in a chamber with reduced competition over policy. Hedlund and Hamm (1996: 394-95) offer a fuller discussion of minority-party over-representation in cross-section and across time embedded in a discussion of majority-party representation in committees.

Note that while this discussion centers on the partisan variable, this should not be construed as diminishing the importance of professionalization. Legislative pay and staff support remain strong predictors of the mean level of committee representativeness. Similarly, a discussion of party ratios on committees should not be construed as ruling out other ways for competitively balanced parties to influence committee representativeness.

To check this link, I created two dummy variables measuring over-representation of the majority party and over-representation of the minority party on each committee. Each takes the value 1 if the minority or majority party's share of the committee exceeds its share of the chamber by ten or more percentage points.

Twenty-four of 209 committees in seven chambers over-represent the minority party by at least ten percentage points, with the degree of minority over-representation reaching 25 percentage points. No money or rules committee has significant minority over-representation. Minority-stacking is concentrated in clearly minor committees, in the "other" category, and in government-management committees such as interstate cooperation, local government, and government administration, but substantive committees also sometimes over-represent the minority. Committees stacked in favor of the minority do not generally have a majority of minority-party members, but simply a higher proportion of minority-party members than in the chamber. Only eight committees have a majority of minority-party legislators (though more are evenly split).

Twenty committees are stacked in favor of the majority by at least ten percentage points. These are concentrated in money, rules and legislative management, government management, and agriculture committees, as well as several substantive jurisdictions. The degree of majority stacking goes as high as 40 percentage points in the case of control or housekeeping committees with no minority-party legislators at all.

≡ TABLE 3
EFFECTS OF PARTY RATIO ON REPRESENTATIVENESS—NE OMITTED

Variable	Coef.	$p> t $	Coef.	$p> t $
Constant	-0.006	0.981	0.233	0.619
Taxing and Spending	-0.051	0.586	-0.078	0.277
Rules and Legislative Management	-0.008	0.796	-0.022	0.562
Education	-0.142	0.083	-0.147	0.081
Enviro./NR/Fish and Game	0.029	0.552	0.016	0.764
HHS	-0.019	0.857	-0.039	0.674
Banking and Insurance	0.040	0.664	0.038	0.679
Judiciary	0.050	0.623	0.042	0.664
Transportation	0.003	0.961	-0.006	0.925
Agriculture	-0.009	0.910	-0.037	0.633
Government Management	0.022	0.775	0.010	0.872
Labor and Industrial Relations	0.017	0.874	0.002	0.987
Ethics and Housekeeping	-0.120	0.047	-0.112	0.076
Criminal Justice	0.067	0.571	0.062	0.597
Other (clearly minor)	-0.073	0.627	-0.043	0.781
Min. over-representation	-0.215	0.026	-0.225	0.006
Maj. over-representation	-0.128	0.174	-0.087	0.486
Professionalization	0.171	0.16		
Eff. # parties	0.303	0.06	0.190	0.372
Pay (\$K)			0.014	0.027
Session length (100's days)			0.001	0.995
Staff (K)			-0.370	0.007
R ²	0.167		0.236	
N	209		209	
Number of clusters	11		11	

Table 3 illustrates the results of a cluster-corrected OLS regression, adding majority and minority parties to the earlier committee representativeness models. The coefficient on minority-party over-representation is negative and highly significant, while the coefficient on majority-party over-representation does not approach standard levels of significance.⁶ These imply that minority-party over-representation is linked to less representative committees. After controlling for party ratios, taxing and spending committees are weakly less representative than other committees. Note that the coefficients on pay and staff support remain significant at the 0.05 or 0.10 levels; this supports the idea that they are linked to aggregate levels of committee representativeness.

To check the second prediction, that departures from the party ratio are related inversely to party competitiveness, I ran a chamber-level OLS regression of the proportion of committees with minority-party over-representation of at

least ten percentage points. A logit or probit along the lines of the previous models fails here as taxing and spending committees, the prime explanatory variable, is a perfect predictor; no taxing and spending committee ever over-represents the minority party.

Table 4 illustrates the results of the chamber-level regression. The results are as we expect. The coefficient on the effective number of parties is strongly negative and significant at the 0.025 level. Thus, party competition seems to be linked, albeit weakly, to looser control over minority party representation on committees. There is no statistical connection between professionalization (or any of its components) and minority party over-representation. Hedlund and Hamm (1996) offer further support for this link. Examining both chambers from five states for 1907–1989, they found that more dominant majority parties were less likely to over-represent themselves. While they do not discuss the issue in their regression results, their statistical work is consistent with the possibility that dominant majority parties are more likely to allow over-representation of the minority party (they use a continuous variable for majority party over- and under-representation).

⁶ This is not due to collinearity; the two variables are only weakly correlated and majority over-representation remains highly insignificant when minority-party over-representation is dropped.

CONCLUSIONS

In general, committee representativeness seems to be explainable much more between chambers than within them. Higher party competition, measured as the effective number of parties, increases both the representativeness of committees and majority-party slates. The effects of professionalization are mixed in that pay correlates to increasing committee representativeness and staff support against it, while longer sessions and lower levels of physical and financial support correlate with more representative majority slates.

The chamber-level results support the contention that similar internal institutions should hang together in predictable bundles. The presence of one (at least arguably) policy-related institution, more competitive parties, occurs in combination with another policy-oriented institution, more representative committees. Note that this means that, all else being equal, chambers with more competitive parties are evidently assigning their members to committees along different organizational principles than are dominant-party chambers. The chamber-level findings also emphasize the important roles that parties—even not obviously active parties—can play in legislatures. Even if parties play at most a small role in directly limiting unrepresentativeness of committees, their presence as more general organizing agents of the legislature can still be an important determinant of committee representativeness. When parties are at least roughly competitive in the legislature, the majority seems less willing to grant the minority party more committee slots than it would numerically “deserve,” which eliminates many possible unrepresentative committees. This would be true even if both parties’ assignments were completely random.

The chamber-level results further indicate that professionalization, as a concept, is an important predictor of committee and majority-slate representativeness—that it is an important predictor of the general mode of committee organization. The imperfect match between the available data on pay, session length, and staff support and the concept of professionalization as a characteristic of the legislators themselves, however, means that the exact nature of the link between professionalization and committee organization remains unclear.

From the negative-results side, a committee’s jurisdiction tells us next to nothing about whether it is likely to be representative, unrepresentative, or, like most committees, something in between. However, here a negative result remains interesting as it goes against earlier theory, especially because this is not a simple matter of a coefficient not quite reaching traditional levels of significance; the relevant *p*-values are over 0.50. This poses a problem for Maltzman’s conditional model of committees, which argues that salience should be an important determinant of representativeness. One possible reason for a null result is that the salience of committee jurisdictions may vary across chambers in idiosyncratic ways. A committee that is tightly policed in one state might, in another state, be a committee of little consequence. However, this can only explain the

≡ TABLE 4
CHAMBER-LEVEL MODEL OF MINORITY PARTY
OVER-REPRESENTATION

Variable	Coef.	<i>p</i> > <i>t</i>
Constant	120.208	0.008
Professionalization	-14.161	0.601
Eff. # Parties	-56.748	0.016
R ²	0.562	
N	12	

“ordinary” committees—that a taxing or spending committee would be low-salience is very unlikely.

Similarly, knowing a committee’s jurisdiction tells us nothing about the representativeness of its majority-party slate, which is again contrary to well-established theory. Here again, this is not a case of a coefficient barely missing the significance mark; the *p*-values for the relevant variables are in excess of 0.70. This argues against the Cox-McCubbins partisan model, which predicts that control committees should have more representative majority slates. However, this does not disconfirm the Cox-McCubbins model. Consider this unexpected null finding from an informal Bayesian perspective. If we begin with a priori that the Cox-McCubbins model should hold, as theory and the lower information content of state legislative elections should lead us to, how do we interpret a single finding that is markedly to the contrary? The results here are akin to observing a positive result on a test for a rare illness. On the one hand, we should be somewhat suspicious of the finding—as always in such cases, there are many more ways to observe a false positive than a true positive. I would not and do not claim that the findings here necessarily invalidate the Cox-McCubbins model in a substantively significant way. Nonetheless, we are seeing what we did not expect to see, and should update our beliefs accordingly. As with a positive result on a test for a rare condition, our first reaction should probably be to engage in further testing. The null finding here does not imply that the Cox-McCubbins model is wrong with respect to the U.S. House. At most, the findings here indicate that the Cox-McCubbins model might not generalize to institutionally similar legislatures and may depend on some other variables. That is, the Cox-McCubbins model may predict successfully only some kinds of legislatures. Future research might ascertain the necessary conditions for a Cox-McCubbins model to take effect.

The results here point to the utility of looking to the states to help explain congressional institutions. While Congress is clearly the most professionalized American legislature, the opposite signs of the pay and staff coefficients make it impossible to make a sensible prediction for Congress. However, the results here clearly predict that a chamber with a close partisan balance should have a representative set of committees. Since both chambers of Congress rarely go beyond even a 2/3–1/3 split, this predicts a Con-

gress that has generally representative committees, which is generally borne out by other research.

These results also indicate possibilities for future research. The most obvious possibility is to extend the dataset to more or even all 99 state legislative chambers, though this would be a very large data collection effort. First and foremost, this would allow the researcher better to explore the intervening effects of different institutional choices lying between the underlying traits of party competitiveness and professionalization and the final outcome of committee representativeness. It would also allow us to explore the effects of committee representativeness, using it as an independent rather than dependent variable. Another possible data-collection tactic would be to examine selected chambers to see if their committees become more representative as they shift from one-party politics to a competitive two-party system, or as they professionalize.

REFERENCES

- Adler, E. Scott, and John Lapinski. 1997. "Demand-Side Theory and Congressional Committee Composition: A Constituency Characteristics Approach." *American Journal of Political Science* 41: 895-918.
- Battista, James Coleman. 2003. "An Ambition-Theoretic Approach to Legislative Organizational Choice." *Legislative Studies Quarterly* 28: 333-55.
- _____. 2004. "Reexamining Legislative Committee Representativeness in the States." *State Politics and Policy Quarterly* 4: 161-80.
- Citizen's Conference on State Legislatures. 1971. *State Legislatures: An Evaluation of Their Effectiveness*. New York: Praeger.
- Cox, Gary W., Mathew D. McCubbins. 1993. *Legislative Leviathan: Party Government in the House*. Berkeley: University of California Press.
- Fenno, Jr., Richard F. 1973. *Congressmen in Committees*. Boston, MA: Little, Brown.
- Gilligan, Thomas W. and Keith Krehbiel. 1987. "Collective Decision-Making and Standing Committees: An Informational Rationale for Restrictive Amendment Procedures." *Journal of Law, Economics, and Organization* .
- _____. 1989. "Asymmetric Information and Legislative Rules With a Heterogeneous Committee." *American Journal of Political Science* 33: 459-90.
- Groseclose, Tim. 1994. "Testing Committee Composition Hypotheses for the U.S. Congress." *Journal of Politics* 56: 440-58.
- Hall, Richard L., and Bernard Grofman. 1990. "The Committee Assignment Process and the Conditional Nature of Committee Bias." *American Political Science Review* 84: 1149-66.
- Hedlund, Ronald D., and Keith E. Hamm. 1996. "Political Parties as Vehicles for Organizing U.S. State Legislative Committees." *Legislative Studies Quarterly* 21: 383-408.
- Key, Jr., V. O. 1949. *Southern Politics in States and Nation*. New York: Knopf.
- Kollman, Ken, and Pradeep Chhibber. 1998. "Party Aggregation and the Number of Parties in India and the United States." *American Political Science Review* 92: 329-42.
- Krehbiel, Keith. 1991. *Information and Legislative Organization*. Ann Arbor: University of Michigan Press.
- _____. 1998. *Pivotal Politics*. Chicago: University of Chicago Press.
- Londregan, John, and James M. Snyder. 1994. "Comparing Committee and Floor Preferences." *Legislative Studies Quarterly* 19: 233-66.
- Maltzman, Forrest. 1997. *Competing Principals: Committees, Parties, and the Organization of Congress*. Ann Arbor: University of Michigan Press.
- Overby, L. Marvin and Thomas A. Kazee. 2000. "Outlying Committees in the Statehouse: An Examination of the Prevalence of Committee Outliers in State Legislatures." *Journal of Politics* 62: 701-28.
- Overby, L. Marvin, Thomas A. Kazee, and David W. Prince. 2004. "Committee Outliers in State Legislatures." *Legislative Studies Quarterly* 29: 81-107.
- Prince, David W., and L. Marvin Overby. 2005. "Legislative Organization Theory and Committee Preference Outliers in State Senates." *State Politics and Policy Quarterly* 5: 68-87.
- Rosenthal, Alan. 1971. The Scope of Legislative Reform: An Introduction. In Donald G. Herzberg and Alan Rosenthal, eds., *Strengthening the States: Essays on Legislative Reform*. Garden City, NY: Doubleday.
- _____. 1974. *Legislative Performance in the States: Explorations of Committee Behavior*. New York: Free Press.
- Shepsle, Kenneth A., and Barry R. Weingast. 1987. "The Institutional Foundations of Committee Power." *American Political Science Review* 81:85-104.
- Squire, Peverill. 1988. "Member Career Opportunities and the Internal Organization of Legislatures." *Journal of Politics* 50: 726-44.
- _____. 2000. "Uncontested Seats in State Legislative Elections." *Legislative Studies Quarterly* 25: 131-46.
- Weingast, Barry R., and William J. Marshall. 1988. "The Industrial Organization of Congress; Or, Why Legislatures, Like Firms, Are Not Organized as Markets." *Journal of Political Economy* 96: 132-63.
- Wright, Gerald C., and Brian F. Schaffner. 2002. "The Influence of Party: Evidence from the State Legislatures." *American Political Science Review* 96: 367-79.

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