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THE ROLE OF THE GOVERNOR IN THE LEGISLATIVE PROCESS:  
A COMPARATIVE STATE ANALYSIS

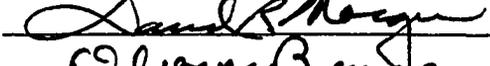
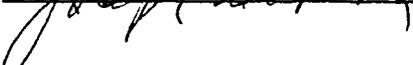
A DISSERTATION  
SUBMITTED TO THE GRADUATE FACULTY  
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degree of  
DOCTOR OF PHILOSOPHY

By  
EMIL LEE BERNICK  
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THE ROLE OF THE GOVERNOR IN THE LEGISLATIVE PROCESS:  
A COMPARATIVE STATE ANALYSIS

APPROVED BY

DISSERTATION COMMITTEE

THE ROLE OF THE GOVERNOR IN THE

LEGISLATIVE PROCESS:

A COMPARATIVE STATE ANALYSIS

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This study examines the governor's legislative role with particular concern for his impact on legislators' voting behavior and the ability of the governor to be successful in executive-legislative relations. A quasi-experimental and longitudinal design was used to assess the governor's legislative role under varying degrees of partisan congruence. This permitted a test of the importance of partisan attachments for both the legislature and the governor. Twelve governors in seven states (Florida, Idaho, North Dakota, Oklahoma, Oregon, Vermont, and Wyoming) during 1963 to 1973 were used in the analysis. Legislative roll-call votes and interviews with the governors were the two basic forms of data.

The findings suggest that votes of interest to the governor tended to show greater partisan division than votes of little interest to the governor. It was concluded that the governor does have some influence on legislative voting behavior, causing parties to become a more salient voting cue. Both the opposition party and the governor's party exhibited greater cohesion when the governor became a factor in voting. Analysis also revealed a pattern of greater cohesiveness for the minority party, especially when it was the governor's party.

A theoretical discussion was presented concerning the problems surrounding the concept of gubernatorial success. Success was defined using an amalgamation of gubernatorial programs, vetoes, appointments, and the governor's ability to work with the legislature. It was found that partisan attachment is neither a necessary nor a sufficient condition for success; majority party governors as well as minority party governors can be successful or unsuccessful. Analyses of the governors with other explanatory variables proved inadequate for explaining success.

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In addition, I wish to thank Professor Samuel Patterson on his thoughtful advice regarding the research design early in the project. Moreover, recognition and appreciation is due to several fellow faculty members at Iowa State University. Jerry Dorfman, Mike Coveyou and Charles Wiggins played an important role in the completion of this project by providing well-timed encouragement and helpful suggestions about writing a dissertation. Chuck provided invaluable assistance as a critic and sounding board for some of the substantive findings. Iowa State University is owed a special debt of gratitude for providing the time during the academic year for me to make the necessary visits to the state capitals. I owe a special debt of gratitude to David Morgan, F. Ted Hebert, Joseph Pray, and Oliver Benson who painstakingly served on my committee.

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Obviously, special recognition is due to the governors who served their terms of office during the legislative sessions reported here. Without their invaluable time and assistance this project could not have come to fruition. Thanks are due to the other individuals interviewed who gave so freely of themselves during the field studies.

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## CHAPTER I

### RESEARCH ON THE STATE LEGISLATIVE PROCESS AND GUBERNATORIAL POLITICS

Most research on the legislative process in the United States has dealt with Congress or has focused narrowly on selected issues of a single legislature or individual legislators within a given state.<sup>1</sup> The difficulty with such an approach to understanding the major policy-making branch of government in the United States is the somewhat parochial and unscientific nature of the resultant research products. While Congress is a vital unit of analysis, it must be recognized that state legislatures are not perfect Congressional microcosms, and that research on one does not always provide usable information on the other.<sup>2</sup> State legislatures are different from Congress in the power and scope of their activities, their institutional structures, and the environmental base within which they operate. In addition, the individuals who make up the state legislatures, along with those who interact with them, often perform different roles than those operating within the congressional subsystem.

### The Need for Comparative Analysis

Although there are important differences among state legislative bodies, there are some uniformities in their institutional components, as well as in their environments, which would allow us to study state legislatures in a comparative setting.<sup>3</sup> It is this comparative analysis which is so lacking and yet so needed to test the validity of contemporary theories, as well as much of the folklore concerning the American states. The shortage of comparative studies and the resultant problems are well documented in the literature, since virtually any review essay of research conducted on the legislative process emphasizes this serious error of omission.<sup>4</sup> To develop a theory of the legislative process or even to understand some of the elements relevant to the behavior of legislators, requires systematic comparative analysis. Failure to conduct comparative research inhibits the process of theory development and adds new knowledge in a disjointed fashion. Even worse, we may be building a body of facts without any conceptual adhesion to hold the parts together. Comparative legislative studies enable one to look for uniformities in legislative behavior, and conversely aid in discerning the 'unique' within legislatures. The

" . . . comparative method proves to be very useful: it dispels some of the mystiques of the unique which, in the comparative perspective, turn out to be unique not because of any 'intrinsic' or essential characteristic, but because it deviates from what one might

theoretically expect and from what, in fact, one finds empirically in most studies."<sup>5</sup>

Comparative legislative studies are a necessary but not a sufficient condition for developing a theory of legislative behavior. Furthermore, an emphasis on comparative research does not constitute a rejection of the utility and necessity of legislative research which is single-case oriented. The demand for one does not imply the denial of the other. Rather, "if our goal is to achieve increased understanding of the behavior of legislatures, then we need to place greater stress on comparative analysis."<sup>6</sup> While the objectives implicit in comparative research may seem remote, they "should certainly be our 'guiding star,'" as Jewell and Patterson have counselled.<sup>7</sup>

#### Approaches to the Legislative Process

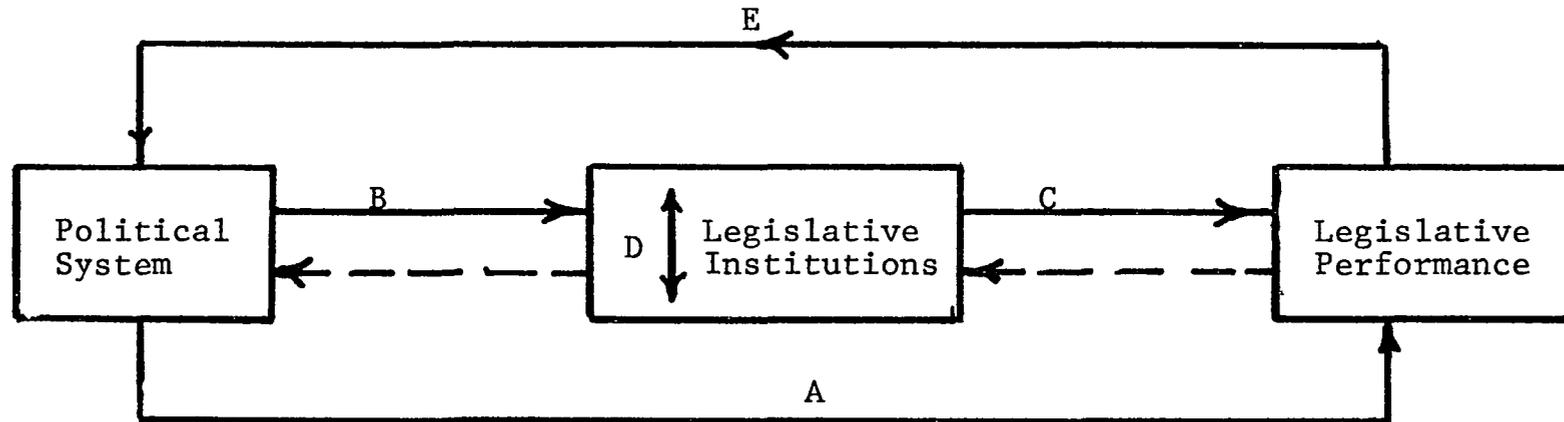
Political scientists during the last decade have made several initial attempts at overcoming the limited and sometimes atheoretical approach to the study of state legislatures. In an attempt to avoid atheoretical approaches, a number of conceptual frameworks have been constructed to guide research. These paradigms are usually constructed by analysts aware of some of the key components that must be utilized in any attempt to understand legislative behavior.

The usual nomenclature consists of a political system within which the legislature operates, the legislative

institution itself, and the performance of the legislative process. Figure 1-1 is a typical model of the legislative process. Studies conducted on the impact of parties, interest groups, and constituencies are illustrative of the type of research that demonstrates the effects of the environment on legislative behavior. Variations in constituency, socio-economic and partisan configurations have had a considerable effect on the policy output of the legislature.<sup>8</sup> While a significant portion of state legislative research has been concerned with the "environment," there is no lack of research pertaining to the components of legislative institutions. For example, one need only examine a bibliography of state legislative studies to find research concerning the norms within a legislature.<sup>9</sup> In addition, a number of other institutional components have been subjected to analysis, including the role of the leadership, the distribution of power, and the structural make-up of the legislature (size, apportionment, duration of sessions).<sup>10</sup> Similarly, several studies have focused on the third broad area of legislative research--legislative performance.<sup>11</sup>

One component of the legislative system which is often avoided is the office of chief executive. Its prominence lies not only in its importance, but also in the noticeable absence of any well-developed body of knowledge concerning the legislative role of the executive office. As Rosenthal

Figure 1-1. A Framework for State Legislative Study



Including:  
 Culture  
 Parties and interest groups  
 Executives  
 Constituents

Including:  
 Structure  
 Norms and institutionalization  
 Internal distribution of power  
 Leadership, committees, and staff

Including:  
 Policy-making  
 Appropriating  
 Review and evaluation  
 Constituent service

Source: Allan Rosenthal, "Contemporary Research on State Legislatures: From Individual Cases To Comparative Analysis," in Political Science and State and Local Government (Washington, D.C.: American Political Science Association, 1973), p. 70.

Note: The effects of political system characteristics on legislative performance (Path A) and on legislative institutions (Path B); the effects of legislative institutions on one another (Path D); the consequences for legislative performance of legislative institutions (Path C); and the consequences for the political system of legislative performance (Path E).

has noted, "the executive branch of state government is another element of the political system that is commonly believed to play a major part in determining the behavior of the legislature."<sup>12</sup> Moreover, it is almost axiomatic that one of the major tasks of a governor is to be "chief legislator" of a state. Indeed, his performance of that task is generally regarded by the public as the test of the quality of the governorship. In the literature this idea usually resembles the following phraseology--"it is a fact of contemporary American politics that governors are now judged primarily by their legislative program rather than by their administrative ability...."<sup>13</sup> In addition, some scholars have hypothesized that the high turnover rate among governors is due to the public's unhappiness with the governor's performance as a legislative leader.<sup>14</sup>

Although such presumptions may be overstated, we have little substantial research on the role of the governor in the legislative process to serve as a basis for evaluation. Indeed, research on the governor is so scarce that Jewell suggested in 1960 that "no aspect of legislative studies stands in greater need for research than the governor's legislative role."<sup>15</sup> Yet, some twelve years later, Rosenthal was forced to make another remonstration that "we still know little about distributions of power and function between legislatures and governors, the conditions under which they

vary among the states, and what kinds of differences they make."<sup>16</sup>

In the absence of any substantial body of research which attempts to empirically test the governor's role in the legislative process, one may inquire whether the governor performs a legislative function by which the public can and should measure him. If the governor is the "chief legislator," then he should be an important unit of analysis in research on legislative voting.

One-party dominant legislatures have also been a neglected area of legislative research.<sup>17</sup> Few projects have been conducted on one-party states and those that are carried out show a heavy emphasis on explaining the variation in voting among legislators. Normally, the most frequently used explanatory factors related to variation in voting are partisan attachments and cleavages. Research on the role of political parties has produced contradictory findings with regard to competitive state legislatures. While some research indicates that partisan attachments do not have an appreciable effect on legislators' voting, other studies have suggested the opposite. Generally, the literature on one-party states has discounted the impact of parties, for, as Jewell and Patterson have noted, "where a single party consistently has a monopoly or an overwhelming majority of legislative seats the party is not a reference group for

legislative voting."<sup>18</sup> However, recent research has questioned this broad assumption, with the results suggesting that parties take on considerable importance in certain issues areas and in controversies directly involving a minority party governor.<sup>19</sup>

### Legislative Roll-Call Analysis

The most traditional and formalized location for public policy-making rests with the legislative body. In any one year in which all fifty state legislatures are in session, approximately 125,000 bills will be introduced and legislators will enact into law, on the average, one-fourth of these proposals.<sup>20</sup> The decision process of legislatures in determining which bills are passed has long been of concern to students of the legislative process and public policy analysis. Various methods have been employed in searching for an explanation of why and how certain bills become policy. While the legislative process may be viewed as a conglomerate of decision areas, we have relied quite extensively (though not without some critical evaluation) on studying the voting behavior of legislators to aid in the analysis of public policy formulation. The literature abounds with arguments for and against analyses of this nature; however, Patterson has offered us the best summary argument for their use:

Roll-call data are easy to gather because they are a permanent part of the legislative record. Carefully used, they do reflect the public position of legislators in the final stages of the legislative process. Analysis of roll-call voting has developed to a fairly high state of sophistication. While roll-call voting is only one form of legislative action, and it may not be the crucial one for sorting out alternative policies or deciding in what policy areas to act or not, these data do yield fruitful indicators on legislators' general policy preference. Nothing is clearer from research on legislative voting than the fact that responses of legislators at the roll-call vote stage are not chaotic or random; rather, they tend to follow a consistent pattern.<sup>21</sup>

### Contending Forces in Voting

These patterns in voting have been identified by a variety of methodological techniques and explained with a number of independent variables. Much of the work has attempted to detect the voting cues used by legislators in their decision-making process. It has been found that voting controversy among legislators is not especially prevalent, with most roll-call votes being unanimous or near unanimous in their outcome.<sup>22</sup> However, when conflict is present, the influence of political parties has been subjected to intensive study. Conflicting findings have been produced on the significance of parties, although the weight of evidence sides with those who argue that parties are an important factor in the legislators' determination of how to vote.<sup>23</sup> Further work in this area indicates that there are differ-

ences in voting between parties based on their majority-minority status.<sup>24</sup>

Deviation from party voting has also been found to be related to the characteristics of the legislator's district, with the most deviant legislators coming from districts which are atypical of districts represented by the party.<sup>25</sup> Moreover, some researchers have found that the election margin is significant in determining how legislators will vote. Members from "safe" districts are much more loyal to the party while those whose margin of victory is small tend to deviate from the party line much more frequently.<sup>26</sup> Researchers have also noted that differences exist in voting patterns relative to the particular chamber, with members of lower houses voting differently than those from upper chambers.<sup>27</sup> Two additional variables have been used in the analysis of legislative party voting--experience (seniority) and leadership. It has generally been noted that the longer one serves in the legislature, the more loyal one is to the party.<sup>28</sup> Similarly, members holding legislative positions vote with the party to a much higher degree than their colleagues.<sup>29</sup> Furthermore, the position of legislative leaders on issues has been found to be a cue to other members of the chamber.<sup>30</sup>

Constituency characteristics have also been used to explain differences in legislative voting.<sup>31</sup> A great deal of research pertains to the urban-rural makeup of a district,

although there is little evidence to suggest that legislators oppose one another solely on the basis of urban-rural ties.<sup>32</sup> However, other constituency characteristics have been found to relate to how legislators vote, such as ethnic makeup, industrialization, and religious and racial composition.<sup>33</sup> In addition, ideology and issue orientations of legislators have also proven to be important indicators of legislative voting.<sup>34</sup>

### One-Party States

Most of the research mentioned above is confined to competitive state legislatures. This is a most unfortunate circumstance since a sizable number of state legislatures are not competitive. It is generally accepted that in one-party states party labels have little or no importance, for as Dye has noted, "in terms of legislative behavior, in fact, one-party states are really no-party states."<sup>35</sup> A major conclusion of work on one-party states is the inadequacy of any variable beyond party.<sup>36</sup> Factional systems (either bi- or multi-) tend to develop, but they are often transitory, arising over particular issues and dissolving when the issues before the legislature change.<sup>37</sup> In other isolated cases, regional differences act as cues for legislators to form voting blocks.<sup>38</sup> Thus, urban-rural differences have arisen to some minor extent in one-party states.<sup>39</sup> Other factions develop

in this setting, based on ideological position (liberal-conservative dimensions),<sup>40</sup> and even personality types--<sup>41</sup> with the governor a favorite explanation for this deviation.<sup>42</sup> Researchers have used other factors, such as constituency differences or institutional variables (e.g., seniority); however, most have been unsuccessful.<sup>43</sup>

While it has not gone unchallenged, Patterson's "Dimensions of Voting Behavior In a One-Party State Legislature" is a landmark work in this area. Patterson concluded that there was no substitute for party, and that legislators tended to vote in an unrelated manner.<sup>44</sup> This study concerning the 1959 Oklahoma House of Representatives (composed of 110 Democrats and 9 Republicans) was conducted to determine uniformities in voting and explanations for them. While seven voting dimensions were empirically determined in the voting of Oklahoma legislators, "only the governor's program scale was associated with other scales to any extent."<sup>45</sup> Patterson also found that the governor's scale (votes supporting the governor's legislative program) was associated with one variable outside the institution (the competitiveness of the legislator's district) and one variable within the institutional setting (leadership position). He concluded that legislators in leadership posts had high support for the governor's program because the governor in Oklahoma had a tradition of direct involvement in determining the leadership within the House.<sup>46</sup> Members from

very competitive districts tended to support the governor on his program.<sup>47</sup> While this contradicts research suggesting that legislators from close seats are least supportive of the party, this phenomenon was largely unexplored. Finally, although some of the other issue dimensions were related to a particular variable (including urban-rural composition, constituency characteristics, competition, and others), there was no single factor that explained legislative voting across the dimensions. It was Patterson's conclusion that "in the absence of party as a reference group, the legislator is likely, consciously or unconsciously, to respond to different pressures in different voting areas."<sup>48</sup>

In an attempt to add a developmental dimension to Patterson's work, Bernick and Hebert replicated the study ten years later.<sup>49</sup> Summary statistics indicated that the party's role was not substantial. However, the five voting dimensions found with cumulative scale analysis were less independent than those found by Patterson.<sup>50</sup> It was further concluded that control of the governorship by the minority party increased the importance of voting in a one-party dominant legislature.<sup>51</sup>

While work by Bernick and Hebert tends to corroborate the findings of Patterson and others on the importance of the governor,<sup>52</sup> there is an important distinction between the research settings examined in Oklahoma. During the legislative

session studied by Patterson, the governor was from the dominant party, while the governor represented the minority party in the Hebert and Bernick research. While it may seem contradictory to suggest that a one-party dominant legislature may have to deal with a governor from the opposite party, this occurs not too infrequently, as can be seen in Table 1-1. Comparing the percentage of minority party governors in one-party states to the percentage in competitive states from 1963-1973, we find little difference between the two. The one-party states had only slightly fewer cases; 31 percent of the governors came from the minority party (as defined by party control of the legislature) while only 38 percent of the governors in competitive states came from the minority party.

Although the governor may be an important factor in legislative voting, this role has only been marginally studied--we know very little about why or how the governor is an important force in legislative decision-making. Researchers have failed to realize that "the legislative influence of governors varies from state to state and over time within states."<sup>53</sup> This suggests that comparative analysis is not a luxury, but a necessity. Political scientists have been too narrow in their perspective, and negligent in their research concerning one-party state legislatures since they tend to dismiss them as objects of study. This has resulted

Table 1-1. Partisan Congruence Between the Legislature and the Governor by Competitiveness of State Legislatures: 1963-1973 (in Percentages)<sup>a</sup>

Partisan Makeup <sup>b</sup>	Congruency Between Legislature and Governor	Governor From Minority Party <sup>c</sup>	Total
Competitive Legislature	62%(N=51)	38%(N=31)	100%(N=82) <sup>d</sup>
One-Party Dominant Legislature	69 (N=109)	31 (N=48)	100 (N=157)

- a) Data compiled from The Book of the States for appropriate years.
- b) Partisan makeup of states was determined by procedures discussed in Chapter Two. See Table 2-2.
- c) The governor in these circumstances came from the party in the minority in both houses of the Legislature under study.
- d) The N's in each category were smaller than the potential since the legislatures where the houses were split in partisan control were excluded. Forty-four such occurrences were found for competitive states while there were five such legislatures in one-party states.

from their insistence that (1) political parties and only political parties bring about the responsiveness and accountability of government that is so important to democratic theory, and (2) the role parties play in legislative decision-making can only be discerned by analyzing roll-call votes. We need to determine the factors which will aid us in our explanation of how legislators make decisions in one-party states. If one accepts the belief that legislative voting is not chaotic, it is incumbent upon legislative scholars to conduct research in one-party states which is comparative, and longitudinal, or both, in an effort to discern how legislators make decisions.

#### Role of the Governor

We have alluded to the role that the governor may play in legislative decision-making, while at the same time noting the paucity of work in this area and its speculative nature. Munger has claimed that "only the crudest of comparisons have so far been accomplished. . . ." <sup>54</sup> Renewed interest in the role of the governor has occurred in the last decade because of the increasing importance of the office. Governmental reorganization, which has given the governor more control over executive departments, along with increased constitutional power within the office, has heightened this importance and interest. <sup>55</sup> In addition, the demand on government by

citizens for solutions to problems has brought about a growing interdependence between the legislative and executive branches of government, while at the same time forcing the governor to take on new responsibilities in setting policy. This has resulted in the belief that ". . . the governor is responsible for everything that happens in the state during his term of office whether he has the authority or the capacity to do anything about it or not."<sup>56</sup> The public is not to blame for maintaining such a view regarding the governor, since a gubernatorial candidate during a campaign makes the promise, "often a rash promise, that he will secure the enactment of this program by the legislature."<sup>57</sup> Is the promise rash or can a governor secure his program? What is the exact role that the governor plays in his relationship with the legislature? The problem in discerning the nature of this role is compounded by the sparse literature about the governor's office which, for the most part, is not related to executive-legislative relations.

One of the more important and systematic studies of gubernatorial power is the work of Joseph Schlesinger. In "The Politics of the Executive," he establishes a formal power index for the governor which is based upon a series of indices for tenure potential, powers of appointment, budgeting power, and the veto power.<sup>58</sup> The office of governor for each state is ranked according to the combined index scores.

Schlesinger contends that the most important power is the tenure potential of a governor, because if governors can have long terms the ". . . office could become a true position of political leadership in the states."<sup>59</sup> Perhaps no other article has had more impact on research concerning the state chief executive.

The power index created by Schlesinger is an attempt to operationalize the theories presented by Lipson, when he argued that:

. . . problems which lie at the root of the governor's executive leadership are intimately bound up with his legislative leadership. His relationship with the two branches must be considered together; the one cannot be divorced from the other. The governor's leadership is not dual but single. It is a unified influence prevailing both phases of the governmental process.<sup>60</sup>

As Keefe and Ogul have noted, "the executive becomes a legislator because his environment and formal power provide both opportunity and rationale, while his representative capacity imposes on him the obligation to do so."<sup>61</sup> That the governor is involved in the legislative process, for whatever reason, has been a universal observation since the development of tripartite government. The primacy of that role for the governor has been an equally universal assumption. The question, therefore, does not pertain to the existence of such a role, but to its nature. Confounding our attempt to discern his role is the fact that executive leadership and influence have become intertwined with the concept of execu-

tive control or dominance. Much of this is the result of the responsible two-party concept:

What affects the ability of the governor to control his legislative party is a question seldom asked and rarely investigated except by the harassed occupant of the executive mansion. This is surprising since the definition of party-responsibility is closely related to executive control.<sup>62</sup>

However, the governor is a "legislator" not because he must control the legislature, but because demands are placed upon him both by the law and by the environment within which he works.<sup>63</sup> The governor seeks to accomplish the goals he sets for himself and the promises he makes to the public; therefore, he must interact with the legislature.

One of the seminal research efforts on the governor's role in the legislative process is that by Sarah McCally Morehouse.<sup>64</sup> In order to examine the degree of gubernatorial control over the legislative party, Morehouse conducted a comparative state study. She attempted to discern "what affects the ability of the governor to control his legislative party . . . ?" in order to uphold the party's program and make a good record for the next election.<sup>65</sup> Professor Morehouse found a negative relationship between the seats held by the governor's party and the support he received from the party. While she offered two tentative explanations (the strategy theory and the rivalry explanation), in the end she concluded that only the rivalry explanation is acceptable.<sup>66</sup>

It was her opinion after further analysis of the data that governors in competitive two-party states with a small majority (55 percent of the seats) in the legislature have a better chance for success than under any other condition.<sup>67</sup>

Further analysis of variation in gubernatorial success uncovered the governor's post-legislative session primary election as the best indicator of success.<sup>68</sup> However, such a finding must be seriously questioned. According to this argument, the governor builds a coalition within the legislature to aid his electoral coalition outside the legislature, and the best indicator of how successful he has been in building this legislative coalition is the primary after the session. This ignores the temporal ordering of the events--a fact which must be considered.<sup>69</sup> In addition, this argument runs counter to her previous declaration of the unacceptability of a coalition theory which she rejected as an explanation for the correlation between seats in the legislature and the success of the governor. Moreover, this view ignores the session which does not have a primary immediately following it, a circumstance which may occur under two different conditions: (1) when the legislature has only one session in each two-year period, or (2) when the session is the first of two sessions for a legislature. Under either condition it is difficult to conceive that the governor could build and sustain a coalition for that duration. It is also equally

difficult to accept that the coalition may last through an intervening legislative session. Furthermore, this theory would not explain the governor's success when he chooses not to run or is unable to run for office again. Anyone familiar with state-local electoral politics knows that current governors do not build coalitions for their successor; rather, they have, in many cases, little to say with regard to who their successor will be.

Any interpretation of Morehouse's analysis is further clouded by the design of her research. Her determination that the best indicator is the post-session primary is based on a biased sample of a non-random selection of states. It makes little sense to attempt to understand gubernatorial success when the selection of cases (states) used in the regression analysis is directly related to one of the independent variables.<sup>70</sup> It may well be that the post-session primary was the best predictor of success, since only sessions which had a post-session primary were used. What the results might have been using different legislative sessions is left unanswered for the reader, since Morehouse failed to perform regression analysis on all the possible sessions in her sample.<sup>71</sup>

In her second article, Morehouse sought to measure the effects of variation in party structure on policy output.<sup>72</sup> She used gubernatorial success with his program as the

measure for policy output, while party structure was reflected by (1) the percentage of seats held by the governor's party in the legislature, and (2) the results from gubernatorial primaries.<sup>73</sup> She concluded that there was little correlation between primary and electoral competition for legislators and their support of the governor. In addition, she concluded that socio-economic variables do not account for the variation in patterns of support or gubernatorial success. However, when the governor was unable to "control his legislators," socio-economic variables then became important explanatory factors in defining the factions which developed.<sup>74</sup>

#### Research Issues on Gubernatorial Influence

One of the problems underlying both of the above studies is more philosophical than methodological in nature. The concept of responsible party government is at the very base of these studies, and therefore it determines the procedures used in measuring the governor's influence. The responsible party, which would have the governor as its head and the members dutifully following his instructions, should have been generally ignored in the construction of a framework for the study of the political process in American legislatures. This model emerged more as a prescriptive theory on how political scientists thought government in the United States

should behave. But the model is not isomorphic to legislative politics today. As Evron Kirkpatrick noted in his reappraisal of "Toward a Responsible Two-Party System," a report which he helped to write:

The report was explicitly therapeutic in aim. . . . the report was both normatively and empirically deficient. Little attempt was made to clarify or justify norms or goals. Repeatedly, instrumental propositions linking proposed reform to goals were based on inadequate evidence or no evidence at all. . . . Subsequently, research has produced a rich body of literature making clear that much of the substance of the report was simply mistaken.<sup>75</sup>

### Success

There are several "pitfalls" which may develop because of a reliance on the responsible two-party model. The definition of gubernatorial success used by Morehouse is one of these "pitfalls." She has defined success as the ability of the governor to gain enough votes from his party to win.<sup>76</sup> This measure rarely taps the success of the governor in the legislature and does not conform to political realities. For example, a governor may be highly successful in marshalling support from within his party and yet never achieve success in terms of the passage of legislation. This would be especially true for a governor from the minority party. Governors often rely on coalitions composed of members from both parties to gain the necessary support for their programs. It is also true that the philosophical position of the governor may actually align him more closely to

the supposed "opposition party."<sup>77</sup> In attempting to evaluate a governor's success one should take into account the ability of the governor to achieve his desired goals irrespective of where he receives the support.

It may be argued, moreover, that measuring the success of a governor with any index is highly dangerous, if not a completely misleading task. As Keefe and Ogul have noted, "any of the statistics for the success or failure of the chief executive must be treated with caution. What they hide may be as important as what they show."<sup>78</sup> The quality of legislation is as important as the quantity. Those governors who ask little of consequence may be superficially quite successful; while those who ask for much and receive relatively little may appear less successful but have greater impact. It is possible for a governor to have a piece of legislation which is so important to him and to the overall policy of the state that he would be willing to forego the rest of his program for this one request. As one governor's legislative assistant commented when asked about the governor's program: "The 1971 session was corporate tax reform. The success of the governor was the passage of that one piece of legislation."<sup>79</sup>

Even if one were able to ascertain the legislation which the governor felt was the major portion of his program, one is still confronted with the fluidity of the program. At its

worst the legislation may be routinely defeated, or it may be so modified that it bears little resemblance to the original set of proposals. Similarly, circumstances may arise whereby a governor faces an opposition majority party which subsequently defeats his legislation. Thereafter, the majority party may make some minor revisions and pass the proposed legislation. This would allow them to take some of the credit away from the governor. While some governors would find this objectionable, others would have little difficulty in accepting this latter situation, since what is important for them is the substance of the legislation.

An additional dilemma facing researchers discussing success and the governor's program is that some pieces of legislation require several years for passage. It is not uncommon for a governor to introduce legislation in one session with little immediate expectation of passage. This initial introduction serves more as a "release valve" for the emotions that may surround the legislation. When re-introduced at some later point it may be easier to pass. Under this circumstance, the problem then becomes one of determining at which point in time, initial introduction or final passage, it is best to analyze. Looking at either one of the two times by itself would be misleading without taking into consideration some aspect of the other time. Moreover, a number of key pieces of legislation in the governor's

program may not be taken into account when success is defined as the ability of the governor to obtain enough votes from his party to win. This may occur because the study of roll-calls often uses only bills that show conflict, and thus bills from the governor's program which pass through the legislature with little or no interference from any opposition group become law and are left unanalyzed. Surely one would consider the governor successful in this situation, yet such an analysis would not take these bills into account. In direct contrast to the above situation is the circumstance where the governor's bills never get voted on because the bills never come out of committee. It is not uncommon for many bills from a governor of the opposition party to die within a committee, and therefore, never receive any votes in the full house or senate. It is hard to imagine that one would want to call a governor successful when he is unable to get his legislation out of committee, but under the Morehouse measure there would be no indication of the governor's failure.

To determine gubernatorial success, both static and dynamic analyses must be used.<sup>80</sup> Indices may be used if we do not forget that they are gross measures which may ignore unique circumstances of considerable importance. What needs to be studied is gubernatorial influence as a voting cue for legislators. Such an approach does not deal

with the notion of success or support, but examines whether legislators vote differently when the governor becomes involved with a bill. No research approach currently does this. In Morehouse's original article, for example, the reader does not know what the results of the computation might have been if bills totally unrelated to the governor's program had been used. It may be that the index of support or success might have been as high, if not higher, for bills with which the governor theoretically was not involved. Thus, a comparison between voting behavior of legislators on bills related and unrelated to the governor is appropriate.

#### The Veto

Another problem with the Morehouse research relates to the use of votes on "overrides" as a measure of the governor's support or success. There are a number of fallacies emerging from an analysis of votes sustaining vetoes. First, there is a validity concern for what is being measured. A vote to override, if there is one at all, is often a mere formality. This is the conclusion suggested by Ransone when he found that "in a rather substantial group of states the governor's vetoes have been overridden so infrequently that they have become almost absolute."<sup>81</sup>

It may also be argued that the successful governor would not have to veto any bill, and therefore, any veto is an indication of at least a partial failure. Under this

argument the successful governor would monitor legislative action closely enough to determine which bills would be repugnant to him and thereafter use his influence to make sure they never get passed. Former Governor Williams of Michigan was an advocate of this tactic. He has noted that he worked with the leaders of both parties in the legislature to keep objectionable bills to a minimum, and therefore, he had few vetoes.<sup>82</sup>

Vetoes on bills during the legislative session may be very important, but it is likely that the most important bills will emerge at or near the close of a session. Thus, vetoes during the session may be on inconsequential bills. If the crucial bills are passed at the end of the session, then vetoes of them would be most important; but these vetoes, if the legislature has already adjourned, can be made by the governor in most states without any immediate checks on his decision. Under Morehouse's design no recognition of these bills and their importance is possible.

One way to overcome this deficiency is to measure all votes which are related to bills the governor later vetoes. The governor presumably makes pronouncements throughout the time the legislature is in session, informing the legislators as well as the public as to his position on legislation. The governor is regularly involved in the passage of legislation and "executive influence is not confined to suggesting ideas

to legislators and to receiving bills from legislative bodies."<sup>83</sup> He may attempt to pressure legislators to act for or against legislation, and therefore, the individual vote by a legislator on a bill may be the direct result of this pressure. Surely, it is unwise to dismiss votes on bills for which the governor has shown some concern.

Another problem with vetoes involves the substantive reason for which governors veto bills. Although most bills are opposed by a governor for reasons of "public policy" or "public interest," some are not. Governors may veto bills for purely political reasons, since by vetoing a bill the governor establishes an issue that he may want to pursue in an upcoming political campaign. Certainly one would want to weigh differently vetoes which are partisan and those arising out of the governor's firm conviction that the bills are against the public interest. In the latter situation, the governor would want as much legislative support as possible, while in the former he may not be as concerned about success or support. When the veto is political, the governor may be able to use either an override or a sustaining vote to his advantage, since the veto itself is the key act of the governor.

There is another situation where the veto, Morehouse's measure of a governor's success or support, and the responsible party model must be suspect. When a governor's party is

in the minority, he may be able to sustain a veto if a high degree of cohesion is displayed by the legislators of his party and if the party is not hopelessly small. However, there are times when the veto cannot be sustained even if the governor's party displays perfect cohesion on his behalf. If the governor's party is hopelessly small (usually less than 30 percent of the seats), he cannot achieve success without the aid of the opposition party members. However, support by the opposition party strikes at the very base of the responsible party theory.

This discussion should not be interpreted as a rejection of the use of vetoes in studying the governor's role in the legislative process, but rather as a warning about employing only this measure. The veto is an important tool of the governor and should be studied; but by itself it may mislead the researcher more than it may assist. Therefore, it should be used with caution and with the understanding of the problems indicated above. Along with some other indications of the governor's activities in the legislative process it may be perfectly acceptable.

#### New Designs

In her two most recent works, Professor Morehouse was concerned with the proposition "that governing parties with sufficient internal cohesion to pass programs to which they commit themselves, will bring about a wider distribution of

the benefits of state expenditures across income classes."<sup>84</sup> A key phrase in the preceding propositions is "to which they commit themselves. . ." It cannot be said that every governing party commits itself to a wider distribution of benefits. In many states the governing party is quite conservative, and in these states redistribution of benefits would not necessarily be one of the goals of the governor or his party. We can test whether unity within a party will bring about change in benefits only within a party that has the initial proclivity for this substantive change in policy.

While this proposition may detract somewhat from her research, there are a number of components which commend this current work over her previous attempts to study the governor and his relations with the legislature. In her latest paper she has shifted away from a measure of gubernatorial success and has decided to use her measure of gubernatorial support, as well as an Index of Opposition and an Index of Party Likeness. This move away from the success index is noteworthy, because the measure was fraught with idiosyncrasies and theoretical problems.<sup>85</sup> In addition, Professor Morehouse has decided to use the governor's actual program instead of vetoes and, in the process, take on the enormous task of determining what comprises the governor's program. This is surely an improvement; yet she has decided not to use vetoes. This is unfortunate since many governors in dealing with the

legislatures take on this primarily negative posture. Their primary task is to review the legislation passed and to veto that which is repugnant to their position. Certainly, vetoes do have some significance in the role that the governor plays in the legislative process; therefore, they should continue to be used in any roll-call analysis of the governor's influence.

A further change in her research design involves a more systematic selection process for the states used in the analysis. The choice of states was made prior to actually conducting the research because "they represent varying degrees of inter-party competition. . ."<sup>86</sup> In addition, she notes that the twenty states selected have the following characteristics: (1) there are an equal number of Republican and Democratic states, (2) all have gubernatorial primaries, and (3) there was a geographical cross-section of states. This process gives the research two advantages over her previous work. First, the one-party states have not been omitted in the research, and secondly, the systematic design improves the ability of the researcher and reader to draw valid conclusions and generalizations.

In spite of these noteworthy changes a number of problems detract from an otherwise worthwhile attempt to study the governor's influence and state policy-making. The comparative component in her study misses two important features that should be used in a study of the governor's influence.

She wants to measure the governor's influence over his party on major legislation, and she then uses his program as the test for this influence. However, as we have noted previously, to test the governor's influence in his party there should be a comparison within the party: voting behavior of legislators on the major pieces of legislation should be compared to that legislation which is unrelated to the governor. Moreover, her determination that the formal executive powers are an important variable in the determination of the governor's influence highlights the necessity for another comparative component. Her analysis, while across twenty states, was not concerned with states over time. While the governor's formal power may be important across states (a finding still open to further investigation), this variable cannot account for variation in success or influence within a state over time. Dynamic analysis within a state may detect more important explanatory measures.

The reported findings tend to substantiate the need for additional research across time, since one could conclude that the individual governor has little impact on policy-making, and that it is his formal powers and the party coalition which are the dominant explanatory factors. Morehouse concludes that "the governor's political power is a function of the dominant leadership coalition within his party. . . a coalition which outlasts his term of office and perpetuates

in power candidates of its own choosing,"<sup>87</sup> and that "the legislative party is not an independent entity, but is subject to the direction and influence of the governor's coalition within the electoral organization."<sup>88</sup> These findings would support the existence of a monolithic structure capable of choosing governors and deciding policy. This rather deterministic theory would make the selection process for a governor a mere sham and negate any importance that might be placed on the voting process. We have seen in recent times that the electorate behaves more independently and is capable of differentiating between individuals running for office.<sup>89</sup>

This theory also negates the importance of the individual occupying the governor's chair. The individual governor makes a difference in policy-making and these differences within states do not arrive from differences in formal powers or electoral support alone. Differences arise because of the perception of the powers they use, whether they are formal or informal powers.

In addition, her theory cannot explain why individuals from the minority may win the governorship and enjoy varying degrees of influence. Lastly, these findings do not satisfactorily account for the process within one-party states, especially those which are multi-factional within a single legislature or across time, and which enjoy varying degrees of success.

## Gubernatorial Power

The subject of gubernatorial power has been addressed in detail by Sprengel.<sup>90</sup> He offered a typology of gubernatorial power consisting of four categories: direct formal, indirect formal, informal direct, and indirect informal.<sup>91</sup> The first, direct formal, includes "giving" a message to the legislature (normally a state of the state and/or a budget message).<sup>92</sup> The message power may include calling for initiation of legislation, and it is useful because it centers attention on the governor's program. This is especially crucial since the message receives wide coverage by the media. A second formal power is the authority granted to the governor to call special sessions which enables him to focus public attention on an issue, thus intensifying pressures on the legislature. Unlike the two previous powers, the veto's importance is beyond doubt; indeed, some scholars have claimed that the veto and/or its threat are the ultimate weapons of a governor, especially since a veto is seldom overridden by the legislature. The threat of a veto may be sufficient to induce legislative cooperation with the governor.<sup>93</sup>

There are some powers formally given to the governor which influence his ability to deal with the legislature, but are not under the rubric of his legislative role. These

indirect formal powers may be as important as, if not more important than, the formal direct powers. The ability, in fact, the duty, of a governor to appoint individuals to official positions may be used as an effective bargaining device with legislators. The significance of this power is of no small importance, as Allen has noted: "as it has been true of all previous governors, Governor Welsh (Indiana) found it advantageous in some cases to leave people (legislators) wondering who would get what position. . . ."94 However, appointments are not the only form of patronage that a governor has at his disposal. The discretion surrounding the dispersion of money--the "letting" of contracts to friends of the administration--is another form of patronage that must be considered an important tool.<sup>95</sup> This is related to the power that the governor possesses as the chief executive of the administrative branch. As administrative head of the executive branch of government, the governor also possesses the power to gather information. That the governor has at his disposal a much larger amount of information than what legislators possess places the lawmakers in a subordinate position. The power to prepare a budget is also extremely important to the governor, particularly since the budget is a policy statement.<sup>96</sup>

The third type of power that the governor possesses is informal but direct. These powers are not given to the

governor in any formalized way within the governmental structure but are external and are a result of his office. One of these powers lies in the role of party leader. His use of this position is dependent upon the political setting within which he operates. A cohesive majority gives the governor greater authority than if he must face a recalcitrant majority, or if his party is a hopeless minority. A governor in a one-party state "cannot inspire either intense loyalty or intense opposition by party identification. Legislators run independent of the governor and have no political stake in the success of the gubernatorial program."<sup>97</sup> As the visible spokesman and leader of the party within a state, the governor's views become the party's views. Some believe that a norm exists within the legislature to support the governor's program because it is the party's program.<sup>98</sup> However, Sprengel found no empirical evidence of such a norm, and contended that "we cannot justifiably conclude that the party constitutes a basic element in the executive power scheme."<sup>99</sup>

Some believe that the governor, being an elected official of the state, has substantial political "clout." A frequent tactic of a governor is to appeal to the people for support of his program, and since he is the most visible state official, the media are often a willing organ. "The governor, like the president, has gained a larger role in the legislative process primarily because of his ability to

dramatize his stand on issues and enlist public support through modern communication media."<sup>100</sup> No one should underestimate the use of public opinion by the governor. The prestige of the office and informal meetings between a governor and legislators are important tools for the chief executive. During a legislative session, the governor's doors are normally open to any legislator. The holding of frequent meetings with legislative leaders and/or individual legislators is the norm rather than the exception. Sprengel makes a strong argument in presenting his beliefs that the prestige of the office itself is the most important power. He claims that legislators defer to the governor out of a power syndrome, and appear to be moved by this sense of deference, awe, and respect "for the governor personally, for his office generally, and for his power specifically."<sup>101</sup> Ransone confirms this, noting that "it may not be necessary for the governor to promise the legislators anything tangible in the way of patronage or other rewards. Frequently, the prestige of the governor's office coupled with a forceful presentation of his views may be all that is necessary."<sup>102</sup>

In Sprengel's fourth source of power, known as indirect and informal, there are no constitutional prerogatives, nor are there any other outside sources. The power lies not in the office, but with the individual holding office. The "political style" of a governor, largely dependent upon his

personality, has a great deal to do with how he is received by legislators. Wyner and others would argue (as does Neustadt about the presidency) that the real power of the governor is his power to persuade, which is directly related to his style and personality.<sup>103</sup> It may well be that "a governor's influence may depend on his concept of gubernatorial prerogatives."<sup>104</sup> Lipson also has voiced concern about these informal powers. He suggests that the transitory nature of these powers makes them, to some extent, disadvantageous. Formal powers, once created, stay with the office but informal powers leave with the individual and, therefore, must be reacquired. The "chief executive does not inherit personal ascendancy or party influence from his predecessors."<sup>105</sup> While this may be true, little systematic analysis of these powers has been conducted to prove their importance.

#### The Need for Continued Research

It would appear that the powers enumerated above give the governor a very advantageous position with regard to the legislature and his potential to influence it. Seldom, however, does a governor run "rough shod" over a legislature, and quite often one is forced to question how influential the governor really is. The governor may receive very little of what he asks for and his influence or leadership will vary greatly among and within states, for as Keefe and Ogul

contend

The executive's influence in the legislative process is . . . related to a series of environmental factors which set boundaries within which his own personality, role conception, ideology, and political skills and aspirations can be relevant.<sup>106</sup>

Obviously one of the environmental conditions is the partisan composition of the legislature. The governor must operate with a legislature that may take on numerous partisan configurations and these configurations will, in turn, affect the ability of the governor to achieve his desired goals. The partisan makeup of a legislature may take on an almost unlimited number of potential variations. However, there are generally three main ways to categorize the legislature's partisan makeup. A governor may (1) work within a competitive two-party state legislature within which his party commands a majority of both houses, or (2) find the opposition in control of one or both houses, or (3) govern in a one-party state. If the governor finds himself in a situation where the opposition controls both houses in a competitive state legislature, then he must temper his language and base his tactics on compromise.<sup>107</sup> Partisanship thus gives way to a bipartisan form of leadership since any partisan action would tend to diminish the potential influence or success of the governor.

In contrast, there are competitive states where the majority party is the governor's party; he thus enjoys a certain

advantage in dealing with legislators. Lawmakers know that the governor's program will be identified as the party's program and, therefore, the success of his program will have a substantial effect on them since they carry the same party label. Under this condition or under the situation where the governor's party controls one house, or has a strong minority in one or both houses, the governor can operate from some base of strength.

The governor of a one-party state, however, is unable to use the party label, since there is an absence of substantial opposition from a second party. A governor must build a coalition or faction within the party to accomplish his goals. Jewell notes that "the one-party governor has one unique advantage, he lacks an organized opposition party . . . In a one-party state, the governor has few institutional assets but fewer institutional liabilities."<sup>108</sup>

A circumstance not discussed above is one where the legislature is controlled by one party--it is a one-party dominant legislature--and the governor is from the opposition party. While this may seem unusual, it is not unique. There are a number of examples to confirm its reality, including Oklahoma with governors Bellmon and Bartlett, Arkansas with Governor Rockefeller, Florida with Kirk, and North Dakota with Governors Guy and Link. The governor cannot rely on his party and legislative leaders are not prone to cooperate with the

governor. Little is known about the effects of the governor's influence upon the legislature under these circumstances and much needs to be done to understand what the governor's role and influence is under this partisan configuration.

### Summary

A review of the existing body of knowledge on the governor's legislative role has demonstrated the need for continued research on this subject. An excessive amount of previous research has been of the single case study variety, with little interest expressed in developing a theory of executive-legislative relations. One-party dominant states have been neglected as areas of study even though evidence suggests that the governor plays an important role in the legislative process in these states. In addition, research on the governor has not sought to determine what factors may explain variation in success for a governor.

The work by Morehouse, while innovative, has not substantially increased the already existing body of knowledge on the governor's legislative role. In fact, her reliance on the responsible two-party model may have inhibited the development of a theory of executive-legislative relations since its links with reality are tenuous. Morehouse's reliance on simple measures of success and/or support do not

adequately portray the dynamics of executive-legislative relations and may, in fact, lead to incorrect conclusions.

Thus, any research which seeks to add to the already existing body of knowledge on executive-legislative relations must overcome some of the deficiencies described previously. First, comparative research on the governor's legislative role is a necessity. Comparisons of executive-legislative relations across states as well as over time will overcome the idiosyncratic nature of much of the previous research. Secondly, a study which measures gubernatorial success through a variety of procedures will aid substantially in overcoming the problem of making erroneous conclusions from a single measure. Indeed, the governor's legislative role may be measured in other ways. An analysis of the voting behavior of legislators on votes of interest to the governor as compared to votes on issues seemingly unrelated to the governor may assist in the determination of the governor's legislative role.

This study is a comparative assessment of the governor's legislative role in one-party states over a ten year period. An assessment of the governor's influence over legislators and his ability to be successful will be evaluated in subsequent chapters.

## FOOTNOTES

1. Several exceptions include multi-state studies by John Wahlke et al., The Legislative System (New York: John Wiley, 1962); Hugh L. LeBlanc, "Voting in State Senates: Party and Constituency Influences," Midwest Journal of Political Science, 13 (1969), 33-57; and Glen T. Broach, "A Comparative Dimensional Analysis of Partisan and Urban-Rural Voting in State Legislatures," Journal of Politics, 34 (1972), 905-921.
2. Oliver Garceau, "Research in State Politics," in American State Politics: Readings for Comparative Analysis, ed. Frank Munger (New York: T. Y. Crowell, 1966), p. 8. There has been a heavy emphasis in Congressional research on the role of committees and their structure, processes, impact, and potential for reform. In addition, there has been a good deal of work on reforming Congress. In neither of these two areas can we readily apply the knowledge gained to the state legislative process. In most states the committee process is much weaker than in Congress because of the turnover rate of legislators, the lack of facilities, and poor staffing. Reform in states often takes a different complexion than that discussed relative to Congress, e.g., emphasizing professionalization, legislative independence, and representativeness.
3. Heinz Eulau, "Comparative Political Analysis: A Methodological Note," Midwest Journal of Political Science, 6 (1962), 398.
4. See note one above. Good reviews of legislative research can be found in Alan Rosenthal, "Contemporary Research on State Legislatures: From Individual Cases to Comparative Analysis," in Political Science and State and Local Government (Washington, D. C.: American Political Science Association, 1973), pp. 55-85; Heinz Eulau and Katherine Hinckley, "Legislative Institutions and Processes," in Political Science Annual, ed. James A. Robinson (Indianapolis, Indiana: Bobbs-Merrill, 1966), pp. 85-189; Norman Meller, "Legislative Behavior Research Revisited," Western Political Quarterly, 18 (1965), 776-793; and Malcolm E. Jewell, "Comparative Research in State Legislative Politics," in American Legislative Behavior, ed. Samuel C. Patterson (Princeton, N.J.: D. V. Nostrand, 1968), pp. 396-411.
5. Eulau, "Comparative Political Analysis: A Methodological Note," 403-404.

6. Rosenthal, "Contemporary Research on State Legislatures," p. 70.
7. Malcolm E. Jewell and Samuel C. Patterson, The Legislative Process in the United States (New York: Random House, 1966), p. 543.
8. See for example, Thomas Dye, "A Comparison of Constituency Influences in the Upper and Lower Chambers of a State Legislature," Western Political Quarterly, 9 (1961), 473-480; Duncan MacRae, Jr., "The Relation Between Roll Call Votes and Constituencies in the Massachusetts House of Representatives," American Political Science Review, 56 (1951), 1046-55; William J. Keefe, "Parties, Partisanship and Public Policy in the Pennsylvania Legislature," American Political Science Review, 59 (1955), 773-791; Samuel C. Patterson, "The Role of the Lobbyist: The Case of Oklahoma," Journal of Politics, 25 (1963), 72-92; and Harmon Zeigler and Michael A. Baer, Lobbying Interaction and Influence in American State Legislatures (Belmont, California: Duxbury Press, 1969).
9. See F. Ted Hebert and Lelan F. McLemore, "Character and Structure of Legislative Norms: Operationalizing the Norm Concept in the Legislative Setting," American Journal of Political Science, 17 (1973), 506-527.
10. See for example, Douglas C. Chaffey, "The Institutionalization of State Legislatures: A Comparative Study," Western Political Quarterly, 23 (1970), 180-196; Harlan Hahn, "Leadership Perceptions and Voting Behavior in a One-Party Legislative Body," Journal of Politics, 32 (1970), 140-155; and Charles M. Price and Charles G. Bell, "Socializing California Freshmen Assemblymen: The Role of Individuals and Legislative Sub-groups," Western Political Quarterly, 23 (1970), 166-179.
11. Examples of work in this area include the following: Ira Sharkansky and Richard Hofferbert, "Dimensions of State Politics, Economics, and Public Policy," American Political Science Review, 63 (1969), 867-879; Sarah McCally Morehouse, "The State Political Party and the Policy-Making Process," American Political Science Review, 67 (1973), 55-72; and Ira Sharkansky, "Agency Requests, Gubernatorial Support, and Budget Success in State Legislatures," American Political Science Review, 62 (1968), 1220-1231.
12. Rosenthal, "Contemporary Research on State Legislatures," p. 64.

13. Wilder Crane, Jr. and Meredith W. Watts, Jr., State Legislative Systems (Englewood Cliffs, New Jersey: Prentice Hall, 1968), p. 99.

14. Thomas R. Dye, "State Legislative Politics," in Politics in the American States, 2nd ed., eds. Herbert Jacob and Kenneth Vines (Boston: Little, Brown, 1971), pp. 204-207; Malcolm E. Jewell, "The Governor as a Legislative Leader," in the American Governor in Behavioral Perspective, eds. Thad Beyle and J. Oliver Williams (New York: Harper and Row, 1972), pp. 127-141; Austin Ranney, "Parties in State Politics," in Politics in the American States, eds. Jacob and Vines, pp. 82-121.

15. Jewell, "Comparative Research in State Legislative Politics," 404.

16. Rosenthal, "Contemporary Research on State Legislatures," p. 64.

17. As we will argue later, little has been done for several reasons including poor theory and unsound methodology. However, there have been some notable exceptions, including Frank M. Bryan, "The Metamorphosis of a Rural Legislature," Polity, 1 (1968), 191-212; William C. Havard and Loren P. Beth, The Politics of Mis-Representation: Rural-Urban Conflict in the Florida Legislature (Baton Rouge: Louisiana State University Press, 1962); Murray C. Havens, City Versus Farm? Urban-Rural Conflict in the Alabama Legislature (University of Alabama, 1957). Malcolm B. Parsons, "Quasi-Partisan Conflict in a One-Party Legislative System-The Florida Senate," American Political Science Review, 56 (1962), 605-614; and Samuel C. Patterson, "Dimensions of Voting Behavior in a One-Party State Legislature," Public Opinion Quarterly, 26 (1962), 185-200, (hereafter, cited as "Dimensions").

18. Jewell and Patterson, The Legislative Process in the United States, p. 422.

19. Emil Lee Bernick, Legislative Voting Patterns and Partisan Cohesion in a One-Party Dominant Legislature, (Norman, Oklahoma: Bureau of Government Research, University of Oklahoma, 1973).

20. These figures are compiled from data in The Book of the States (Lexington, Kentucky: The Council of State Governments, 1963, 1965, 1967, 1969, 1971, 1973, 1975).

21. Patterson, ed., American Legislative Behavior: A Reader.

22. William J. Keefe, "Party Government and Lawmaking," Northwestern University Law Review, 48 (1952), 55-71.

23. Broach, "A Comparative Dimensional Analysis of Partisan and Urban-Rural Voting in State Legislatures;" Dye, "State Legislative Politics;" Malcolm E. Jewell, "Party Voting in American State Legislatures," American Political Science Review, 49 (1955), 773-791; and W. Duane Lockard, "Legislative Politics in Connecticut," American Political Science Review, 48 (1954), 166-173.

24. MacRae, "The Relation Between Roll Call Votes and Constituencies in the Massachusetts House of Representatives;" Jewell, "Party Voting in American State Legislatures."

25. See Dye, "State Legislative Politics;" MacRae, "The Relation Between Roll Call Votes and Constituencies in the Massachusetts House of Representatives."

26. Thomas Flinn, "Party Responsibility in the States: Some Causal Factors," American Political Science Review, 58 (1964), 60-71; MacRae, "The Relation Between Roll Call Votes and Constituencies in the Massachusetts House of Representatives."

27. Dye, "A Comparison of Constituency Influences in the Upper and Lower Chambers of a State Legislature;" Robert B. Dishman and George Goodwin, Jr., State Legislatures in New England Politics: (Durham, New Hampshire: New England Center for Continuing Education, 1967).

28. Duncan MacRae, Jr., "Roll Call Votes and Leadership," Public Opinion Quarterly, 20 (1956), 543-558; Flinn, "Party Responsibility in the States: Some Causal Factors."

29. MacRae, "Roll Call Votes and Leadership."

30. Hahn, "Leadership Perceptions and Voting Behavior in a One-Party Legislative Body."

31. Flinn, "Party Responsibility in the States: Some Causal Factors;" MacRae, "The Relation Between Roll Call Votes and Constituencies in Massachusetts House of Representatives;" and Robert J. Huckshorn, "Decision-making Stimuli in the State Legislative Process," Western Political Quarterly, 18 (1965), 164-185.

32. For an adequate discussion of this area of research see Broach, "A Comparative Dimensional Analysis of Partisan and Urban-Rural Voting in State Legislatures;" Robert Friedman, "The Urban-Rural Conflict Revisited," Western Political Quarterly, 14 (1961), 481-495; David Derge, "Urban-Rural Conflict: The Case in Illinois," in Legislative Behavior, eds. John Wahlke and Heinz Eulau (Glencoe, Illinois: The Free Press, 1959), pp. 218-227; Patterson, "Dimensions;" and Havens, City Versus Farm?

33. See for example, Friedman, "The Urban-Rural Conflict Revisited;" Frank J. Sorauf, Party and Representation: Legislative Politics in Pennsylvania (New York: Atherton Press, 1963); and LeBlanc, "Voting in State Senates: Party and Constituency Influences."

34. Patterson, "Dimensions;" Wayne L. Francis, Legislative Issues in the Fifty States: A Comparative Analysis (Chicago: Rand McNally, 1967); Keefe, "Parties, Partisanship and Public Policy in the Pennsylvania Legislature."

35. Dye, "State Legislative Politics," p. 193.

36. Patterson, "Dimensions."

37. Patterson, "Dimensions;" Allan P. Sindler, "Bifactional Rivalry as an Alternative to Two-Party Competition in Louisiana," American Political Science Review, 49 (1955), 641-662.

38. Parsons, "Quasi-Partisan Conflict in a One-Party Legislative System - The Florida Senate."

39. Patterson, "Dimensions;" Havens, City Versus Farm?

40. Jewell and Patterson, The Legislative Process in the United States, 2nd ed. (New York: Random House, 1973), p. 463.

41. Ibid.

42. Ibid., pp. 312 and 462.
43. Patterson, "Dimensions."
44. Ibid., 200.
45. Ibid., 190.
46. Ibid., 191.
47. Ibid., 191-2.
48. Ibid., 200.
49. E. Lee Bernick and F. Ted Hebert, "Emergent Partisanship and the Dimensions of Roll Call Voting," (Unpublished Manuscript, University of Oklahoma, 1974).
50. Ibid., 5.
51. Ibid., 8.
52. In addition to Bernick and Hebert, and Patterson, one should also review Huckshorn, "Decision-making Stimuli in the State Legislative Process;" Jewell and Patterson, The Legislative Process in the United States; and Hugh L. LeBlanc and D. Trudeau Allensworth, The Politics of State and Urban Communities (New York: Harper and Row, 1971), see Chapter six.
53. Dye, "State Legislative Politics," 206.
54. Frank Munger, ed. American State Politics: Readings for Comparative Analysis, p. 375.
55. V. O. Key, Jr. and Corine Silverman, "Party and Separation of Powers: A Panorama of Practice in the States," Public Policy, 5 (1954), 382-412; Coleman B. Ransone, Jr., The Office of the Governor in the United States (University, Alabama: University of Alabama Press, 1956); Coleman B. Ransone, Jr., "Political Leadership in the Governor's Office," Journal of Politics, 26 (1964), 197-220; Samuel R. Solomon, "Master of the House," National Civic Review, 57 (1968), 68-74; and Samuel R. Solomon, "Governors: 1960-1970," National Civic Review, 60 (1971), 126-146.
56. Dye, "State Legislative Politics," p. 204.

57. Malcolm E. Jewell, The State Legislature: Politics and Practice, 2nd ed. (New York: Random House, 1962), p. 62.
58. Joseph A. Schlesinger, "The Politics of the Executive," in Politics in the American States, 2nd ed., eds. Jacobs and Vines, pp. 210-237.
59. Ibid., 237.
60. Leslie Lipson, The American Governor From Figurehead to Leader (Chicago: Greenwood Press, 1939), p. 252.
61. William J. Keefe and Morris Ogul, The American Legislative Process (Englewood Cliffs, N.J.: Prentice Hall, 1964), p. 398.
62. Sarah P. McCally, "The Governor and His Legislative Party," American Political Science Review, 60 (1966), p. 923.
63. See note 61 above, as well as those citations in note 56 for an adequate discussion covering the demands placed upon the governor.
64. Sarah McCally, "The Governor and His Legislative Party."
65. Ibid., 923.
66. Ibid., 938.
67. Ibid., 935.
68. Ibid., 938.
69. See Hubert M. Blalock, Jr., Causal Inferences in Non-experimental Research (Chapel Hill: University of North Carolina Press, 1964), for a discussion of theory building and the need for temporal ordering.
70. In the article Professor Morehouse writes: "Since it is the primary record of a governor who runs again which has the highest correlation with success, thirty-four house sessions preceding an incumbent's election campaign were used to provide the data;" McCally, "The Governor and His Legislative Party," p. 937.

71. The problem is not solely in her use of the independent variable, but in the inference she makes. If she were to infer only to this small number of states then she might be on satisfactory ground. Obviously, she could not use a variable on all sessions when all the sessions did not have the data - a primary. What she could have done was to calculate a regression equation on all cases using a dummy variable for primary (0 = no primary, 1 = primary). If the primary then turned out to be important she could have calculated an equation which attempts to measure the relative importance of the success in the primary.

72. Sarah McCally Morehouse, "The State Political Party and the Policy-Making Process."

73. Ibid., 60.

74. Ibid., 71-72.

75. Evron Kirkpatrick, "Toward a More Responsible Two-Party System: Political Science, Policy Science, or Pseudo-Science," American Political Science Review, 65 (1971), see journal abstract.

76. McCally, "The Governor and His Legislative Party," 929.

77. For example, the former Governor of Oregon, Tom McCall, noted that "One difficulty I had in working with the Republicans (Governor McCall is a Republican)...was that they were generally less progressive than I on consumer protection and environmentalism. There were always a few 'independent' or 'progressive' Republicans in each house, though, who could be counted on to join liberal Democrats...." In addition, "In the 1973 legislature, approximately 95 percent of my program was approved, and it was the Democrats, not the Republicans, who forced a vote on my priority bill of that session." A written reply by the former Governor to the interview schedule used in the larger research project. June, 1975.

78. Keefe and Ogul, The American Legislative Process, p. 397.

79. Personal conversation with Hugh MacMillan, Legislative Assistant to Governor Reubin Askew.

80. See for some discussion on this idea: Willam H. Riker and Donald Niemi, "The Stability of Coalition on Roll Calls in the House of Representatives," American Political Science Review, 56 (1962), 68-65.

81. Ransone, Jr., The Office of Governor in the United States, p. 181. Morehouse indirectly substantiates this in her article, "The Governor and His Legislative Party," p. 927, noting that the criteria to find an important veto resulted in dismissing 185 out of 189 roll call votes on vetoes in California. In other words, she found that in California less than one veto per session (in seven sessions) had any significance.

82. G. Mennen Williams, A Governor's Note (Ann Arbor, Michigan: Institute of Public Administration, 1961).

83. Keefe and Ogul, The American Legislative Process, p. 398.

84. Sarah McCally Morehouse, "The Impact of the Governor's Party Leadership on Public Policy," a paper prepared for delivery at the 1975 Annual Meeting of the Midwest Political Science Association May 1-3, 1975, Chicago, Illinois; Sarah McCally Morehouse, "The Impact of the Governor on Legislative Policy Output," a paper prepared for delivery at the 1975 Annual Meeting of the American Political Science Association, September 2-5, 1975, San Francisco, California.

85. Since there are no upper bounds to the Index of Success one can easily misinterpret the resulting values. Repeatedly in her first two papers, Morehouse comments that some governors are more successful than others, that one governor has been 182 percent successful while another was 118 percent successful. She implies that the governor with the 182 percent score is more successful than the governor who has a value of 118. This argument is fallacious and one can see its faults upon studying the intricacies of the index. Let us take, for example, two states--in one state the governor has 34 seats out of 100 and needs all 34 seats to sustain a veto, while in the second state the governor has all 100 seats in the legislature but needs only 34 seats to sustain the veto. The first governor, if he receives the 34 seats, will achieve a score of 100 while the second governor upon getting all 100 votes will achieve a success score of 299 percent. It should be obvious that we cannot draw any conclusions about the relative success of any governor compared to any other governor. Additionally, an

argument may be raised as to whether the governor with the score of 299 would be the more successful since any score over the necessary minimum would indicate that he is expending energy and resources unnecessarily.

86. Morehouse, "The Impact of the Governor on Legislative Policy Output," 10.

87. Ibid., 24.

88. Ibid., 28.

89. We have seen in Table 1-1 that the inconsistency of having both houses of a legislature controlled by one party while the second party controls the governorship has occurred several times.

90. Donald P. Sprengel, Legislative Perception of Gubernatorial Power in North Carolina (Unpublished Ph.D. dissertation, University of North Carolina, 1966).

91. Ibid., pp. 57-79.

92. Ibid., p. 57.

93. Ransone, The Office of Governor in the United States, pp. 213-214; Coleman B. Ransone, Jr., The Office of the Governor.

94. David J. Allen, New Governor in Indiana (Indiana University, 1965), pp. 37-38.

95. Ransone, Jr., The Office of Governor in the South, pp. 88-96.

96. Ransone, Jr., The Office of Governor in the United States, pp. 289-295; Schlesinger, "The Politics of the Executive;" pp. 228-237; and Thomas R. Dye, Politics in States and Communities (Englewood Cliffs, N.J.: Prentice Hall, 1973), pp. 177-180.

97. For more discussion on this theme see Dye, "State Legislative Politics," p. 206; Sprengel, Legislative Perception of Gubernatorial Power in North Carolina; and Alan J. Wyner, "Gubernatorial Relations with Legislators and Administrators," State Government, 41 (1968), 199-203.

98. It should be noted that Sprengel goes to great length to show that the political party per se as a power base is unimportant. Legislators see the party as a reference group and a sense of "group" with all its norms evolves. The governor is seen as leader of the "group" and his wishes assume properties of a group norm, p. 118-133. "However, the thesis remains proven and it cannot be shown that the legislators actually behave on the basis of this group referent," p. 134.

99. Sprengel, Legislative Perception of Gubernatorial Power in North Carolina, p. 118.

100. Jewell, The State Legislature: Politics and Practice, 2nd ed., p. 69.

101. Sprengel, Legislative Perception of Gubernatorial Power in North Carolina, p. 118.

102. Ransone, The Office of Governor in the United States, p. 206.

103. Wyner, "Gubernatorial Relations with Legislators and Administrators," 199-203; see also Richard E. Neustadt, Presidential Power (New York: John Wiley, 1962), Chapter Three.

104. Malcolm E. Jewell, "The Governor as a Legislative Leader," in The American Governor in Behavioral Perspective, eds. Beyle and Williams, p. 134.

105. Lipson, The American Governor From Figurehead to Leader, p. 61.

106. Keefe and Ogul, The American Legislative Process, pp. 393-394.

107. Jewell, "The Governor as a Legislative Leader," in The American Governor in Behavioral Perspective, p. 125; Chamberlin, Legislative Process: National and State, p. 286.

108. Jewell, The State Legislature: Politics and Practice, 2nd ed., p. 82.

## CHAPTER II

### RESEARCH DESIGN

The lack of significant research on one-party dominant legislatures, the paucity of work on the governor in the legislative process, and the need to develop a basis for comparative analysis of state legislatures shape this research effort. The primary focus is on the nature of the governor's role in the legislative process in one-party states. It examines the governor's "success" with the key components of his program, using both quantitative and qualitative techniques and evaluates the governor's impact on voting patterns of legislators. The analysis compares roll-call votes for bills in which governors showed particular interest with votes on legislation for which they demonstrated no apparent concern.<sup>1</sup>

With knowledge that "the legislative influence of governors varies from state to state and over time within states,"<sup>2</sup> this research was structured to undertake a systematic testing of hypotheses through a quasi-experimental and longitudinal design. Because the environment in which a governor must act is presumed to affect his tactics, the design is constructed to test the governor's success in influencing state legislatures under varying partisan configurations.<sup>3</sup> The states selected for analysis all have one-party dominant legislatures, but have experi-

enced various combinations of partisan control of the governorship. This permits a test of the importance of the partisan attachment of both the legislature and the governor as a factor influencing the degree of cooperation and conflict in the legislative process. Two waves of analysis are accomplished for each state giving the study a longitudinal component, since "it has the advantage of holding constant some of the variables that change when we move from state to state."<sup>4</sup>

In short, the design consists of several comparative components. First, the research contrasts states within a single time period or wave. Secondly, it compares legislatures and governors over time within and between states. Finally, within a legislative session, it juxtaposes votes on the governor's program and issues with those votes seemingly unrelated to the governor.

#### The Selection of States

A quasi-experimental design has been constructed to facilitate the comparative components of the study. States to be studied are chosen selectively rather than on a random basis, with controls for the partisan composition of the legislature. This is accomplished by selecting states which vary in the dominance of each party and the partisan control of the governorship.

The selection component of the research design is depicted in Table 2-1. It shows two states with the party of the governor and the senate congruent over time, and two other states with the governor and the senate constantly in opposition. The governorship is usually controlled by the Democrats in two states, while in the remaining two states we find the Republicans usually in control of the executive office. Selecting states for study where the governor's office is in the hands of two different parties within a state over time allows us to control for variation between states and to analyze the importance of the party label of the governor on one-party legislatures.

The design specifies the use of state senates, chosen for the following reasons: (1) senates are smaller and more manageable units for analysis, (2) senators usually have longer terms of office with less turnover, which allows for a greater degree of consistency, and (3) state senates usually have fewer procedural rules to complicate research.

The selection of states is not an easy task given the required configuration of the governor's party ties. There are actually many more one-party dominant legislatures than normally assumed. This underestimation of party dominance in state legislatures has been the result of errors in the design of previous classification schemes. In many schemes

Table 2-1. The Selection of States by Partisan Criteria

	Governorship always Democratic	Governorship always Republican	Governorship usually Democratic	Governorship usually Republican
Senate always Democratic	A Texas 1969 <sup>a</sup>  Texas 1973	B Oregon 1967  Oregon 1973	C Florida 1967-R <sup>b</sup>  Florida 1971-D	D Oklahoma 1967-R  Oklahoma 1971-D
Senate always Republican	E North Dakota 1965 North Dakota 1973	F Wyoming 1967  Wyoming 1973	G Vermont 1969-R  Vermont 1973-D	H Idaho 1967-R  Idaho 1973-D

<sup>a</sup>The years given are those used in the two waves of analysis.

<sup>b</sup>R or D denotes which party controlled the governorship.

only the southern states are considered one-party, which often results in southern states being excluded by researchers.<sup>5</sup> This is unacceptable for comprehensive comparative state legislative research.

Although the consistency and degree of Democratic strength in the southern states for all offices has been impressive, there are a number of northern states where one-party control of the legislature is equally pervasive. In measuring competition, the extent to which the two parties compete for elected offices is a common criterion. However, there is no uniform measure of this phenomenon; indeed, there are several different measures of party competition for the states.<sup>6</sup> Zody and Luttbeg argue that all of the common measures are significantly correlated, that they are more similar than dissimilar, and that the degree of competitiveness is relatively stable over time.<sup>7</sup> Their conclusion is supported by research conducted on Michigan which found that the partisan control of legislative seats changed very little during the period studied. Becker et al., found that in the chosen time period for Michigan, 97 percent of the seats were won by the same party.<sup>8</sup> The problem with classifying states according to electoral competitiveness lies in the determination of the offices, the particular time period considered, and the measure of competitiveness employed.<sup>9</sup> The time period chosen is an

arbitrary decision, regardless of the theoretical underpinnings, since it is possible to construct equally satisfactory arguments to support or contradict any time frame.

There is only one obvious set of offices useful for classifying state legislatures: the respective state house and senate. The competitiveness of state legislatures should not be measured by the percentage of votes for a president or United States senator--even worse the votes for gubernatorial office should not be used to measure party competition in state legislatures. Nevertheless, these have all been common measures employed by researchers. If we use a measure which only examines state legislatures and their control by party, an entirely different picture emerges.

A measure of state legislative competition which reflects the percentage of state senators and state representatives for each party is used in this research.<sup>10</sup> The period for computing the measure is 1963 to 1973 (essentially six elections), a period which largely follows the Supreme Court's decision on reapportionment.

The majority party in each house is assigned a value based on three levels of the size of its majority. A party in the majority at the maximum level in all six elections, would receive a score of  $\pm 18$  (e.g.,  $6 \times 3 = 18$ ). If both

houses were controlled by the same party at this level then  $\pm 18 \times 2 = \pm 36$  would be the assigned value.

$50\% < S_{\text{maj}} \leq 60$	and $S_{\text{maj}} = D$	then $S_{\text{maj}} = 1$
	$S_{\text{maj}} = R$	$S_{\text{maj}} = -1$
$60 < S_{\text{maj}} \leq 75$	and $S_{\text{maj}} = D$	then $S_{\text{maj}} = 2$
	$S_{\text{maj}} = R$	$S_{\text{maj}} = -2$
$S_{\text{maj}} > 76$	and $S_{\text{maj}} = D$	$S_{\text{maj}} = 3$
	$S_{\text{maj}} = R$	$S_{\text{maj}} = -3$

Where  $S_{\text{maj}}$  is the size of the majority party control as measured by percentage of seats controlled. D indicates Democratic majority, while R indicates Republican control.

The classification scheme also takes into consideration the consistency of control by a party. Four points are assigned to a party for each election controlled. If a party maintains control after all six elections, a value of  $\pm 24$  is assigned ( $+24$  if controlled by the Democrats), while a party in control for five elections would have a value of  $\pm 20$ .<sup>11</sup> Thus, the consistency value can range from  $-24$  to  $+24$ , depending upon the number of years a party controls a chamber.

The maximum value that could be achieved using the majority value score plus the consistency value in both chambers is  $\pm 84$ . [e.g., total Democratic control in both Houses =  $6 \times 3 = 18$ ;  $18 \times 2$  (# of Houses) =  $36$ ; 24 points in each house for consistency  $\times 2$  houses =  $48$  points;  $48 + 36 = 84$ .] A score near zero indicates party balance. One-

party state legislatures were determined to be those in which one party had, on the average, from 61 to 75 percent of the seats during the entire time span for both chambers.<sup>12</sup> Under this procedure we find, quite naturally, all eleven southern states still classified as one-party Democratic; in addition, there are nine other states which meet the designated criteria. If we examine states where the Republicans are dominant in the legislature, we find that there are seven which may be so classified (see Table 2-2). In total, there is one-party dominance in 27 states--over 50 percent of the universe.

Seven of the eight states used in the analysis are clearly one-party legislatures, with Oregon somewhat more competitive than the others. Despite the relative position of Oregon in the ranking of partisanship, it was used because it was the only state in the time period (1963-1973) where the Democrats had continuous control of the senate and where the governor was always a Republican.<sup>13</sup> In several cells of the design there are few possible choices, while in other cells there is some flexibility. Like Oregon, North Dakota can be considered somewhat of an aberration, in that one does not normally expect to find the partisan configuration of one party always in control of the legislature, while the other party is always in control of the governorship. As one might expect, North Dakota is

Table 2-2. Classification of Party Dominance in State Legislatures: 1963-1973<sup>a</sup>

State	Dominance score	State	Dominance score
Alabama	84	Connecticut	22
Arkansas	84	Oregon	21
Georgia	84	Alaska	20
Louisiana	84	Delaware	9
Maryland	84	Michigan	1
Mississippi	84	Pennsylvania	0
South Carolina	84	New Jersey	-5
Texas	84	Arizona	-23
Oklahoma	82	New York	-31
North Carolina	81	Iowa	-35
Virginia	81	Utah	-35
Florida	75	Indiana	-37
Rhode Island	75	Maine	-44
West Virginia	75	Colorado	-52
Massachusetts	74	Illinois	-52
New Mexico	74	Ohio	-52
Hawaii	73	Wisconsin	-53
Missouri	72	Wyoming	-57
Kentucky	71	New Hampshire	-59
Tennessee	65	South Dakota	-59
California	41	Idaho	-63
Washington	34	North Dakota	-67
Montana	32	Vermont	-70
Nevada	25	Kansas	-74

<sup>a</sup>Minnesota and Nebraska were generally non-partisan during the time period of the study, and therefore were not used. A score of  $\pm 56$  or greater (lower for the negative valued Republican's) indicates a one-party state. States with the same value are listed alphabetically.

the only state that fits into cell E (Table 2-1); however, unlike Oregon, North Dakota is clearly a one-party state as can be seen in Table 2-2. Wyoming was the only state where the Republican party was dominant in both the legislature and the governorship throughout the time period examined.<sup>14</sup>

Unlike these preceding three states, there was a large potential pool of states to select for cell A. Texas was chosen primarily because of the size of its population; many of the other states chosen for study were sparsely populated. Vermont and Idaho, on the other hand, are both states where the legislature was controlled by the Republican party. Vermont was used in cell G because the Republicans only controlled the governorship from 1969 to 1973. During the time period of the research, Republicans were in control of the executive office in Idaho from 1963 to 1971. However, in 1971 the Democrats captured the governorship.

Oklahoma is one of the few states where the legislature was dominated by Democrats, while the executive office was normally in the hands of the Republicans. From 1963 to 1970 the Republicans had control of the executive office, electing two different governors, while in 1970 the Democrats elected their candidate to office. Cell C had several potential states that could have been used in the design besides Florida, such as Arkansas and New Mexico. However, Florida was chosen because of the similarity in its

political culture to Oklahoma and Texas. A more important consideration in the choice of Florida over Arkansas was that all of the governors were potentially available for interviews. In Arkansas, Republican Governor Rockefeller died prior to the study. In addition, New Mexico is one of the few states where roll-call data are not readily available.

#### The Selection of Time Periods

The selection of years within each of the eight states was dictated by several factors. In all states, the first session of a legislature was used because they tend to be more all-encompassing.<sup>15</sup> In many states the second session, if there is one, is usually designed for one specific purpose (e.g., budgeting) and only that designated task may be discussed. The first wave for study in each of the states was selected for various reasons. In both Oregon and Wyoming, 1967 was chosen because it was the first session for governors who held the office from 1967 to 1974. Thus, we have in these two states the ability to measure the influence of a governor over an extended period of time--analyzing his first and last legislatures. This is extremely valuable, because a determination of the governor's perception of his ability to build coalitions and influence over an extended time period, as well as the

importance of tenure potential as perceived by the governor was desired. In North Dakota, 1965 was selected because the data were more readily available. The selection of 1969 for Texas was based on two considerations. It was the first session for Governor Preston Smith (who served only one two-year term) and because the preceding Governor, John Connally, was assumed to be unavailable for interview because of his involvement in a criminal trial. When other factors permitted, the most recent session was used. Thus, in Texas, Oregon, North Dakota, and Wyoming 1973 was used for the second wave of the analysis.

In the other four states, selection of the sessions to study was dictated by design and general desire to use the first legislative session. The study sought to test the effects of partisan change in the governorship on the voting behavior of the legislature and the success of the governor. Thus, in Florida, 1967 was the first session for the Republican governor, while 1971 was the first session in which the governorship was regained by the Democrats. In Vermont the Republican governor took office in 1969 while the Democrats won the executive office back in 1973. In Oklahoma, 1967 was the first session for Republican Governor Bartlett, while the Democrats were finally able to gain the governorship in 1971. In Idaho, 1967 saw Governor Samuelson meet with his first legislature. The selection

of 1973 for Idaho as the second wave of analysis goes against the normal procedure to use a first session for a governor, but information regarding the 1973 legislative session was more accessible than that for the 1971 session.<sup>16</sup>

### Data Collection

In an analysis of voting patterns in legislatures the usual procedure employs recorded roll-call votes. Unfortunately, they are not uniformly taken among the various states. Some states require them on all votes, while others only use them upon request of a designated number of legislators; and even within a legislature, there are different rules for their use. Only two of the eight states do not require a roll-call vote automatically on final passage (Texas requires roll calls upon request of three senators while Vermont requires only one). Some states allow for roll-call votes at other points in the passage of legislation.<sup>17</sup> Consequently, some roll-call votes have little meaning, especially when most of the votes are unanimous.

Unanimous votes tell a researcher little about voting behavior because they lack variation; thus, some process of differentiating the significant roll calls from the insignificant ones must be found. Only those votes

which show some degree of conflict will be used in this analysis. The definition of conflict has varied in legislative research, but the usual standard is that at least 10 percent of those voting must be voting in opposition to the majority.<sup>18</sup>

More than one vote per bill may be used in the analysis. However, it is not misleading to use more than one vote per bill, since different votes on a bill take on different meanings. Voting on passage of the bill, for example, may not be the same as voting to amend or override.

Since roll-call data and their analysis do not fully take into account the governor's influence, the research was designed to enable an examination of the governor's role in a more detailed manner. Interviews were conducted with each of the governors, along with the legislative or executive assistant of the most current governor. In addition, an interview with at least one news reporter in each state, as well as an employee of the "legislative research agency " was sought.

Fourteen governors, both past and present, comprised the target sample for the eight selected states. In Oregon and Wyoming the same individual occupied the governor's chair in both waves of the analysis, thus, the potential number of governors for interviewing was fourteen instead of sixteen. Of the fourteen, ten were personally inter-

viewed.<sup>19</sup> Only one trip was scheduled to each state for interview purposes; this was necessitated by the limited amount of funds available. In three states it was impossible to personally meet with the prospective interviewees, but written or telephone responses to the interview schedule were subsequently obtained.<sup>20</sup> All but a few of the interviewees permitted taping of the conversations (none of the governors objected) and evidence suggests that the responses were frank and revealing.<sup>21</sup> The interviews with a cross section of knowledgeable people tended to corroborate these findings, although from a slightly different perspective.

The interview schedule for the governors was divided into two sections. The first section included questions which were essential, since they called for answers using their perception (i.e., the general role of the governor, the importance of partisan ties, the significance of the historical context within which he held office, the "tools" or "powers" relevant for his success, and the key bills facing the legislature). The second section of questions were also relevant to the governor himself, but when it was impossible to ask them directly the administrative or legislative assistant to the governor was interviewed. These latter questions were more factual (i.e., whether a particular individual introduced legislation for the governor, the governor's program, the arrangements for meeting

with legislators).<sup>22</sup> This division of questions was necessitated by the lack of control over the time the governors allowed for the interviews. The meetings lasted approximately one half - hour to forty-five minutes, while a few extended to an hour and one half. There was no pattern to the length of the interviews with regard to the size of the state. While one would expect that former governors would give more time than those currently in office, this was not the case. Most of the individuals who were former governors were in high office in government, including the United States Senate and one as a Secretary of the Interior.

Those questions left unanswered by governors were asked of their assistants. Other questions, similar to those asked of the governors, were put to the assistants in an attempt to acquire another perspective on the relationship between the executive office and the legislature. Specific questions about the progress of the governor's program were also asked, including reasons for its failure or success. Similarly, when possible, individuals from the legislative service agency were questioned concerning the programs of the respective governors within their state. Occasionally, it was possible to interview leaders of the state senate, or other individuals working in the senate in some capacity. These interviews usually focused on the

relationship between the senate and the office of governor. While these interviews were not as systematically collected as others (since the legislature was often out of session and senators were generally not present), they provided invaluable information. Additional interviews with members of the capitol press corps produced information and insights with regard to the governors and their programs that were not readily available from other sources. Information concerning the political environment within a state was also gathered in these interviews. In each state, at least one member of the press corps was interviewed and in most cases this included two or three reporters. The member of the capitol press corp regarded by other press people and politicians as the most knowledgeable and objective was chosen. The totality of these interviews, along with roll-call data, provided a large body of information useful for analysis of the governor's role in the legislative process.

#### Data Analysis

The analysis, as mentioned previously, follows two lines of development. First, the analysis examine the voting behavior of legislators quantitatively in each of the eight states over the two time waves. Secondly, the analysis focuses on each of the sixteen governors and their legislative performance in the selected years.

### Analysis of Voting Behavior

In order to analyze voting behavior the Index of Party Likeness and Index of Party Cohesion were employed for the first part of the research. The former measures the similarity in voting between two parties, while the latter measures the voting patterns within a party.

The above indices were first developed by Stuart Rice in the 1920's.<sup>23</sup> The Index of Party Likeness "measures the difference between the two groups in their responses to a roll call,"<sup>24</sup> i.e., it measures the degree of support or opposition of the two groups on the roll call. It is computed by subtracting the percentage of yea (or nay) votes cast by one party from another and then subtracting the results from 100. The equation may be written as follows:

$$\text{IPL} = 100 - (\text{"Party A" Percent} - \text{"Party B" Percent})$$

An index score of 100 reflects complete similarity, and a value of zero shows complete dissimilarity.

According to one source, "Rice defined cohesion as the extent to which the distribution of votes on a legislative roll call deviates from the distribution that would be expected if all influence operated in a random fashion..."<sup>25</sup> For example, if 100 votes were randomly cast, they would be distributed as 50 "yeas" and 50 "nays." At this 50-50 split, cohesion is considered zero within the group. Com-

plete cohesion would exist when all members of the group vote together; the score would be 100. Any division of the group between a 50-50 split and a total consensus would result in a score between 0 and 100. In order to determine the index for any group, one finds the percentage of the total group voting "yea" and the percentage of the total group voting "nay," and then takes the absolute difference between the two percentages, multiplying the result by 100. The equation for the Index of Cohesion may be written as follows:

$$\text{I.C.} = \left( \frac{Y}{T} - \frac{N}{T} \right) \times 100$$

where I.C. = index of cohesion  
 Y = number of yea votes  
 N = number of nay votes  
 T = total number of votes

Votes were divided on the basis of gubernatorial interest. Votes on bills in the governor's program, votes to override a veto, or votes on bills later vetoed by the governor and votes on bills for which the governor expressed some significant concern (in favor or opposition) were designated as gubernatorial interest votes. All votes not falling into any one of these previous areas were placed in a category called "non-gubernatorial interest" or "other."

Voting between the parties is examined first, followed by an analysis of voting patterns within the respec-

tive parties. On each index, a value below 60 denotes a quantitative difference in the voting.<sup>26</sup> For the party likeness index, a value below 60 indicates partisan voting, while on the index of cohesion a value of 60 or below indicates that a party was not voting cohesively as a group. Material offered by governors on the importance of partisanship during their respective tenure will be used to aid in this analysis.

### Gubernatorial Success

Gubernatorial success in the legislative process is a secondary focus of the study. Since there is no single quantitative measure to analyze the governor's success and/or impact, such assessments must be largely qualitative. Any measure of success must consider the number of bills passed (even those which show no conflict) in proportion to the number introduced. Yet, this alone is too simplistic, since a governor's program is many-faceted. First, determining what legislation the governor sincerely supports and what legislation he is willing to have defeated is difficult. Second, some governors may introduce only legislation which they feel will be successfully passed; this false appearance of success must be taken into consideration. Third, it is essential to examine the qualitative nature of legislation. Two different qualitative com-

ponents must be considered: (1) the degree of similarity between a bill as originally conceived by the governor and the final product, and (2) the general importance of the bill (e.g., tax measures will generally be considered more important than financing educational television).

In order to assess the above, each governor's program was evaluated in its entirety, seeking to determine the ultimate outcome of the program. The analysis also consisted of examining the governor's ability to sustain vetoes and achieve confirmation of nominees. Finally, an assessment of the working relationship between the governor and the legislature was undertaken. While this may often produce findings from which generalizations are limited, the longitudinal design, as well as its quasi-experimental characteristic, enhance external validity beyond that of earlier studies. Furthermore, the interview schedule administered to governors and their associates was carefully designed so as to improve the ability to generalize.

### Hypotheses

The voting behavior of the state legislators, within the context of their respective parties, should be quite similar. A measure of party similarity should indicate little party voting for the legislators since past research has shown that party is unimportant in one-party states.<sup>27</sup>

However, there is reason to believe that at times the governor may be an important cue to legislative voting and that his presence may result in an increase in partisan politics.<sup>28</sup> Thus the hypothesis is that if the governor provides a cue for legislators in determining their votes, there should be a significant difference between voting behavior on bills of direct interest to the governor and on those about which he is ambivalent or unconcerned.

The degree of similarity between the parties should be lower on bills of interest to the governor than on bills seemingly unimportant to the governor. An analysis of party cohesion will be used to examine several hypotheses concerning the effects of gubernatorial interest in legislation. The opposition party should display a higher level of cohesion in voting on bills of interest to the governor than on bills unrelated to the governor. This is expected to occur because the opposition party has a highly partisan interest in opposing and embarrassing the governor.

By contrast, the governor's party will reflect a more complex voting pattern on bills of interest to the chief executive. The complexity in voting is partially the result of the majority-minority status of the governor's party in the legislature. On bills of interest to the governor, members of his party will display a higher degree of cohesion than on bills unrelated to the governor. It is

presumed that the governor, his office and its power, along with his partisan position, will encourage his party's legislators to support him. The resulting higher cohesion should reflect the potential incentives the governor can offer which generally outweigh any benefits the legislators (of the governor's own party) might gain by opposing him.

As indicated above, there is likely to be a higher level of cohesion found on gubernatorial votes as compared to other votes among the governor's party, depending on its majority-minority status. When the governor's party is the dominant party in the legislature, there should be a smaller increase in cohesion than when his party is in the minority. The expected difference should result from the governor with a large majority being less constrained to seek maximum support from his party's legislators. The governor is in a better position to allow deviation among party members because he does not need full support to pass legislation. A high degree of cohesion for the governor would expend unnecessary effort and resources for support which he does not need. Situations where the governor has a minority party will show a larger increase in cohesion for the party since the governor needs as much support as possible to achieve success. The minority party, even when hopelessly small, should have higher cohesion in support of the governor out of a felt need to

"stick together" to survive. The legislators know that the governor has benefits to bestow upon them (or their districts) which are normally denied minority party members, and as a result they will be more cohesive than is normally the pattern for a minority party.

### Comparative Expectations

While some hypotheses have been offered with regard to voting patterns within legislatures, no statements have been made concerning expectations across time and states. The focus now turns to the specific states under study, and a determination of patterns of voting expected within these states. Oregon, like North Dakota, was used to test the effects of having one party dominate the legislature while the other party continually controlled the governorship. It may be that a prolonged period of opposition forces the two branches to develop some form of a working agreement. Little change over time in partisan voting is expected in these two states. Change that does occur should result in a decrease in partisanship. Compared with the other states (except Texas and Wyoming), there should be less variation in voting over time. Texas and Wyoming are treated as the "control" cases in the study. In both states the majority party was in constant control of the governorship. Relatively low levels of party voting and few differences over

time are expected in these states. Under such conditions, it is possible to conclude that any changes in voting over time are due not to party but to the individual holding the governor's office or to particular issues. Thus, an examination of changes over time facilitates a reassessment of prior propositions about the importance of party.

In Florida and Idaho the dominant party generally controls the governorship. Partisanship will be highest when the governor from the minority party enters office. As voting patterns of legislators between two points in time are compared, there should be more cohesion shown by both parties when the minority party is in the governor's office, as compared to when the governor is from the majority party. Increased partisan voting, along with lower party likeness scores are expected, with more of this partisan voting occurring when the minority party holds the executive office.

Oklahoma and Vermont are examples of the situation where the governor is normally in the hands of the minority party. In Oklahoma, a period of Republican control of the governor's office was followed by a shift to partisan congruence between the traditional Democratic legislature and the governorship. Vermont, on the other hand, had a Democratic governor followed by a brief period of Republican

control of both branches of government. When congruence between two branches occurs following a period of divided control, the success of the governor should be greatest, with a spirit of new found intra-party cooperation within the majority. As the minority party plays the role of a loyal opposition in order to generate causes for the next campaign, it should result in a high degree of support for the governor by the dominant party and a lower than normal level of party likeness.

#### Organization of the Volume

In summary, the subsequent pages contain both quantitative and qualitative data on executive-legislative relations in the eight states over two waves of analysis. Chapter Three is a brief overview of the political culture of each state. The political climate of the state, the official nature of the governor's office, and the peculiarities of the legislature will aid in an understanding of executive-legislative relations. Such an overview is important, since the environment within which political actors operate has a significant impact on their behavior.

Chapter Four includes an analysis of the governor's effect on the voting behavior of legislators. The chapter relies primarily on roll-call analysis. Each governor is subsequently evaluated (Chapter Five) with regard to his

success in the legislature. The concluding chapter presents a brief review of the study, a heuristic model for examining executive-legislative relations, and some thoughts about research on the governor's office.

## FOOTNOTES

1. Because the governor's interest could be interpreted in many ways the dichotomy could have taken many forms. While several procedures are used (discussed later) to determine a governor's interest, two items have generally been avoided: nominations of gubernatorial appointments by the Senate are routinely approved and they have been excluded; secondly, some lists of gubernatorial programs are unnecessarily large since they contain "housekeeping bills" (bills which must be introduced to aid in the performance of government but generally are not part of the governor's substantive program).
2. Dye, "State Legislative Politics," p. 202.
3. Jewell and Patterson, The Legislative Process in the United States, p. 310.
4. Jewell, "Comparative Research in State Legislative Politics," p. 403.
5. For example, see the logic of Morehouse in her first paper, "The Governor and His Legislative Party," 926-927.
6. Richard E. Dawson and James A. Robinson, "Inter-Party Competition, Economic Variables, and Welfare Policies in the American States," Journal of Politics, 25 (1963), 265-289; A. Ranney, "Parties in State Politics;" Richard Hofferbert, "The Relation Between Public Policy and Some Structural and Environmental Variables in the American States;" V. O. Key, American State Politics (New York, 1956); Austin Ranney and Willmore Kendal, Democracy and the American Party System (New York, 1956); Joseph A. Schlesinger, "The Structure of Competition for Office in the American States," Behavioral Science, 5 (1960), 197-210; Belle Zeller, ed., American State Legislatures (New York, 1954).
7. Richard E. Zody and Norman R. Luttbeg, "An Evaluation of Various Measures of State Party Competition," Western Political Quarterly, 21 (1968), 723-724.
8. Robert W. Becker et al., "Correlates of Legislative Voting: Michigan House of Representatives 1945-1961," Midwest Journal of Political Science, 6 (1968), 723-724.

9. Zody and Luttbeg, "An Evaluation of Various Measures of State Party Competition," 723.

10. The percentage was computed from data in The Book of the States for each of the following years: 1963, 1965, 1967, 1969, 1971, 1973. The number of seats held by a party out of the total possible seats was used. In some states there were vacancies, members from a third party, or individuals who did not align themselves with either party resulting in some circumstances where the two parties' percentages summed to less than 100 percent.

11. However, if one party has control for five elections and a second party has control of the house for the remaining term, the first party does not receive a value of 20 but rather 16. Thus, a value of 16 may be achieved in two ways--the manner described above and when one party maintains control for four elections with neither party in control for the other two. While it seems unlikely that ties would occur, this was the case in a number of state houses during the period.

12. The actual number of points necessary in the determination of a one-party state was  $\pm 56$  (twelve points in each house for strength of party determination plus 16 points for consistency in each house; twenty-eight points necessary in each house to be classified one-party dominant).

13. It must be noted that after the field research in Oregon we learned that the Democratic majority was somewhat misleading and tenuous. In some of the six sessions a coalition was developed by conservatives in both parties to choose a conservative Democratic President of the Senate.

14. While Wisconsin, Colorado and New York fit in this cell to some degree, they were below the designated cut-off point in terms of party competition and, therefore, Wyoming was used.

15. A number of states have only one session per legislature. Secondly, while many states have more than one session per legislature the second often requires shorter duration. In addition, second sessions usually are limited to a substantive area (i.e., the execution of the budget).

16. More information was provided by the governor's office for the 1973 session than for the 1971 legislature. In addition, the state legislature began to use a computer retrieval and record system in 1973, which aided the analysis.

17. In Oklahoma votes are taken for amendments as well as the emergency clause. In a few others, roll calls are taken for amendments as well as other procedural matters, such as a motion to table or reconsider. Each state is unique and an understanding of the rules is necessary.

18. Although this is an arbitrary percentage it is one that is often used as the criterion, see Jewell and Patterson, The Legislative Process in the United States, p. 419.

19. While we technically met with ten governors, the meeting with Governor Dolph Briscoe was so short it was rendered useless.

20. The visit to Vermont to meet with the "sitting" governor was scheduled at a time when former Governor Deane Davis was out of town. However, correspondence by phone and letter with Davis enabled us to collect the material normally covered in the interview. In Oregon, an interview with Governor McCall was scheduled, but upon arrival at his office, we were informed that the governor was ill and unable to hold the personal interview. However, Governor McCall answered all of the questions within the schedule via a lengthy letter. In Texas, time precluded us from meeting with former Governor Preston Smith, but a subsequent phone interview provided the necessary information. Former Governor Kirk of Florida was the only respondent for which we have no personal information. Repeated attempts to make personal contact with the former governor failed, even when a tentative appointment had been made. While his perspective is missing, phone interviews with three former assistants to the governor were obtained. In addition, the newspaper coverage of the capitol was extensive during his term and this proved useful, as did a conversation with an individual from the capitol press corp.

21. See Lewis Anthony Dexter, Elite and Specialized Interviewing (Evanston: Northwestern University Press, 1970).

22. In no instances were governors or their assistants asked questions concerning personal data, as that information was easily obtainable in other places. In fact, it was most useful to know as much about the governor as possible before the interview.

23. Stuart A. Rice, Quantitative Methods in Politics (New York, 1928), pp. 207-227. For a detailed discussion of the merits and intricacies of both see Bernick, The Framework of Roll Call Voting in the Oklahoma House of Representatives: 32nd Legislature 2nd Session, pp. 5-11; Lee F. Anderson, Meredith W. Watts, Jr., and Allen R. Wilcox, Legislative Roll-Call Analysis (Evanston, 1966).

24. Anderson, Watts and Wilcox, Legislative Roll-Call Analysis, p. 44.

25. Ibid., p. 32.

26. Although the level is somewhat arbitrary, there is some precedence for it, see Jewell, The State Legislature, 2nd ed., p. 109.

27. Patterson, "Dimensions;" Jewell and Patterson, The Legislative Process in the United States, 2nd ed., pp. 462-463.

28. Jewell and Patterson, The Legislative Process in the United States, 2nd ed., pp. 312, 462-463; Bernick and Hebert, "Emergent Partisanship and the Dimensions of Roll Call Voting;" Bernick, Legislative Voting Patterns and Partisan Cohesion in a One-Party Dominant Legislature.

### CHAPTER III

#### THE POLITICAL SETTING

There is an overarching American political system within which the states operate;<sup>1</sup> some argue that there is a basic American character or culture acting upon all the states, that they are more similar than dissimilar.<sup>2</sup> While the variables outside each of the state systems are influential, we are concerned in this eight-state study with the more immediate environments within which the legislatures operate. It is very important in comparative analysis to understand these immediate characteristics of the environment, since their minor variations may explain differences in the functioning of state legislatures.

The underlying pattern of attitudes, knowledge, and actions that people have toward their government comprises the political culture of that system.<sup>3</sup> Thus, the political culture constitutes the belief system that people maintain about what government is, how it should act, and the degree of success it has in the performance of its responsibilities.<sup>4</sup> This chapter examines the social and political culture of the eight states chosen for analysis and reviews the influences of the more important institutional components of each legislature and the governor's office. It also examines the background of the governors under study

and the issues which governors and legislators alike must solve.

### Political Culture

This analysis largely draws from Daniel Elazar's conceptualization of political cultures in American states.<sup>5</sup> He argues that there are three dominant political cultures: individualistic, moralistic, and traditionalistic. If a continuum of the three were created, the moralistic culture would be placed at one end and the traditionalistic at the other. Members of the moralistic culture view government primarily in a positive light, with its major responsibility being that of promoting the commonwealth of the body politic (which is dependent upon the honesty and selflessness of people). Politics is viewed mostly as a duty or obligation, in an altruistic sense. Partisanship is generally weak, if not unimportant, in this type of culture. The traditionalistic culture is one where the role of politics is viewed as insuring the existence of an already established social order. Politics becomes custodial, conservative, paternalistic and elitist. Political parties play a minimal role in the governmental process. Finally, politics in the individualistic culture is viewed primarily as the province of the professionals who are oriented toward giving the people what they want rather

than being initiators of public policies for the common good. Government operates as if it were a marketplace and, thus, a "business" orientation is predominant. Concerns about a "good society" are not within the domain of government since government operates for utilitarian reasons.

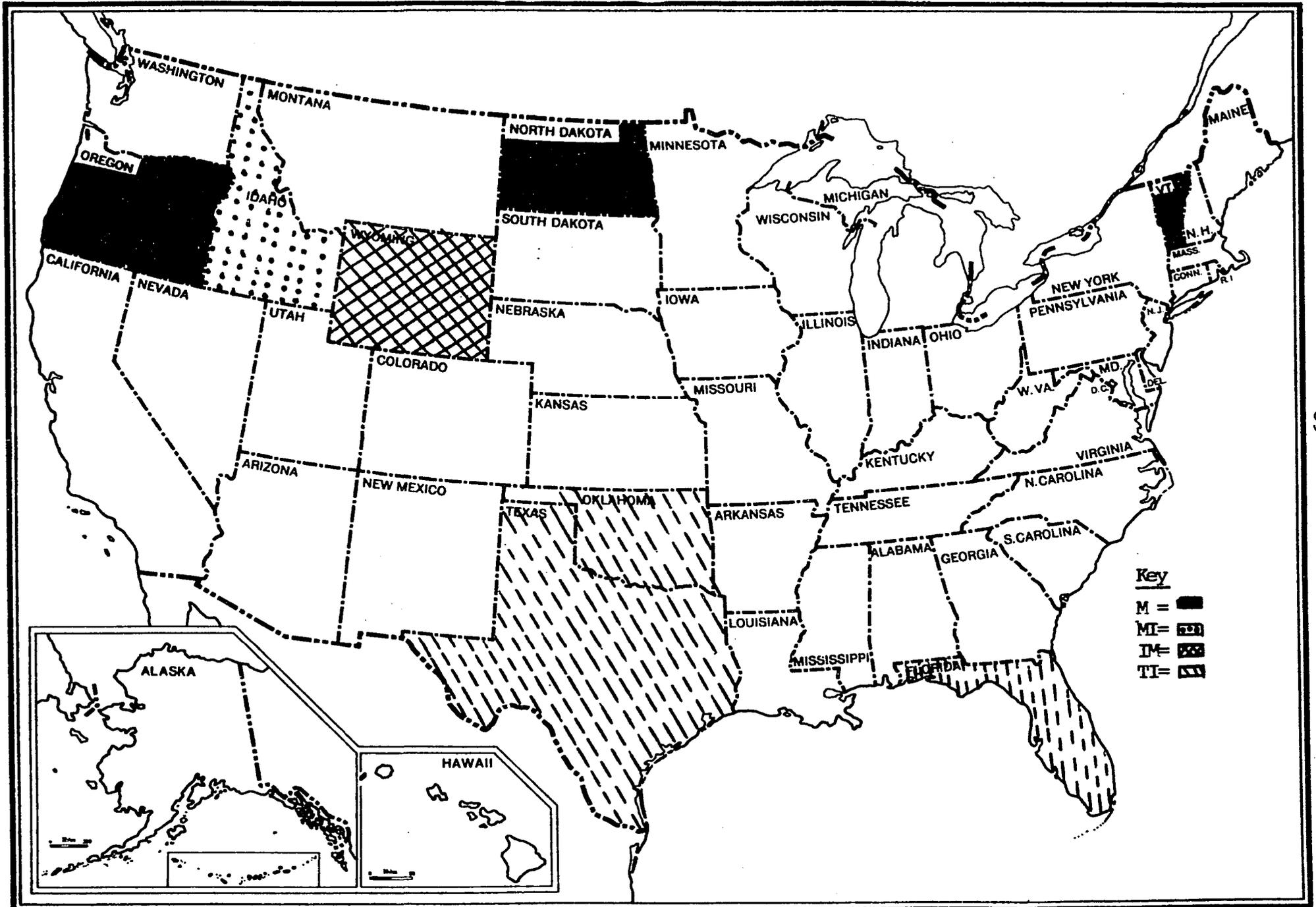
After carefully observing the development and character of the fifty states, Elazar classified each of them according to his three-fold typology. Like any other continuum, there is no easy delineation of where one culture ends and another begins; therefore, Elazar created additional categories of cultures based on patterns of dominance:

M   MI   IM   I   IT   TI   T   TM

While it would have been intuitively satisfying to find the eight states evenly spread across each of the categories or located in the three main classifications, there is no special need for this given the design of the study.<sup>6</sup>

Three of the eight states chosen for analysis (North Dakota, Oregon and Vermont) are classified as moralistic, while a fourth (Idaho) is an "MI" state, or moralistic dominant with a strong individualistic strain (see Figure 3-1). It has been suggested that an individualistic culture prevails in Wyoming, along with some strong moralistic overtones (IM). The three remaining states (Florida, Oklahoma and Texas) are located toward the other end of the

Figure 3-1: The Political Culture of Eight States Using Elazar's Classification Scheme



Source: Daniel J. Elazar, *American Federalism: A View From the States*, (New York: Thomas Y. Crowell Company, 1972), p. 117.

continuum and are categorized as traditionalistic dominant with some individualism present.<sup>7</sup>

The fact that only one state, Wyoming, has primarily an individualistic culture should not be totally unexpected, since parties play an important role in a state with the individualistic culture. One of the main themes in previous legislative research on one-party states is that political parties are unimportant. As a result, one would expect to find such states with cultures where party politics is of low importance, i.e., moralistic and traditionalistic societies.

There is sufficient evidence from an analysis of each of the eight states to generally confirm Elazar's classification. North Dakota, Oregon, and Vermont, in particular, are examples of states in which the public has been heavily involved in decision-making. Vermont has long had town meetings, amateur legislators, and large legislative bodies.<sup>8</sup> North Dakota's history has been strongly moralistic; it has a state-owned bank, state-owned grain elevators, and a provision allowing voters to make overriding decisions about any act passed by the state legislature.<sup>9</sup> Oregon's reform system, including an elaborate primary system, initiation and petition, and high voter participation all demonstrate its moralistic character.<sup>10</sup>

Wyoming's rejection until recently of any federal aid for education, along with a general attitude of self-reliance and the denial of governmental interference in the activities of the individual are all characteristics of an individualistic state.<sup>11</sup>

Conflict centered within rather than between parties is characteristic of a traditional political culture; this is evident within the dominant political party of Florida, Texas, and Oklahoma.<sup>12</sup> The power centers are still largely controlled by a small dominant minority supported and maintained by a few major (and mostly economically-based) interest groups within these states.<sup>13</sup>

A key feature of a political system's socio-economic environment (see Table 3-1) believed to be relevant to policy making is the degree of urbanism. States which are basically rural in their population have a different set of demands placed upon decision-making agencies than those with large urban centers.<sup>14</sup> Until the mid-1960's, most state legislatures were controlled by rural minorities, and the prevailing argument was that they were unsympathetic to urban problems and refused to respond to urban demands. The implication was that an urban-rural conflict affected the entire legislative process.

While two of our states--Texas and Florida--rank fairly high on most measures of size and urbanism, they are

Table 3-1. Social and Demographic Characteristics of the States

State	Popula- tion <sup>a</sup> (000)	Pct. Urban <sup>a</sup>	Crittendon <sup>b, c</sup>		Hofferbert <sup>b, d</sup>			
			Integrative Message Factor	Metro-Urban Factor	Cultural Enrich- ment Factor			
Calif.	19,953	90.9	Conn.	63	N.Y.	87	Nev.	1
N.Y.	18,241	85.6	Iowa	61	Calif.	70	Calif.	2
Penn.	11,793	71.5	Kans.	60	Ill.	68	Wyo.	3
Tex.	11,196	79.7	Mass.	60	N.J.	65	Colo.	4
Ill.	11,114	83.0	Nebr.	60	Mass.	62	Oreg.	5
Ohio	10,652	75.3	N.H.	59	Tex.	62	Wash.	6
Mich.	8,875	73.8	Utah	59	Penn.	61	Mont.	7
N.J.	7,168	88.9	Wisc.	59	Ohio	60	Nebr.	8
Fla.	6,789	80.5	Ind.	58	Fla.	59	Kans.	9
Mass.	5,689	84.6	Minn.	58	Md.	57	Utah	10
Ind.	5,194	64.9	N.J.	58	Mo.	57	Conn.	11
N.C.	5,082	45.0	R.I.	58	Mich.	56	Del.	12
Mo.	4,677	70.1	S. Dak.	58	Colo.	54	Idaho	13
Va.	4,648	63.1	Idaho	57	Conn.	53	Fla.	14

<sup>a</sup>Population is listed in thousands. Source of data: U.S. Department of Commerce, Bureau of the Census, 1970, U.S. Census of Population, Vol. 1, U.S. Summary.

<sup>b</sup>Alaska and Hawaii were not used in Crittendon's analysis nor in the Hofferbert research.

<sup>c</sup>John Crittendon's "Dimensions of Modernization in the American States," American Political Science Review, 61 (1967), p. 998; the values are the factor scores assigned to the states.

<sup>d</sup>Richard I. Hofferbert, "Socioeconomic Dimensions of the American States: 1890-1960," Midwest Journal of Political Science, 12 (1968), 412; the states are listed by their ranking based upon factor scores.

Table 3-1. (Continued)

State	Popula- tion (000)	Pct. Urban	Crittendon		Hofferbert			
			Integrative Message Factor	Metro-Urban Factor	Cultural Enrich- ment Factor			
Ga.	4,590	60.1	Ohio	57	Ga.	52	Iowa	15
Wisc.	4,418	65.9	N. Dak.	56	La.	52	Ariz.	16
Tenn.	3,924	58.7	<u>Oreg.</u>	56	Wisc.	52	Minn.	17
Md.	3,922	76.6	<u>Vt.</u>	56	Wash.	52	N.Y.	18
Minn.	3,805	66.4	<u>Colo.</u>	56	Minn.	51	N.J.	19
La.	3,643	66.1	Del.	56	Va.	51	Mass.	20
Ala.	3,444	58.4	Mich.	56	Tenn.	50	Ill.	21
Wash.	3,409	72.6	Mont.	56	<u>Okla.</u>	50	Ohio	22
Ky.	3,219	52.3	Ill.	55	<u>Nev.</u>	49	Mich.	23
Conn.	3,032	77.4	Penn.	55	Ind.	49	N. Mex.	24
Iowa	2,825	57.2	<u>Wyo.</u>	55	Kans.	48	S. Dak.	25
S. C.	2,591	47.6	Maine	54	Ariz.	48	<u>Okla.</u>	26
<u>Okla.</u>	2,559	68.0	Wash.	54	Ala.	48	<u>Tex.</u>	27
<u>Kans.</u>	2,249	66.1	Calif.	52	R.I.	47	Ind.	28
Miss.	2,217	44.5	Md.	51	Nebr.	47	Md.	29
Colo.	2,207	78.5	Mo.	51	<u>Oreg.</u>	47	N.H.	30
<u>Oreg.</u>	2,091	67.1	Nev.	50	Iowa	45	<u>N. Dak.</u>	31
Ark.	1,923	50.0	W. Va.	46	Miss.	45	Wisc.	32
Arix.	1,771	79.6	<u>Okla.</u>	46	Utah	44	Penn.	33
W. Va.	1,744	39.0	<u>N.Y.</u>	46	N. Mex.	43	Mo.	34
Nebr.	1,484	61.5	Va.	43	Mont.	43	<u>Vt.</u>	35
Utah	1,059	80.4	Ariz.	43	Ky.	43	R.I.	36
N. Mex.	1,016	69.8	Ky.	43	N. C.	43	Maine	37
Maine	994	50.8	N. Mex.	42	Ark.	42	Va.	38
R.I.	950	87.1	Tenn.	39	Del.	42	Ky.	39
Haw.	770	83.1	<u>Tex.</u>	39	S. C.	42	W. Va.	40

Table 3-1. (Continued)

State	Popula- tion (000)	Pct. Urban	Crittendon		Hofferbert			
			Integrative Message Factor	Metro-Urban Factor	Cultural Enrich- ment Factor			
<u>Idaho</u>	713	54.1	N. C.	37	<u>Wyo.</u>	42	Ga.	41
<u>Mont.</u>	694	53.4	<u>Fla.</u>	37	<u>W. Va.</u>	41	Tenn.	42
<u>N.H.</u>	738	56.4	<u>Ga.</u>	34	<u>N.H.</u>	40	La.	43
<u>S. Dak.</u>	666	44.6	Ala.	33	Maine	38	Ark.	44
<u>N. Dak.</u>	618	44.3	Ark.	32	S. Dak.	37	Ala.	45
<u>Del.</u>	548	72.2	S. C.	32	<u>N. Dak.</u>	36	N. C.	46
<u>Nev.</u>	489	80.9	La.	30	<u>Idaho</u>	35	S. C.	47
<u>Vt.</u>	445	32.2	Miss.	24	<u>Vt.</u>	35	Miss.	48
<u>Wyo.</u>	332	60.5						
Alaska	302	48.4						

the only ones with such characteristics in the study.<sup>15</sup> Vermont and North Dakota, on the other hand, are two of the most rural states in the Union--indeed, Vermont has the lowest percent of people living in urban centers of all the fifty states.<sup>16</sup>

While all eight states studied may not reflect a wide diversity with regard to population, they represent a broad cross-section of the country (see Table 3-1). Crittendon's "Integrative Message Exchange Factor" and "Metro-Urbanism Factor," along with Hofferbert's "Cultural Enrichment Factor" were found to be related to legislative capabilities by the Citizens Conference on State Legislatures. The correlation between these three factors and the Citizens Conference's overall ranking of legislative performance was .314, .375 and .424, respectively.<sup>17</sup> Education, income, good housing, extent of telephones and television coverage all loaded high on the integrative message exchange factor; in general, the factor is indicative of high levels of literacy, standards of living and complex communication networks. Hofferbert's cultural enrichment or affluence factor is quite similar to the integrative message exchange with education, property values, and income all loading high. However, the Hofferbert factor weighs income and wealth more than the integrative-exchange factor. On both, the states studied here are not particularly biased along

any one segment of the factors. Thus, diversity in social characteristics are indicated by the rankings across all levels of the factors. Crittendon's metro-urbanism factor measured population, ethnic diversity, and urbanization, as well as other elements that can be found in large metropolitan communities. As noted in the preceding paragraph, the chosen states are less populous and more rural. However, Texas and Florida rank among the top ten on this factor, with Oklahoma and Oregon falling somewhere in the middle of the rankings. These factors were considered important because of their ability to define the fifty states' social and cultural make-up.

#### Institutional Traits of Legislatures

State legislatures are dynamic institutions undergoing rather rapid change, especially within the last fifteen years. Any description, then, is only a momentary one which cannot capture the legislature over the entire span.<sup>18</sup> This description seeks only to offer a brief portrayal of the legislatures in order to facilitate the reader's understanding of the legislative process.

While it is obvious that these eight states are not representative of all fifty with regard to population, they are quite representative with regard to legislative characteristics. The size of the senates are rather normal, with

thirty being the smallest (Oregon, Vermont and Wyoming) and fifty-one (North Dakota) the largest (see Table 3-2). Generally, the senates are small and within the size limit that the Citizens Conference deemed manageable.<sup>19</sup>

Another important element is the time period available to the legislature to conduct its affairs. The complexity of government, reformers contend, requires full time legislators. As with most of the other states in the Union, there has been a trend toward annual legislative sessions by these eight states. In 1967, Oklahoma was the only one which had annual sessions, but three additional states had gone to annual sessions (Florida, Idaho, and Wyoming) by the end of the period of study (1973). The four remaining states have largely circumvented any constitutional restraints on the number and length of sessions by utilizing various procedures. Oregon and Texas usually conduct special sessions, while Vermont subverts the requirements for a single session by not adjourning sine die but rather to a specified day in the following year.<sup>20</sup> Only the North Dakota legislature conducts its business in a single biennial session. The states in this study appear to realize that they can no longer manage effectively and responsively when their legislative branch meets for only sixty days every other year.

Table 3-2. Legislative Characteristics for the Eight States

State	Size <sup>a</sup>		Sessions		Bills <sup>b</sup>		Special Sessions of Legislature	
	House	Senate	1967	1973	Intro-duced	Passed	Call <sup>c</sup>	Subject <sup>d</sup>
Florida	120	40	odd	annual	3925	953	officers	yes
Idaho	70	35	odd	annual	660	365	no	no
North Dakota	102	51	odd	odd	1072	611	no	yes
Oklahoma	101	48	annual	annual	874	356	no	no
Oregon	60	30	odd	odd	1911	781	no	yes
Texas	150	31	odd	odd	2928	1067	no	no
Vermont	150	30	odd	annual <sup>e</sup>	446	136	no	yes
Wyoming	62	30	odd	annual	692	270	no	yes

<sup>a</sup>1973 was used as the base year in the determination of size.

<sup>b</sup>This information was collected for 1971 from the Council of State Governments, The Book of States: 1972-1973 (Lexington, Kentucky, 1972), pp. 74-75.

<sup>c</sup>Normally, only the governor may call a special session but there are states where legislatures can convene a special session. In Florida the session may be convened by a joint call of the presiding officers of both the houses.

<sup>d</sup>This refers to the ability of the legislature to determine subject matter to be discussed in the special session. We have listed yes for Wyoming but there is a constitutional question regarding that which has not been tested.

<sup>e</sup>Vermont divides sessions in order to meet in even years.

For a larger state, the requirements to meet frequently are more crucial. As one might expect, the larger states generally have a greater volume of legislation introduced per session than the smaller states (see Table 3-2). The Texas and Florida legislatures have a phenomenal number of bills to study--usually over 4,000 for Florida and in excess of 2,000 for Texas--while Vermont and Wyoming have a much smaller work load, with bill introductions between 500 and 750. There is evidence that the work load (in terms of bill introductions) for these eight states is generally lighter than the norm for all states.

#### Legislative Performance

While the legislatures may be small and the work load light, this cannot be directly related to their capability. In an exhaustive and detailed study of the fifty states, the Citizens Conference on State Legislatures (CCSL) ranked each of the states according to five categories of performance (FAIIR): (1) functionalism, (2) accountability, (3) information-handling, (4) independence, and (5) representativeness. It then established a composite final rank for each state, which was based on the aggregate of the component rank scores.<sup>21</sup> The CCSL defined a functional legislature in terms of its potential for carrying out

activities basic to the legislative process, including bill drafting and deliberations.

Accountability is conceptualized by the CCSL as having both internal and external dimensions. The former refers to power held within the legislature and the extent to which it is relatively unrestrained. In addition, it takes into account the individual legislator's ability to function effectively within that power structure. External accountability refers to the complexity of the structures and procedures, and the ability of the public to understand the actions of the legislature. However, a system that was comprehensible on paper but not open to the public in actuality would be lacking accountability; therefore, public access is a basic accountability requirement.

A legislature's information-handling capacity is based upon its ability to systematically collect, analyze and apply data. A salient requisite is that information should be gathered independently of interest groups and executive agencies. This allows the legislature to function as a place of review and oversight. The amount of time available to study the information as well as the size and specialization of the legislative staff, are important aspects of a legislature's information-handling capacity.

Legislative independence is characterized by a high degree of autonomy for the legislature, including the ability to determine its own destiny (e.g., the duration and frequency of sessions).

The structure and procedures that allow a member to act effectively, the diversity of membership (demographically), and constituent identification (including single-member districts and one-man/one-vote) are all components of the representative scale.

Where do the eight states treated in this analysis fall with regard to the FAIR criteria taken individually or collectively? An examination of the data in Table 3-3 shows no major clustering of the eight states at any single point; rather, a distribution of the states across all ranks is evident. The Florida legislature is at the most desired end of the rankings, placing fourth overall and first in independence. Only a rather low ranking (30th) in representativeness detracts from its overall positive assessment. Oklahoma and Idaho assemblies stand 14th and 18th respectively in overall ranking, which places them well above the median. Oklahoma's position is the result of its functionalism (9th) and representativeness (8th), which were considerably above the rest of its rankings (the remaining three cluster around the median). The Idaho

Table 3-3. Rank Order by State for the FAIR Criteria

Final Rank	State	Rank-Order Position				
		Funct.	Account	Inform.	Ind.	Rep.
1	California	1	3	2	3	2
2	New York	4	13	1	8	1
3	Illinois	17	4	6	2	13
4	Florida	5	8	4	1	30
5	Wisconsin	7	21	3	4	10
6	Iowa	6	6	5	11	25
7	Hawaii	2	11	20	7	16
8	Michigan	15	22	9	12	3
9	Nebraska	35	1	16	30	18
10	Minnesota	27	7	13	23	12
11	New Mexico	3	16	28	39	4
12	Alaska	8	29	12	6	40
13	Nevada	13	10	19	14	32
14	Oklahoma	9	27	24	22	8
15	Utah	38	5	8	29	24
16	Ohio	18	24	7	40	9
17	South Dakota	23	12	15	16	37
18	Idaho	20	9	29	27	21
19	Washington	12	17	25	19	39
20	Maryland	16	31	10	15	45
21	Pennsylvania	37	23	23	5	36
22	North Dakota	22	18	17	37	31
23	Kansas	31	15	14	32	34
24	Connecticut	39	26	26	25	6
25	West Virginia	10	32	37	24	15
26	Tennessee	30	44	11	9	26
27	Oregon	28	14	35	35	19
28	Colorado	21	25	21	28	27

Table 3-3. (Continued)

Final Rank	State	Rank-Order Position				
		Funct.	Account	Inform.	Ind.	Rep.
29	Massachusetts	32	35	22	21	23
30	Maine	29	34	32	18	22
31	Kentucky	49	2	48	44	7
32	New Jersey	14	42	18	31	35
33	Louisiana	47	39	33	13	14
34	Virginia	25	19	27	26	48
35	Missouri	36	30	40	49	5
36	Rhode Island	33	46	30	41	11
37	Vermont	19	20	34	42	47
38	Texas	45	36	43	45	17
39	New Hampshire	34	33	42	36	43
40	Indiana	44	38	41	43	20
41	Montana	26	28	31	46	49
42	Mississippi	46	43	45	20	28
43	Arizona	11	47	38	17	50
44	South Carolina	50	45	39	10	46
45	Georgia	40	49	36	33	38
46	Arkansas	41	40	46	34	33
47	North Carolina	24	37	44	47	44
48	Delaware	43	48	47	38	29
49	Wyoming	42	41	50	48	42
50	Alabama	48	50	49	50	41

Source: Citizens Conference on State Legislatures. State Legislatures: An Evaluation of Their Effectiveness (New York: Praeger, 1971), p. 40.

Legislature ranks very high on accountability (9th) and much lower on the other four scales.

North Dakota (22nd) and Oregon (27th) have great variations in their scores. The information level and the accountability of the North Dakota legislature are above its overall rank and tend to balance out the rather low levels of independence (37th) and representativeness (31st). The Oregon assembly rates as more accountable and representative than one would expect from its overall ranking, but is lower on independence and information.

Vermont (37th), Texas (38th), and Wyoming (49th) have rankings which cannot make any informed citizen of these states proud. If it were not for the relatively high ranking (17th) on representativeness, Texas would be even lower. Vermont's poor position is in large part due to inadequate compensation, lack of office space and materials, and a lower house which is one of the largest (150 members). In addition, the "town meeting" heritage which is so strong in New England has resulted in a perpetuation of multi-member districts in Vermont, another feature which the Citizens Conference criticized.<sup>22</sup>

The Wyoming legislature ranks uniformly low across all five categories. However, since the study was conducted, a number of major changes have taken place to significantly alter the Wyoming legislative process. The legislature has

gone to annual sessions rather than the previous constitutionally limited forty-day biennial session. Perhaps more important to the development of the Wyoming legislature has been the creation of a legislative research agency.<sup>23</sup>

Prior to the research agency's formation, both chambers of the legislature had only two attorneys to assist in research and bill drafting, which forced it to be dependent upon outside interest groups and state agencies.<sup>24</sup> Students of Wyoming politics have noted a new sense of independence among solons with the formation of a professionally staffed service agency.

In sum, a variety of qualities are represented in the legislatures examined in this study, with four above the national median and four below in terms of overall legislative performance. If these states were closely grouped on the FAIR rankings, we could not easily draw distinctions in their capabilities. However, one can say that those states ranked in the top twenty are better able to carry out their legislative functions than those ranked in the lower twenty. A state's ranking may be important to subsequent analysis, since there is a potential for the governor or his office to exert more influence in the legislative process because of a legislature's weak position.

Legislative Independence and Gubernatorial Power

Legislatures dependent upon the governor's office are in a weak position to evaluate the legislative program of a chief executive. However, Declercq suggests that the governor and the legislature may not necessarily play a zero-sum game in their relationship, since both may have independent sources of powers.<sup>26</sup> It is not necessarily true that the legislature must be deficient if the governor has an above average number of formal prerogatives. Thus, the governor and the legislature may both possess power without endangering the other branch's power.<sup>27</sup> However, a legislature which is knowingly weak (defined here as lack of independence) must be at the mercy of any power source, especially if that power is of direct concern to the legislature. A legislature in such a position reacts to the demands, wishes, and influences of that source of power (the governor) very differently than a legislature with a great deal of independence. Declercq measured "legislative independence" using raw data collected from the 1970 Citizens Conference Study. The scale "is simply the summation of state scores on twelve criteria relevant to independence."<sup>28</sup> Using the scale of legislative independence created by Declercq, one finds that only Florida and Oregon are above the mean scale of 4.8, with scale scores of 6.0

and 5.9 respectively (see Table 3-4). All of the remaining six states fall below the mean, with Vermont having the lowest scale score of all fifty states (1.0). This suggests that Oregon and Florida can compete with the governor's office, while one must expect the governor to play a rather dominant role in the other six states.

Gubernatorial dominance might exist in most states if all governors possessed an equal amount of power and that power was uniformly high. However, just as the states vary among themselves with regard to legislative independence, they also differ in the power possessed by the governor's office. To examine the variation in gubernatorial power, this study will use the most widely known scale created by Joseph Schlesinger.<sup>29</sup> Schlesinger created an ordinal ranking of the formal powers of the governor's office in the fifty states in a combined index. He saw four formal powers--appointive power, tenure potential, budgeting responsibility, and veto capabilities--as being essential to a governor and, thus, created scales for each of these. The values were summed to derive a combined index (see Table 3-5).

Perhaps the two most important indicies of the four, at least with respect to the governor as "chief legislator," are the power to formulate the budget and the power to veto legislation, since they both directly relate to the

Table 3-4. Declercq's Measure of Legislative Independence

State	Legislative Independence
Alabama	4.0
Alaska	3.5
Arizona	7.5
Arkansas	4.6
California	7.0
Colorado	5.0
Connecticut	6.0
Delaware	4.0
Florida	6.0
Georgia	3.0
Hawaii	5.0
Idaho	2.0
Illinois	7.0
Indiana	5.5
Iowa	6.4
Kansas	5.8
Kentucky	5.0
Louisiana	4.5
Maine	6.0
Maryland	8.5
Massachusetts	4.5
Michigan	6.5
Minnesota	4.8
Mississippi	4.9
Missouri	5.0
Montana	1.0
Nebraska	2.9
Nevada	4.0

Table 3-4. (Continued)

State	Legislative Independence
New Hampshire	5.0
New Jersey	6.5
New Mexico	6.5
New York	6.0
North Carolina	6.9
North Dakota	2.9
Ohio	5.9
Oklahoma	3.0
Oregon	5.9
Pennsylvania	8.0
Rhode Island	2.0
South Carolina	7.0
South Dakota	3.4
Tennessee	2.5
Texas	4.6
Utah	4.0
Vermont	1.0
Virginia	4.0
Washington	5.5
West Virginia	2.0
Wisconsin	6.5
Wyoming	2.0

Source: Eugene R. Declercq, Gubernatorial Power and Legislative Independence in the Fifty States, a paper presented at the 1975 Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, 1975.

Table 3-5. Combined Index of the Formal Powers of the Governors

State	Schlesinger's Score	Declercq's Score
Alabama	15	17
Alaska	17	18
Arizona	13	16
Arkansas	13	12
California	19	19
Colorado	15	15
Connecticut	16	18
Delaware	15	15
Florida	9	12
Georgia	14	14
Hawaii	20	20
Idaho	17	16
Illinois	20	20
Indiana	10	12
Iowa	12	15
Kansas	13	13
Kentucky	16	16
Louisiana	15	15
Maine	13	14
Maryland	19	19
Massachusetts	18	18
Michigan	19	19
Minnesota	19	18
Mississippi	10	11
Missouri	17	18
Montana	16	15
Nebraska	16	15
Nevada	14	14

Table 3-5. (Continued)

State	Schlesinger's Score	Declercq's Score
New Hampshire	11	12
New Jersey	19	19
New Mexico	10	10
New York	20	20
North Carolina	10	10
North Dakota	16	16
Ohio	18	18
Oklahoma	15	15
Oregon	14	16
Pennsylvania	19	19
Rhode Island	11	12
South Carolina	8	8
South Dakota	13	14
Tennessee	17	13
Texas	7	12
Utah	18	19
Vermont	13	14
Virginia	16	13
Washington	18	18
West Virginia	8	14
Wisconsin	15	14
Wyoming	17	18

Source: Joseph A. Schlesinger, "The Politics of the Executive," in Politics in the American States, 2nd ed., by Herbert Jacob and Kenneth N. Vines (Boston: Little, Brown and Co., 1971), p. 232; Eugene R. Declercq, Gubernatorial Power and Legislative Independence in the Fifty States, a paper presented at the 1975 Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, 1975.

governor's attempt to get his program passed or legislation defeated which he opposes. The budget is almost always an expression of the governor's policy toward programs--old and new. The governors in the eight states have been in a relatively strong position concerning budget preparation, with only the Texas governor having to share his responsibility with the legislature. Less uniformity is exhibited in the veto power of governors in the eight states. The governor in Vermont has no item veto and only a two-thirds majority of the legislators present is required to override. Florida, Idaho, Oregon and Texas all give the governor the item veto, but only a two-thirds majority of the legislators present is necessary for an override. In North Dakota the governor is in a stronger position, since two-thirds of the elected legislators are necessary to pass legislation over the governor's veto. The Oklahoma governor has powers similar to those in North Dakota, including an item veto and the two-thirds elected requirement. However, there is one occasion when an additional burden is placed upon the Oklahoma legislature. If legislation has the emergency clause attached to it, the necessary number to overcome the veto is three-fourths. Since Schlesinger's scale was originally created in 1968, there have been several updates of the index. One of the revisions, carried out by Declercq, found that 27 states changed in their

overall scores to some degree since 1968, yet a rank order correlation between his index and Schlesinger's resulted in a Spearman's coefficient of .89.<sup>30</sup> Using Declercq revised computations, we find that Idaho, North Dakota, Oregon and Wyoming rank high (above the mid-point) on gubernatorial power, while Oklahoma, Texas, Vermont and Florida rank low.

The integration of gubernatorial powers and legislative independence results in an interesting structure, as can be seen in Table 3-6. It was Declercq's reasoning that where one branch has a great deal of power and the other very little, the former will play the dominant role in their relationship. Thus, cell 2 has the governor dominant, while those states in cell 3 have a system where the legislature is expected to be in control. Cells 1 and 4 present an entirely different situation, since it is unclear which branch of government is the more powerful. In cell 1 neither of the institutions are highly developed (both have low power index scores), while in cell 4 both branches have a great deal of potential for power; thus, we are left with uncertainty regarding which institution will be the most influential. Unfortunately, the eight states chosen by other criteria in the quasi experimental design are dispersed among all four cells (see Table 3-6). In a later chapter (V) the study will examine the relationship of the two branches as depicted in Table 3-6.

Table 3-6. Integration of Gubernatorial and Legislative Powers

		Governor's Power	
		Low	High
Legislative Independence	<u>Low</u>	1 Oklahoma Texas Vermont	2 Idaho North Dakota Wyoming
	<u>High</u>	3 Florida	4 Oregon

Governors' Political Background

Formal powers are not the only influence mechanisms available to governors, nor are they employed uniformly by all governors. Equally important are the informal tools of the governor discussed in Chapter I. In addition, the governor's personality and background play an integral role in his relationship with the legislature. Therefore, a few brief comments are in order regarding the background of the individuals who held the office of governor during the period under study. Table 3-7 lists all of the governors who presided over the eight states during the time period, with those utilized in the study designated by an asterisk. In all, 22 individuals held the office, with Florida having the most governors (4), and North Dakota, Oregon and Wyoming the least (2).

Service in the legislature can be very advantageous to a governor, since one should gain a better understanding of the legislative process. In addition, building friendships within the legislature can be important for a former legislator who goes on to become governor, since he may be able to use these personal associations to assist in the passage of a legislative program. While friendships may prove valuable, they may also be detrimental if a governor shows too much deference to the branch with which he was formerly

Table 3-7. Governors of States 1963-1973

State	Governor	Party	Years
Florida	Farris Bryant	D	1/61-1/65
	Haydon Burns	D	1/65-1/67
	*Claude R. Kirk, Jr. <sup>a</sup>	R	1/67-1/71
	*Reubin O'D Askew	D	1/71-
Idaho	Robert E. Smylie	R	1/55-1/67
	*Donald W. Samuelson	R	1/67-1/71
	*Cecil D. Andrus	D	1/71-
North Dakota	*William L. Guy	D	1/61-1/73
	*Arthur A. Link	D	1/73-
Oklahoma	Henry L. Bellmon	R	1/63-1/67
	*Dewey F. Bartlett	R	1/67-1/71
	*David Hall	D	1/71-1/75
Oregon	Mark O. Hatfield	R	1/59-1/67
	*Tom McCall	R	1/67-1/75
Texas	John B. Connally	D	1/63-1/69
	*Preston Smith	D	1/69-1/73
	*Dolph Briscoe	D	1/73-
Vermont	Philip H. Hoff	D	1/63-1/69
	*Deane C. Davis	R	1/69-1/73
	*Thomas P. Salmon	D	1/73-
Wyoming	Clifford P. Hansen	R	1/63-1/67
	*Stanley K. Hathaway	R	1/67-1/75

<sup>a</sup>ASTERISK indicates that governor was used in the research.

affiliated. Of the fourteen governors used in the study, nine served previously in the legislature; only five did not (Davis of Vermont, Hathaway of Wyoming, Kirk of Florida, McCall of Oregon, and Hall of Oklahoma). Five of the nine governors who served in their respective legislatures had relatively little legislative experience.

Dewey Bartlett, a state senator from Tulsa County with oil and ranching interests, became the second Republican governor in Oklahoma history, running on a "no new tax" platform. His legislative experience, though short, was important when he became governor because of his ties to leaders in both houses. Governors Briscoe (Texas) and Guy (North Dakota) also had little legislative experience prior to their election as governors. Briscoe served briefly in the Texas legislature in the 1950's before returning to his ranching and banking interests in West Texas. In 1968, he unsuccessfully tried for the gubernatorial office and was defeated in the primary. Then, in 1972, with scandals surrounding many of the power holders in Texas politics, including Governor Smith (the Sharpstown Scandal), he won a narrow victory.<sup>31</sup>

William Guy, at 41 and with only two years of legislative experience, won North Dakota's 1960 gubernatorial race, defeating a much older candidate, C. P. Dahl, who had been the lieutenant governor for a number of years. Much

of the groundwork for his victory was laid in the U.S. Senatorial race won by Quentin Burdick in June. The victory in June and then in November was the culmination of a new coalition between the Democratic party and the Non-Partisan League (NPL). Guy's twelve years was the longest period any individual held the office of governor in North Dakota history.<sup>32</sup> Both Cecil Andrus and Don Samuelson served in the Idaho Senate and twice ran against each other for governor. In 1966, Don Samuelson, taking advantage of several political circumstances, beat the formidable Republican incumbent (Governor Robert Smylie) in the primary.<sup>33</sup> Andrus was a late entry in the governor's race when the Democratic party's original candidate died in a plane crash.<sup>34</sup> His late entry, plus previous support for a recently passed sales tax, was a severe handicap against Samuelson (who had voted against the tax). However, in 1970, Andrus faced Samuelson in a rematch and narrowly defeated him. The election in 1970 was characterized as an election of life style, with Andrus being an environmentalist.<sup>35</sup>

In contrast to the preceding governors, Askew (Florida), Solomon (Vermont), Link (North Dakota), and Smith (Texas) had significant service in the legislature. Governor Preston Smith of Texas, besides serving as a legislator for a number of years, also served as lieutenant

governor. In Texas, the Lieutenant Governor plays a vital role in the Senate and is not merely the titular leader. Thus, Smith's six years of service in that position appear to have been significant for his subsequent position as governor.<sup>36</sup> The other three governors served at various times as leaders of their parties in the legislature. Solomon was minority party leader in the Vermont house, while Link was house speaker the only time the Democrats controlled either chamber of the North Dakota assembly since 1963, and served in Congress prior to his election as Governor.<sup>37</sup> Governor Askew served in the legislature from 1958 until his election in 1970, and had won several awards for his work in the state senate. In addition, he previously served as president pro tempore of the Florida Senate during his tenure in that body.

Five governors had no service in the legislature. However four of the five had prior political experience of some kind. Probably the most experienced was Deane Davis of Vermont, who had served as a judge and long time Republican party worker (e.g., national committeeman). Davis, in his late sixties when he became governor, was a wealthy retired insurance executive. He sought to bring his business management skills to the executive office of state government. In contrast to Davis's experience, Claude Kirk of Florida was a political novice who capital-

ized on increased crime in Florida. While David Hall had not served in the legislature, he held public office in Tulsa County (district attorney), and had run unsuccessfully for governor in 1966. Stanley Hathaway, a University of Wyoming-educated lawyer, had never run for a major office before beating his Democrat opponent easily in 1966, winning all but three of the state's counties. His victory overcame a general constraint to discuss issues placed upon the campaign as the result of the sitting governor's decision--a Republican cohort--to run for the U.S. Senate. Any negative comments by Hathaway (especially about the very poor economic situation within the state) would be politically dangerous both for him and the governor, Clifford Hansen.

Prior to being elected as Oregon's Secretary of State in 1964, Tom McCall had been a political analyst for a television station in Portland, a position which served him well as governor. Although Republican McCall served a rather undistinguished term as secretary of state, he had considerable popularity with the people of Oregon. Oregonians perceived him and his opponent, Robert Straub (the state treasurer), as being quite similar--honest, dedicated, and competent public servants. This situation dictated McCall's major campaign strategy of avoiding direct conflict with Straub, since it could only lose him votes.<sup>38</sup>

In 1970, McCall won reelection, handily defeating Straub again in an issueless campaign. In sum, all of the governors studied except Kirk had some political experience which they could draw upon in their use of the formal and informal powers of the chief executive's office vis a vis the legislature.

### Issue Configurations

The actors in the executive-legislative process do not perform in a vacuum, but rather in an atmosphere where demands, supports, and expectations of what government should or should not do are continually being transmitted to them. These inputs are defined by the issues relevant to the times.

In surveying the issues that concerned the state legislatures over the two waves of analysis, two interesting patterns emerged. First, there was a great deal of similarity in the general "issue areas" across all the states; and, secondly, there were a number of issues which showed an unusual amount of consistency across the two time periods. One problem area confronting most legislatures during the late 1960's was highway legislation.<sup>39</sup> In the 1970's, environmental issues became a topic of concern in most of the states. Oregon, and later Vermont, passed legislation banning "non-returnables," while Wyoming

created an Environmental Quality Department, as did other states.<sup>40</sup> Another popular subject in the 1970's was land-use planning--a subject under study in Oregon, Vermont, and Idaho. A fourth subject of concern for all the states at some time period was reform of the criminal justice system. Depending upon the state, the reform focused on one or all of the following subjects: penal institutions, enlarging and modernizing the court structure, and rewriting the criminal code. Oklahoma's 1967 session, for example, was immersed in judicial reform activities amidst one of the worst scandals in the state's history, with several supreme court justices being implicated in illegal activities.<sup>41</sup>

Meanwhile, there were three subject areas which transcended time and states--government reorganization, education, and taxation. Reorganization usually centered around modernizing the executive branch, including the reduction or consolidation of agencies. In addition, included under the rubric of reorganization are demands for improvements of the legislative branch (including annual sessions, size reductions, and better staffing) and constitutional revisions. Education, next to taxes, was probably the area most studied by legislatures. The public's expectation of a quality educational program for anyone who desires to go to school (and is qualified) has

placed continuing demands upon legislators. Proposals, ranging from instituting kindergartens, establishing four year colleges, and increasing emphasis on vocational training, were seen throughout the eight states. In addition, increased salaries and collective bargaining for teachers were also topics of legislative concern. Lastly, the states were being strongly urged by local governmental officials to accept a larger burden for financing the entire educational program. Spiraling increases in property taxes and court decisions surrounding their use as a means of financing primary and secondary educational systems inflamed the property tax controversy.

The problem of the property tax has been a source of contention for many states, forcing legislatures to spend vast amounts of time searching for new sources of revenue. Legislatures have devoted considerable energy to find ways for financing government without imposing new taxes or increasing existing ones. Some governors have had to promise that no new taxes would be imposed as part of their program. They considered themselves successful if the legislature did not pass a bill increasing tax burdens. Moreover, some governors and legislatures have sought to give tax relief (especially to the elderly).

During the period of analysis a new oil and gas tax was established in Oklahoma, accompanied by revisions in

already existing income tax structures in Oklahoma and Oregon. A corporate tax was created in Florida and approved by the people. Sales taxes were written into law in Idaho, Vermont and Oregon, although in Oregon it was later rejected by the people. While these were being implemented, relief from taxes came in many forms, including assistance on personal property taxes (North Dakota--later defeated by the people), the removal of the inventory tax (Vermont and Idaho), increased property tax credits (Vermont, North Dakota, and Wyoming), and the exemption of certain items from sales taxes. Anyone studying state legislatures over time must conclude that legislators were indeed like Don Quixote, tilting with windmills in their attempt to solve the financial and educational problems of their states.

#### Summary

We have taken a brief glimpse at the political setting within which the legislative and executive actors must participate. The eight states under study fall into two cultures (with one exception)--moralistic and traditionalistic. Although these states are not skewed on several indicies, they tend to represent social structures more rural than average. At the same time, the relative ranking of the states on the Citizen's Conference schedule of

capability occurs across all levels. The governor's formal and informal powers, as well as the legislature's potential powers were examined, and a variety of possible power relationships were uncovered. Since formal powers are not assumed to be the only factor in the executive's relationship with the legislature, the background of each of the governors was briefly examined. Most of the governors had experience in the legislature (only five did not and only one had never run for any public office). A final component of the political setting drew attention to the issues faced by both the legislature and the governor. While there were several temporary local concerns in each state, three main subjects displayed continuity: governmental reorganization, education, and taxes.

Attention now turns to an analysis of executive-legislative relations, first examining the voting behavior of legislatures and the governor's influence.

Footnotes

1. Herbert Jacob and Kenneth N. Vines, "The Study of State Politics," in Politics in the American States, 2nd edition, ed. by Jacob and Vines, pp. 3-23; Hugh L. LeBlanc and D. Trudeau Allensworth, The Politics of States and Urban Communities, Chapter One; Daniel J. Elazar, American Federalism: A View from the States, 2nd ed. (New York: Thomas Y. Crowell, 1972).
2. Elazar, American Federalism, Chapter Four; LeBlanc and Allensworth, The Politics of States and Urban Communities, pp. 10-11.
3. For a more thorough discussion on the role of culture see Elazar, American Federalism; Dan Nimmo and William Oden, The Texas Political System (Englewood Cliffs, N.J.: Prentice Hall, 1971); Samuel C. Patterson, "The Political Cultures of the American States," Journal of Politics, 30 (1968), 187-209.
4. Nimmo and Oden, The Texas Political System, p. 9.
5. Elazar, American Federalism, Chapter Four.
6. It would be misleading to determine which of the categories is the most dominant culture across the states. While there may be more states classified in one category than in another, it may be that those states constitute a smaller portion of the population of the United States than some other category with a fewer number of states.
7. Ibid., pp. 117-118.
8. For a discussion of Vermont's political history see Frank M. Bryan, Yankee Politics in Rural Vermont (Hanover, N.H.: University Press of New England, 1974).
9. Lloyd B. Omdahl, Insurgents (Brainerd, Minnesota: Lakeland Color Press, 1961).
10. John M. Swarthout and Kenneth R. Gervais, "Oregon: Political Experimental Station," in Politics in the American West, ed. by Frank H. Jones (Salt Lake City: University of Utah Press, 1969), pp. 297-325; Lester G. Seligman, Michael R. King, Chong Linn Kim and Roland E. Smith, Patterns of Recruitment: A State Chooses Its Lawmakers (Chicago: Rand McNally, 1974).

11. John B. Richards, Government and Politics of Wyoming, 3rd ed. (Dubuque, Iowa: Kendall/Hunt Publishing, 1974); Ralph M. Wade, "Wyoming: The Frontier State," in Politics in the American West, pp. 417-441.
12. Parsons, "Quasi-Partisan Conflict in a One-Party Legislative System: The Florida Senate, 1947-1961," 605-614; Elston E. Roady and Manning J. Dauer, "The Florida Legislature," in Southeastern State Legislatures in Politics, ed. by William G. Cornelius (Atlanta: Emory University, 1967), pp. 22-46; Robert Sherril, "Florida's Legislatures: The Pork Chop State of Mind," Harpers Magazine, 231 (1965), 82-97; Havard and Beth, The Politics of Misrepresentation, Rural-Urban Conflict in the Florida Legislature; Richard H. Kraemer, Ernest Crain, and William E. Maxwell, Understanding Texas Politics (St. Paul: West Publishing, 1975); James Anderson, Richard Murray, and Edward Farley, Texas Politics, 2nd ed. (New York: Harper and Row, 1975); Clifton McCleskey, E. Larry Dickens and Allan K. Butcher, The Government and Politics of Texas, 5th ed. (Boston: Little, Brown and Co., 1975); Wayne F. Young, Oklahoma Politics: With Special Reference to the Election of Oklahoma's First Republican Governor (unpublished Ph.D. dissertation, University of Oklahoma, 1964); Bureau of Government Research, Oklahoma Voting Patterns: Presidential, Gubernatorial and Senatorial Elections (Norman, Oklahoma, 1970); John W. Wood, "The Oklahoma Legislature," Power in American State Legislatures, ed. by Alex Lacy (New Orleans, La.: Tulane University, 1967), pp. 131-171.
13. Ibid.
14. Harlan Hahn, Urban-Rural Conflict: The Politics of Change, (Beverly Hills, Calif.: Sage Pulication, 1971).
15. U.S. Department of Commerce, Bureau of the Census, 1970 U.S. Census of Population, Vol. 1 (Washington, D.C.: U.S. Government Printing Office, 1971).
16. Ibid.
17. John Crittenden, "Dimensions of Modernization in the American States," American Political Science Review, 61 (1967), 989-1001; Richard Hofferbert, "Socioeconomic Dimensions of the American States 1890-1960," Midwest Journal of Political Science, 12 (1968), 401-418; for the correlation see Citizens Conference on State Legislatures, State Legislatures: An Evaluation of Their Effectiveness (New York: Praeger, 1971), p. 70.

18. Probably the most important reason for change has been reapportionment. The Citizens Conference and other civic organizations have also contributed to the changing scene in American State legislatures. See Alan Rosenthal, "Contemporary Research on State Legislatures: From Individual Cases to the Comparative Analysis," a paper prepared for APSA Conference on Political Science and State and Local Government, Biloxi, Miss., October: 26-29, 1972.

19. See recommendations for size of the legislatures in Citizens Conference on State Legislatures, State Legislatures; usually 100 members or fewer in the House and a combined total of no more than 150 in both houses is viewed as the maximum size. These criteria are not met as well by the lower houses, since four of the eight are beyond the size recommended by the Citizens Conference, with Texas and Vermont having over 150 house members each.

20. Ibid., p. 337.

21. Ibid., see Chapters 2 and 4.

22. Ibid., pp. 337-343; Bryan, Yankee Politics in Rural Vermont.

23. The Council of State Governments The Book of the States: 1972-1973 (Lexington, Kentucky, 1972), pp. 86-87.

24. Citizens Conference, State Legislatures, p. 365.

25. Interviews with a former Administrative Assistant to Governor Hathaway, Cheyenne, Wyoming, June 27, 1975; Joan Wheelan, Capitol Bureau Chief, Casper Star Tribune, Cheyenne, Wyoming, June 27, 1975; J. Myers of the Legislative Service Agency, Cheyenne, Wyoming, June 27, 1975.

26. Eugene R. Declercq, "Gubernatorial Power and Legislative Independence in the Fifty States," a paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, 1975.

27. Ibid., pp. 5-6 and p. 11. See also Sarah McCally Morehouse, "The Impact of the Governor's Party Leadership on Public Policy," a paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago, Illinois, 1975.

28. Ibid., p. 8.

29. For a discussion of the index, see Chapter I; while the actual index can be found in Schlesinger, "The Politics of the Executive," in Politics in the American States, pp. 210-237.

30. Declercq, "Gubernatorial Power and Legislative Independence in the States," p. 5.

31. Anderson, Murray and Farley, Texas Politics, pp. 97-100; Kraemer, Crain, and Maxwell, Understanding Texas Politics, pp. 30-31.

32. Samuel R. Solomon, The Governor of the States: 1900-1974 (Lexington, Kentucky: Council of State Governments, 1974), pp. 66-67, see also Omdahl, Insurgents. Not only did Governor Guy serve longer than any other North Dakota Governor but along with John A. Burns of Hawaii, Robert Smylie of Idaho, G. Mennen Williams of Michigan, and Nelson Rockefeller in New York, he served longer than any other governors.

33. Smylie had led forces against Goldwater's campaign in 1964, as well as running for a fourth term. Both of these factors contributed to his demise. The people of Idaho also felt that Smylie was too national in his views. In addition, Smylie had been one of the main supporters of the sales tax. See The Idaho Daily Statesman (Boise, Idaho, January 1, 1967), p. 80C; Herbert S. Duncombe and Boyd A. Martin, "The 1966 Election in Idaho," Western Political Quarterly, 20 (1967), 568-575.

34. Duncombe and Martin, "The 1966 Election in Idaho."

35. Herbert S. Duncombe and Boyd A. Martin, "The 1970 Election in Idaho," Western Political Quarterly, 24 (1971).

36. Kraemer, Crain, and Maxwell, Understanding Texas Politics, pp. 229-231.

37. Arthur Link was also one of the NPL members who had switched over from the Republican party to the Democratic party. Because he commanded great respect within the state, his switch aided the move by the NPL; see Omdahl, Insurgents.

38. Donald G. Balmer, "The 1966 Election in Oregon," Western Political Quarterly, 20 (1967), 593-601.

39. Most states had to comply with the National Highway Safety Act of 1966 which required at least the following: periodic inspection of motor vehicles, placing administration of the act in the Governor's hands, "implied consent" legislation for testing for intoxication of drivers and more uniform citation systems.

40. Florida has a Department of Pollution Control, Oregon a Department of Environmental Quality, and Vermont an Agency of Environmental Consolidation. For a review of developments in environmental legislation see The Book of the States: 1974-1975 (Lexington, Kentucky: Council of State Governments, 1974), pp. 457-465.

41. The decade of the 1960's saw the judiciary become the center of a controversy which culminated in the impeachment of one justice and the sudden resignation of two other justices of the Oklahoma Supreme Court.

## CHAPTER IV

### GUBERNATORIAL INFLUENCE ON ROLL CALL VOTING

The preceding chapters have provided the background and outlined the methodology to be used in the analysis of executive-legislative relations. This chapter focuses on patterns of voting among legislators and the effect of the governor upon those patterns. Does the governor make a difference in the way legislators vote, and if so, what patterns in voting emerge because of it? Similarity in voting for the two political parties across all the sessions will first be examined, using the Index of Party Likeness. Votes on the basis of gubernatorial interest will then be identified and analyzed to further determine if partisan voting is the result of influence from the chief executive. Finally, the analysis will turn toward the influence of the governor on each legislative party by analyzing the cohesion within each party.

Several preliminary comments regarding the analysis and adjustments in the design are necessary at the outset. Texas has not been used in the roll call analysis as previously designed; furthermore, the analysis of the designated legislative sessions is supplemented with "special sessions" for several states. Texas has been excluded because of the size of the minority party and difficulties in

the data collection. The Republican party's representation in the Texas Senate has been so small (three senators in 1969 and three in 1973) that calculation of the Index of Party Likeness and the Index of Party Cohesion is unreliable.<sup>1</sup> In addition, while a brief phone interview was conducted with former Governor Preston Smith, we were unable to identify in concrete terms the contents of his program. The conversations with individuals working in and around Texas state government in Austin were somewhat helpful, but not definitive enough about Smith's program. Newspaper accounts can be confusing since many of the major programs, including the financing of education, came from mixed origins. As is often the case in working with this type of data, it is hard to delineate who really introduced what and for whom. In addition, the extent to which the governor actually pushes for part of his program is difficult to determine. Are endorsements from a governor given the same weight as proposals? In Wyoming, for example, there is a definite distinction according to former Governor Hathaway.<sup>2</sup>

The second wave of analysis in Texas was no easier to accomplish and, therefore, was also excluded. The legislative assistant for Governor Briscoe noted in a personal interview, for example, that the governor's office does not really draw up any legislation. They have been "reactors"

rather than "initiators." He further noted that once all the bills have been introduced in the legislature and studied, "I will know which bill we agree with and if we don't agree with it, we will draw up some committee substitutes."<sup>3</sup>

Members of the press corps in Austin substantiated this process, noting that it was almost impossible to determine what comprised the governor's program.<sup>4</sup> The main goal of the governor was to forestall any legislation increasing the tax burden of the people of Texas. It should also be noted that the governor of Texas has very weak constitutional powers and that the real power may well rest with the Speaker of the House and the President of the Senate.<sup>5</sup>

The use of "special sessions" is, indeed, important to study because special sessions have been cited as a tool used by governors to influence legislatures. "The governor in calling a special session centers the attention of the state on the problem or problems for which the session is called and thus places the legislature in the position of either acting on these proposals in the manner in which the governor suggests or taking the political consequences..."<sup>6</sup> Most of the states during the period of study did not have a special session, or the sessions were of such limited scope and duration as to make them inappropriate for use.

The analysis of special sessions will be confined to four sessions in two states: Oregon (1967 and 1974), and Florida (1967 and 1971).

### Party Similarity

The Index of Party Likeness is used as a measure of the extent to which parties play a role in the determination of how legislators vote. A low value (below 60) for this index indicates little similarity in voting between the parties.<sup>7</sup> Conversely, high scores indicate a degree of uniformity in voting between members of the two parties which would not be present if the parties were a voting cue. The conventional wisdom that party is not a source for voting cleavages in one-party states is seemingly supported by the data, as shown in Table 4-1. Only two out of the fourteen sessions used in the study give any indication that party voting was present. These two sessions were the Vermont 1969 session and the Florida 1967 sessions, which had mean party likeness values of 55.2 and 52.6 respectively. The low party likeness values were not unexpected and in fact were previously hypothesized. It was suggested that party voting would be more prevalent when the governor's party identification was an aberration in the respective states, and this is exactly what occurred. Both the Vermont 1969 session and the Florida 1967 session found the

Table 4-1. Mean Index of Party Likeness for State Senates

Session	Index of Party Likeness	Party in Control of	
		Legislature	Governor
Florida 1967	52.6	D	R
Florida 1971	75.5	D	D
Idaho 1967	72.8	R	R
Idaho 1973	73.6	R	D
North Dakota 1965	67.4	R	D
North Dakota 1973	73.0	R	D
Oklahoma 1967	74.3	D	R
Oklahoma 1971	62.3	D	D
Oregon 1967	76.2	D	R
Oregon 1973	72.3	D	R
Vermont 1969	55.2	R	R
Vermont 1973	74.9	R	D
Wyoming 1967	75.2	R	R
Wyoming 1973	72.0	R	R

governor from the party normally not in control of the executive office.

However, the other two aberrations in executive dominance, Idaho 1973, and Oklahoma 1971, do not support this hypothesis. Neither state has a party likeness score indicative of party voting. While the Oklahoma 1971 session does not have a score below 60, it does have a score of 62.3, which is significant when compared to the 1967 session which resulted in a score of 74.3. The difference between the two lends support to the expectations of increased partisanship when the executive office is controlled by a governor of the party not normally in office. The two Idaho sessions do not support our theory, but, as will be discussed in greater detail later, party plays only a minor role altogether in Idaho politics.<sup>8</sup>

Analysis of the three other states offers mixed results concerning the expectation of partisanship. With the legislature and the governor being in the hands of the same party throughout the study, it was expected that Wyoming would have little party voting and high levels of party likeness across the two waves of analysis. As can be seen in Table 4-1, this is exactly what occurred with both sessions (1967 and 1973)--over 70.0 and a difference of only 3.2 existing between the two. Both North Dakota and Oregon were expected to display similar voting patterns since, in

both, one party dominated the legislature and the other party was in control of the governorship throughout the time period. Low levels of partisanship were expected and any change would have been a movement toward less partisanship. Both states have party likeness scores above the cut-off level that was established (60.0). It appears that North Dakota further supports the hypothesis with a decrease in partisanship in the second time period, moving from a score of 67.4 to 73. However, Oregon does not substantiate our expectation of decreased partisanship--some increase in party voting actually occurred. The increase in partisanship is understandable and will be examined in greater detail in a later analysis of Oregon. In summary, most of our expectations concerning the importance of party were supported. Using Table 4-1, one concludes that legislative voting was more similar than dissimilar with regard to partisan ties.

It should be remembered, however, that in similar circumstances previous research has revealed that an apparent highly nonpartisan legislature was found to have some deep partisan cleavages within it. When the presence of the governor's influence became evident on voting concerning legislation closely related to the governor's program or on bills the governor vetoed, lower party likeness scores were displayed.

With this in mind, the data were further analyzed by establishing a gubernatorial interest dichotomy: (1) votes of direct interest to the governor, and (2) all other votes on legislation. Upon inspection of the findings presented in Table 4-2, a somewhat different picture appears than the one first presented.

It is no longer valid to uniformly dismiss party as a determinant in legislative voting. Focusing on those votes in which the governor had an interest, it was found that partisan voting was present in five of the fourteen sessions. While this is not overwhelming--and one could not say it is definite proof--it is, however, enough of a change for us to take notice. What is needed is to further study this possible trend to determine whether an increase in partisanship is actually occurring and why. In support of the proposition that increased partisanship develops around the governor are the party likeness scores for the other half of the gubernatorial interest dichotomy. Greater party similarity in voting can be seen in the non-gubernatorial interest votes, with the parties being more similar in all but two of the fourteen sessions on non-interest votes than on votes of interest to the governor. Only in Idaho in 1967 and Vermont in 1973 do the parties vote more alike on issues concerning the governor than on those of little or no interest to the governor. While it is also true that only

Table 4-2. Mean Index of Party Likeness for State Senates  
When Votes are Dichotomized by Gubernatorial  
Support

		<u>Florida</u>	
Governor <sup>a</sup>	1967	1971	
	19.3 (95) <sup>b</sup>	67.0 (40)	
Other	64.1 (276)	77.0 (203)	
		<u>Idaho</u>	
Governor	1967	1973	
	80.5 (54)	63.0 (15)	
Other	79.3 (164)	74.6 (170)	
		<u>North Dakota</u>	
Governor	1965	1973	
	55.8 (22)	35.1 (16)	
Other	68.8 (188)	76.5 (177)	
		<u>Oklahoma</u>	
Governor	1967	1971	
	64.5 (31)	40.0 (87)	
Other	75.1 (378)	67.2 (430)	
		<u>Oregon</u>	
Governor	1967	1973	
	73.3 (19)	66.8 (61)	
Other	76.5 (328)	72.8 (525)	
		<u>Vermont</u>	
Governor	1969	1973	
	30.3 (40)	77.1 (10)	
Other	66.9 (85)	74.5 (50)	
		<u>Wyoming</u>	
Governor	1967	1973	
	65.6 (25)	66.0 (20)	
Other	77.0 (132)	73.0 (136)	

<sup>a</sup>All bills that were part of the governor's program or that he vetoed were labeled "Governor." This includes votes on a bill prior to the veto. All other votes were labeled "other."

<sup>b</sup>The number in parentheses denotes the number of votes used in the analysis.

five sessions have party likeness scores for gubernatorial interest below the established cut-off point, we do see some rather large differences for other sessions. In four more sessions the difference in mean party likeness scores for the two sets of votes is at least ten points. This amount of change further supports the notion that a governor's involvement created a more partisan atmosphere. Another indication supporting the importance of the governor is the fact that no single "unrelated" session had a mean party likeness score that would be indicative of partisan voting (indeed only four of the fourteen mean scores were below 70.0).

#### Partisan Fluctuation in the Governorship

A more detailed analysis of the data may help further to delineate the governor's influence upon legislators' voting. We first turn to the states where control of the governor's office changed hands.

#### Vermont and Oklahoma

The first two states for analysis are Vermont and Oklahoma. In both states the party usually possessing the governor's office during the time period is the minority party in the legislature. The deviation in control of the executive office finds the two branches of government incongruent.

Vermont in 1969 had one of the two legislative sessions with a significant degree of partisanship (see Table 4-2). When we look at the governor's program alone, the degree of partisan conflict becomes even more pronounced with a mean of 30.3 (the second lowest score in all the states). Vermont's partisanship is the result of having a Republican Governor after a long period of executive control by the Democrats. The dominant Republican party supported its governor in a fairly uniform manner with a mean index of cohesion of 62.6. This score becomes even more significant when one considers that the major policy position of the governor was the imposition of a sales tax. The partisan division within the state is made more pronounced by the almost total rejection of the governor's program by the Democrats as seen by their cohesion score of 91.6.

In almost direct contrast to Vermont's 1969 legislative session is its 1973 session. It is one of the two sessions in the study where bills concerning the governor have a higher mean likeness score than the votes on other legislative matters. As can be seen in Table 4-1, this session had one of the higher party likeness scores. The similarity in issues may be the result of the new governor--a former state legislator making a concerted effort to "get along" with the Republican controlled legislature. As

Governor Salmon noted:

Well, I am a member of the alumni association having served four terms in the House of Representatives in Vermont. . . . And so my relationship with the legislature is predicated on some 'day labor in the vineyards.' There is a very vibrant and direct relationship between this governor and the legislature. . . . Accordingly I both relish and rather enjoy a vibrant and continuing relationship with the legislative branch. The fact of the political imbalance of Vermont--a traditional Republican state. . . has not been a troublesome factor to me. . .<sup>10</sup>

Furthermore, cooperation was induced by the major substantive components of the governor's program: property tax relief.

Oklahoma, like Vermont, is another state where greater partisan conflict developed when the governor was a member of the dominant legislative party. Conflict existed in Oklahoma in 1967, with a Republican governor and a Democratic senate, but not to the degree that it would be classified as highly partisan. On the other hand, the session which was congruent with regard to partisan attachment between the legislature and the chief executive had a lower party likeness score than in 1967. This is further borne out in Table 4-2, where we see a high degree of conflict over the governor's program. The low party likeness scores were the result of solidarity in voting among the Republicans (mean cohesion score of 81.5 on the governor's program) and, conversely, the absence of any solidarity among the Democrats. The Democrats were faced with trying to

cooperate with a Democratic governor who proposed three highly controversial pieces of legislation. The governor had as his major pieces of legislation an oil and gas tax, a revision in the state income tax (to insure that everyone in Oklahoma paid his "fair share") and the elimination of the sales tax on food and prescription drugs.<sup>11</sup> While he did not achieve the last, the first two were accomplished. Governor Hall attributed his success to the leadership of the legislature reacting to a Democratic governor after a long period of Republican governors. Queried about the effects of partisan change in the governor's office, Governor Hall said, "Yes, I think there was a reaction. The Democrats [were] trying much harder to get along with the governor than if I had succeeded a Democratic governor."<sup>12</sup>

This examination of Oklahoma highlights one of the major problems with using indices to measure success. Upon inspection of the results one might want to conclude that the governor was not in a "real" leadership position because the Democrats did not support him completely. However, passage of an oil and gas tax can be considered a minor miracle in Oklahoma.<sup>13</sup> Thus, in the two states where partisan control of the governor's office changed hands to a position of congruency, there were marked shifts in the party likeness scores. Partisan congruence between the two

branches resulted in more conflict between parties in the legislative chamber.

### Florida and Idaho

Attention now turns to the two states in which control of the governor's office is usually maintained by the dominant legislative party, with the deviation being that the minority party captures the executive office. In Florida and Idaho conflicting results appear. Idaho appears to have little partisan voting, whereas Florida had the most partisan legislative session in the data set. The 1967 Florida legislature is marked with a fairly significant amount of partisan division, with an overall mean party likeness score of 52.6. This low value for the session supports the theory that the governor has an impact on legislative voting behavior. It might be argued that this partisan division in 1967 was the result of the reapportionment, which had just taken place immediately prior to the session.<sup>14</sup> Roady and Dauer speculate as to the possible changes resulting from reapportionment and the change brought about in the legislature's composition (more urban legislators and more Republicans) and conclude that "the number of Republicans is not large enough to make itself felt all the time, but it is large enough to be crucial."<sup>15</sup>

While it may be true that increased Republican strength due to reapportionment caused the low party

likeness score, further analysis tends to discount this theory and places greater emphasis on the governor. In Table 4-2 the breakdown between gubernatorial interest and non-interest demonstrates the importance of the governor. On votes unrelated to him, the two legislative parties had a score of 64.1 (not a high value, but over the cut-off point). Votes related to the governor found the two parties in almost total disagreement; the mean party likeness score of 19.3 is extremely low. Further evidence supporting our argument is found in Table 4-3 (see p. 158). On votes unrelated to the governor, neither party was unified nor were they similar in their levels of intra-party disagreement. One can also detect the reason for the low level of inter-party agreement on the gubernatorial votes when one looks at the intra-party agreement levels for these votes. Both parties have mean cohesion scores in the 80's, with the Democrats being the more cohesive party (with a mean score of 87.5) compared to the Republican (81.2).

The parties voted in opposite directions--a fact which cannot be discerned from the cohesion score alone but can be seen with the party likeness score and a substantive review of the votes. It is clear that the two parties frequently voted opposite each other.

Much of this disagreement resulted from the antagonism of legislative leaders (the Speaker of the House and the President of the Senate) toward the governor and vice versa. In their review of legislative politics in Florida prior to the 1967 session, Roady and Dauer speculated that this conflict would arise, since

the role of the executive in the legislative process will be of singular importance in the next session. Kirk is a Republican, but he was elected by a clear and decisive margin. Consequently, the legislature cannot summarily dismiss him or his proposals. Nor can the Democratic majority. . . afford to let Kirk lead the show.<sup>16</sup>

This is precisely what resulted. The President of the Senate and Speaker of the House both introduced their own programs. President Pope, commenting on the legislative agenda, said that, "We must effect every economy possible because the taxpayers of this state feel they are sorely put upon. But we can't permit our educational system to fall apart."<sup>17</sup> The cost of financing education as well as other state programs was the major source of contention between the majority party in the legislature and the governor.<sup>18</sup> Kirk was determined that there would be no new taxes, resulting in a "hold the line" philosophy on spending. Somewhat of a showman, Kirk addressed the legislature at a televised evening session on the "state of the state," and let his position be known when he commented: "Let me say to you now that I pledged to the people of this state

that I would not impose any additional tax burden upon them. . . and I mean to live up to this pledge fully and honorably."<sup>19</sup>

Most of the votes concerning the governor were on this matter. The session saw the governor vetoing a total of fifty-two House and Senate Bills, some of which were vetoed early enough for an override to be attempted (no Democratic successes), but most came at the end of the session (only six attempts to override were voted upon during the session).

The 1971 legislative session, in contrast to the 1967 session, saw the majority party in possession of both branches of government. The party likeness score for all the votes was quite high (75.5) and the gubernatorial interest dichotomy finds both sets of scores fairly high. We do not detect partisan voting to any extent on either. Governor Askew presented the legislature with an extensive list of areas to be covered by legislation. Much of the program passed through the legislature with little or no conflict. However, there was some conflict in the legislature related to parts of the governor's program, including his proposals on criminal justice, labor compensation, and a special statewide election on the corporate income tax. This last mentioned piece of legislation, alluded to previously in the paper, was a major component of the

governor's program, and its passage marked success for him.<sup>20</sup>

With the Democrats gaining control of the governorship, we expected some difference between the 1967 and 1971 sessions. It was believed that a Democratic governor with a Democratic majority would result in more harmonious relations. However, this was not detected, especially since there was low cohesion among the Democrats. Instead, a lessening of tension occurred among all legislators and the governor. The latter two years of the Kirk administration had been more conflict ridden than his first two years, and Governor Askew believed that this had an effect on his relations with the legislature. Governor Askew commented,

I think it wasn't just a matter of me being a Democratic governor after a Republican governor but we had a Republican governor who had little understanding nor any desire to understand the legislative process. . . coming along behind him I think that we were able to set a pace that was a great deal more appreciated by some that had just gone through the previous four years.<sup>21</sup>

Idaho, unlike Florida, had two sessions with a low degree of party voting. This was unexpected, since it was hypothesized that the 1973 session with a Democratic governor and a Republican legislature would be more partisan. To some extent, this belief must now be rejected. We are not willing to totally reject it, however, because of the findings in Table 4-2. In 1973, there was a large

difference in the mean party likeness scores when we dichotomized the data. While there is substantial agreement on non-gubernatorial votes, there does seem to be less agreement on votes related to the governor--a mean party likeness score of 63 as compared to 74.6 for non-gubernatorial votes. This difference, though not of major proportion, is noteworthy, especially when we look at the 1967 Idaho legislature. This session is one of only two throughout our data where votes related to the governor have a larger party likeness score than the unrelated votes--80.5 and 79.3 respectively. The mean score of 80.5 is the highest level for any legislature used in the analysis, giving a generally higher than normal level of support in Idaho for the governor. The lower level found for Governor Andrus, therefore, may be more in line with our original thinking than would appear at first glance.

Caution is in order in making any definitive conclusion in Idaho, however, because of its past history of sectional strife that is both economic and ideological in origin, and to some extent, crosses party lines. While sectionalism may be present in many other states, it appears to be crucial in Idaho with its continuing discussion about dividing the state in two.<sup>22</sup> In addition, Governor Andrus is a very pragmatic individual, one who is willing to give up issues that are going to cause a great

deal of division and appear incapable of passage. When questioned during an interview about his program, Governor Andrus noted that he had established a set of priorities on legislation, but pointed out that he was flexible and willing to wait for some of his legislation. "I take a nose count and I say not this year on that one--I move it down the priorities and horse trade for something else."<sup>23</sup> This adroit handling of his program was recognized by on-the-scene political observers as a major reason for his success. "The Governor has presented in most cases a good, common sense, practical and pragmatic program that Idaho can do (live) with."<sup>24</sup> Thus, while he may "introduce" legislation that might cause some conflict, he is often willing to let it go. For example, governmental reorganization, land use planning, and the establishment of kindergartens were items in the governor's program in 1973 that were passed in the succeeding 1974 and 1975 legislatures. All this resulted in less conflict than had originally been anticipated.

#### Constant Partisan Control of the Executive Office

The research now turns to the analysis of states where the governorship has been in constant control of a single party. First an examination of Oregon and North Dakota and then a study of Wyoming will be undertaken. While the

control of the governorship has been by a single party in all three states, Oregon and North Dakota are different than Wyoming. In the first two states there is a partisan division between the legislature and the executive, while in Wyoming the two branches have been in control of the same party.

#### Oregon and North Dakota

Oregon, on the surface, appears to be the least partisan of all the states, having two of the highest party likeness values in Table 4-1. This is somewhat contradictory to previous research, since it was the most competitive relative to partisan division of the state legislatures used. Prior research has found a relationship between electoral competition and party voting.<sup>25</sup> The general similarity in voting by Oregon legislators may be the result of several factors. It is generally accepted that party organization, structure, and divisions are less developed in the western states when compared to the East and Midwest.<sup>26</sup> The political environment of Oregon, therefore, may not be conducive to partisan voting in the legislature. Although the Oregon state senate has been controlled by the Democrats, this may be misleading. At times, there has been a coalition of conservative Democrats and Republicans created to choose the President of the Senate. This bipartisan coalition could explain some of the similarity in

voting in Oregon. However, the party likeness score in 1973 tends to minimize this as an explanation. In this session, the leadership was not chosen by a conservative coalition and the party likeness score was substantial--72.3. It is believed that the political environment and its tradition of nonpartisanship is the major reason for the similarity in voting.<sup>27</sup>

In contrast to Vermont, Oklahoma, Florida and Idaho, where the governor's office switched control, and to Oregon, where there tends to be an environment uncondusive to party voting, is North Dakota. In both sessions the dominant party in the legislature was the Republican party, while the Democrats controlled the governorship.

North Dakota is an amalgamation of the various components of the study. The level of party likeness in Table 4-2 indicates that there was little partisan division. However, as can be seen in Table 4-3, when we divide the votes on gubernatorial interest, low party likeness scores emerge, with 55.8 in 1965 and 35.1 in 1973; an indication of dissimilarity in voting between the Democrats and Republicans.

The minority party Democrats were much more cohesive than the dominant Republicans. The Democrats in 1965 had a cohesion score of 90.1, while the Republicans had only 51.9--a difference of 38.2. In 1973, the Republicans

displayed a level of cohesion quite similar to the level of 1965 with a score of 51.6. The Democrats were less cohesive in 1973 with a 75.8 level; nevertheless, this was still 24.2 points higher than the Republicans. Although the overall cohesion level was much higher in 1965 than in 1973 for the Democrats, it actually showed greater cohesion and support for the Governor in 1973 with a score of 91.1 as compared to the 1965 level of 73.3. The importance of the governor being from one party while the legislature is controlled by the other party is further substantiated by Governor Link:

Q: How do party labels affect the relationship [between the legislature and the executive]? Do you think that it is important that you are a Democrat and they are Republicans?

Link: The fact that I'm a Democrat is a source of irritation. They would like some reform. They're not too happy. . .

Q: Do you think that there is some partisan conflict between you and the legislature?

Link: Sure there is. There's a lot. There has to be.

Q: How does that affect the minority party in terms of the Democrats?

Link: They're more cohesive.<sup>28</sup>

### Wyoming

Wyoming is the control case as alluded to previously. In both waves of analysis the governor's office and the legislature were in the hands of the Republican party. It

was expected that there would be substantial agreement in the voting behavior of the two parties, and this was borne out, as can be seen in Table 4-1. In addition, little difference was hypothesized in the voting across time, and this was also true with only 3.2 points difference between the two waves. Only Idaho had two sessions more similar. Further support for the notion of congruency are the gubernatorial interest scores for 1967 and 1973 (65.6 and 66 respectively) while the non-interest votes had scores of 77 and 73. The similarity was expected, especially since the same individual was in the governor's office at both times--Stanley Hathaway.

Focusing attention on the similarity between waves of analysis causes one to overlook a rather important fact in the data. In both sessions there is some difference between votes on the governor's interest bills and those unrelated to the governor's program, with the former indicating more partisan division than the latter. This supports the theory that the governor has some influence in affecting the voting behavior of legislators.

It should be mentioned, however, that using only indicies to measure the governor's influence and role may be misleading--a great deal of data may be lost. In both Wyoming legislative sessions, there were about a dozen

issues important to the governor that went through the legislature without any significant conflict.

#### Partisan Voting Behavior in Review

In summary, it was found that in the two states which had a constant partisan division (one party controlled the senate while the other controlled the governorship), there were rather consistent party likeness values. In addition, the control case also exhibited a substantial degree of consistency as was expected. In three of the four states in which possession of the governor's office changed, party variation in voting between the two waves of analysis was rather substantial. Only in Idaho was this untrue.

Moreover, the initial hypothesis was supported when the data were dichotomized on the basis of gubernatorial interest. On bills in which the governors were involved, the party likeness scores were lower than those on bills seemingly unrelated to the governor. In several of the sessions, the degree of party likeness was low enough to conclude that the legislators were voting along party lines in part because of gubernatorial influence. Thus, one can conclude that the governor had some impact on how legislators voted. But we must further inquire: If the governor is influential, what specific effect does he have on the cohesion of the two parties?

Party Cohesion

The preceding discussion has supplied evidence to support the proposition that governors influence the voting behavior of state legislators; but it has not provided information about the scope of that influence with the two parties. The index of cohesion will assist in the determination of that influence, since it measures the degree to which members of a party vote in agreement and aids in determining which issues inspire unity.<sup>29</sup> By previous convention, a score above 60.0 on the index indicates that the legislators voted in a unified manner; conversely a score below 60 is suggestive of manifest conflict within the group.<sup>30</sup> The assumption made in this research was that, if the governor does have some impact on the legislators, influence would be displayed by the legislators in the extent to which they vote in a cohesive manner. To test for the effects of the governor on the parties, the votes were analyzed on the basis of the gubernatorial issue dichotomy. While the legislators were divided into the normal Democrat-Republican alignments and the mean index scores were reported in that manner, the analysis was more concerned with the two parties' ties to the governor; thus, a party was designated as either the governor's party or the opposition party.

It was expected that the opposition party (whether in the majority or minority) would show a higher level of party voting on bills of interest to the governor than on those bills seemingly unrelated to his program. In addition, it was expected that the level of cohesion displayed by the party would be greater than 60.0. These presumptions were based on the belief that the opposition party had a partisan interest to oppose the governor. Opposition would occur in an attempt to embarrass the governor and possibly lay the groundwork for gaining control of the executive office.

Conversely, while the governor's party was expected to show an increase in cohesion it was believed that there would be a difference in the level of support dependent upon the majority-minority status.<sup>31</sup> A governor's party in the majority was expected to vote less cohesively than if it was the minority party, mainly because a majority party usually needs less cohesion to garner the required votes.<sup>32</sup> However, when the party was in the minority, full support of the governor might be required for the governor to have any chance for success.

Generally, the expected higher than normal level of cohesion for the opposition party did occur, as can be seen in Table 4-3. In eleven of the fourteen sessions, the party opposite the governor had an increase in cohesion on

Table 4-3. Mean Index of Party Cohesion When Votes are Divided by Gubernatorial Support and Other, Controlling for Party

Session	Democrats		Republicans	
	Governor <sup>a</sup>	Other	Governor	Other
Florida 1967	<u>87.5 (95)<sup>b</sup></u>	<u>55.8 (276)<sup>c</sup></u>	81.2 (95)	53.7 (276)
Florida 1971	55.0 (40)	52.4 (203)	<u>50.3 (40)</u>	<u>48.8 (203)</u>
Idaho 1967	<u>61.8 (54)</u>	<u>55.1 (164)</u>	53.4 (54)	46.7 (164)
Idaho 1973	63.3 (15)	58.0 (170)	<u>59.9 (15)</u>	<u>47.7 (170)</u>
North Dakota 1965	73.3 (22)	92.1 (188)	<u>52.6 (22)</u>	<u>51.9 (188)</u>
North Dakota 1973	91.1 (16)	74.4 (177)	<u>58.9 (16)</u>	<u>51.5 (177)</u>

<sup>a</sup>All bills that were part of the governor's program or that he vetoed were labeled "Governor." This includes votes on a bill prior to the veto. All other votes on bills were labeled "other."

<sup>b</sup>The number in parentheses denotes the number of votes used in the analysis.

<sup>c</sup>Party in opposition to the governor is denoted by the underlining.

Table 4-3. (Continued)

Session	Democrats		Republicans	
	Governor	Other	Governor	Other
Oklahoma 1967	<u>42.0 (31)</u>	<u>52.8 (378)</u>	65.1 (31)	63.3 (378)
Oklahoma 1971	46.6 (87)	54.9 (430)	<u>82.4 (87)</u>	<u>61.4 (430)</u>
Oregon 1967	<u>47.8 (19)</u>	<u>48.0 (328)</u>	66.9 (19)	64.3 (328)
Oregon 1973	<u>62.5 (61)</u>	<u>56.1 (525)</u>	61.5 (61)	45.5 (525)
Vermont 1969	<u>91.6 (40)</u>	<u>56.7 (85)</u>	62.6 (40)	53.3 (85)
Vermont 1973	71.4 (10)	59.0 (50)	<u>45.7 (10)</u>	<u>44.7 (50)</u>
Wyoming 1967	<u>71.0 (25)</u>	<u>59.7 (132)</u>	59.5 (25)	48.8 (132)
Wyoming 1973	<u>51.5 (20)</u>	<u>55.5 (136)</u>	66 (20)	58.6 (136)

votes related to the chief executive as compared to all the other votes. It was only in Oregon (1967), Oklahoma (1967), and Wyoming (1973), that the opposition party was less cohesive on votes of interest to a governor.<sup>33</sup> Even when these three sessions were included with the other eleven, the mean shift in cohesion was 8.56--a large shift given the properties of the measure. The magnitude of the mean shift is even more noteworthy when compared to the mean shift for the governor's party. However, it should be pointed out that, contrary to what was expected, only six of the fourteen sessions found the cohesion levels of the opposition party of the magnitude to which unity could be attributed to the party. The lack of party unity may have been the result of the majority status of the opposition party in eight of the legislative sessions. In only two of the eight sessions where the opposition party was in the majority was unity present. In contrast, the opposition party displayed unified voting in four of the six legislatures in which it was the minority party.

The ability of the governor to coalesce individuals is seen in further detail upon inspection of the voting behavior of members from his party. In twelve of the fourteen sessions the governor's party increased its level of cohesion, with only the 1971 Oklahoma Senate and the 1965 North Dakota Upper Chamber voting less cohesively on

gubernatorial bills than on the remaining votes. The decrease in cohesion in these two sessions was perhaps the result of a severe strain placed upon the legislators. This strain was caused by the main order of business in both sessions--highly controversial tax programs.<sup>34</sup> The mean increase in cohesion for all fourteen sessions was 6.2. This increase corresponds to the expectation that the governor's party increase in voting would be lower than the opposition party's increase. If the majority-minority status of the party is broken out, the other hypotheses concerning increased cohesion were supported. Of the six times that the governor's party was in the majority, there was a mean increase in cohesion of only 3.9, while for the eight sessions where the governor's party was in the minority the increase was 7.9. Thus, the belief that the governor's party, when in the majority, would have a smaller increase in cohesion as compared to when the party was in the minority was supported.

While only six of the fourteen sessions for the opposition party showed voting levels indicative of cohesion within the party, this was not the case for the party of the governor. In ten of the fourteen sessions, the level of cohesion was such that it can be concluded that the legislators voted as a group. A 2 x 2 table has been created using majority-minority party status and the degree

of cohesion for the governor's party. The findings in Table 4-4 support the theories about conflict and cohesion in the governor's party. All eight observations in which the governor's party was in the minority had voting levels sufficient to warrant the conclusion that the legislators voted as a group. In contrast, we expected that the governor's party, when in the majority, would not show the same degree of cohesion and this is what occurred with four of the six cases showing conflict. It is believed that this lack of cohesion was the result of being the dominant party in the legislature. It must be remembered that these are one-party dominant legislatures, and thus the majority party should have sufficient strength to allow deviation within the party and still have a winning vote margin. On the other hand, the governor's party in the minority needs unanimity or near unanimity if it expects to successfully support the governor. Thus, high levels of party voting on bills of interest to the governor resulted.

In sum, the overall hypothesis has been supported. There is increased cohesion levels on bills of interest to the governor compared to other votes. Further, the belief about the differences in voting between the parties has been substantiated, as has been the difference in voting by the governor's party when majority-minority status was controlled. All of this lends further support to the

Table 4-4. Cohesion and Conflict in the Senate by the Majority-Minority Status for the Governor's Party

		Conflict <sup>a</sup>		Cohesion		
Minority Party	Florida	67	Oklahoma	67		
	Idaho	73	Oregon	67		
	North Dakota	65	Oregon	73		
	North Dakota	73	Vermont	73		
Majority Party	Florida	71	Vermont	69		
	Idaho	67	Wyoming	73		
	Oklahoma	71				
	Wyoming	67				

<sup>a</sup>Conflict was said to be present when the Mean Index of Party Cohesion was below 60.0--conversely, cohesion was present when the Index was above 60.0.

hypothesis that the governor does influence the voting behavior of legislators in one-party dominant legislatures.

### Special Sessions

Special sessions were not originally scheduled for study, but for several compelling reasons they were used in an analysis of the governor's effect upon legislators. Their importance for study rests in the assumed influence that the governor is supposed to possess within the legislature during a special session. The special session is cited as intensifying public pressure on legislators because the governor focuses attention on issues he deems important.<sup>35</sup> Therefore, one would expect that active participation by a governor in the legislative process during a special session should increase partisanship in the legislature compared to regular sessions. In analyzing the voting behavior of legislators in special session, it may be possible to substantiate that influence.

In addition to the theoretical implications, there were newspaper accounts as well as other resource material that provided further evidence that special sessions should be analyzed. Idaho had a special session in 1967, but it was not used. During the original 1967 session, the legislature had passed legislation which, by mistake, made the state's Department of Public Assistance ineligible for

financial support from the federal government. The session was called to remedy that situation and, therefore, the votes were often perfunctory. Another issue discussed with little or no conflict concerned an increase in the state gasoline tax to raise the highway construction revenues necessary to qualify for matching funds from the federal government.<sup>36</sup> In Oklahoma, the legislature met in 1971 in a special session over a relatively innocuous subject--the ratification of the constitutional amendment extending suffrage to those eighteen years of age or older.<sup>37</sup> Special sessions were also called in the other states but, like the last two examples, they were not substantively important or they were not proximate in time to the original session.<sup>38</sup> The analysis of special session centers upon two states: Oregon and Florida.

The fifty-fourth legislature of Oregon failed to enact a property tax relief program, a sales tax plan, and to adequately finance government programs, all of which forced Governor McCall to call a special session in November of 1967.<sup>39</sup> In 1974, the Governor had agreed to call a special session in order to enact a needed appropriations bill which was necessitated by a failure of the federal government to notify the state of the extent of support it would be providing. In addition, the Oregon legislature had passed a consumer protection in land sales

law (HB 2607) which had a severe negative effect on home sales and financing, and therefore, caused great pressure for its repeal.

Florida had the most special sessions of any state under study. Governor Kirk called a number of sessions during his tenure in office, including a session prior to the first meeting of the legislature to discuss constitutional reform.<sup>40</sup> That session was not used in the analysis because, during the ensuing period between the special session and the normally convened legislature, a federal court ordered the legislature reapportioned and elections held.<sup>41</sup> It was believed that the previous legislative make-up would only confound the analysis because of an increase in urban and Republican legislators in the regular session. However, the special session immediately following the regular session was used in this study. Governor Kirk had rejected the legislature's plan to finance the junior college system, and the July special session dealt with alternative plans to finance these educational programs.<sup>42</sup> In 1971, the legislature was convened for several special sessions. The special session used for 1971 was one prior to the normal legislative session in April. The governor had called the session in January to enact legislation on automobile insurance. Auto insurance had become a source of consternation for the legislature with rapidly

increasing rates and threats by the insurance companies to effectively do away with auto coverage in Florida. Prior to the January session, a session was called in October of 1970 at which time a 120-day moratorium on insurance increases was imposed. Governor Askew's call was in response to the moratorium's end drawing near.<sup>43</sup> While the legislature was in session, the governor took it upon himself to push for the initiation of legislation imposing a corporate income tax. The corporate income tax was the major policy program that Askew had campaigned on in the gubernatorial elections, and he was attempting to fulfill that promise. It is the corporate income tax that makes the special session so significant, since, as we have noted previously, it was this piece of legislation which made 1971 successful for Askew.<sup>44</sup>

It is expected that the mean Index of Party Likeness for all the votes in the special session should indicate greater partisan voting than in the regular session, and that the mean score should be at the level indicative of partisan voting (below 60.0). The expected heightened partisanship results from the relatively greater role that the governor plays in a special session. Because the governor usually determines the issues which will be discussed, the ratio between non-gubernatorial and gubernatorial interest votes should decrease.<sup>45</sup> The more partisan

voting level usually found with gubernatorial interest votes will not be overshadowed by the myriad of other votes. As in the previous analysis, our hypothesis is that the party likeness scores for gubernatorial interest votes will show more partisan voting levels than the votes on issues not of interest to the governor. The issues that the governor is interested in--the reasons he called the special session--are important and often controversial and one would expect them to arouse partisan voting. In addition, the patterns in voting within the parties should closely resemble the voting behavior found in the regular sessions. Increased cohesion should result for the governor's program for both parties. The number of sessions under investigation makes it difficult to offer more specific hypotheses concerning the majority-minority status of the parties and their relationship to the governor.

With the exception of Oregon's special session in 1974, the data support the hypothesis that there was more partisan voting in special sessions compared to the regular sessions used in the analysis. Three of the four sessions had scores below 60--the level at which the two parties were said to be voting in a conflicting manner. The 1971 Florida special session, with an I.P.L. score of 46.5, had the lowest level of party similarity of all the sessions under study. The 1967 Oregon special session was also

quite low with a score of 54.2--the third lowest level of party similarity in the entire study.

In Florida, the announced intent of the session was to solve the problems of auto insurance, but the session also took up the corporate income tax plan supported by the governor. Higher than normal levels of conflict were prevalent throughout the session as can be seen in Table 4-5. On both sets of issues in the dichotomy, the I.P.L. was below 60, an unusual situation which never occurred in the regular sessions under investigation. It appears that the 1971 session was engulfed by conflict. However, the corporate income tax (governor's bills in the table) evoked even more conflict in the legislature; witness the party similarity score of 39.5. Further confirmation of the conflict can be seen in the party cohesion scores. Both parties voted in a cohesive manner with the Democrats supporting the governor and the Republicans opposing him. The score of 71.4 for the Democrats (while lower than the level of cohesion of bills unrelated to the governor) was very large for a governor's party in the majority. Governor Askew perceived the corporate tax issue to be critical and made sure the legislators understood this when he addressed them in the special session saying:

Table 4-5. Party Voting on Roll Calls in Selected Special Sessions

Special Session	Index of Party Likeness	Index of Party Likeness		Index of Party Cohesion			
		Governor <sup>a</sup>	Other	Democrats		Republican	
				Governor	Other	Governor	Other
Florida 1967	59.8	34.8(11) <sup>b</sup>	78.1(15)	74.7(11)	65.2(15)	74.1(11)	42.0(15)
Florida 1971	46.5	39.5(10)	53.6(10)	71.4(10)	76.8(10)	63.7(10)	51.8(10)
Oregon 1967	54.2	53.3(19)	55.1(18)	32.6(19)	40.6(18)	82.4(19)	88.5(18)
Oregon 1964	74.9	62.3(14)	79.0(56)	58.6(14)	55.0(56)	60.2(14)	38.8(56)

<sup>a</sup>All bills that were part of the governor's program or that he vetoed were labeled "Governor." This includes votes on a bill prior to the veto. All other votes on bills were labeled "other."

<sup>b</sup>The number in parentheses denotes the number of votes used in the analysis.

I consider my election last November a mandate to vigorously and tirelessly pursue the course of tax reform that was laid out in my campaign. This I shall do. The time for tax reform is now. The need for a more productive tax base is now and I urge you to give the people a chance to speak on this issue.<sup>46</sup>

The conflict present in Florida's 1967 special session further substantiates the findings about the 1967 regular session. The Index of Party Likeness score was just below 60 for the special session, which would indicate a meaningful difference between the two parties. The difference in party voting in the gubernatorial dichotomy adds further support. Bills of interest to the governor had a score of 34.8--a rather low figure--while bills unrelated to the governor had a large score of 78.1. The score on non-interest bills is large enough that we can say the two parties voted alike. The level of similarity on gubernatorial votes and the difference (43.3) between that score and the non-interest votes lend evidence to the conclusion that the governor was influential in legislator's voting. The level of cohesion for the two parties on the gubernatorial interest votes (74.7 and 74.1 for the Democrats and Republicans respectively) and the lower level for the other votes add more evidence for the conclusion that Governor Kirk had a role in the legislature.

The 1967 Oregon special session was unlike Florida, where the two parties voted opposite each other. The

cohesion scores for the two parties were not uniformly high--in fact, the scores were quite dissimilar. The Republicans had a mean cohesion index score of 82.4 on the governor's program while the Democrats had a cohesion level of only 32.6. The high degree of cohesion of the Republicans and low level of agreement among the Democrats produced the low levels of party similarity in voting. Governor McCall had called the special session because in his words:

There is a compelling need for property tax relief, which can be accomplished only by the legislative assembly, and it now appears that revenues for the current biennium will not be as great as were estimated. . . .47

The governor sought relief on property tax appropriations to aid schools and financial support for the care of the mentally retarded. All of these problems were to be solved by the initiation of a sales tax. The planned sales tax, once approved by the legislature, would have to be taken to the people for their ultimate approval. The differences that existed among the Democrats centered on the extent of support for the governor's sales tax program.

In the previous analysis of Oregon it was noted that the Democrats, though in the majority, were only nominally in control of the Senate. A coalition made up of Republicans and conservative Democrats was actually the dominant faction in the Senate. Analysis of the individual votes in

the session supports the existence of the coalition. A group of seven Democrats generally voted with the eleven Republicans to defeat the remaining Democrats. This split among the Democrats gave them the low cohesion score of 32.6 on gubernatorial issues and, combined with the high level of cohesion for the Republicans, resulted in the low party likeness score.

In summary, the parties appear to vote dissimilarly because the Republicans were unified while the Democrats were divisive. The division among the Democrats was also present in the regular session. The combination of greater cohesion by the Republicans along with lower cohesion for the Democrats may explain the difference in party voting between the regular session and the special session. The drop in cohesion for the Democrats from 40.6 on votes not of interest to the governor to 32.6 for those of interest to the governor is attributed to the controversial nature of the governor's tax program.

The 1974 session in Oregon is the only one of the four in which the two parties had similar enough voting to conclude that the parties were not significant cues for legislators. When the index was computed on the dichotomy, a difference between the two sets of votes was found with a rather large decrease in the mean score for the party similarity index. In fact, the amount (17.7) was at a level

indicative of a difference between the two types of issues. However, one should note that even with the much lower mean party likeness score for the gubernatorial votes, it was still greater than 60. The party cohesion scores were also at a level (below 60) which would signify little party voting. What is shown in Table 4-5 is that the governor in Oregon played some role in the way legislators voted, but that there was little party voting within the two special sessions.

The findings offer some support to the previous conclusion about legislative voting behavior. Florida's two special sessions were marked by differences in party voting that were more pronounced when the governor's interest votes were analyzed. The cohesion scores also gave evidence of party voting relative to the governor's interest. In contrast, there was little to give one confidence concerning the findings about the two special sessions in Oregon. The 1974 special session showed little party voting overall, although there was a tendency for increased partisanship on the governor's votes relative to the non-interest votes. Thus, Oregon's 1974 special session follows the pattern of minor gubernatorial influence in an essentially non-partisan state. The 1967 special session confounded the conclusion because it appeared to be partisan, but upon inspection, this was not borne out. Finally,

there was not enough difference in the voting patterns in special sessions compared to regular sessions to lead us to conclude that the governor plays a more influential role in special sessions than in the regular session.

### Summary

This analysis was concerned with the effects of gubernatorial involvement in legislative roll-call behavior. Comparisons were made across states as well as within states over time. A further comparison was made within a session regarding the governor's influence on bills of interest to him as opposed to those in which he was seemingly uninterested from a programmatic perspective. Finally, an analysis of the governor's influence on legislators in special sessions was performed and then compared to the influence he possessed in the regular sessions. For the regular session, the analysis was conducted on seven of the eight states. However, only in two of the eight states were special sessions studied. Both the Index of Party Likeness and the Index of Party Cohesion were used to analyze all roll-call votes that exhibited conflict.

The findings suggest that some of the past assumptions about the role of parties in one-party dominant states must be re-evaluated. On the surface, it appears that party is still not a major cue in voting by legislatures. However,

when we compared voting patterns in the legislatures on the gubernatorial interest dichotomy we found definite reasons to modify previous conclusions regarding the role of the party. Bills that were of interest to the governor tended to show greater partisan division than was previously thought to exist in the legislatures. The conclusion drawn was that the governor does have some influence in the legislative process, causing parties to become a more salient voting cue. We can no longer accept the assumption that party voting is not found in legislatures where a single party is consistently dominant.

Mixed results were obtained with those states in which gubernatorial control switched between the parties. In three of the four states, there were substantial differences in the two waves of analysis. The fact that one of the states displayed consistency across the two waves of analysis was rather unexpected. We found the hypothesized difference over time in one of the other three states. In addition, it was found that in the remaining two, more partisanship was prevalent when gubernatorial control switched to a state of congruence with the legislature. In the three states where the same party maintained control of the governorship, a rather high degree of consistency was found over the two waves of analysis.

Furthermore, it was revealed that both the opposition party and the governor's party exhibited greater cohesion when the governor became a factor in voting. The analysis also showed that there was a pattern for the minority party to be more cohesive than the majority, especially when it was the governor's party.<sup>48</sup> Finally, the analysis of special sessions found some increased partisanship, but not a sufficient amount to warrant any undue emphasis on them as a time when more partisanship occurs because of the governor.

This roll call analysis was not concerned with a governor's success, but rather his influence upon the legislators. It should also be apparent that the use of indicies alone cannot always explain the role of the governor in the legislative process. The chapter that follows examines each of the governors under investigation and determines his position with regard to the legislature in order to more fully comprehend the context within which legislative-executive relations vary.

## FOOTNOTES

1. Morehouse also confronted the problem of small N's in her research and decided to omit calculations of the Index of Party Likeness; see Morehouse, "The Impact of the Governor on Legislative Policy Output," 15.
2. Personal interview with Governor Stanley Hathaway, July 10, 1975.
3. Personal interview with legislative assistant to Governor Briscoe, March 26, 1975.
4. Interviews with members of the capitol press corps, March 26, 1975.
5. Kraemer, Crain and Maxwell, Understanding Texas Politics, pp. 247-255; McCleskey, Dickens and Butcher, The Government and Politics of Texas, pp. 140-141; Gantt, The Chief Executive in Texas, p. 238; Schlesinger, "The Politics of the Executive," pp. 210-237.
6. Ransone, The Office of Governor in the United States, p. 212.
7. The value of 60 is an arbitrary figure but has been customarily used. See Jewell, The State Legislature, p. 109.
8. See Boyd A. Martin, "The Sectional State," in Politics in the American West, ed. by Frank H. Jonas (Salt Lake City: University of Utah Press, 1969), pp. 181-200.
9. Bernick, Legislative Voting Patterns and Partisan Cohesion in a One-Party Dominant Legislature, p. 14.
10. Personal interview with Governor Thomas Salmon, December 31, 1974.
11. The "fair share" concept was one of the major campaign slogans and issues for Governor Hall in his campaign in 1970.
12. Personal interview with Governor David Hall, November 6, 1974.

13. For a more detailed discussion concerning this matter see Bernick, Legislative Decision Making and the Politics of Tax Reform: The Oklahoma Senate.
14. For a discussion of the effects of reapportionment on legislative politics in Florida see Elston E. Roady and Manning J. Dauer, "The Florida Legislature," in South-eastern State Legislatures in American Politics, ed. by William G. Cornelius (Atlanta: Emory University, 1968), pp. 22-46.
15. Ibid., p. 29.
16. Ibid., p. 30.
17. As quoted in Roady and Dauer, "The Florida Legislature," p. 30.
18. The other major issues were constitutional reform and war on crime. The governor called a special session concerning the constitution before the regular session of the legislature, to the dismay of many members.
19. As reprinted in the St. Petersburg Times, 5 April 1967.
20. See Footnote 79 in Chapter I.
21. Personal interview with Governor Reubin O'D. Askew, March 7, 1975.
22. See Martin, "The Sectional State," pp. 181-200.
23. Personal interview with Governor Cecil D. Andrus, June 24, 1975.
24. Personal interview with John Corlett formerly of the Idaho Statesman, June 24, 1975.
25. See Keefe and Ogul, The American Legislative Process, pp. 318-319; Lockard, "Legislative Politics in Connecticut."
26. Frank Munger ed., American State Politics: Readings for Comparative Analysis (New York: Thomas Y. Crowell, 1966), pp. 283-290.

27. For a brief discussion concerning Oregon politics see Swarthout and Gervais, "Oregon: Political Experiment Station," p. 302, wherein it states: "the legacies of the Oregon system remain and it would be a serious error to ignore the fact that unalloyed party politics forms even today a lesser segment of Oregon politics, in general, than is true in most states."
28. Personal interview with Governor Arthur Link, November 19, 1974.
29. Anderson, Watts, and Wilcox, Legislative Roll-Call Analysis, p. 35.
30. Jewell, The State Legislature, 2nd ed., p. 109.
31. This hypothesis relates to those presented in Chapter II--see Chapter II for the discussion concerning the reasons for this expected hypothesis.
32. The "required votes" may be the number of votes needed to prevent an override of the governor's veto or it may be the simple majority required to pass legislation. There are any number of situations which may require a different level of support, but it would hold true that the majority party requires less cohesion in all situations.
33. In Oregon the opposition party was less cohesive because of the coalition between a segment of the majority-opposition party and the governor's party. Wyoming, in 1973, may be the result of the legislature and the Democrats within being more assertive because speculation had begun that Governor Stanley Hathaway would not run again for office. In Oklahoma, we are unable to explain the decrease in cohesion since there is no apparent reason for this decrease.
34. As noted previously, North Dakota's tax program in 1965 consisted of a reduction in property tax and modifications in the sales tax and income tax. In Oklahoma the tax program was made up of the revised income tax program and the oil and gas tax.
35. Jewell, The State Legislature, 2nd ed., p. 66; Ransone, The Office of Governor in the United States.
36. See Senate Journal Idaho Legislature: First Extraordinary Session Thirty-Ninth Legislature, 1967, Boise, Idaho.

37. See Journal of the Senate First Regular and First Extraordinary Session of the Thirty-Third Legislature of Oklahoma, 1971, Oklahoma City, Oklahoma.
38. Proximate time was measured relative to legislatures and whether the same body was "sitting." While the 1974 Oregon special session was sometime after the 1973 session the same legislature was sitting. A special session prior to 1973 in Oregon would not have been acceptable since an election for Senators would have intervened.
39. Journals and Calendars of the Senate and House of the Fifty-Fourth Legislative Assembly, Special Session, 1967, Salem, Oregon.
40. See Roady and Dauer, The Florida Legislature.
41. Ibid.
42. Journal of the Senate: Special Session, Florida, 1967, Tallahassee, Florida.
43. Journal of the Senate: Special Session, Florida, 1971, Tallahassee, Florida.
44. See Footnote 80 of Chapter I concerning the importance of the corporate income tax.
45. If one looks at Table 3-2, most of the state legislatures do not call the session and only have limited power to establish the subjects. The governor creating the topic of discussion cuts down the ratio of bills of interest to those of non-interest. For example, in Florida's regular session there were 276 non-interest votes compared to only 95 gubernatorial interest votes, while in the special session the ratio was 11 to 15. During a special session there are a variety of topics discussed and voted upon which do not always relate directly to a governor's interest. The issues range from thermal nuclear power plants, regulation of foreign banks, veterans' benefits, interim committees of the legislature, and the financing of the special session.
46. Copy of Address given by Reubin O'D. Askew, Governor of Florida, to a Joint Session of the Legislature, House Chambers, Tallahassee, Florida, 1971.

47. Journals and Calendars of the Senate and House of the Fifty-Fourth Legislative Assembly, Special Session, Salem, Oregon, 1967, p. 14.

48. This would contradict the findings by LeBlanc who found no relationship between cohesion and majority-minority status and control of the governorship; LeBlanc, "Voting in State Senates: Party and Constituency Influences," 37.

CHAPTER V  
GUBERNATORIAL SUCCESS

The analysis in the preceding chapter focused upon gubernatorial involvement in legislative roll-call voting. The findings revealed that increased partisanship between the parties and more cohesion within the parties were exhibited when governors became directly involved in the legislative process. In this chapter our analysis centers more on the governor and his success with the legislature than upon the extent to which he is a cue for legislators' voting. Analysis of each governor in the seven states used in Chapter IV will be conducted to determine which governors were successful and the degree of their success. After determining the degree of success achieved by each governor, the analysis will turn to an examination of factors which may explain the variation in success among governors. However, before beginning the analysis our attention focuses briefly upon the concept of gubernatorial success and its measurement.

Gubernatorial Success

In Chapter I it was noted that gubernatorial success, while defined in numerous ways, has often been unsatisfactorily measured. One determinant of success has been the number of gubernatorial bills passed compared to the

number of gubernatorial bills introduced. Another definition of success used the veto and the governor's ability to marshal support against an attempt to override. Other research has been conducted on the premise that success can be defined as the ability of the governor to gain enough votes from his party to win.

A ratio of bills passed compared to bills introduced fails to take into account a number of factors which can make the measure spurious. First, some governors only ask for legislation that they know will pass and, thus, their ratio of success will be high. Conversely, there are other governors who ask for a great deal, especially controversial items, knowing that they will not pass. In effect, several of these proposals are introduced to set the stage for some future attempt at passage. Thus, the governor's ratio of success under such conditions will be low. In addition, some governors play a game of selective strategy by permitting some legislation to be defeated in order to gain passage of other bills. Finally, legislation initially introduced for a governor may be taken up by the opposition party and passed as theirs, thus denying credit to the governor. All of these circumstances can easily be seen to confound a simple ratio of bills passed compared to bills introduced.

The veto as an indicator of gubernatorial success has also been used extensively. But the wide variation in the use of vetoes and the reasons for their use may obfuscate more than enlighten research findings on the success of the governor. A considerable amount of evidence exists to indicate that the governor's veto is seldom, if ever, overridden.<sup>1</sup> Thus, we should expect a high degree of support for the governor on sustaining a veto. The inability of a governor to sustain a large number of his vetoes would be indicative of a lack of success on his part. Finally, there is the argument that any veto is indicative of gubernatorial failures, since a strong governor would insure that bills requiring a veto would not be passed. Thus, the veto should be used with caution and should not be used by itself as an indicator of gubernatorial success.

Another indicator of gubernatorial success which may be misleading is the measure originally used by Sarah McCally Morehouse. She defined success as "the ability of the governor to gain enough votes from his party to win."<sup>2</sup> This concept, like the previous measures, has been discussed in depth in Chapter I. However, a brief discussion concerning this measure of gubernatorial success will highlight its inadequacy. First, a governor may be placed in a situation where even total support from his party may prove insufficient for the governor to win--this is especially

true when the governor's party is hopelessly small. A second point is that governors do not rely on their party alone to win, but build a coalition instead. If the governor's party is small, then the governor needs the full support of his party's legislators plus legislators from the other party if he is to have any chance of winning. However, if his party is large, then lack of support by some members for his program could be tolerated. Another confounding factor affecting the utility of this measure occurs when a governor aligns himself more closely with the "supposed" opposition party than with his own party. In conclusion, a governor could be successful, yet there would be no indication of that success using this measure.

Finally, any measure relying heavily upon roll-call data will exclude those bills upon which votes are never taken. Typically, many bills introduced during the course of a session are never reported out of a committee, let alone voted upon on the floor. Conversely, there are measures which "travel" through the legislative circuit which result in little or no conflict. Under both circumstances no data would be collected, and yet it should be obvious that either circumstance may have important implications for gubernatorial success.

In short, we have offered a number of arguments to the reader to demonstrate that no single measure alone can

capture, to the fullest extent, the many facets of a successful governor. We turn now to the process that will be used to calculate the legislative fate of the governors under investigation.

The evaluation of a governor will use a variety of factors. While a single uniform measure would make comparisons easier, there is a greater need to correctly evaluate each governor. Until a measure can be devised that can adequately test for gubernatorial success, a qualitative approach will be more efficacious. This analysis will use a variety of items, including the governor's program, his use of the veto, his leadership of the legislature, and his appointments, as well as personal assessments for each governor. The analysis of a governor's program will rely heavily on information gathered in the several interviews conducted in each state, the data collected in our roll call analysis, and media accounts of the governor's relationship to the legislature. Since knowing what a governor "asks for" is as important as the sheer volume of his proposed legislation, we will look at the "more important bills" closely and analyze them in greater detail. The governor's success on these bills may be the real test of gubernatorial success. Important bills will be determined by evaluating the newspapers' coverage of the legislature and the personal assessments of the governors.

(Each governor in the interview was asked to determine what the key issues were for the session under investigation-- see appendix for question.) To further assess the key legislation for each governor we asked them whether some bills were more important than others to the success of their programs (see appendix for question). In evaluating the governor's program one must be cognizant of the normal treatment given to it by the legislature. For example, does the governor's program usually get summarily defeated? In addition, our assessment of the governor's program will consider that portion of the program which may be defeated and is subsequently passed during the session as the program of the opposition majority party. Finally, whenever possible, it is necessary to consider those parts of the program which may be in a "trial balloon stage" with passage not expected until some later session.

The veto is an additional tool to determine gubernatorial success. Some governors view their job in essentially a negative way--protecting the citizenry from the evils proposed by the legislature. Governors with only this perspective toward their role must be judged by their particular use of the veto. In this evaluation the number of vetoes issued and the ability of the governor to sustain the veto are the important cues. Different evaluations of the veto will be made because of the partisan

structure of the states under investigation, with variation in use dependent upon the majority/minority status of the governor.

Appointments or nominations to a position may, under certain conditions, provide a cue to gubernatorial success. In most instances appointments provide us with little substantive information about the influence of the governor in the legislative process since confirmation is usually routine. However, there are exceptions to this rule at times, with some gubernatorial appointments being opposed quite strongly; a failure to get nominees approved would reflect negatively on a governor's success. Information concerning appointments will rely upon gubernatorial interviews and accounts in newspapers.

Using the interview material and media accounts of the legislative sessions under study, each of the governors and their ability to work with the legislature will be examined. A governor who cannot work with a legislature may have little chance of being successful. Governors may be able to sustain their votes and get their appointments confirmed and yet still be relatively unsuccessful as legislative leaders because of their inability to cooperate or work with the legislature. This, for some governors, may be the most important clue to their success or failure.

Our attention now turns to the appraisal of each of the governors with regard to their legislative success. Table 5-1 was constructed to assist in the analysis of the governors and the extent to which each was successful. The table presents each of the four items used in the analysis (gubernatorial program, the veto, legislative leadership by the executive, and appointments) with a five position scale. In addition to the four concepts, an overall assessment of each governor is given using the five position scale. Governors are ranked as extremely successful, moderately successful, average, marginally successful, and not very successful; however, these rankings should not be viewed as a definitive statement. The positioning of the governors on each of the scales is highly qualitative and presented only as an aid to the reader in understanding the final relative assessment of each governor with regard to success. No quantitative measure can or should be computed from the scales since they do not constitute mathematically equivalent scales (not all scales are weighted equally for each governor). When a concept was much more dominant in drawing a conclusion about a governor than the other items it was designated by brackets.

We first look at the four states where the governorship changed partisan control over the time period under scrutiny. This will be followed by an analysis of the two



Table 5.1. (Continued)

Governor	Veto				
	Extremely Successful	Moderately Successful	Average	Marginally Successful	Not very Successful
Salmon Samuelson	X			[X]	
<u>Legislative Leadership</u>					
Andrus		X			
Askew	X				
Bartlett		X			
Davis			X		
Guy		X			
Hall		X			
Hathaway	X				
Kirk					[X]
Link				X	
McCall	X				
Salmon		X			
Samuelson					[X]
<u>Appointments</u>					
Andrus			Not applicable <sup>b</sup>		
Askew			Not applicable		

<sup>b</sup>Appointments were considered not applicable when they were deemed to be too inconsequential to have any utility for the analysis.

Table 5.1. (Continued)

Governor	Appointments				
	Extremely Successful	Moderately Successful	Average	Marginally Successful	Not very Successful
Bartlett		X			
Davis		X			
Guy			X		
Hall				Not applicable	
Hathaway	X				
Kirk				Not applicable	
Link					[X]
McCall		X			
Salmon		X			
Samuelson				Not applicable	
<u>Overall Rating</u>					
Andrus					X
Askew	X				
Bartlett			X		
Davis		X			
Guy			X		
Hall		X			
Hathaway	X				
Kirk					X
Link				X	
McCall	X				
Salmon		X			
Samuelson					X

states where the partisan alignment of the governorship and the legislature were constantly in opposition. Finally, our attention will focus upon a "control" state, or one where the party of the governor was the same as that of the legislature during the entire time period. The analysis of each of the states in a single time period will be followed by analysis over time within the states. Next we will compare the governors across states--looking first at governors who held office under similar circumstances, then under contrasting conditions. After determining the influence of partisan bases of power we will turn to an analysis of the impact of institutionally derived bases of power. The power relationship existing between the legislature and the executive as depicted in Table 3-6 will be used in this discussion.

### Analysis

#### Oklahoma and Vermont

Both Vermont and Oklahoma are states where the minority legislative party usually controlled the governorship, with the shift in partisan control of the governorship bringing about a partisan congruence between the two branches. In Vermont the Republicans were the dominant

legislative party, while the Democrats were dominant in Oklahoma.

During 1973, Governor Salmon of Vermont was generally successful in his relations with the legislature, as was Governor Bartlett of Oklahoma in 1967. As can be seen in Table 5-1, both governors were judged to have generally fared well over all the items. No particular item by itself made these two governors successful, rather the combination of all items contributed to their success. However, for both governors, the relationship between the legislature and the executive could be characterized as harmonious. This carried over into the voting behavior of the legislature, as we saw in Chapter IV, with rather high party likeness values (Vermont 74.9 and Oklahoma 74.3) for all votes and only small shifts in party voting when votes were examined by substantive category. The relationship between the two branches was seen as cordial by the two governors, with Governor Bartlett commenting that "we have had a competitive yet harmonious relationship."<sup>3</sup> Governor Salmon, in his message to the legislature, was even more emphatic:

One accomplishment stands out in my mind above all others. This General Assembly discarded partisan labels. You, the legislators, considered each piece of legislation, not in terms of its ultimate political effect, but as it related to the people of our state. No governor could ask more. No governor could expect more. No governor could appreciate more.<sup>4</sup>

Governor Salmon's appreciation may stem from the fact that he achieved the major piece of legislation he asked for--property tax relief. Property tax relief was the main campaign promise he made while running for office in 1972. Salmon felt he had to keep that promise--"I had made a promise, I wanted to deliver on that promise. . ."<sup>5</sup> By being pragmatic, he was able to keep that promise. He introduced the bill and worked it through the legislature (even challenging one committee chairperson to report it out)<sup>6</sup> and when it appeared that the legislation was in trouble, the governor was willing to accept changes. The structure and amount varied from the original plan; the program was \$2.5 million less than originally designed--but it had passed. When again the legislation appeared to be in trouble and the governor had to make a decision to keep pushing his plan, a revised Senate plan, a House revision, or no plan at all, the governor chose the Senate version.<sup>7</sup> While different from his original bill, the governor could still claim the program as his own.<sup>8</sup> The governor was not alone in identifying the tax program as his, since the media commented that,

There was no question that the Democratic governor had won a tremendous boost with passage of his [italics are mine] \$10 million property tax relief act. . .<sup>9</sup>

The governor's influence and success in the 1973 session was not limited to the property tax relief bill alone, but manifested itself in other areas also. He gave support to and assisted in keeping intact Vermont's bottle ban law which had been passed under former Governor Davis. In addition, he supported several other bills which were considered major pieces of legislation during the 1973 session, including a "right to know" law prohibiting most secret sessions of public agencies, constitutional reform, and a capital construction bill (providing for payment by cash rather than bonds). Moreover, the legislature passed a state employee pay raise at the urging of Salmon as a major part of his program. The "tooth fairy" bill (as the comprehensive dental care bill was known) was another indication of the impact that the governor had on the legislature. With the session drawing to a close, the dental care bill was stymied in a conference committee (the Senate members were opposed to House changes) and tempers rose. The Governor called the conference committee members into his office for a meeting. Some "private head bumping" resulted in the Senate accepting the House changes to the bill.<sup>10</sup> Finally, the governor did not have to veto any legislation, nor were any of his major appointments denied. All of these examples suggest that Salmon was a successful governor.

Governor Bartlett is considered to have been successful with the 31st Oklahoma legislature. The governor vetoed a number of bills, and while that would normally indicate a lack of success, this was not the case for Bartlett. He was from the minority party and it would be unlikely that he could gain enough influence with the majority Democrats to prohibit legislation. However, the governor was able to sustain all but one of his vetoes. The veto overturned was a bill giving the Democratic lieutenant governor a salary increase and added job responsibilities.<sup>11</sup> Governor Bartlett viewed vetoes as an important source of power and was very proud that he vetoed a large number of bills (56) during his term of office and only had a few overridden (4).<sup>12</sup> In his final message to the legislature we can detect, in his somewhat humorous reference, the perspective that he took toward the veto and the governor's relationship to the legislature:

As I take your leave, I feel guilty about one thing--and that is eliminating your favorite pastime--voting for a bill popular in one area, then sending the Hot Potato to the second floor for veto.<sup>13</sup>

The governor's view is one of an individual who sees his role as protector of the people, ensuring that the state constitutional checks and balances exist between the two branches of government.

At the same time, the governor was only moderately successful in another area with regard to the legislature--the appointment of a Tax Commissioner. Even before the session began, controversy arose over the chairmanship of the Oklahoma Tax Commission. Governor Bartlett opposed the reappointment of J. T. Dunn, while the legislature favored maintaining Dunn.<sup>14</sup> The Senate rejected Bartlett's first choice, T. Morford, a former Republican state senator.<sup>15</sup> It was not until late in the session that a compromise was reached when Bartlett gave up on Morford and Dunn stepped down as chairman. Approval was ultimately given to Bartlett's second choice, Clarence L. DeWees (Finance Director for the Department of Education and a Democrat). Thus, while the governor did not get his first choice, he was able to force out of office a strongly favored individual.<sup>16</sup>

The Governor offered a number of proposals in his legislative program and did, in fact, achieve many of them. The underlying theme in the governor's program reflected his belief that there should be no tax increase. The Governor presented a budget plan involving slight increases in expenditures for only a limited number of programs. One of the few increases that the governor sought was for the salaries of employees at the state's mental health facilities. He achieved the increased salaries, as well as

appropriations required for the establishment of new junior colleges in Tulsa and Oklahoma Counties. Bartlett also sought reform in the penal system (a Department of Corrections was created) and the judicial branch (a constitutional amendment was initiated for the people to ratify). Both were major components of Bartlett's program and passage marked a successful session for the governor. Some analysts might argue that the governor was not all that successful. The negative assessment might result from the fact that many social services were not greatly expanded and that education (both common and higher) may have suffered financially under the Bartlett administration. But this should not be used to measure the governor's success, since the governor had no intention of making significant changes in these policy areas. The governor, in fact, felt that the continued financing of government without increased taxes (which, in essence, necessitated a status quo orientation toward education and social services) was a major accomplishment of his administration.<sup>17</sup>

Governor Bartlett was for the most part successful, and there are at least five reasons for that success. He promised no new taxes and, as a result, the legislature was willing to let him take full responsibility for the budget and governmental services. Furthermore, he was elected by a wide margin and the legislature in all probability read

this as a mandate for the governor's policies. Third, the governor's program (for all its proposed reform) was not earthshattering. It was not a program that would evoke a great deal of emotion on either side. Fourth, as a former state senator, the Governor got along well with the legislative leadership; the leadership seemed to like him. In fact, news accounts assessed the governor's relations with the legislature as good. As a result, the leadership was not disposed to push for programs for which there were no funds available, thus sparing the governor from potential embarrassment.<sup>18</sup> Finally, the governor felt that his membership in the opposition party was a very positive arrangement, since the legislature did not expect to control him like they had when the Democrats held the governorship. This division of the branches by party, according to Bartlett, insured a separation of powers and the fixing of responsibility more clearly.<sup>19</sup>

We have labeled Deane Davis and David Hall of Vermont and Oklahoma respectively as successful in the sessions under investigation. Both governors were aberrations, because they were of the same party as the majority in the legislature and the normal (during the period of study) occurrence was for the minority party to be in control of the governorship. Looking at Table 5-1 we can see a fairly high ranking for both governors. Governor Davis was judged

to be only average in legislative leadership, for reasons to be demonstrated later, but this did not severely detract from his overall performance. Governor Hall was evaluated as being extremely successful in most areas in the session under study.

In Vermont, Governor Davis came into office in 1969 following a popular Democratic Governor (Philip Hoff) who had held office since the 1962 election. Davis, who had not had government experience for quite some time, was slow to offer the necessary and expected program leadership (especially for a governor of the same party as the dominant legislative party). The legislature was eager to be led by a Republican Governor, but for the "first six weeks of the session no leadership, either from the governor's office or the legislature, was to be found."<sup>20</sup> Part of the problem for Davis in his first weeks was his announcement that the imposition of a sales tax was necessary. This was particularly troublesome because Davis had campaigned on a platform of no sales tax. To make matters worse, the proposed tax plan called for a four percent sales tax, even on food. The legislative leaders were repelled by the tax on food, and it took five weeks of conflict between the legislature and the governor before an agreement could be achieved.<sup>21</sup>

Davis was willing to compromise, however, and accept a House version involving a 3 percent tax which excluded food. Once this compromise occurred, passage was essentially assured, although some controversy persisted between Davis and legislative Democrats. The Democrats were opposed to the tax plan partially because of their ideological commitments but also for media consumption and partisan advantages.<sup>22</sup> In the final stages of the session the Governor became more active in the legislative tumult. For example, he called a summit meeting with legislative leaders in which he "passed the word to extend the session beyond the normal period" in order to insure that the tax bill would pass.<sup>23</sup> Both the extension and bill passage resulted.

This was not the only proposal of interest to Davis, who also centered his attention on legislation calling for a referendum on a constitutional convention, two conservation measures, the financing of education, and others. The main emphasis behind the education bill was the state's financing by a substantial amount (40 percent of the cost per student) the cost of common school education. However, the sales tax issue stood out as the distinguishing feature of the legislative session. Environmental issues were approved in following years after the groundwork was laid by Davis in 1969. In sum, the governor normally did not

like to get involved in the legislature and did not like to be challenged by legislators, but was willing to exercise some clout when he felt he had to. Vetoes and appointments played only a minor role in evaluating the governor since his success was directly tied to the passage of the sales tax. He did not get exactly what he originally proposed, but he got enough to have the bill identified as his (a possible negative aspect with regard to reelection attempts). The importance of the bill is brought into perspective by the media: "The 1969 session wasn't flashy or innovative. It was a single issue session--a sales tax legislature."<sup>24</sup>

Democratic Governor David Hall of Oklahoma is a good example of how we may be misled by using simple indicies to determine success. Governor Hall was successful in the first session that he worked with, but most standard indexes would not reveal how successful he really was. The data in Chapter IV depict partisan voting in the 1971 session when we look at the governor's interest votes (IPL=40.0). We also found high levels of cohesion by the Republicans (voting against) and low levels for the Democrats (voting for) on the governor's interest bills-82.4 and 46.4 respectively. The low level of cohesion for the Democrats, when translated into other indicies for success, support, or agreement, would indicate that the governor was not

successful. However, the low values that would result from computing these indicies would not take into account the size of the governor's majority party--the Democrats had over 75 percent of the seats. As a result of their size the Democratic legislators did not have to support Hall completely for Hall to win. Winning, if that is what we want to call it, is exactly what the governor did.

Governor Hall came into office after Bartlett and eight years of Republican control of the governorship. He had campaigned on the "fair share" concept of taxation, and his fulfillment of that campaign promise, and the necessity to raise revenue, forced Governor Hall to push his tax program. Taxes were not the only part of his program, but like Vermont in 1969, the Oklahoma legislature in 1971 was really a single issue session--taxes. An oil and gas tax, a revision of the income tax (involving greater progressivity in rates), and the elimination of prescription drugs from the sales tax--were the major components of the Hall tax program. The prescription drug measure failure (the only item Hall felt he failed on in his four year tenure)<sup>25</sup> reflects on Hall's success, but this failure is mitigated by the enormity of his two other tax proposals. The passage of the income tax revision and the imposition of a new oil and gas tax were nothing short of miracles in Oklahoma and marked a successful session for Hall. "No

measure for which the governor sincerely fought was defeated and no measure to which he was sincerely opposed was passed."<sup>26</sup>

When first introduced, there was much skepticism about Hall's programs ever coming to pass. The governor's success was largely dependent upon two factors. First, he was willing to compromise. He proposed a tax package that came to \$83 million knowing that it would never pass without some cutting, and so in presenting such a large request he enabled the legislators to reduce it. The \$45 million sum passed was sufficient to meet the new needs of the state. The second major reason for the governor's success was his taking office after eight years of Republican gubernatorial rule. As a result, whatever he (Hall) wanted, he was going to get. Governor Hall was cognizant of this, as he pointed out, "The Democrats [were] trying much harder to get along with the governor than if I had succeeded a Democratic Governor."<sup>27</sup>

Governor Hall may well have been too successful in the 1971 session. His legislative success dwindled after the first year, so that it was harder to get legislation passed in later sessions--". . .the program was so strong the first year, that it caused a trauma that shook the last three years."<sup>28</sup>

While the governor was successful on 21 of the 22 items that he campaigned for (only the prescription drug measure failed), in later sessions he was not in as strong a position as in the first. Lawmakers from his party tended to oppose him more in succeeding years with the firm expectation that he would not be reelected because of adverse public response to his tax success, alleged corruption in his administration, and the appearance of attractive Democratic aspirants for the governor's office. In fact, in the last session, legislators withheld appropriating large sums of money in order to prevent Hall from receiving too much credit.<sup>29</sup> Thus, from a longitudinal perspective, we have a governor with mixed results--a highly successful first session with great impact followed by much less success.

In summary, when we look at the four governors in these two states, we find, on the whole, successful individuals. It is important to find that governors, even from the minority party, can achieve some success and with what appears to be less partisanship. The more interesting findings concern the two governors whose partisan ties are congruent with the dominant legislative party. There was more conflict present within the legislature when Davis and Hall took office, yet both achieved significant amounts of success in passing difficult tax programs. It is our

belief that Bartlett and Salmon were successful because they had programs that were popular and acceptable to the legislature (not earthshattering as one commentator noted), while Davis and Hall were successful in spite of their controversial tax programs. This success was largely dependent upon the dominant party evoking more partisan control over votes when it was necessary. In conclusion, we find that the change in the governorship from usual minority party control to majority party control makes a difference, not so much in determining success but rather in the qualitative nature of success. Programs that would be, by their very nature, controversial (taxes) were passed when the governorship switched to the dominant and congruent party.

#### Florida and Idaho

In contrast to the previous two states, the governorship in Florida and Idaho was normally controlled by the party that was dominant in the legislature (Democratic in Florida and Republican in Idaho). The aberrations found a Republican, Claude Kirk, in the executive office in Florida and Cecil Andrus, a Democrat, as governor in Idaho.

In Idaho and Florida we find contrasting results for the governors from the party normally in control as can be

seen in Table 5-1. The analysis leads us to conclude that Governor Samuelson of Idaho was not very successful, while Governor Askew in Florida was very successful in his first session. Both governors were judged on only three of the four items to determine their final evaluation. The appointment process provided such limited material so as to make any evaluation speculative. Governor Askew was rated high across all the items while Governor Samuelson was rated low on veto and legislative leadership.

Governor Askew was elected to follow Kirk in 1970 mainly as a tax reform candidate, and in 1971 a new tax program was achieved. In order to have the legislature act on the tax issue as soon as possible, the governor called a special session before the regular session was to convene. The legislature, after extensive debate, passed a joint resolution calling for a proposed constitutional amendment (see Chapter IV, special session). Approval for the resolution was granted because "the Governor feels he has an election mandate to propose the corporate profits tax constitutional amendments, and I am perfectly willing to allow the people the right to vote on this issue."<sup>30</sup> Subsequently during the regular session, the vote on the amendment was moved forward for an earlier decision by the people. Askew took his fight to the people, as he had

during the election, and the people approved the tax reform overwhelmingly.

The tax was not the only success for Governor Askew. He won approval for a majority of his programs, including the nonpartisan election of judges, correction reforms, reorganization of state departments (including the State Commerce Department), more state aid to local schools, rehabilitation measures (alcoholic and mental health patients), and assistance to the labor force. Some issues on which he lost were subsequently passed in later sessions. Environmental issues were dominant concerns for the governor in his workings with the 1972 and 1973 legislature, as were matters pertaining to education. On the whole, Governor Askew was very successful in achieving his main objective as well as gaining other measures in his first legislative program. In addition, what few vetoes the governor issued were sustained.

The governor's success can be attributed to a number of factors, including the previous governor. Most political observers felt that Governor Askew was definitely advantaged by following Governor Kirk. Even Governor Askew was cognizant of this.<sup>31</sup> Governor Kirk was so controversial that Askew was a welcome relief. Since Askew understood the legislative process, he was willing to work with the legislature and gain their support. Moreover, the

governor gave the legislature a sound program to consider. The personal credentials of the governor, such as his integrity and his popularity with the people, both contributed significantly to his success. Finally, the governor was not afraid to go to the people, as he did with the corporate income tax, to garner support for his program.

In contrast to Governor Askew is Governor Samuelson of Idaho. As a Republican with a Republican legislature, we would expect Samuelson to be successful, but for the most part he was not. The governor appeared, on the surface, to be much more successful than actually was the case. The initial opinion was based on the fact that many programs brought forth by the governor were passed. Annual sessions of the legislature, the phasing out of inventory property tax, highway safety, placement of teachers into the public employees retirement system, and reorganization of state agencies were all requested by the governor and approved by the legislature.

We believe that Samuelson considered reorganization of agencies his most important accomplishment.<sup>32</sup> These included the establishment of a Department of Administrative Services, the merger of the offices of Tax Collector and Tax Commission, and the reorganization (including increased funding and staffing) of the Insurance and the Savings and Loan Agencies.

Upon further analysis, however, we must reject the initial impression of success and conclude that the governor did not achieve as much as possible. This reappraisal results from the fact that the governor failed to offer the leadership that the Republican legislature expected from a Republican governor.

There is ample evidence for this conclusion. The length of the legislative session, the number of vetoes issued, the budget, and the general confusion in the 1967 legislature are indicative of Samuelson's failure. The 1967 session, lasting 89 days, was the longest session until that time. "The legislature moved slowly in the early weeks . . . there was a lack of leadership because no one seemed to be putting the pieces together."<sup>33</sup>

The governor also had considerable problems with the passage of legislation that he did not like. The governor vetoed over thirty bills--a considerable number for a governor from the same party as the majority. The legislature passed a judicial reform package which had considerable support in and out of the legislature, and Samuelson's vetoes of the many bills related to judicial reform were not greeted with enthusiastic acceptance. However, they were upheld in the end. The point is that a strong governor would never have allowed the legislation to get as far as his desk in the first place.

Another indication of Samuelson's lack of "command" over the legislative process was reflected in the necessity of calling the legislature back into special session. The special session was required in order to pass corrective legislation and new appropriations because the governor, the executive office, and the legislature had failed to enact the proper legislation to bring Idaho in compliance with federal regulations.

Moreover, most of the confusion in the initial regular session resulted from the governor's budget or lack of a budget. Instead of working on a budget before the session, or using the budget prepared by the previous governor, he offered only a total budget figure--\$152.1 million. That figure was reported to be nothing more than a 12 percent incremental increase and not based on any policy needs or goals. That might not have been too unacceptable except, at the same time, Samuelson asked for programs which demanded more funds than he had asked. To further add to the problem, the state agencies had requested \$178 million in funds. As a result of no detailed budget by the governor and the excessive agency demands, the legislature was left to determine where the funds would be allocated. When the governor finally decided to present a more detailed budget, it was after the scheduled deadline.<sup>34</sup>

Even with those problems the session could have been "saved" had the governor been flexible enough to deviate from his budget figures. Instead, Samuelson stood steadfast with the \$152.1 million figure until nearly the end of the session. It was not until it became obvious that his original budget ceiling was entirely unrealistic that the governor reviewed the budget requests.<sup>35</sup> It was the Senate's determination to provide the two universities with \$2.1 million more than what the governor wanted which forced Samuelson to change his position. "This was the first legislative 'break' away from the governor, if the legislature was ever really with him."<sup>36</sup> The governor acceded to the legislature's demands for the \$2.1 million and this cleared the way for legislative adjournment. We believe this discussion has shown that the governor was not in control of one of his most important functions--the creation of a budget--and he was unwilling (or unable) to give the legislature the needed leadership.

In sum, one of the governors who "sat" with a legislature of the same party was successful, while the other governor, under similar circumstances, was not very successful.

Our attention now turns to the two governors whose party identifications made them aberrations with regard to partisan ties with the executive office. First, we look at

Governor Kirk of Florida and then Governor Andrus of Idaho to determine how they both fared with their respective legislatures. As seen in Table 5-1, Governor Andrus was successful but it was not a strong position while Governor Kirk was not very successful primarily because of his veto and his legislative leadership.

The 1967 legislative session in Florida was Kirk's first. The session virtually defies description and as a result Kirk's performance is difficult to assess. Kirk is an example of a governor who might be successful without accomplishing much of his program. If a governor can be successful by using the veto, then Governor Kirk was successful. He vetoed over forty bills, with almost all being sustained. The use of the veto enabled Kirk to shape the legislative session and the policies of his state. However, the lack of any sustained program for his own party, the turmoil that surrounded the session, and the governor's actions, forced an observer to conclude that this was not the most successful legislative session that a governor of a state could have. As the Miami Herald observed,

It was the longest, most political and least productive session in modern memory, stretching 102 calendar days and demonstrating that . . . a Republican governor and a Democratic legislature go together like oil and water . . . Governor Kirk's disavowal in practice of his White Paper promise . . . his cavalier

use of the veto and his broken promises which frustrated legislative compromise add up to highly erratic leadership.<sup>37</sup>

The session was destined to be one of the most chaotic sessions, in part because a court ordered reapportionment plan was put into effect shortly before the session began. Besides reapportionment, Governor Kirk called a special session for constitutional reform without consulting legislative leaders and, thus, antagonized them. Generating antagonism was only one of Claude Kirk's traits. A political novice who became the first Republican Governor of Florida in 94 years, he was flamboyant, bombastic, and certainly not humble.

Three key issues were interrelated and were the source of much of the confusion and conflict in the session: education, budget, and taxes. From the very beginning the governor vowed not to have a tax increase. Any program which would necessitate a tax increase would have to be cut. This position brought the governor into direct conflict with the legislature and the Florida Educational Association.<sup>38</sup> Financing educational needs (including higher salaries for teachers, increased funding for the junior college system, new universities, and special programs for the elementary schools) was generally considered to be the essential task of the legislature in 1967. When the Democratic legislators tried to allocate what they

thought were the necessary funds, they became embroiled in a direct conflict with Governor Kirk because the budget would necessitate a tax increase. The first budget passed by the legislature was vetoed by the governor because it was approximately \$1.5 billion for the biennium, some \$250 million more than the governor was willing to approve. In response to the veto, the Democratic legislature passed a new budget which was almost exactly what the governor had proposed originally. They did this knowing there were errors in his budget and, thus, the governor would have to take the responsibility for what might result.<sup>39</sup> Kirk shunned the notion that the budget passed was his and declared that the legislature was acting "with political malice."<sup>40</sup> At the same time he proceeded to line item veto \$165 million in funds for junior colleges, textbooks, school lunch programs, special education units, and money for most cabinet agencies. Thus, with the effective use of the item veto, the governor was able to write the budget on his own, which in turn caused a great deal of consternation for the legislature.

The budget, taxes, and education were not the only subjects which caused conflict between the legislature and the governor. One other example, the crime issue, provides an indication of the type of relations that existed between Kirk and the legislature and why it is so difficult to

evaluate the governor. When the governor ran for election, one of the main themes of his campaign attacked the increasing crime rate in Florida, at the same time promising to wage war on it if elected. Kirk, once elected, followed through on the promise by employing a private detective firm (using private donations) since there were no public resources readily available to conduct such a program.<sup>41</sup> At the governor's prodding, and as a result of his using a private firm, the legislature created a Florida Bureau of Law Enforcement. However, the Bureau would be placed under the direction of the cabinet rather than solely under the governor. The governor responded by vetoing the legislation and then offering a compromise to the legislature. He agreed to accede to their wishes to place the Bureau under the cabinet if other modifications were made. Subsequently, the legislature approved \$1.5 million for the Bureau contingent upon the approval of the enabling legislation. The governor approved the funds but vetoed the contingency clause and the crime legislation package, saying "Obviously, we will have to veto it . . . I can't give away constitutional authority."<sup>42</sup> As a result of all these various incidents, partisan politics was the rule rather than the exception during the 1967 session. In Chapter IV we saw that this session had the lowest party likeness value of all sessions under study. We believe that the

chaos, turmoil, and lack of leadership necessitate the judgment that the governor was not very successful in his legislative relations.

The actions by the minority governor of Idaho, Cecil Andrus are in contrast to Governor Kirk's behavior. Andrus is an example of how one can easily make a mistake by using only simple indicies to determine the success of a governor. The governor did not have a high ratio of bills passed to bills introduced; in fact, less than half of the governor's proposals passed. Other indicies might give us difficulty in analyzing Andrus, since many of the bills that passed showed little or no conflict and, thus, such bills would not be used in the computation of such measures. Not taking into account legislation that passed without conflict could be highly misleading. The ability to get legislation approved without causing a great deal of conflict may say something about the program, but it also says something about the governor. At the same time, there were a number of bills in the governor's program which would not be used in the computation of the indicies. Some bills from the governor's program were killed not by roll calls but by standing committee inaction. That bills never get out of committee should be considered in assessing a governor and, in this case, they reflect negatively upon

Cecil Andrus. Considering all of these points, we might conclude that the governor was not very successful.

But such a judgment would be in error; he was successful in 1973 for two reasons: (1) some of the key legislation that reflected his program was passed; and (2) he was able to have his vetoes sustained. The governor vetoed a number of acts, all of which were upheld. More important to the assessment of Governor Andrus is the legislation approved in later years. The 1973 legislation comprised part of the "foundation" for three important programs approved in 1974 and 1975. Land use planning, statewide kindergartens, and massive reorganization of state government were all discussed and worked on in 1973. The three items were not expected to be approved in 1973 but rather were aired so that they might have an easier time in later sessions.<sup>43</sup> These three items were the main theme of the governor's program in his first term, and their passage, against heavy opposition, mark the governor as successful.

Governor Andrus' success was primarily the result of the governor being pragmatic and willing to compromise.<sup>44</sup> So while Andrus was opposed quite strongly by a right wing element, he was able to build the necessary coalitions that a minority party governor needs to be successful. Andrus commented about this coalition building:

I do the same thing that he [Tom McCall] did and that is to put together a coalition of the two [parties] and that is the only way I know. I can hold most of the Democrats but not all of them; but, I can pick up five or six Republican votes on the other side of the Senate aisle . . .<sup>45</sup>

This successful coalition building was the result of subtle and adroit handling of both legislators and his program.<sup>46</sup>

The governor presented, to a large extent, a pragmatic program that the legislature could handle. In addition, the governor was willing to let bills go, rather than cause a good deal of conflict if he saw little chance of passage during the session.<sup>47</sup> However, the governor was willing to fight and to go to the people if he believed strongly in an issue. Reorganization was a case in point where initially the legislature said "no" and the governor went to the people in referendum form. The people overwhelmingly approved the idea, and the legislature then responded positively to governmental reorganization. On balance, we conclude Governor Andrus was successful.

In reviewing the four governors of these two states, we find that two governors were successful (Askew and Andrus), while the other two (Kirk and Samuelson) were not very successful. The two successful governors served under dissimilar conditions, as one was from the same party as the majority in the legislature, while the other was a minority party governor with a legislature dominated by the

opposite party. The minority party governor was the aberration--a situation which might be expected to induce failure since the legislature was not used to working with a minority party governor. The expectation that a minority party governor might have difficulty working with the legislature was borne out in the case of Claude Kirk of Florida. We determined that Kirk was not very successful in his dealings with the 1967 Florida legislature. Governor Samuelson was not very successful in spite of the fact that he was a majority party governor. On the whole, the partisan patterns of these two states were not of prime importance in determining who was successful.

#### Oregon and North Dakota

Up to this point, the Chapter has focused upon four states in which there has been a lack of consistency in partisan control of the governor's office. In the four states, the office has switched between being congruent with the majority party to being aligned with the minority party (or vice versa). Our attention now turns to the two states in which the minority legislative party always held the governorship. The two branches are constantly controlled by opposing parties. One can study the long term effects of party on executive-legislative relations, at the same time controlling for the effects of partisan switches

in the governorship. Moreover, this situation allows us to better understand executive-legislative relations since a working arrangement should be established if needed programs are to be approved.

In Oregon, the Democrats were the majority party in the Senate, while the governor was a Republican. In contrast, North Dakota's Senate was under the constant control of the Republicans, while the Democrats always maintained possession of the executive office. Tom McCall served as governor of Oregon during both periods of analysis, 1967 and 1973, and was considered successful in both. In 1966 the Governor came into office after an election characterized by its lack of issues.<sup>48</sup> The governor had previously been a political analyst for the news media in Portland before being elected to his first political post, Secretary of State, in 1964. This media background and the lack of political experience were both important factors in the behavior of McCall toward the legislature and may explain the successes that the governor achieved. While McCall was successful as governor throughout the period, his rate of success was not constant. We believe, as do political observers in Oregon, that McCall grew in stature in office and that correspondingly his success increased.<sup>49</sup>

McCall's success was based not so much on the number of gubernatorial bills approved but rather the nature of

the programs accepted. Two environmental bills deemed very important by him were approved; one was designed to protect Oregon beaches from development and the other created the Willamette River Park system. Other successes were achieved by the governor, including executive department reorganization. However, two interrelated issues dominated the 1967 session--school financing and taxes. As in other states, increased demands for funding education programs resulted in tremendous growth in local property taxes. As a consequence, there was a demand by the citizenry for the state to give relief to local government. Solutions in the regular session were sought, but no formula emerged to completely solve the dilemma and, as a result, a special session was convened by the governor. Originally, the governor sought a revision in the income tax rates, but a negative economic situation and the possibility that Oregon would become the highest income tax state in the Union (a politically unacceptable position) forced the governor to give up on that plan.<sup>50</sup> In its place, the governor proposed a new sales tax of 3 percent. The governor was able to achieve approval by the legislature for changes in the constitution allowing a tax. In addition, necessary changes in state appropriations for educational programs were accepted. Getting the sales tax out of the legislature, along with the school aid program, were the key

achievements for McCall during the 1967 legislature.<sup>51</sup> However, these successes were mitigated by the sound defeat given to the sales tax proposal by the electorate of Oregon when the issue was put to them in a referendum.

In 1973, property taxes were still a key issue in the legislature. To relieve citizens' property tax burdens, McCall proposed that the state take over completely the operating cost of public schools in the state. In order to pay for this proposal, the governor planned to increase state income taxes, along with a business profits tax. Overhauling Oregon's tax structure was given top priority by legislative leaders. They (the Speaker of the House and the President of the Senate) joined in solid support of McCall's tax plan. When the plans got bogged down, the leaders took necessary action, with the President of the Senate "firing" the chairman of the Revenue Committee. He was ousted because he and a handful of other members delayed action on the governor's bill. Again the plan was defeated. Another proposal was subsequently submitted to the legislature and passed. This more modest proposal did not seek to fully fund the cost of education, but only to increase aid from 22 percent to 30 percent. The increase to 30 percent would necessitate no new taxes and, thus, would not require the people's approval.<sup>52</sup> So while the governor did not achieve his goals for financing education,

he was able to encourage the legislature to increase its funding of education over previous levels.<sup>53</sup>

Notwithstanding all the attention given to school financing and property tax relief, there were other programs supported by the governor and approved by the legislature. Included among them was the act reducing the penalty for possession of marijuana (Oregon was the first state to pass such a law). In addition, the governor achieved legislation concerning landlord-tenant relations, public transportation, public housing, housing subdivision control, and kindergartens. Perhaps the most important legislation supported by the governor and enacted in 1973 was SB100. "Passage of SB100, the statewide land use planning law, was a hallmark of the session," according to McCall.<sup>54</sup> Actually, the bill created a Department of Land Conservation and Development which monitored local planning and zoning. This gave Oregon one of the first comprehensive programs in the country.

As we might expect from a minority party governor, McCall was unable to control all the legislation and, thus, he was forced to veto a number of bills. In 1967, he vetoed seven bills, while in 1973 he vetoed sixteen; all of these vetoes except one were sustained. Only an act pertaining to candidates' qualifying for office passed over his veto. The relatively large number of vetoes and the

governor's ability to sustain them were additional indications of the favorable position of the governor with regard to the legislature.

This is not to say that the governor failed to have problems. There were setbacks for McCall, including a number of bills that were killed in committee. One of the more controversial pieces of legislation "bottled-up" in committee was a bill requested by him to establish a Fish and Game Commission. Opposition to the bill was strong from the commercial fishing industry, which succeeded in keeping the bill in committee. The governor commented that, "It's amazing the Legislature is owned by Bumble Bee Foods, that one lobby is so powerful."<sup>55</sup> In an attempt to get the proposed legislation out of committee McCall supposedly threatened to veto a bill, SB614, pertaining to the legislature's Emergency Board (the Board represents the legislature on budget matters when the legislature is not in session).<sup>56</sup> The threat did not work; in fact, it aroused hostility among the legislators to the point where the governor's bill was definitely dead for the session. This is just one example of the times that the governor was not successful. But the successes were greater than the failures. The important failures came, in fact, at the hands of the electorate and not the legislature.

What factors contributed to the governor's success? Earlier, we noted that the governor had a media background and little political experience, and both were reasons for his success. The lack of political experience may have resulted in different levels of success between the two sessions, but it also resulted in the governor seeking an executive assistant for legislative affairs. This individual got along well with the legislators and understood their behavior. He was considered by many analysts of Oregon's politics as a major force in the governor's success.<sup>57</sup>

More important to the governor's success was his long time experience in the media. In a state where personalities more than anything else contribute to an understanding of the political process, the background of Tom McCall was especially significant.<sup>58</sup> He was perceived as an honest, hard-working individual who always said what he believed. Some say that the governor did not know how to be political, that he said and did what he felt, and that once he raised an issue, he would not stop until his goal was accomplished.<sup>59</sup> While he often used organized interest groups, McCall was his own best lobbyist. The governor's lobbying was often conducted in front of the people of Oregon and not behind closed doors. The people of Oregon listened to Tom McCall and he said things they remembered.

The people felt comfortable with him, and thought of him as one of them. Legislators knew that he could gain the peoples' support when he wanted to and, thus, prodded the legislature into action with this support.<sup>60</sup>

Finally, McCall was successful because he "got along with" many of the opposition Democrats. In fact, the governor aligned himself more closely with Democrats than Republicans. As he noted: "it was Democrats, not Republicans, who forced a vote . . . for my key programs."<sup>61</sup> The problem for the governor, as he saw it, was not to get support from either party in particular, but to find the progressive supporters--mostly in the Democratic party.<sup>62</sup> Thus, we see in Oregon a successful governor coming from the minority party but working more closely with majority party members.

Our attention now turns to North Dakota, a state in which the Republicans were dominant in the legislature, while the Democrats have maintained control of the governorship. William Guy was governor during the first time period (1965), while Arthur Link served during the second, 1973. We have determined that Governor Link was not very successful in his relations with the legislature, while William Guy was very successful. Governor Guy was viewed as successful with regard to his legislative program as well as the budget, appointments and leadership (Table 5-1).

On the other hand, Governor Link had only limited success with regard to his vetoes and his legislative program. He did not fare any better in his legislative leadership, and in gubernatorial appointments he did even worse. He was considered to be not very successful for appointment.

The 1965 legislature had, like many other states, two main goals: (1) tax reform--to bring equity to all the people of the state; and (2) to adequately finance the needs of the people.<sup>63</sup> Governor Guy was successful in attempting to accomplish these two goals. The governor, with the assistance of his party, was able to pass a number of bills, including ones concerned with R.E.A., a Budget Department in the Governor's office, constitutional reforms, abolishment of the Board of Administrators, and the creation of a State Employee Retirement program. Increased funding of educational programs was also approved. While these are important measures, they serve as only a prelude to the most significant act of the session--tax reform.

The tax plan introduced in the House (where the governor had a small working majority) consisted of several parts. There were plans to increase the sales tax to 3 percent and, on a much broader base (more items would be taxed), raise income taxes (linking it to the federal tax structure), establishing general income tax withholding, and abolishing all personal property taxes.<sup>64</sup> Because of

the Democratic majority in the House, the governor was able to be firm on the tax program. The Democrats did not give in to the Republican majority in the Senate. The Senate wanted a smaller sales tax rate, along with only a partial reduction of personal property taxes.<sup>65</sup> A longer than normal legislative session was needed, but in the end the governor got the program passed. The Republicans believed that the tax program would be associated with the Democrats, in general, and the governor in particular. They also believed that the elimination of the property tax would be outweighed by increased income and sales taxes, resulting in unfavorable public sentiment toward the Democrats, thus causing them to be ousted from office.<sup>66</sup>

As in Oregon, the governor's success in the legislature was mitigated by the people. Shortly after the governor signed the tax legislation, a drive for a referendum was started. The people, through the referendum, rejected the tax program. However, this should not reflect on the governor's success, since we are measuring the governor's success with the legislature and not the people. Governor Guy commented that "the 1965 session was the most monumental of the seven sessions that I was involved in as Governor and once as minority assistant floor leader."<sup>67</sup>

What accounts for the success of Guy in the legislature? The control maintained by the Democrats in the House

surely helped the governor, but this only partially explains his success. There were other reasons for Guy's success, including the personal nature of the governor. We believe the governor was assisted by the fact that 1965 was his third session as governor. In his words: ". . . as each subsequent election took place and I won, they [the legislature] gained a little more respect for the office and the governorship. I knew them--they knew me . . . I had become a predictable quantity and they knew what to expect."<sup>68</sup>

In 1973 Arthur Link became governor of North Dakota after 12 years of William Guy. When North Dakota lost its second Congressional seat held by Link, and Guy decided not to run again for governor, Link ran for and won the governorship (he has never lost a race). Link's long service in the North Dakota legislature was expected to be of assistance to him in his relations with his former colleagues.<sup>69</sup> However, Link's service may not have been as advantageous as one might have expected since he was only marginally successful.

First, Link was able to sustain only one of his major vetoes (thus the low rating on this item in Table 5-1). Only the governor's veto of legislation that would have lowered the drinking age to 19 was sustained. He vetoed this measure because there was no protection against

alcohol being introduced in the high schools.<sup>70</sup> Sentiment that he "stabbed them [students] in the back" was prevalent in and outside the legislature, but supporters of the bill could not muster enough votes to override.<sup>71</sup> While Link had this veto sustained, he could not muster that support on three other bills. A reapportionment plan was passed over Link's veto. A measure which reduced the governor's power over the State Industrial Commission (the commission controls the Bank of North Dakota and the state's grain elevators) was also approved over the veto. Finally, the governor was unable to sustain his veto on a bill disbanding the Natural Environmental and Resources Council. The board had not been operative for several years, and there was a belief that it would never be functional again. The governor believed that it could serve as a natural resource department, especially since there was no such existing department.

Link also faced opposition in the legislature over his appointment of a key state officer, the Director of the Department of Institutions. The governor nominated for reappointment the already sitting Director, Walter Fielder. Fielder had been embroiled in a number of controversies including his dismissal of the state prison warden. As a result, the Senate was opposed to him. Several attempts were openly made by the governor to get the senators to

change their minds but to no avail.<sup>72</sup> Finally, the governor nominated another individual to the post, but he was also rejected by the Senate. Link reacted publicly that the Senate was playing politics;

I'm shocked at this kind of action by the Senate. It's a pure and simple indication of the Senate's complete lack of any desire to cooperate with the governor's office on any level at all.<sup>73</sup>

It was only after the legislature adjourned that the governor made his next appointment (as a result he was rated very low on this concept).

Throughout these events Democratic legislators supported the governor. "We want to put the Republican party on notice that we will not allow the programs on which Governor Link was elected to die without a fight."<sup>74</sup> But the support was usually to no avail, as the Bismarck Tribune noted, "Link's proposals have had a rough going in the Republican dominated assembly . . ."<sup>75</sup>

The major components of the governor's program were defeated: the youth program (to put young people to work in the summer), funding for the arts, voc-tech expansion, and the creation of a consumer affairs division. More important to the governor was his major program plank--tax reform and tax relief. The governor requested removal of groceries from the sales tax, a "federalizing" of the state income tax (tying the state income tax more closely to

federal income tax), and property tax relief (to be accomplished by increasing aid for teachers). This program was "killed" by the Republicans very early in the session. However, recognizing that tax relief was being demanded by the people, Republican legislators picked up on the governor's tax program. The Senate favored the idea of making changes in the income tax. The House was supportive of the exemption for food from the sales tax. Both chambers approved increased state aid to the schools. The controversy over the program continued between the two houses throughout the session. Near the end, both houses agreed to a compromise by accepting parts of each concept. Thus, a tax program which changed the income tax, the sales tax, and held the property tax down (by increased school funding) was accepted.<sup>76</sup> This was exactly what Link had proposed early in the session. Therefore, the governor should be given some measure of credit for this legislation. It was one of the few bright spots in an otherwise dismal performance. One cannot conclude that this single piece of legislation marked Link as a success. Too many other segments of the executive's legislative performance were negative (the rest of the program, the vetoes, and the appointments) for us to conclude that the governor was a success.

Link was personable and an individual expected to get along well with the legislature since he had been a state legislator for 24 years and was at one time Speaker of the House. He understood the legislative process and worked well with lawmakers while a colleague. This may have been his undoing, however, upon becoming governor. It is suspected that Link could not adequately adjust to the different set of expectations of behavior. While a legislator, one set of norms about acceptable behavior were probably in use and, upon taking office as governor, another set of standards were placed upon him. The older norms made these new norms for behavior difficult to follow. Behavior which was once acceptable could easily be seen as an unacceptable mode of conduct for a governor. His past experience led him to be a very active--perhaps too active--participant in the legislative process. As one state senator observed, "Link is a little more inclined to get into the legislative part . . . I would kind of like to see him stay out of the legislature."<sup>77</sup> Thus, lawmakers might have been repulsed by the governor's active involvement in the legislature and responded accordingly.

A more important explanation for Link's lack of success, we believe, is the fact that he took office after William Guy. Guy was perhaps the "best" politician in the

state and had been the center of state politics for twelve years. The former governor had been very successful in his relations with the legislature, and he knew how to work (manipulate) the legislature. He was a predictable quantity. Arthur Link was the "new boy in town"--a new quantity to be tested. The legislature was not only testing him but was also measuring his reactions. Legislators in many ways were flexing their muscles against this untried governor. As a result, the legislature appears to have been more aggressive than previously concerning the governor. In sum, two factors--legislative experience and time of taking office--contributed to Link's failures.

In reviewing the results of the study of Oregon and North Dakota, it was determined that two of the three governors studied were successful. The successful governors were not from the same state, so one may eliminate the possibility that their success was the result of a special relationship between the governor's office and the legislature in one state. All three governors were from the minority party, and as a result, there is more evidence for our previous findings that success is not dependent upon partisan alignments among the two branches. We expected that long term experience of working together between the two parties in the different positions would facilitate cooperation and a commonalty of interest. In Oregon, we found an increasing

rate of success for Governor McCall across his two terms, thus potentially confirming our expectations. However, in North Dakota, there was no increased success, but rather a decrease with Governor Link being judged unsuccessful. Thus, we cannot make any final determination on the effects of constant partisan alignment on gubernatorial success.

### Wyoming

The last state under investigation--Wyoming--serves as the control case for the study. Throughout the time period, the governorship and the legislature were both under the control of the Republican party. Constant dominance of both branches of government by the same party partially controls for the incongruencies in partisan alignments in the other states. One would expect that the governor always coming from the majority party should result in favorable conditions for his success. The governor's legislative party may yield to his wishes for legislation, or may become so accustomed to the governor providing the leadership in the legislature that they become dependent upon him for legislative program initiatives. Stanley Hathaway was successful in both waves of analysis as he was expected. As can be seen in Table 5-1, he may have been the most successful governor under investigation. Governor Hathaway ranked very high on all four concepts

over both periods of investigation (the ranking is a combination of the two waves). If one were to rank him for each session the only difference might be a slight reduction in his performance with his legislative program in the second time period. The reason for this judgment will become evident later.

Governors of Wyoming have been strong leaders in the state, and Governor Hathaway followed in that tradition.<sup>78</sup> Hathaway was the first two term governor in Wyoming in twenty-five years. His reelection in 1970 by a large margin (60 percent of the vote) was indicative of the popularity of the governor among the people.

Hathaway's success can be attributed to a number of factors, including his constant attention to his 4-E's-- economy, efficiency, environment and education. He believed that by paying attention to these four substantive areas he would place himself and the state in a good position.<sup>79</sup>

In 1967, Hathaway gave considerable emphasis to the economic development of the state, encouraging business and industrial growth. In addition, the legislature approved his programs for education (increased funds for the University of Wyoming, expansion of voc-tech and junior college education, consolidation and increased aid to local schools). Other areas of emphasis during the 1967 legislative session involved the repeal of the inventory tax and

reorganization of state agencies (creation of a Department of Recreation, a Public Service Commission, and Board of Equalization). However, the governor's performance was not without its failures, especially with regard to improving the laborer's lot and in highway safety proposals. In sum, when one weighs the successes against the failures, the governor's successes had a decided advantage in 1967.

Hathaway's 1973 session was also relatively successful. However, there were some failures, including legislation for no fault insurance, new electrical facilities, highway legislation, natural gas control and the expansion of Casper College. The defeat of the legislation expanding Casper College into a four year school probably was the most important of these failures since the governor had put his full support behind its passage.<sup>80</sup> He attacked the opposition, especially the University of Wyoming, as sacred cows who needed to be challenged.<sup>81</sup> However, the governor's endorsement and efforts were not enough to counteract the strong lobbying of the University and the Board of Regents, and the legislation went down to defeat.

However, these defeats were only minor setbacks for him in 1973. In keeping with his 4-E's, Hathaway achieved reorganization and consolidation of state agencies to bring about efficiency in government. To assist the economic conditions of the people of Wyoming, Hathaway

successfully pushed for repeal of the property tax on chattel. Legislation concerning the environment was also of central concern to many Wyoming residents in 1973. Legislation was approved creating a Board to oversee mine reclamation. This was only one of several bills on the environment and orderly state growth requested by Hathaway. The key bill in 1973 was the Environmental Quality Act which placed the air, water, and land reclamation offices into one department.<sup>82</sup>

The governor was not only successful in getting desired legislation passed, but he was also able to block bills which he opposed. In most instances, a veto was not required since the governor was able to get the noxious legislation killed before it would get to his desk. As a result, only a handful of legislation was ever vetoed. As he commented:

Remarkably, I vetoed, I think, only three bills. A lot of people have asked me the reason for that and I think the prime reason was that through the communication system I had, I was able to see the portions that I objected to stricken or I would just say--I can't buy this concept and it would end up in committee and not see the light of day.<sup>83</sup>

The governor's comments emphasize the extent of his influence.

Hathaway's success can be attributed to a number of factors. First, the governor was dealing from a position of strength because the legislature was dependent upon the

executive office (and the attorney general's office) for the legislation. Prior to the Legislative Service Agency's establishment in 1974, the legislature had no help in doing background research and only minimal assistance in writing legislation; therefore, most bills originated in the governor's office. In sum, the legislature could not be viewed until recently as a co-equal branch of government, but rather a weak stepchild. Secondly, the governor presented a comprehensive program that appealed to most individuals.<sup>84</sup> Not only did the governor present a program that could appeal to most people, he also refused to tie himself too strongly to any single bill.<sup>85</sup> As a result, the governor could support a number of approaches to problems. Hathaway, for example, presented the legislature with three alternatives to the problem of natural gas regulation, because he was not sure what would pass. In addition, the governor was not averse to crossing party lines for support; he asked Democrats to introduce and carry some proposals through the chambers (e.g., the Death Penalty Bill). Moreover, we believe that much of the governor's success was the result of his popularity among the people. In sum, we believe that the leadership Hathaway brought to the legislative process, the successful passage of a preponderance of his program, and his ability to defeat unde-

sirable legislation without using the veto are all indicative of his success.

### Explanatory Factors

Twelve governors in the seven states were examined, and it was concluded that nine out of the twelve were generally successful. The three remaining governors (Kirk, Link, and Samuelson) were not very successful. The analysis now focuses on characteristics common to the governors that may assist in explaining the variations in gubernatorial success. The analysis examines the effects of partisanship, gubernatorial power, legislative power (independence), and the integration of gubernatorial and legislative power in explaining the governors' success. Finally, prior legislative experience was used as another explanatory variable in trying to understand the differences in success among governors.

The overall high level of success for the governors under investigation came somewhat as a surprise. The fact that nine out of the twelve governors were fairly successful leads us to conclude that governors under most circumstances can have favorable outcomes in their executive-legislative relations. In fact, even the three governors evaluated as not very successful enjoyed some measure of achievement in their relations with the legislature. Every

governor had at least one policy position he wanted carried out and if the desire was strong enough, he had the tools and capacity to do so. Joseph Chamberlin's observation in the late 1930's holds true today:

Armed with the veto and his power of patronage, together with the threat of direct appeal to the people, a governor, even with both houses of the legislature against him, may wield no small influence in shaping legislation. If there is not a 2/3 majority against him in each house, or if the partisan majority against him does not dare to oppose his veto because of his influence with the people whom he can reach by speech, by newspaper, or by radio, his wishes must be taken into consideration.<sup>86</sup>

Indeed, governors may not even need a third of the seats to accomplish their goals. In Oklahoma, only 25 percent of the senators were from the same party as Governor Bartlett, and he was successful in his relations with the legislature. What factors can explain the success of governors in their relations with the legislature?

The first conclusion drawn from this study is that partisan congruence between the control of the two branches was neither necessary nor was it sufficient for governors to be successful. Governors need not be from the same party as the majority of the legislature to be successful. Governors Andrus, Bartlett, Salmon, Guy and McCall were all from the minority party of the legislature and were able to achieve many of their goals. Governors, when necessary, build coalitions of legislators from both parties that bring them success. The success may, however, be less the

result of the governor building a coalition than the legislature's willingness to accept gubernatorial involvement. A theory confirmed by the work of Bernick et al. found that the dominant theme among legislators was mutual cooperation with the governor "in proposing program initiatives and solutions to pressing social problems"<sup>87</sup>

Additionally, the current research also found that being from the dominant legislative party was no assurance of gubernatorial success. Governor Samuelson in Idaho was from the majority party and he was not very successful. While the legislature is willing to work with the governor, they are not willing to blindly follow his initiative--they will pass legislation they believe necessary (as we saw in Idaho) even if it was to be later vetoed. Ironically, the dominant legislative party may place an extra demand upon the governor from the same party to lead. The legislators expect a program of legislation; more important, they expect the governor under these conditions to offer a budget from which they can work. While legislators may expect a budget from a minority party governor, they also take the initiative to create their own. When the two branches are aligned politically, the legislators wait for a budget from the governor rather than present their own budget. Failure to present a budget may lead to a loss of confidence by

lawmakers and a usurpation of the leadership roles, resulting in gubernatorial failure.

In addition, several other observations may be made about the role of party in determining gubernatorial success. Consistency in party control of the governorship does not insure success on the part of the governor. Failure on the part of a governor is not the unique property of a particular party or partisan alignment. On the whole, the discussion of the role of party leads to the conclusion that partisan attachment does not play the dominant role in explaining gubernatorial success that one might expect.

There also appears to be little explanatory value in the employment of formal measures of gubernatorial or legislative power (separately or in combination) in accounting for gubernatorial success. The three less successful governors do not come from a unique set of states with regard to gubernatorial power. North Dakota (Link) and Idaho (Samuelson) are states in which the governors have high gubernatorial prerogatives, but Florida (Kirk) has been designated as a relatively weak gubernatorial state. In similar fashion, the three unsuccessful governors do not come from uniformly high legislative power states. North Dakota and Idaho are both low in legislative

power, as measured by independence, while Florida is high on this index.

When combining a revised gubernatorial power index with Declercq's measure of legislative power in a four-fold table (see Table 5-2), one finds little evidence to make any firm conclusions. It is interesting that in the three states (Oklahoma, Vermont, and Oregon) where uncertainty existed as to whether the legislature or the governor might be dominant, we found governors to be successful. This conclusion is somewhat diminished because of the mixed findings for the other four states. In Florida, the legislature should be the dominant actor with the governor in the weaker position. Instead, one governor was successful while the other was unsuccessful and, as a result, no conclusion can be drawn about gubernatorial success under these conditions. However, because we were using only one state and two governors, considerably more research needs to be conducted before a definitive conclusion is made. Idaho and North Dakota confirm the conclusion that this four-fold typology is inadequate for explanatory purposes.

In Idaho and North Dakota, plus Wyoming, the governor was expected to be dominant and as a result, successful. Wyoming corresponds to this expectation, but Idaho and North Dakota do not. In North Dakota, Governor Link was not very successful. One might argue that Link's failure

Table 5-2. Integration of Gubernatorial and Legislative Powers

		Governor's Power	
		Low	High
Legislative Independence	<u>Low</u>	<sup>1</sup> Oklahoma Texas Vermont	<sup>2</sup> Idaho North Dakota Wyoming
	<u>High</u>	<sup>3</sup> Florida	<sup>4</sup> Oregon

was the result of his being from the opposite party and, therefore, in a weaker position. Two points argue against such a position--(1) Governor Guy was successful and he, like Link, was from the minority party; and (2) Governor Samuelson was from the dominant party in Idaho and he was unsuccessful. As a result, we must conclude that the four-fold typology does not adequately depict gubernatorial success. Furthermore, we conclude that gubernatorial power cannot be translated directly into gubernatorial success. The possession of formal power does not mean that a governor will be successful, just as the lack of such power does not doom a governor to failure. In summary, the concepts of gubernatorial power, legislative power, and the integration of the two do not adequately explain gubernatorial success.

Another factor that might explain gubernatorial success is prior legislative experience on the part of the governor. Two countervailing theories can be developed concerning previous legislative experience. One proposition would make prior legislative experience the essential ingredient to success since experience would build better understanding of the legislative process. Salmon and Askew both believed this to be an essential ingredient to their success. In addition, service in the legislature before becoming governor may enable an individual to make personal

contacts that become invaluable upon taking office. This was what we believed assisted Bartlett's performance as governor.

However, Governors Davis, Hall, McCall, and Hathaway were all successful and had no prior legislative experience. Conversely, Governors Link and Samuelson had prior legislative experience and they were not very successful. This leads to the contrary view of experience which posits that prior experience in the legislature results in the governor becoming too active in the legislative process. This activity may offend legislators because he (the governor) is interfering in the legislature. Some political analysts believe that experience in the legislature results in just the opposite type of behavior, with the governor becoming too passive and deferential and, therefore, ineffective. Governor Link might represent an example of the former theory while Samuelson represents the latter. Successful governors with prior legislative experience would negate either one of these two perspectives; and we had several, including Salmon, Bartlett, Askew, Andrus, and Guy. We are, however, unwilling to dismiss any argument about legislative experience with the number of cases under investigation. What is probably more accurate is that prior legislative experience may be either an aid or a detriment, depending upon how it is used by the governor.

If a governor uses his experience wisely, it can become an invaluable tool in gaining what he wants, but it may also be a hazard when used unwisely (either by too much involvement or too much deference). The confounding results and theories make legislative experience itself an unacceptable factor to explain gubernatorial success.

### Summary

Twelve governors in seven states were studied with a special concern for their ability to be successful. Success was defined using various measures, including gubernatorial program, vetoes, appointments, and ability to perform a legislative role. When the governors and states were studied in a comparative perspective, success did not appear to be characteristic of any one group of governors (states). Little difference was seen between the states across a single time period. In addition, analysis of the states over time does not allow us to detect any uniform pattern of behavior. Little evidence exists that previously suggested explanatory factors, such as formal gubernatorial power, legislative power, the integration of gubernatorial and legislative power, or legislative experience, have much usefulness in explaining gubernatorial success or failure. Finally, the most important result, as far as explanatory power is concerned, was the inability of

partisan situations to explain success. Partisan alignments do not appear to be either necessary or sufficient for success.

The final chapter contains some concluding remarks about the results of the present study. A new model is presented to assist in explaining executive-legislative relations. Finally, the chapter concludes with some remarks about research on the governor.

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CHAPTER VI  
SUMMARY AND CONCLUSION

This study took two different approaches to assess the role of the governor in the legislative process. The first focused on the governor's impact upon legislative voting behavior. The second examined the governor's ability to achieve success within the context of executive-legislative relations. In this chapter, we review the findings and discuss their implications for the existing body of literature on the governor. The results of the study suggest a model of executive-legislative relations.

Although the original research design called for eight states, only seven were used in the analysis, since it was impossible to obtain adequate information on the Texas governors and their programs. Since a major question of this study was to determine the governor's effect on voting in one-party dominant legislatures each legislature in the seven states was controlled by a single party. The design was also constructed in order to control for the effects of partisan division between the executive and legislative branches. Long term partisan congruence between the two branches was compared to situations in which the governor and the legislature were consistently from the opposite party. Further comparisons were performed with states where the partisan

control of the governorship shifted during the two waves of analysis. In short, we were able to make three types of comparisons: (1) comparisons across a single time period; (2) comparisons within and between states over time; and (3) comparisons between votes of interest to the governor and votes of little interest to the governor within a state in a single time period. One intent of such a design was to make the findings potentially generalizable beyond the states under analysis.

The use of all votes within the seven states substantiated previous findings that party was not a voting cue for legislators. However, when a comparison was made between votes of interest to the governor and those not of interest to the governor, there was reason to modify the previous findings. When the governor becomes involved in the legislative process from a programmatic perspective, there is definite reason to believe that party becomes a more salient cue for legislators' voting. In addition, it was discovered that legislators in both parties increased their level of voting cohesion as compared to normal levels when the governor's position was well-known on specific issues.

Comparisons in voting between the states and over time produced mixed results. In three (Florida, Oklahoma, and Vermont) out of the four states (Idaho was the fourth)

where party control of the governorship switched, there was a substantial difference in the party voting for the legislators between the two time periods. In the three states where partisan attachment of the governorship remained constant over the time period (North Dakota, Oregon and Wyoming) an impressive degree of consistency in voting was found over the two waves of analysis. It would appear that variations in partisan control of the governorship have an effect on the voting behavior of the legislators.

Concluding the analysis of the governor's impact on legislator's voting, we turned our attention to the study of gubernatorial success. Theoretical considerations dictated the procedures for the analysis of gubernatorial success. No single measure of success was believed to be an adequate test. As a result, no uniform procedure was used, but rather a variety of indicators were employed in the evaluation of the individual governors. Action on the governor's program, vetoes, appointments, and the working relationship between the governor and the legislature were all used, though not in a uniform manner. In some states, for example, selected legislation was given greater weight than other portions of the governor's program or vetoes. Decisions on weighing the various items were based upon media coverage of the legislature under investigation and information gained from interviews with the governors.

Unfortunately, the lack of a single measure and weighting scheme makes replication cumbersome. However, the qualitative analysis, even with its lack of parsimony, was judged superior to analysis with a single measure which would not capture all of the dimensions of gubernatorial success.

Evidence from this analysis indicated that governors can usually achieve success. Nine out of the twelve governors under investigation were determined to be successful. On balance, the comparative analysis of success enabled us to conclude that success or failure was not unique to any one partisan alignment. Analysis of Governors Kirk (Florida) and Link (North Dakota), and their relations with the legislature in an individual case study approach might lead one to conclude that partisan division between the two branches of government was the major cause of the governor's failure. However, under comparative analysis, evidence was presented indicating that party division alone does not insure failure (or success). In fact, partisan congruence was found to be neither a necessary nor a sufficient condition to insure success. Majority party governors as well as minority party governors can be successful or unsuccessful.

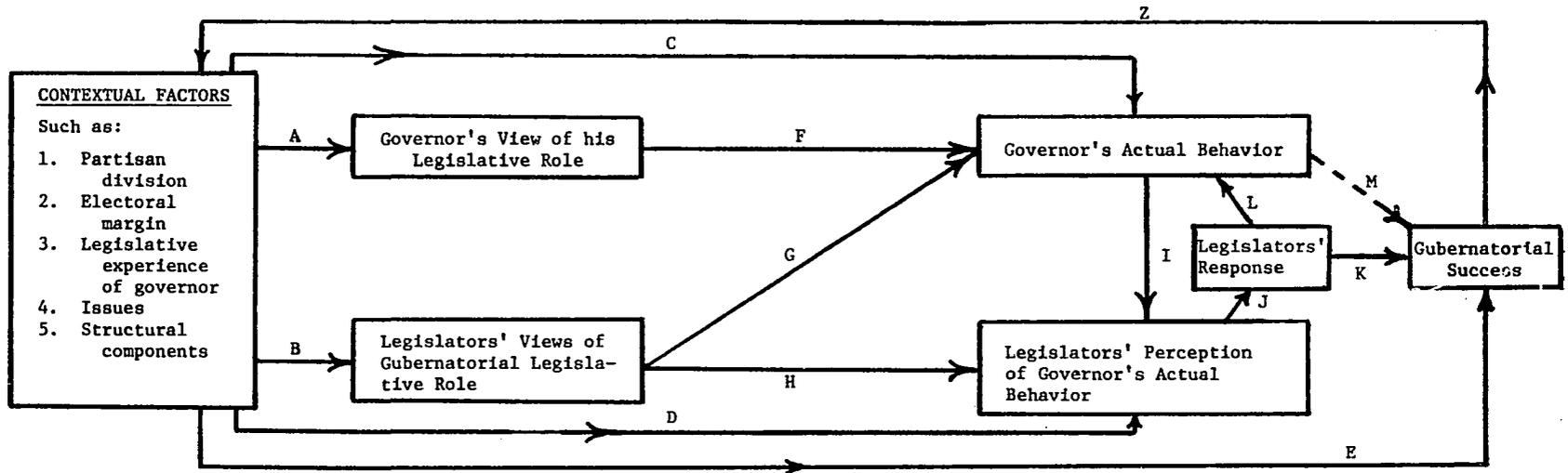
Analysis with explanatory variables believed to be important in determining gubernatorial success was found to be inadequate. Legislative experience on the part of the

governor, formal gubernatorial powers, formal legislative powers, and the integration of gubernatorial and legislative powers did not aid in explaining the variation in success rates among governors.

The general high level of gubernatorial success and the inadequacy of the variables used to explain the variations in gubernatorial success dictate continued consideration of executive-legislative relations. One avenue for a possible explanation of gubernatorial success is an amalgamation of process and structural variables with role theory. Such an approach would take into consideration important contextual factors that affect the interplay between governors and legislators. It would also consider the personalistic qualities believed to be inherent in these relationships. Figure 6-1 is a realistic model of the amalgamation of structure, process, and role theory.

The model hypothesizes that contextual variables affect the views of both the governor and legislators (Paths A and B). For example, partisan alignment may guide lawmakers in determining if the governor should be a leader and how active that leadership should be. If the governor is from the minority party, then legislators may expect less assistance in solving state problems than if the

Figure 6-1. A Model of Executive-Legislative Relations



governor is from the majority party. Another example is the issues that dominate the politics of the state during a governor's tenure; the legislators' views of the governor's proper role may be dependent upon whether a tax increase is needed. Needed revenues would require demands by legislators for the governor to be active in the enactment of that policy. Moreover, one must remember that the views of the governor as well as the legislators are not static but dynamic; these perceptions are constantly changing as a result of contextual factors.

The expectations of both the governor and the legislators concerning the governor's role as chief legislator determine the actual behavior of the governor since an individual's behavior will normally conform to the role expectations (Path F and G). At the same time the legislators' views will affect their perceptions of the behavior of the governor (Path H) since the "clarity and consensus of the role expectations determine the degree to which the role enactment behavior is convincing, proper, and appropriate."<sup>2</sup> The actual behavior of the governor, relative to the legislature, affects the legislator's perception (Path I) of the governor's role enactment. These perceptions of gubernatorial behavior are incorporated by the legislators with their views (Path H) and result in a response (Path J).<sup>3</sup> The extent to which the views of the legislators

toward the governor's role are congruent with their perception of gubernatorial behavior will determine the legislator's response to the governor. The response of the legislators is hypothesized as affecting the governor's success (Path K). Incongruency between Paths H and I will cause a negative response (Path J) which if widespread enough among the legislators will result in failure (Path K). Congruency between Paths H and I will result in success. Since gubernatorial behavior and legislative action are not static, Path L is placed in the model. This path indicates that the response of legislators is fed back to the governor who in turn, responds by another act (Path I).

Although they may rarely occur, there are some potential instances where the governor's actual behavior affects his success independent of the legislators' response (Path M). This might occur when the governor makes an interim appointment or allots emergency funds while the legislature is not in session. A veto after the legislature had adjourned is another example of this occurrence.

Previously, it was hypothesized that contextual factors affect the views of both the governor and the legislators (Path A and B). The contextual factors will affect the legislators' perception of the governor's behavior as denoted in Path D. Path C hypothesizes that contextual factors will also affect the governor's actual behavior

directly. Some circumstances and settings may demand activity on the part of the governor which may not coincide with his expectations. For example, the fact that the governor is from the majority party, or worsening economic conditions and increasing need for revenues may dictate a governor's action that normally would not be followed. It is also hypothesized that certain environmental conditions may affect the governor's success without the governor or the legislators coming into play at all (Path E) (e.g., the federal government withdrawing aid to the state may result in the governor's failure).

A most important component of the model refers to the setting of the governor's actual behavior. The governor's behavior is more than the formal powers given to the office (we have seen their inability to explain variation), but it is also defined by the use of informal powers and the ability to "control" interpersonal relationships. The dynamic interrelationship between these three components is of no small importance. Legislators do not respond to a single action but to a series of these three dimensions of the governorship (Path I).

The above model has utility for (1) the evaluation of a governor in a single session; (2) with a single issue across a series of sessions--in other words, over time (one may want to place a Path Z into the model to reflect a

feedback); or (3) the model may be used continuously over the entire term of the governor.

While there are difficulties with a number of its components with regard to measurement, it is believed that the model reflects the ongoing processes and will also aid in any further work on executive-legislative relations.

Listed below are some of the components, the variables used within them, and suggestions for possible data collection procedures.

I. Contextual Factors

1. Partisan Division
  - A. In legislature
  - B. Between branches
  - C. Size
2. Electoral Margin of Governor
3. Prior Legislative Experience
4. Issue Demands Current at Time of Study
5. Structural Components
  - A. Size of: state, legislature, executive office
  - B. Staff available to legislature and to governor
  - C. Formal powers of governor (veto, special session, budget)
  - D. Term of office for governor
  - E. Organization of legislature--power of legislative leadership

II. Governor's View of his Legislative Role

1. Interviews (e.g., what do you perceive to be the role of governor in the legislature?)
2. Media Investigation

III. Legislator's Views of Governor's Role

(Through interviews and questionnaires--possible forced choice questions, e.g., "The governor should keep out of the legislative process.")

- IV. Governor's Actual Behavior
  - 1. Formal Powers
    - A. Veto
    - B. Budget
    - C. Appointments
    - D. Special session
  - 2. Informal Powers
    - A. Use of media
      - number of press conferences
      - content of media coverage (tone)
      - issues discussed
    - B. Meetings with legislators
      - log of activity by governor
      - responses by legislators to inquiries concerning contacts
    - C. Party leadership role
    - D. Prestige
- V. Legislator's Perception of Governor Activity  
(Questionnaire--e.g., Is the governor behaving in a proper manner with regard to the legislature? Why or why not?)
- VI. Legislator's Response
  - 1. Roll Call Votes
  - 2. Bills Reported Out of Committee
  - 3. Verbal
    - A. Response to question
    - B. Public support for governor
- VII. Success
  - 1. Program Adoption
  - 2. Appointments
  - 3. Budget
  - 4. Vetoes
  - 5. Fulfillment of Leadership Role

Some concluding remarks concerning the model are in order. Probably one of the most frustrating and difficult tasks in conducting research on the governor in the legislature is the determination of gubernatorial success. Presently, there is no single measure that can accurately reflect gubernatorial success, which makes testing the complete model cumbersome. However, a measure which does not

accurately reflect the real events is of little value. The model must be tested by measuring gubernatorial success in a qualitative multi-dimensional assessment. The only other recourse to this process is to put aside the study of gubernatorial success until a simple accurate measure can be found; but such an action has a circular consequence since we cannot find an appropriate measure unless we study the governor with regard to success.

The model can be used to assist in future research. Especially deserving of serious attention are the informal powers and personal skills of the governor. We must try to assess the importance of the less formal aspects of the governor's office and the ability of the governor to keep an open dialogue with the legislature.

Another area of research which we have not treated is the relationship between gubernatorial success and electoral success. It is believed that success in the legislature does not necessarily coincide with later electoral success. Success in the legislature may actually work against a governor. A governor who must introduce a new tax and can get it passed may, in the ensuing election, be hurt by passage of his tax. The public may be continually reminded of the governor's success when they pay the tax but could quickly forget that the governor was unable to achieve his goal of a new tax--the public may even actually forgive the

governor for introduction of such a tax. Thus, research on the two forms of success should be conducted.

In reviewing the material on gubernatorial success, we found that different governors had different policy orientations. Future research might consider whether majority/minority governors ask for different types of programs. Included within this research might be the question of whether a particular category of governors introduce tax programs.

Lastly, the model is particularly useful for comparative research on executive-legislative relations. There should be little doubt of the utility of comparative analysis. Ample evidence exists that conclusions drawn in this study were particularly dependent upon the comparative aspect of the analysis. Tentative findings on a single case or topic were often rejected when the data were placed into a comparative perspective. Thus, comparative analysis avoids the possibility of drawing conclusions from the idiosyncratic case. It is suggested that similar research be conducted with competitive state legislatures. This would enable us to determine if the findings reported in this research can be generalized beyond the one-party environment.

## FOOTNOTES

1. Theodore R. Sarbin and Vernon L. Allen, "Role Theory," in The Handbook of Social Psychology, 2nd ed., eds. Gardner Lindzey and Elliot Aronson (Reading, Mass.: Addison-Wesley, 1968), pp. 488-497.
2. Ibid., p. 506.
3. Ibid., p. 529-534.

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## APPENDIX

### Interview Schedule

1. What do (did) you perceive to be the role of the governor in the legislative process?
  - a. Should he be innovative or passive in policy making and in his relations with the legislature?
  - b. Should he actively involve himself in the tumult of passing legislation?
2. What do you think the legislators think (thought) your role should be?
3. How would you describe your relationship with the legislature? (i.e., cordial, etc.)
4. What effect does (did) it have that you followed (another) \_\_\_\_\_?
5. What effect do (did) party labels and connections have on you and your relations with the legislature?
6. Did you work with the \_\_\_\_\_ majority? How successful are (were) you?
7. What has been (was) your relationship with the Senate leaders?
8. How difficult is (was) it to oppose the legislature? Do (did) you try and work with the \_\_\_\_\_ minority at all?
9. How difficult is (was) it to oppose the legislature?
10. What effect does (did) the size of the majority have on your relations and success with the legislature?
11. What procedures do (did) you follow to get legislation introduced for you and then passed?
12. On legislation that you had some opinion on--either in opposition or support--how do (did) you make your views known? What percentage of the time were you successful?

13. What tools do (did) you use to either get legislation passed or defeated? Which was the most successful?
  - a. Veto and the threat of
  - b. Message
  - c. Informal meeting
  - d. Tenure-term of office
  - e. Appointive powers
  - f. Patronage
  - g. Budget powers
  - h. Appeal to the media
14. Has (did) your influence increase(d) or decrease(d) while you have been (were) in office? (What effect does (did) it have on your relationship that the opposition party controls(ed) the Senate?)
15. What effect does (did) the size of your electoral margin have on your success?
16. Do (did) differences exist between you and the legislature because you represent different constituencies?
17. Do (did) you perceive your position on issues being the same as that of the party?
18. What are (were) the key bills and issues that you face(d) with the legislature in \_\_\_\_\_?
19. Are (were) some of your bills more important than others? Which ones?
20. How difficult is (was) it to get your personal appointments approved?
21. Have (did) you actively campaigned (campaign) for or against any legislators? (senators)?
  - a. What were the results?
  - b. Do (did) you perceive this as a legitimate function?