Conference Committee Proposal Rights and Policy Outcomes in the States

Josh M. Ryan Bradley University

Most states and Congress allow only one version of a bill to be reported out of a conference committee. Because of their control over the conference membership, party leaders may use conferences to produce nonmedian outcomes. However, in three states the rules allow a minority to propose its own competing conference report. A formal model demonstrates that this institutional design produces more moderate legislative outcomes despite the preferences of the majority coalition. The model's predictions are tested using coalition sizes on conference report votes in the states. Controlling for other factors, chambers which allow the minority to propose a competing conference report have larger coalitions, on average, though this effect is mitigated by interchamber distance. Further, rejection of the conference bill is also much less likely because the majority cannot propose extreme bills. The article demonstrates that conference committee proposal rights are an important source of majority coalition power.

Whether majority coalitions and their leadership are able to achieve nonmedian outcomes in majoritarian legislatures is a primary focus of institutional research, and the question is especially relevant during periods of party polarization (Layman, Carsey, and Horowitz 2006; Poole and Rosenthal 1997).[1] Under conditions of polarization, ideologically distinct parties may use the rules to reduce the legislative options available to members, which in turn produces less moderate outcomes than would otherwise be the case (Cox and McCubbins 2005). However, though some legislative rules promote agenda setting by a majority and its leadership, the endogenous nature of rules suggests the median should exert substantial control over final outcomes, achieving policy at, or near, its own ideal point.

Within the context of this debate over the influence of the median, conference committees offer an important opportunity for majority-coalition agenda control. In legislatures such as Congress, many of the most important bills eventually go to conference, and the conferees have enormous discretion to change the legislation as they see fit. In Congress and in most states, the conference report is an all-or-nothing, take-it-or-leave it offer. One bill emerges from the conference committee, and each chamber is faced with accepting the bill "as is", or rejecting the entire bill in favor of the status quo. Recent scholarship focuses on how this rule empowers the conferees and seeks to determine whose preferences the conference committee represents (Lazarus and Monroe 2007). Despite this attention, the interaction between conferee preferences and the outcomes they produce is not clear due to a lack of institutional variation at the congressional level and the tenuous connection between conference membership and bill outcomes.[2] Though conferees may prefer a policy that is inconsistent with the preferences of the chamber (i.e., the median voter), they must be wary of moving policy too far lest the majority reject the proposed bill. Chamber rules and practice grant the conferees wide discretion in modifying legislation, but the extent to which they use the rules to promote nonmedian outcomes, and in turn the extent to which legislation reconciled in conference does not reflect the

[1]Partial support for this research was provided by the Eagleton Institute of Politics at Rutgers University and by the National Science Foundation, grant #1065806. An online appendix for this article is available at http://dx.doi.org/10.1017/S0022381614000607. Data, replication files, and other supplementary material can be found at http://thedata.harvard.edu/dvn/dv/jmryan.

[2]The rules governing congressional conference committees have changed little since the establishment of the modern committee system (Rybicki 2003).

The Journal of Politics, Page 1 of 15, 2014 doi:10.1017/S0022381614000607

ISSN 0022-3816

preferences of the median, remains an open question.

The substantial institutional variation in conference rules, and in other important institutional characteristics (e.g., ideological differences between the chambers) at the state level, provides an opportunity to better understand how policy outcomes are influenced by the necessities of resolving bicameral differences, a required step in Congress and 49 state legislatures. In three states—Alabama, Colorado, and Tennessee—the majority does not have a monopoly on the agenda with respect to legislation reported from the conference committee. In these states, both a majority and minority of conferees are allowed to propose a conference report to the legislature, and both reports have the same floor privileges.

The theory shows that allowing two conference bills creates competition between the majority and minority coalitions, forcing legislation toward the median and creating more moderate policy outcomes. That is, laws will be more extreme in states with one conference bill reported back to the chambers than in states with two. In these dual proposal states, coalition sizes are larger, consistent with the claim that agenda-empowered conferees in single-proposal states produce policies that do not reflect the median's preference.

When accounting for the bicameral nature of conference proposals, the moderating effect of dual proposals remains, but with a caveat: as the chambers become more ideologically dissimilar, the conferees must propose more moderate conference bills, and the effect of allowing a minority report is mitigated. Finally, the likelihood of conference failure decreases when both coalitions are allowed to propose their own bill because the majority party is no longer able to extract extreme policy outcomes from the conference process, reducing the chances the chamber rejects the bill.

The findings have implications for party power, conference rejection, and policymaking in the U.S. states, as well as in Congress. In the absence of a rule allowing minority proposal rights, majorities are able to move outcomes toward their preference and away from the median. Though the theory requires only that the majority coalition use its conference committee power to produce nonmedian outcomes, under conditions of strong, unified parties, as exists in Congress and many of the states (Shor and McCarty 2011), majority-coalition influence effectively becomes majority-party influence. As a former member of the Colorado state Senate, the U.S. House, and the U.S. Senate told me, "You know, if we had that (minority proposal rights) in Congress, I think it would take away a lot of the polarization you see now."[3] The state-level results have implications for conference outcomes at the federal level, suggesting congressional outcomes are made more extreme by the institution's conference rules. Similarly, allowing only a majority conference proposal is a powerful and heretofore unrecognized source of party influence, but only when the chambers are ideologically similar. Gridlock and polarization between the House and the Senate in recent Congresses may reduce overall productivity, but the conference reports which are produced are more moderate than the ideological makeup of each individual chamber would suggest.

The findings also speak to the importance of understanding the differing legislative procedures in states and their effects on policymaking. Despite a recent surge in state politics research, the effects of legislative rules have received much less attention than electoral and partisan factors (Erikson, Wright, and McIver 1993; Holbrook and Van Dunk 1993) or other nonprocedural exogenous institutions such as legislative professionalism (Kousser 2005; Squire 2007) and term limits (Carey et al. 2006; Mooney 2009). Further, because conference rules are nearly identical in Congress and states, this article informs conference committee power in both and helps connect congressional theories of majority power and institutional rules to lawmaking in the states.

The article begins with a brief review of the roles of party and majority preferences on conference committee proposals. The following section explains conference procedures in the states, draws comparisons to Congress, and develops assumptions for a theory. A formal model demonstrates that in states without majority-coalition agenda control, policy outcomes developed by the conference committee *always* collapse toward the median voter.[4] Under these rules, legislation will *never* be as extreme (i.e., further from the median) as it would have been if only the majority had conference-report proposal power. Predictions derived from the model are tested using winning-coalition sizes collected from final passage conferences votes in the states. In the states which allow the minority to propose its own version of the conference bill, winning coalitions are larger because more moderate policy will

[3]Conversation with the author conducted in Boulder, CO, on May 13, 2009.

[4]One exception to this claim, shown in Proposition 3, is when both the majority and minority prefer the status quo to a new policy. In this case, policy does not change because the status quo defeats both proposals.

increase the number of legislators who prefer the proposed policy to the status quo.

Conference Committees and Legislative Outcomes

In most bicameral systems with an independent executive, including 49 states and the U.S. Congress (Nebraska has a unicameral legislature), the two chambers must agree on legislation prior to sending the bill to the executive for signature or veto. Conference committees have long been used to reconcile the different versions of a bill passed by the chambers, particularly as the salience or complexity of the legislation increases (Longley and Oleszek 1989; Martorano 2004).

The take-it-or-leave-it nature of the conference report empowers the conferees to dictate the types of policies that will be considered by the floor and to produce nonmedian or extreme legislative outcomes. The conference bill is unamendable and can win approval despite the existence of alternatives that the median prefers to the proposed policy because the median is left only with a choice between the status quo and the conferee proposal. While the median may reject the conference bill in hopes of a better future bill, this requires the legislation be reconsidered and repassed, costly both in terms of time and effort and possible only if sufficient time is left in the session. Given the power of conferees to shape final outcomes, the important question then becomes, whose interests are represented on the conference committee?

Most members of the conference committee are also members of the standing committee(s) with jurisdiction over the bill (Longley and Oleszek 1989). Distributive theory suggests these individuals are "high-demanders," preferring nonmedian policy in their particular issue area (Adler 2000, Adler and Lapinksi 1997, Shepsle and Weingast 1987; Weingast and Marshall 1988; though also see Krehbiel 1990, 1993; Groseclose 1994). According to this view, the policy produced by the conference committee will satisfy the preferences of standing committee members largely through the inclusion of particularized benefits. Further, conferees can undo any changes made on the floor and restore the preferences of the standing committee in what Shepsle and Weingast (1987) call an "ex post veto."

A growing body of literature attempts to reconcile conference committee membership with theories of party influence by demonstrating that even if conferees are preference outliers along a distributive dimension, the majority can change the composition of the committee to ensure that conference outcomes reflect the preferences of the party or the leadership. In Congress, the party leadership, especially in the House, has enormous discretion to appoint legislators to the conference committee, and while the norm is to appoint members from the standing committee(s) with jurisdiction over the bill, the leadership often appoints additional members who are party loyalists (Lazarus and Monroe 2007).[5] These party members help generate conference outcomes that are consistent with the preferences of the leadership. Empirical evidence has found that conferees are not faithful reflections of their parent chambers but are instead biased toward the majority party, especially in the House (Vander Wielen and Smith 2011) and that they attempt to use their agenda-setting power to substantially shift outcomes toward conferee preferences (Vander Wielen 2010).

The ability of the conferees to propose an unamendable bill back to the chambers is consistent with partisan theories of legislative organization which claim that the rules governing the congressional agenda are an important source of party power (Cox and McCubbins 2005). Parties use their influence to solve collective action problems in the legislature, promote stable governing coalitions, and produce legislation which benefits all members of the party (Aldrich 1995; Rohde 1991).[6] Conference committees, because of the take-it-or-leave-it nature of their single offer, seem an obvious way for parties to exert their influence in chambers, like the House, where the majority leadership has discretion over the conference process.

In Congress, the agenda-setting power of the conference committee may be avoided if the chambers use amendment trading to resolve their differences or if they can agree during the initial passage process, though that is often not possible due to the complexity of legislation and the different incentives members of each chamber face (Krehbiel, Shepsle, and

[5]The evidence for this claim is limited to studies of the House. Further, until recently, the appointment of Senate conferees was a debateable motion, suggesting that the Senate Majority Leader has weaker appointment powers than the Speaker.

[6]Aldrich and Rohde (2000) caution that nonmedian outcomes will not always be produced, even when parties are strong, but that given a distribution of policy outcomes, in the presence of strong parties many outcomes will move away from the chamber median and toward the party median.

Weingast 1987). Amendment trading is becoming increasingly common in Congress due to obstruction by the minority party (Ryan 2011), and though amendment trading involves more floor activity, it is not clear that it produces more median results (Oleszek 2007).

The most common explanation for the reduction in the number of congressional conference committees is increasing resistance by the minority party in the Senate, perhaps because minority members recognize it as an important tool of party power. Until a rules change in January of 2013, convening a conference required three separate, debateable motions, each subject to a filibuster and a cloture vote. As a result, the Senate majority often preferred using amendment trading simply to save time and energy, despite the conference's potential use as a tool of majority power. As part of the Democrats' filibuster reforms, the Senate recently reduced the number of debateable motions to go to conference from three to one, a change which may increase the use of conference committees, especially during periods of unified party control of the chambers—the circumstance most likely to produce minority obstruction. In the states, conference committees are used almost exclusively for important or substantive legislation as amendment trading in most state legislatures is either significantly limited by the rules or not seen as a viable option.

Conference Procedures and Variation in the States

Though state legislative procedures differ from congressional lawmaking in a number of important ways, some of which weaken the agenda control of the majority party (Cox, Kousser, and McCubbins 2010; Gross 1980), I focus here on the requirement in nearly all states, as well as in Congress, that one take-it-or-leave-it conference bill be reported back to the chambers.[7]

According to the joint rules of three states—Colorado, Tennessee, and Alabama—a minority conference report has the same floor privileges as the majority report if a minority of conferees wish to file one.[8] In these states, the majority coalition or party cannot use its conferee appointment powers and the take-it-or-leave-it nature of the conference bill to control the agenda—the minority report has full access to the floor, and legislators know the contents of the two proposals. If the minority chooses, it may propose its own version of the bill to compete with the majority's proposal.

There is evidence that minority coalitions see conference reports as a viable alternative to the majority's in each of the states. They seem to be most common in Tennessee. For example, in 2012 minority conference reports received votes on bills dealing with budgetary and earmark disagreements between the parties and the chambers. In 2013, the Tennessee legislature passed a set of rules changes, including one that limited members to a 15-bill introduction limit per session; the Democrats' minority report included additional bills for the party leaders, though the report was defeated. An ethics reform bill in 2006 generated a series of conference reports and 11 minority reports.[9] Likewise, in Colorado, though minority reports are rarely filed or adopted, the minority drafts reports and submits them to the clerk and the secretary, apparently as a way to threaten the majority. And, as the quote at the beginning of the article demonstrated, legislators view them as an important constraint on majority power. Though minority reports are rare, it is their role as a strategic tool of the minority which leads to different policy outcomes.

Assumptions and Payoffs

A simple formal model demonstrates how a minority is able to exercise influence over legislative outcomes through the proposal of a minority conference report by characterizing the conditions under which a

[7]For example, some states limit conference committee negotiations to the "scope of the differences," meaning language disputed by the chambers, while other states allow conferences to change any language in the bill, even if the wording in the chambers' bills matches.

[8]According to the Assistant Director of the Office of Legislative Legal Services in Colorado, "For a minority report to pass, the conferee who had signed the minority conference committee report would need to make a substitute motion to move for the adoption of the minority conference committee report *or* the conferee would have to make a motion prior to the motion being made on the majority report and then the body would take a recorded vote on the motion that the conferee had made. Likewise in Tennessee, according to the Chief Clerk of the Senate, "[i]f proper in form, there are no limitations on a floor vote assuming the proponent moves the (minority) report." (E-mail correspondences with the author.)

[9]Tennessee Government Update. Bass, Berry and Sims, PLC. "Ethics Decided."

majority report is accepted, a minority report is accepted, or the status quo defeats both. Allowing the minority to propose its own version of a conference bill creates competition between the conference proposers where each attempts to win the support of the median voter. The result is that outcomes collapse toward the median and away from more extreme outcomes under *all* conditions in which the status quo is defeated. The game resembles a Downsian model of voter competition, where two options compete for the median voter (Downs 1957).

The game assumes relatively stable majority and minority coalitions exist though they do not need to be defined strictly as parties. Though the equilibria here hold regardless of how the majority coalition is conceptualized, in Congress and in many states, the majority is thought of as party-based on nearly all issues because votes tend to split members along party lines (see Wright and Schaffner 2002 for evidence from the states). In the model, members are defined as having ideal points in a one-dimensional policy space. Conference committees are in some ways unique, in that bargaining occurs over multiple dimensions and issues that were not originally part of the legislation may be added. While this is undoubtedly true, the game is unidimensional because nearly all recent issues in American politics converge to the standard left-right dimension (Poole and Rosenthal 1997), and making it one dimensional increases tractability while preserving the basic theoretical and empirical insights.

I characterize the players in the game as a majority and minority proposer, and each of these two players have some nonmedian ideal point that is established by the coalition it represents. In the case of parties, it may be the ideal point of the party leadership or the median party member. For other coalitions, it may be a coalition leader, committee member, or the coalition median.[10] The formal model encompasses any situation in which both coalitions are able to simultaneously make their own take-it-or-leave-it offer to the legislature, though in practice this mirrors the conference proposal process in the three states named above. It is assumed that the proposers, meant to represent each coalition's conferees, are chosen from among the standing committee members (consistent with practice in Congress and state legislatures) or from some other group of nonmedian members. In a pure majoritarian legislature, the median could force herself onto every conference committee, propose median policy, and accept that policy. Of course, this does not occur in Congress, nor is there any evidence it occurs in state legislature, and it seems unlikely when one considers that practice and chamber rules allow the leadership to appoint conferees nearly unilaterally.

Initially, the game is one of full and complete information (this assumption is relaxed shortly), where each coalition proposes its own version of a bill, d^*. Assume the legislature consists of an odd number of legislators distributed in a one-dimensional policy space [-1, 1] and that the legislature is majoritarian such that any winning policy must capture at least $N/2 + 1$ legislators. Assume further that legislator x has an ideal point, x_i, and receives symmetrically decreasing utility at a linear rate from their ideal point, such that for any policy passed, the legislator's utility is a function of the absolute value of the distance between their ideal point and the new policy, $-|x_i - d_i|$ where d_i is the location of the proposed bill in a one-dimensional space.[11] The legislator's utility for the relevant status quo (q_i) is equal to $-|x_i - q_i|$. For simplicity, legislator v is the median voter on a bill, has an ideal point of zero such that $v_i = 0$, and by definition must be included in the winning coalition for the proposed legislation to defeat the status quo. The median prefers the new policy to the status quo if $U_v(d^*) = -|d_i - v_i| > U_v(q_i) = -|q_i - v_i|$ or if $d^* < q_i$; that is, the distance from the median's ideal point and the status quo is strictly greater than the distance from the median's ideal point to the new policy. I also assume that the median's ideal point does not equal the status quo, such that $q_i > 0$, because when $q_i = 0$, the status quo cannot be defeated by any other policy proposal.

The median member may select either proposal from the agenda and by doing so, makes a direct comparison between three options: the status quo, the majority's conference bill, and the minority's conference bill—legislators know the contents of both bills and the status quo and know which option maximizes their utility ex ante. Each member votes for the bill which maximizes his utility, and the median is the decisive vote. This is consistent with the actual legislative process in states like Colorado where any member may move to consider the minority report or may substitute the minority

[10] Although I refer to the players as a majority and minority proposer who represent the majority or minority coalition, this does not imply that the same majority exists on every bill or that the majority wins every vote. It implies only that the majority has relatively stable membership and the preferences of its members are generally coherent.

[11] Though the payoffs are defined in a one-dimensional policy space, the game is strategic in that both proposers and the median act to maximize their utility, and each actor plays their best response given the actions of the other players.

bill language for the majority's language. In the states where minority reports are available, legislators do not have to consider the proposal sequentially (Colorado and Tennessee) or can do so immediately after the rejection of a majority report (Alabama) so the theory does not need to incorporate discounting due to delay or additional costs associated with accepting one proposal over the other.[12]

Because a majority of legislators have already passed a version of the bill, there exists some change to the status quo that a majority of each chamber prefer, but because conferees have substantial discretion in changing the legislation, it is not clear whether the conference proposal is also preferred to the status quo by the median voter. It is also not necessary to assume that the minority prefers a new policy to the status quo. The model allows them to propose a policy regardless of their preferences, and as the results show, the minority is not able to *prevent* the majority from making new policy, but the minority can (and does) use their proposal power to instead *limit* the amount of change a majority is able to make.

The game proceeds as follows. First, the majority (m) and minority (n) proposers each present their own bill to the legislature, d_m and d_n, respectively. The bill is a take-it-or-leave-it offer, and no amendments are allowed, consistent with the rules in both Congress and the states. After receiving both the majority and minority's bill offers, all legislators choose the bill from among the three offers which maximize their own utility. The median legislator casts a vote for her preferred bill, it is adopted, and all members of the legislature receive a payoff equal to $-|d^* - x_i|$. If neither bill is supported by the median, the status quo prevails, and all legislators receive a payoff equal to $-|q_i - x_i|$.

Equilibria

The model is a single-play, full, and complete information game so the solution concept used is subgame perfect Nash equilibrium (SPNE). SPNE requires each actor play the set of strategies or best responses that maximizes their utility when played against other actors' best responses within each subgame. I use backward induction to derive the equilibria and describe each player's actions. Note that the majority and minority propose their own version of the legislation, but their proposal does not necessarily represent their ideal point. The proposers act strategically and make their proposals conditional on the proposal made by the other coalition, what the median will accept, and the location of the status quo.

Equilibrium under Single-Proposer Rule

Prior to examining the equilibrium outcome under a two-proposal rule, it is necessary to establish a single-proposer benchmark consistent with the rules in most legislatures in which only the majority is empowered to offer a proposal. This single proposer benchmark is the familiar Romer-Rosenthal model (Romer and Rosenthal 1978) in which an agenda setter has monopoly power over the proposal considered, and the median voter is left with a take-it-or-leave-it offer between the setter's proposal and the status quo. The setter can propose extreme policy that will be accepted if the median is at least indifferent between the proposed policy and the status quo. That is, the distance from the median's ideal point to the proposed policy is equal to, or smaller than, the distance from the median's ideal point to the status quo.[13]

Proposition 0 (*Romer-Rosenthal Model*): The subgame perfect Nash equilibrium policy outcome is $d^* = |v_i - q_i|$ when $|m_i| \geq |v_i - q_i|$, and the SPNE policy outcome is $d^* = m_i$ when $|m_i| \leq |v_i - q_i|$.

Equilibria under Dual-Proposer Rule

Proposition 1 shows that when both the majority and minority are on opposite sides of the median's ideal point, and each offers their own take-it-or-leave-it proposal, the location of the new policy will be precisely at the median's ideal point. Importantly, only one proposer needs to prefer their policy to the status quo, which is true by definition because the proposers' ideal points lie on opposite sides of the median, and at least one proposer will be on the same side of the status quo as the median. The preference of the other proposer relative to the status quo is irrelevant—each proposer wants to avoid a far worse scenario where the median accepts an offer on the other

[12]If the majority had agenda control over consideration of the minority's bill or if the rules constrained the conditions under which a minority may have their bill considered or implemented a time delay (something akin to the Senate's requirement that a cloture motion must "ripen"), then the model would need to include a discount factor which would have an important affect on the median's behavior.

[13]Paradoxically, under the take-it-or-leave-it single proposal rule, more extreme status quos promote more extreme legislation on the other side of the median because the other extreme policy will be accepted as long as it is an improvement over the old status quo.

side of the ideological spectrum, meaning both prefer to move their offer closer to the median, and each anticipates that the other proposer will make a legislative offer slightly closer to the median than their own, gaining acceptance from the median. This leads both to produce an offer at the median voter's ideal point, the only point in the policy space where each proposal cannot be defeated by the other proposal. Proposition 1 shows the policy outcome under the two-proposer rule.

Proposition 1: The subgame perfect Nash equilibrium policy outcome is $d^* = v_i = 0$ when $m_i \geq 0$ and $n_i \leq 0$, or when $m_i \leq 0$ and $n_i \geq 0$.

Given a proposer's extreme ideal point, the key difference between the two propositions is that under the single-proposer rule, the policy outcome will be as far from the median as the median is from the status quo, while under the dual-proposer rule, the policy outcome must be at the median's ideal point. Even when the proposer's ideal point is not extreme, it is still able to receive exactly the policy it wants, away from the median's ideal point under single-proposal rule, again a more extreme outcome then under dual-proposal conditions.

Though the minority is not able to implement its policy preferences or prevent the majority from achieving legislative change, the minority coalition can constrain the *amount* of change the majority is able to achieve. The majority, because it does not have control of the agenda, is unable to produce new policy at its ideal point but instead must settle for new policy at the median's ideal point. The new policy is moderated to the extent that without the minority's influence, the majority would have been able to offer policy much closer to its own ideal point which would otherwise have been accepted (assuming the median receives more utility from the new offer than the status quo).[14]

To summarize, the game shows that dual conference proposals result in a competition for the median legislator, producing more moderate conference bills as a result. The relationship between policy moderation and coalition size can be used to leverage empirical predictions from the formal model. In the Romer-Rosenthal model, the most extreme proposal makes the median indifferent between the status quo and the proposed bill. Under competing proposals, the median receives policy at, or closer to, its ideal point, implying another voter closer to the status quo must be indifferent, resulting in a larger coalition on bill passage. Thus, a comparison between coalition sizes in majority proposal states and minority proposal states can be used to empirically test whether minority reports produce more moderate conference bills.

Proposal Power and Bicameralism

It is straightforward to extend the model to account for the bicameral nature of conference committees, important to the model because bicameral dynamics are an important component of legislative activity and gridlock (Binder 2003). Because both chambers have already approved the legislation once, I assume that both medians lie on the same side of the status quo, and any proposal must satisfy both actors—the House chamber median and Senate chamber median—for legislation to become law.[15]

Including a second chamber does not change the last stage of the game, where each chamber must decide whether or not to accept the offer; each median only compares the proposals made to the status quo and its own ideal point. Further, any bill that is rejected by at least one chamber will not become law, but importantly, as the game demonstrates, both the minority and majority are very unlikely to prefer to induce rejection because the legislation has already been approved by members of both chambers during the initial passage stage (though the conditions under which both proposers induce rejection is shown in Proposition 3).

Having to satisfy two chambers does change the strategic consideration of the proposers in a simple way. Offers will collapse to the ideal point of the more moderate median chamber member—that is, the chamber median closer to the status quo. This is true because one proposer could defeat the other by inducing acceptance from the chamber median closer to the status quo. In the other chamber, with a median further from the status quo, the more moderate offer will also be accepted as long as that chamber

[14]For certain issues on which the party organization or leadership disagree with the membership, such as campaign finance reform, both proposers may be on the same side of the median. Further, in supermajoritarian legislatures, such as the U.S. Senate, as the pivotal member moves closer to the status quo it becomes more likely both the majority and minority proposers will lie on the same side of the pivot. If this is the case, policy proposals collapse to the most moderate proposer's ideal point rather than the median's (shown in Proposition 2). Having both proposers on the same side of the median does not modify the key result found in Proposition 1 nor does it change the empirical implications.

[15]The governor is not included because once the bill is passed by both chambers the legislature makes its own take-it-or-leave-it offer. There is substantial work on the dynamics of veto bargaining (Cameron 2000; McCarty 2000) so that complication is not addressed here.

is strictly better off with the new policy as compared to the status quo, a condition which must be met if the chambers are on the same side of the status quo. In other words, the chamber median closer to the status quo receives its ideal point in Proposition 1, when the minority prefers to constrain policy change as much as possible.[16]

When the majority is able to propose a policy unilaterally, the relevant constraint is always the more moderate chamber. As the distance between the chambers increase, one chamber moves closer to the status quo, all else equal, and therefore limits the potential extremity of a proposal. Thus, greater differences between the chambers mean a more moderate bill must be proposed by the conference committee, implying that larger differences between the chambers should mitigate the effect of allowing a minority to propose a counter-offer.

Incorporating Incomplete Information

The formal model assumes both proposers have full and complete information about the ideal point of the median of each chamber. Under full and complete information, rejection of an offer that makes both the proposers and the median better off will never occur in equilibrium, though this certainly (if rarely) happens during the postpassage bargaining process in the states (about 5% of conference committees fail in Congress, while about 6.5% of conference reports failed in the data used here).

If the proposers are uncertain about the location of the chamber median's ideal point, then rejection may occur. In single-proposal states, the proposer may want to make an extreme proposal but he faces a risk-return trade-off; the proposer wants to move policy as far from the status quo as possible, but the further it goes, the more likely it is the median rejects the offer. According to the Romer-Rosenthal model, a proposer can offer policy as far as the distance from the median to the status quo and the median will still accept it. Let θ represent the distance from the median to the status quo, but under conditions of incomplete information, the proposer will not perfectly observe this. If θ is unknown, the proposer may miscalculate and offer $\theta + \varepsilon$, where $\varepsilon > 0$. The median will reject this offer and prefer the status quo because the median is now made worse off by the proposed policy.

In dual-proposal states, this situation will rarely occur.[17] The effect of allowing dual proposals is policy movement toward the median, thus the risks of inducing rejection as the result of a too-aggressive offer decrease. Therefore, the theory claims that rejection of a conference proposal will occur much less frequently when the minority is able to propose its own bills.

Conference Vote and Chamber Data

The independent variable is whether or not a chamber allows the minority to propose a conference report. The data were gathered by examining state legislative procedures for all 50 states. As discussed above, in three states the joint rules of the legislature indicated the rights of the minority to propose a conference report: Alabama, Colorado, and Tennessee. Unfortunately, due to data limitations in the dependent variable, only three, the Colorado House and Senate, and the Tennessee House, of the six possible chambers with a minority report are included.

The dependent variable is measured using coalition size on state conference-committee roll-call votes, as the formal model shows that coalition sizes increase when proposals move closer to the median's ideal point. The data are available through the "Representation in American's Legislatures Project" (Wright 2004), which contains all roll-call vote totals in every state chamber during the 1999–2000 session along with a short description of the vote taken from the state legislative summary. The model generates predictions about coalition sizes after a conference committee, so the author read each vote's legislative summary and coded all votes determined to be on the passage of a conference report within a chamber.

For a number of chambers, the summaries are insufficiently detailed to determine what type of vote was taken. For example, the California House described conference votes as "(Legislator) Conference Report by (Legislator)," indicating that the first legislator named in parentheses moved to vote on the conference report presented to the chamber by the second named legislator (a conferee). West Virginia, a state with insufficient detail to record conference reports, described votes only as "passage," "amend,"

[16]If both proposers are on the same side of the median (Proposition 2), the inclusion of the second chamber is irrelevant. The proposal made closest to the status quo will be accepted by the chamber medians though it may not be at the more moderate median's ideal point.

[17]If both proposers prefer to induce rejection, they will each make policy further from the median than the status quo, as described in Proposition 3.

TABLE 1 Summary Statistics for Minority Proposal Chambers and All Others Chambers

Independent Variables	Colorado House	Tennessee House	Other Houses	Colorado Senate	Other Senates
Minority proposal	Yes	Yes	No	Yes	No
Coalition size	.775	.717	.746	.714	.788
Majority party size	.615	.616	.617	.571	.622
Chamber distance	.132	.078	.199	.132	.237
Legislative professionalism	.172	.117	.163	.172	.194
Chamber size	65	99	110	35	42.7
Percent of conference votes	6.9	3.4	7.5	6.9	7
Total number of votes	937	238	990.38	937	963.04

or "procedural." In states with insufficient detail, there is no practical way to recover the types of votes that occurred so they were excluded from the analysis. Unfortunately, both Alabama chambers and the Tennessee Senate do not have sufficient detail to identify conference reports. The resulting data consist of 908 total conference votes from 32 of the 49 possible states and 57 of 98 possible chambers; of the 908 total conference votes, 73 are in one of the three chambers which allow a minority report, or about 8% of the total (Nebraska is unicameral so it is excluded from the analysis.)

The missing chambers resulting from the inability to recover votes does not seem likely to bias the results as the missing data seems to be randomly distributed. One might suspect that less professional legislatures are those most likely to not have detailed vote summaries, but this is not the case. The author was able to code conference votes for seven of the 10 least professional legislatures, including New Hampshire, the least professional legislature in the country. Further, conference committees are prevalent across the spectrum of legislatures—professionalism and the number of conference votes correlate at -.03 indicating there is virtually no relationship between the two. Nor is it the case that the three chambers with minority proposal rights are exceptional on other observable characteristics (see Table 1).

To identify the effect of conference proposals on coalitions using cross-sectional data, it is necessary to control for other confounding factors which correlate with coalition size. There is substantial variation in state institutional structures, actors, ideologies, and cultures, but there is general agreement on a few factors that influence lawmaking in states. The first of these is the level of professionalism in the state legislature, which among other effects, attracts more competent candidates, who may have more stable preferences consistent with partisan divisions, a factor that may decrease coalition size (Fiorina 1999). The most widely accepted measure of legislative professionalism was developed by Squire (1992). Professionalism is an index composed of three state legislative chamber characteristics: salary and benefits, staff resources, and time demands of service (Squire 2007).[18]

Other political variables which may affect the size of the winning coalition include the size of the majority party and the size of the chamber. Majority size is closely related to coalition size because voting in legislatures is largely based on partisan differences (Poole and Rosenthal 1997). Thus, the larger the size of the majority party, the larger the coalition is likely to be. Independent of majority size, chambers with more members may make it more difficult to reach broad consensus on controversial legislation due to position taking and strategic defection by some members, so I expect chamber size to be negatively related to coalition size.

Additionally, a control variable is included for the ideological distance between the chambers, as increased distance should increase the size of the coalition because successful legislation will need to appeal to a broader coalition to achieve passage. There is a substantial congressional literature which demonstrates that interchamber differences produce more consensual lawmaking (Binder 2003). I use the

[18]Squire's professionalism measure also captures other institutional factors that may affect voting behavior, most notably term limits, though there is little evidence that term-limited legislators change their representation style (Wright 2007).

Shor and McCarty (2011) ideology scores of state legislative chambers to measure this variable.

Finally, the model considers the lawmaking capacity of the legislature. Legislatures have limited time and resources (Adler and Wilkerson 2007; Cox 2006) and a larger agenda and more votes may reduce the resources available to the party to pull a coalition together, resulting in smaller coalition sizes. Capacity is defined as the legislature's ability to "perform its role in the policymaking process with an expertise, seriousness, and effort comparable to that of other actors in that process" (Mooney 1994, 71) and is influenced by the legislative rules, resources, and information available to legislators (Rosenthal 1996; Squire 1998). For these reasons it is measured here using two proxy variables: the total number of final passage votes and the percentage of conference votes.

Descriptive Statistics and Endogeneity Concerns

Summary statistics for the three chambers used in the analysis with minority proposal rights are listed in Table 1. The table lists the values for the Colorado House and Tennessee House, and for the Colorado Senate and compares the values of each of the variables used in the analysis to the average house and senate used in the sample. Note that while the Colorado House has larger coalitions on average than other chambers without minority reports, the Tennessee House has slightly smaller coalition sizes. The differences between both houses and majority report only houses are not statistically significant. The Colorado Senate also has a slightly smaller coalition size as compared to other chambers though again, the differences are not statistically significant. The raw data indicates coalition sizes in the two states that are remarkably similar to the national averages, but of course this does not account for other factors that may affect coalition size such as the size of the majority party, legislative professionalism, and soon.

Though only three chambers used in the analysis allow minority reports, the Colorado House and Senate and the Tennessee House appear to be very average chambers. Both states have about the same sized majorities as other states. The Colorado House is somewhat more professionalized than the average house, while the Colorado Senate and Tennessee House are slightly less professionalized than the average chamber. All three chambers are closer to their counterparts in the other chamber than in the average state, and the Tennessee House tends to have fewer conference votes than most other houses, though it has fewer votes in general than other chambers.

One obvious concern about the empirical analyses is that the rules themselves are endogenously determined by a factor in these states that also drives coalition size. First, the descriptive analysis shows little evidence that the Colorado House and Senate and Tennessee House are systematically different in a way that could bias the results. In each of the states, allowing minority proposals predates the modern era of polarization (minority reports have been proposed in Alabama since at least the 1930s, and in Colorado, the rules have been in place for at least 30 years).

These results may be driven by changing agendas and differences in the data-generation process. If policies are distributive in nature and encourage universalism, coalitions are likely to be larger, regardless of institutional rules (Weingast 1979). Recent work has suggested that agenda changes in Congress have resulted in more nonzero sum policies (as deficit budgeting becomes more common), and as a result, larger coalitions, rather than rules changes like the formalization of the filibuster (Lynch and Madonna 2008; Madonna 2011). Further confounding studies of legislative coalition sizes in Congress is the increased use of recorded final passage votes on consensual legislation (Carson, Lynch, and Madonna 2011). Neither of these issues are likely to bias the results here. There is little reason to expect Colorado, Alabama, and Tennessee to engage in more universalistic policymaking than other states, nor is there evidence that roll calls are more likely in these three states (National Conference of State Legislatures 2010).[19]

To further ensure the results are not an artifact of the small number of chambers with variation on minority reports or an unobservable, systematic difference between coalition sizes in Colorado and Tennessee, additional regressions are tested using passage data in the chambers prior to going to conference. The expectation is that an unobservable institutional dynamic which increases coalition sizes in these states would also do so on passage votes prior to a conference committee, eliminating the conference as a causal mechanism. The results, described in greater detail in Appendix B, show no such pattern and support the contention that the conference committee is the mechanism increasing coalition size. A second test uses permutation inference and compares observed

[19]In fact, Alabama and Tennessee, like most states, *require* a roll-call vote on all final passage votes. The Colorado House also requires a roll-call vote, while the Senate allows any senator to request a roll-call vote.

Table 2 The Effect of Minority Proposal Rights on Coalition Size

Independent Variables	(1) Effect of Minority State	(2) All Chambers w/ Interaction	(3) Unified Chambers w/ Interaction
Minority proposal (1=yes)	.066*	.503*	-2.02*
	(.021)	(.175)	(.969)
Majority party size	.36	.36	.5
	(.269)	(.269)	(.285)
Chamber distance	.171*	.171*	-.82
	(.048)	(.048)	(.532)
Distance*minority proposal		-5.61*	21.58*
		(2.04)	(10.4)
Legislative professionalism	-.522*	-.522*	-.088
	(.146)	(.146)	(.16)
Chamber size (*100)	.02	.02	.026
	(.017)	(.017)	(.025)
Percent of conference votes	.437	.437	-9.24*
	(.902)	(.902)	(3.01)
Total number of votes (*100)	.049*	.049*	-.108
	(.017)	(.017)	(.06)
(Constant)	.367*	.367*	1.42*
	(.136)	(.136)	(.349)
N	908	908	806
R^2	.166	.167	.167
RMSE	.157	.157	.156
Clusters	57	57	43
State fixed-effects	Included	Included	Included

Note: OLS regression, standard errors are clustered by chamber-state and fixed effects for states are included (coefficients for state fixed effects not shown). $^*p < .05$.

t-scores to simulated t-scores. The permutation inference (see Appendix B) also supports the empirical results.

Empirical Results

The main empirical prediction from the model is that chambers which allow a minority conference proposal will have larger coalitions than states which do not. To estimate this hypothesized relationship, OLS regression is used to estimate the effect of the minority proposal dummy variable on coalition size in the 1999–2000 legislative session. The results from this cross-sectional model are shown in the first results column of Table 2, and the model includes all control variables discussed above. Consistent with theoretical expectations, the minority proposal coefficient is positive and significant indicating that this institutional rule increases coalition size. In the full sample, states with minority proposal rights have coalitions that are about 6.7% larger than states without minority proposal rights, a substantively large increase. In an average chamber with 110 members, this is about seven additional members voting for the bill who would not have otherwise.

Other variables also predict coalition size. Ideological distance between the chambers increases coalition size as expected—when the chambers are farther apart, conference bills must represent a compromise and are therefore likely to attract larger coalitions within a chamber. Across all models, legislative professionalism has a negative effect, due to the increased preference stability of members and stronger ties to partisan and ideological voting. An increase from the minimum value of legislative professionalism to the mean decreases coalition size by 7.4% in the first model. An increase in the number of votes results in larger coalitions on average, somewhat surprisingly, though the effect is small, about 3.8% for an increase from the least number of chamber votes to the mean number.

The Effects of Bicameralism

The theory suggests that when two chambers must approve the conference report, proposals collapse to the more moderate of the two chambers (Proposition 1).

When only the majority is allowed to propose a conference report, they may propose an extreme proposal when the majority in each chamber is ideologically similar—the preferences of the minority can safely be ignored. This is not true when the chambers have dissimilar preferences because any proposal must be accepted by two ideologically distinct medians. Therefore, the effect of minority proposals on coalition size should be reduced as the chamber medians become more similar.

The interaction effect in column 2 of Table 2 confirms this insight. The effect of minority proposals is reduced as the difference between the chamber medians increase. Chamber differences in states which do not allow minority proposals (the component term "Chamber Differences") is positive, consistent with the previous results and the notion that interchamber differences encourage moderate proposals. The interaction term is positive and significant for all values of chamber differences below .047, encompassing about 15% of all observations. For states with chamber differences at this level, coalition sizes are increased by a minority report by about 2.7%, while for those chambers with the smallest chamber differences, (.019), minority reports increase coalition sizes by about 40%.

The theory is also tested by interacting chamber differences and minority proposal power when the chambers are controlled by the same party. Party control is a useful shortcut for chamber preferences, and normally, one would expect coalition sizes to decrease when a majority has unilaterally proposal power and controls both chambers. After all, the majority does not need to account for the preferences of the minority so proposals are likely to be more extreme. The positive coefficient on the interaction term under the condition of unified control of the chambers (column 3) shows that when the chambers are controlled by the same party, the positive effect of a minority report on coalition size increases. This occurs because when the chambers are controlled by the same party, chamber differences do not moderate conference bills. When the sample is restricted to unified chambers, chamber differences are limited to ideological divergence between the medians of the same party, members who are likely to have similar preferences so there is little threat a conference bill will be rejected by one chamber. When a minority is able to propose a bill on the other hand, the winning bill will be directed at the most moderate majority-party member—producing a moderate conference bill—and will be preferred by more members of the majority and minority party within the chamber. (For both interactions, the marginal effects are significant at all values of chamber differences when minority proposal equals one.)

To the extent the interaction coefficients in both models validate the theory because they are correctly signed and significant gives additional confidence to the empirical evidence, but the results should be interpreted cautiously. The empirical leverage is provided by just a few chambers and a relatively small number of observations. Because the chambers with variation on minority reports are relatively average in terms of chamber differences, the coefficients on the interaction terms produce large negative substantive effects at extreme values of chamber differences that in practice will not be observed in legislatures.

The Effects of Incomplete Information

The model assumes the conferees have full and complete information about the location of the median relative to the status quo, an assumption which may not be accurate in many cases. If the proposers are uncertain about the preferences of the median voter in the chamber, rejected conference bills may result if the conferees make their proposal too extreme. As the theory section details, this is much more likely when the majority has a monopoly on proposal power; when both the minority and majority are able to propose their own conference report, rejection is much less likely.

The dependent variable in the model in Table 3 is a dichotomous indicator for whether the conference report was rejected. The models are admittedly rough estimates of the likelihood of rejection because conference bill failure in the states, as in Congress, is exceedingly rare—only 60 of the observed 908 conference votes had a majority voting "nay" on the report.[20] The variables included in the models are the same as in the previous models, though the sample is limited to only those chambers where at least one rejection occurred.

The logit coefficient in the first model for minority report states is -1.6, meaning the likelihood of failure in majority proposal states is about 80% higher than in states which allow a minority proposal. Also note that an increase in legislative professionalism reduces the odds of a rejected conference report, as does an increase in chamber distance. As legislative professionalism increases, the conferees have more information about the preferences of the chamber

[20]Only six of the 54 rejections were in one of the three minority conference report chambers.

TABLE 3 The Effect of Minority Proposal Rights on Conference Report Failure

Independent Variables	Effect of Minority State
Minority proposal (1=yes)	-1.6*
	(.746)
Majority party size	-11.64
	(7.1)
Chamber distance	-9.59*
	(1.69)
Legislative professionalism	-41.91*
	(6.86)
Chamber size (*100)	-.214
	(.008)
Percent of conference votes	-23.13
	(18.83)
Total number of votes (*100)	.445*
	(.167)
(Constant)	12.41*
	(5.9)
N	604
Pseudo R^2	.09
Clusters	26
State fixed-effects	Included

Note: Logit regression, standard errors are clustered by chamber-state and fixed effects for states are included (coefficients for state fixed effects not shown). $^*p < .05$.

median and the preference of the median voter is likely to be more stable, making rejection less likely (by about 99% for an increase from the minimum level of professionalism to the mean). Consistent with the previous results, chamber distance requires a more moderate bill because a broader set of members must be satisfied, resulting in fewer rejections. Finally, an increase in the number of votes increases the likelihood of rejection.

Discussion

As the quote at the beginning of the article by the former member of both Congress and the Colorado General Assembly emphasizes, institutional rules are an important source of majority power and can exacerbate ideological polarization under the right conditions. Though the article is unable to speak directly to questions regarding party power, it does show that strong, unified majorities are able to achieve extreme outcomes using conference power. In the current age of intense partisan divisions among elected officials and elites, a better understanding of how institutional structures influence lawmaking is particularly relevant in helping explain variation in policymaking across states and Congress. Political science has long recognized the role of institutions in structuring outcomes, but the ability and willingness of majority coalitions to exploit legislative rules to produce nonmedian policy has been the subject of extensive debate.

This article focuses on one such set of institutional rules, the conference committee, because they are seen as an important way in which majorities can achieve their preferred outcomes. Because of the rules which govern conference bill consideration in most chambers—bills reported out of conference and back to each house are nonamendable—the policy choices of the median are limited to the status quo and the bill preferred by the majority coalition. However, despite the intuitiveness of the theory and interest in the effects of the conference process, most work is unable to directly address the effects of conference rules on legislative outcomes due to the lack of variation at the federal level. Instead, the extant literature focuses on conference committee membership as a proxy for majority-party influence, seeking to connect loyal party members with more partisan outcomes. Though this research is important in that it advances our understanding of why some members serve on conference committees, the connection between conference membership and polarized policy outcomes is unclear.

By leveraging variation in institutional rules across a set of comparable state legislatures, the theory and empirical models developed here explicate majority coalition vis-à-vis median influence over final-passage conference votes. When the majority coalition does not have unilateral control over the agenda, policy offers reported out of conference will converge to a more moderate outcome than is otherwise the case. In equilibrium, the threat of a minority offer which could win support from the median will constrain the majority, forcing it to propose more moderate policy than it otherwise would.

This competition over the median is seen in the number of members voting for the conference bill. The empirical models find strong support for the proposition that minority conference reports increase coalition size. Holding constant a variety of other factors, chambers which allow the minority to propose its own version of legislation have substantively larger coalitions than those which do not. This implies that conference outcomes, and therefore laws, are more moderate in these states. The effect is robust to the inclusion of a number of variables, the presence of a second chamber, and uncertainty about the exact location of the median member of the chamber. As differences between the chambers increase, the positive effect on coalition size is mitigated. Conference failure, though always rare, is also significantly less likely when conference reports move toward the center as a result of the competition between two proposers.

Less intuitively, the importance of conference agenda control by the majority party decreases as the distance between the majorities in the chambers increase. Put simply, during periods when the preferences of the house and senate are highly divergent, the less polarized outcomes the majority is able to produce through conference committees. Each chamber acts as a constraint on the other, and any outcome too extreme for the other chamber will be rejected. Consistent with previous studies of party governance and legislative productivity, institutional rules may help parties achieve their policy goals, but divergent preferences within parties and especially between chamber majorities, reduces the ability of a party to create extreme policy. In states (or in Congress) with a homogenous majority in control of both chambers and conference agenda control, policies are likely to represent outlying preferences. Having either divergent majority preferences between chambers or minority proposal rights are sufficient conditions to produce median or near median outcomes.

The results inform our understanding of how rules affect policy outcomes and in turn, the effect of polarized majorities. The differences between majority and minority states indicate, as most observers expect, that the majority uses their proposal power to generate extreme outcomes. Importantly, this finding supports a growing body of research on conference committees which finds that outcomes are biased toward the majority. Given the extremity of the party leadership and party caucuses in the modern Congress, if more extreme outcomes are observed in the states, it is likely Congress also produces more extreme outcomes than it would under a set of rules where the minority is allowed to offer its own conference report. The theory and results also demonstrate that observers of state politics who seek to explain legislative outcomes must better account for institutional variation in state legislatures and should be aware that procedures as apparently as ancillary as conference committee rules can have substantial effects on lawmaking.

Acknowledgments

A previous version of this manuscript was presented at the 2013 Midwest Political Science Conference. I am extremely grateful for research assistance from Adam Cayton and Annie Miller. Helpful comments were provided by Nathan Bigelow, Tony Madonna, Robert McGrath, Jon Rogowski, Scott Wolford, Ed Burmila, and Curtis Bell. Any remaining errors are solely the responsibility of the author.

References

Adler, E. Scott. 2000. "Constituency Characteristics and the "Guardian" Model of Appropriations Subcommittees, 1959-1998." *American Journal of Political Science* 44 (1): 104–14.

Adler, E. Scott, and John S. Lapinski. 1997. "Demand-Side Theory and Congressional Committee Composition: A Constituency Characteristics Approach." *American Journal of Political Science* 41 (3): 895–914.

Adler, E. Scott, and John Wilkerson. 2007. "A Governing Theory of Legislative Organization." Prepared for the Annual Meetings of the American Political Science Association, Chicago.

Aldrich, John H. 1995. *Why Parties?* Chicago: University of Chicago Press.

Aldrich, John H., and David W. Rohde. 2000. "The Republican Revolution and the House Appropriations Committee." *Journal of Politics* 62 (1): 1–33.

Binder, Sarah. 2003. *Stalemate: Causes and Consequences of Legislative Gridlock*. Washington, DC: Brookings Institution Press.

Cameron, Charles M. 2000. *Veto Bargaining*. Cambridge: Cambridge University Press.

Carey, John M., Richard G. Niemi, Lynda W. Powell, and Gary F. Moncrief. 2006. "The Effects of Term Limits on State Legislatures: A New Survey of the 50 States." *Legislative Studies Quarterly* 31 (1): 105–34.

Carson, Jaime L., Michael S. Lynch, and Anthony J. Madonna. 2011. "Coalition Formation in the House and Senate: Examining the Effect of Institutional Change on Major Legislation." *Journal of Politics* 73 (4): 1225–38.

Cox, Gary W. 2006. The Organization of Democratic Legislatures. In *The Oxford Handbook of Political Economy*, eds. Barry R. Weingast and Donald Wittman. Oxford: Oxford University Press, 141–61.

Cox, Gary W., and Matthew D. McCubbins. 2005. *Setting the Agenda: Responsible Party Government in the US House of Representatives*. Cambridge: University of Cambridge Press.

Cox, Gary W., Thad Kousser, and Mathew D. McCubbins. 2010. "Party Power or Preferences? Quasi-Experimental Evidence from American State Legislatures." *Journal of Politics* 72 (3): 799–811.

Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper Collins.

Erikson, Robert S., Gerald C. Wright, and John P. McIver. 1993. *Statehouse Democracy: Public Opinion and Policy in the American States*. Cambridge: Cambridge University Press.

Fiorina, Morris P. 1999. "Further Evidence of the Partisan Consequences of Legislative Professionalism." *American Journal of Political Science* 43 (3): 974–77.

Groseclose, Tim. 1994. "Testing the Committee Composition Hypothesis for the U.S. Congress." *Journal of Politics* 56 (2): 440–58.

Gross, Donald. 1980. "House-Senate Conference Committees: A Comparative Perspective." *American Journal of Political Science* 24 (4): 769–78.

Holbrook, Thomas M., and Emily Van Dunk. 1993. "Electoral Competition in the American States." *The American Political Science Review* 87 (4): 955–62.

Kousser, Thad. 2005. *Term Limits and the Dismantling of State Legislative Professionalism*. New York: Cambridge University Press.

Krehbiel, Keith. 1990. "Are Congressional Committees Composed of Preference Outliers?" *The American Political Science Review* 84 (1): 149–63.

Krehbiel, Keith. 1993. "Where's the Party?" *British Journal of Political Science* 23 (2): 235–66.

Krehbiel, Keith, Kenneth A. Shepsle, and Barry R. Weingast. 1987. "Why Are Congressional Committees Powerful?" *American Political Science Review* 81 (3): 929–45.

Layman, Geoffrey C., Thomas M. Carsey, and Juliana Menasce Horowitz. 2006. "Party polarization in American politics: characteristics, causes, and consequences." *Annual Review of Political Science* 9 (1): 83–110.

Lazarus, Jeffrey, and Nathan Monroe. 2007. "The Speaker's Discretion: Conference Committee Appointments in the 97th through 106th Congresses." *Political Research Quarterly* 60 (4): 593–606.

Longley, Lawrence D., and Walter J. Oleszek. 1989. *Bicameral Politics: Conference Committees in Congress*. New Haven, CT: Yale University Press.

Lynch, Michael S., and Anthony Madonna. 2008. Viva Voce: Implications from the Disappearing Voice Vote, 1807–1990. Paper presented at the Annual Meeting of the Midwest Political Science Association.

Madonna, Anthony. 2011. "Winning Coalition Formation in the U.S. Senate: The Effects of Legislative Decision Rules and Agenda Change." *American Journal of Political Science* 55 (2): 276–88.

Martorano, Nancy. 2004. "Cohesion or Reciprocity? Majority Party Strength and Minority Party Procedural Rights in the Legislative Process." *State Politics and Policy Quarterly* 4 (1): 55–73.

McCarty, Nolan. 2000. "Proposal Rights, Veto Rights and Political Bargaining." *American Journal of Political Science* 44 (3): 506–22.

Mooney, Christopher Z. 1994. "Measuring U.S. State Legislative Professionalism: An Evaluation of Five Indices." *State & Local Government Review* 26 (2): 70–78.

Mooney, Christopher Z. 2009. "Term Limits and a Boon to Legislative Scholarship." *State Politics and Policy Quarterly* 9 (2): 204–28.

National Conference of State Legislatures. 2010. "Inside the Legislative Process." http://www.ncsl.org/legislatures-elections/legislatures/inside-the-legislative-process.aspx#PublishedSections (accessed June 27, 2013).

Oleszek, Walter J. 2007. *Congressional Procedures and the Policy Process*, 7th ed. *Washington DC*: CQ Press.

Poole, Keith, and Howard Rosenthal. 1997. *Congress: A Political-Economic History of Roll Call Voting*. New York: Oxford University Press.

Rohde, David W. 1991. *Parties and Leaders in the Postreform House*. Chicago: University of Chicago Press.

Romer, Thomas and Howard Rosenthal. 1978. "Political Resource Allocation, Controlled Agendas, and the Status Quo." *Public Choice* 33 (4): 27–43.

Rosenthal, Alan. 1996. "State Legislative Development: Observation from Three Perspectives." *Legislative Studies Quarterly* 21 (2): 169–98.

Ryan, Josh M. 2011. "The Disappearing Conference Committee: The Use of Procedures by Minority Coalitions To Prevent Conferencing." *Congress and the Presidency* 38 (1): 101–25.

Rybicki, Elizabeth. 2003. "Unresolved Differences: Bicameral Negotiations in Congress, 1877–2002." Prepared for the History of Congress Conference, University of California San Diego.

Shepsle, Kenneth, and Barry Weingast. 1987. "Institutional Foundations of Committee Power." *The American Political Science Review* 81: 85–103.

Shor, Boris, and Nolan McCarty. 2011. "The Ideological Mapping of American Legislatures." *American Political Science Review* 105 (3): 530–51.

Squire, Peverill. 1992. "Legislative Professionalism and Membership Diversity in State Legislatures." *Legislative Studies Quarterly* 17 (1): 69–79.

Squire, Peverill. 1998. "Membership Turnover and the Efficient Processing of Legislation." *Legislative Studies Quarterly* 23 (1): 23–32.

Squire, Peverill. 2007. "Measuring State Legislative Professionalism: The Squire Index Revisited." *State Politics and Policy Quarterly* 7 (2): 211–27.

Vander Wielen, Ryan J. 2010. "The Influence of Conference Committees on Policy Outcomes." *Legislative Studies Quarterly* 35 (4): 487–518.

Vander Wielen, Ryan J., and Steven S. Smith. 2011. "Majority Party Bias in U.S. Congressional Conference Committees." *Congress and the Presidency* 48 (3): 271–300.

Weingast, Barry R. 1979. "A Rational Choice Perspective on Congressional Norms." *American Journal of Political Science* 23 (2): 254–62.

Weingast, Barry R., and William Marshall. 1988. "The Industrial Organization of Congress; or, Why Legislatures, Like Firms, Are Not Organized as Markets." *Journal of Political Economy* 91 (1): 132–63.

Wright, Gerald. 2004. "Representation in America's Legislatures." National Science Foundation Grant.

Wright, Gerald C. 2007. "Do Term Limits Affect Legislative Roll Call Voting? Representation, Polarization, and Participation." *State Politics and Policy Quarterly* 7 (3): 256–80.

Wright, Gerald C., and Brian F. Schaffner. 2002. "The Influence of Party: Evidence from the State Legislatures." *American Political Science Review* 96 (2): 367–79.

Josh M. Ryan is an Assistant Professor in the Department of Political Science at Bradley University, Peoria, IL 61625.