

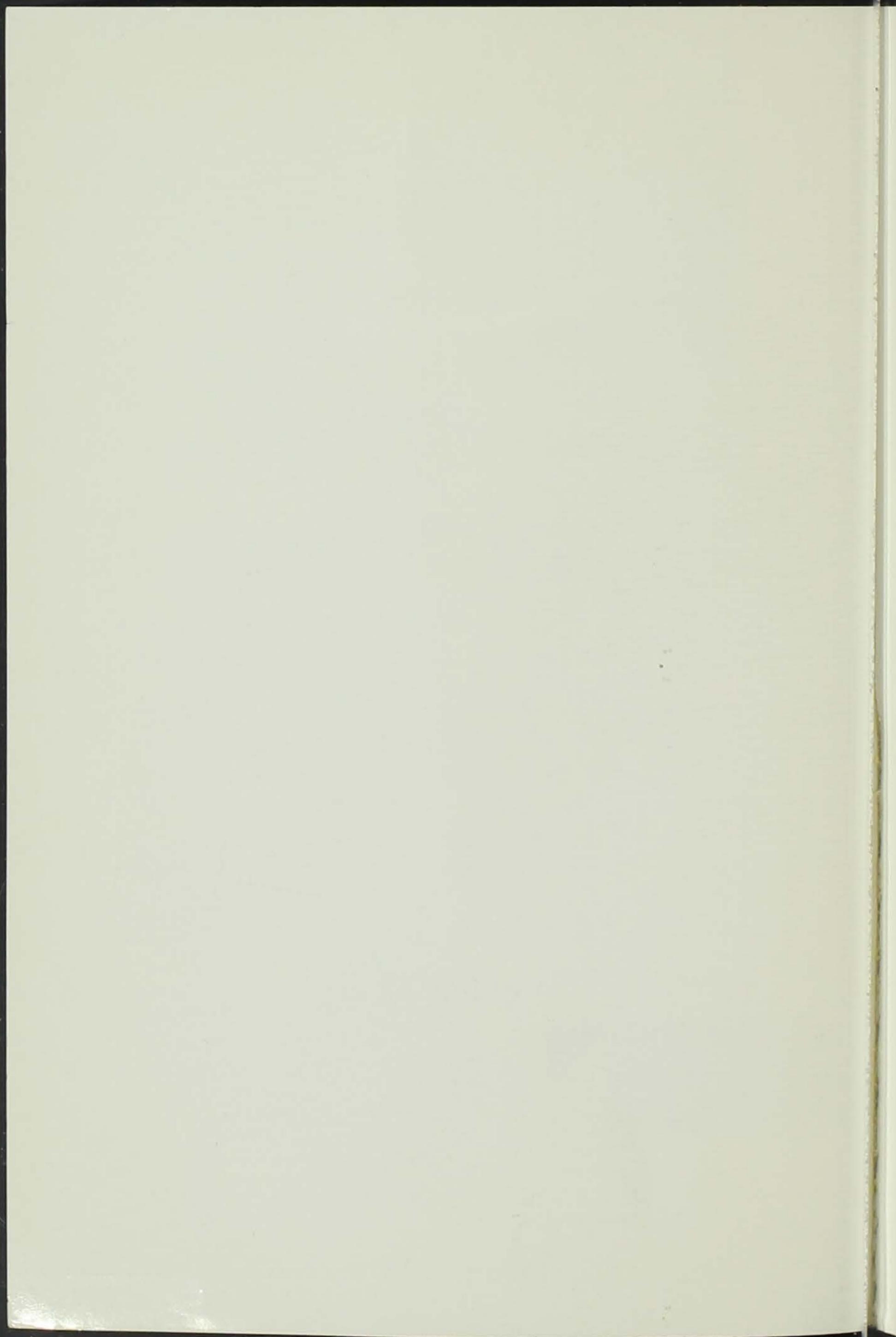
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# Midwest Legislative Politics

1967

INSTITUTE OF PUBLIC AFFAIRS / THE UNIVERSITY OF IOWA





Midwest  
Legislative  
Politics

EDITED BY SAMUEL C. PATTERSON  
THE UNIVERSITY OF IOWA

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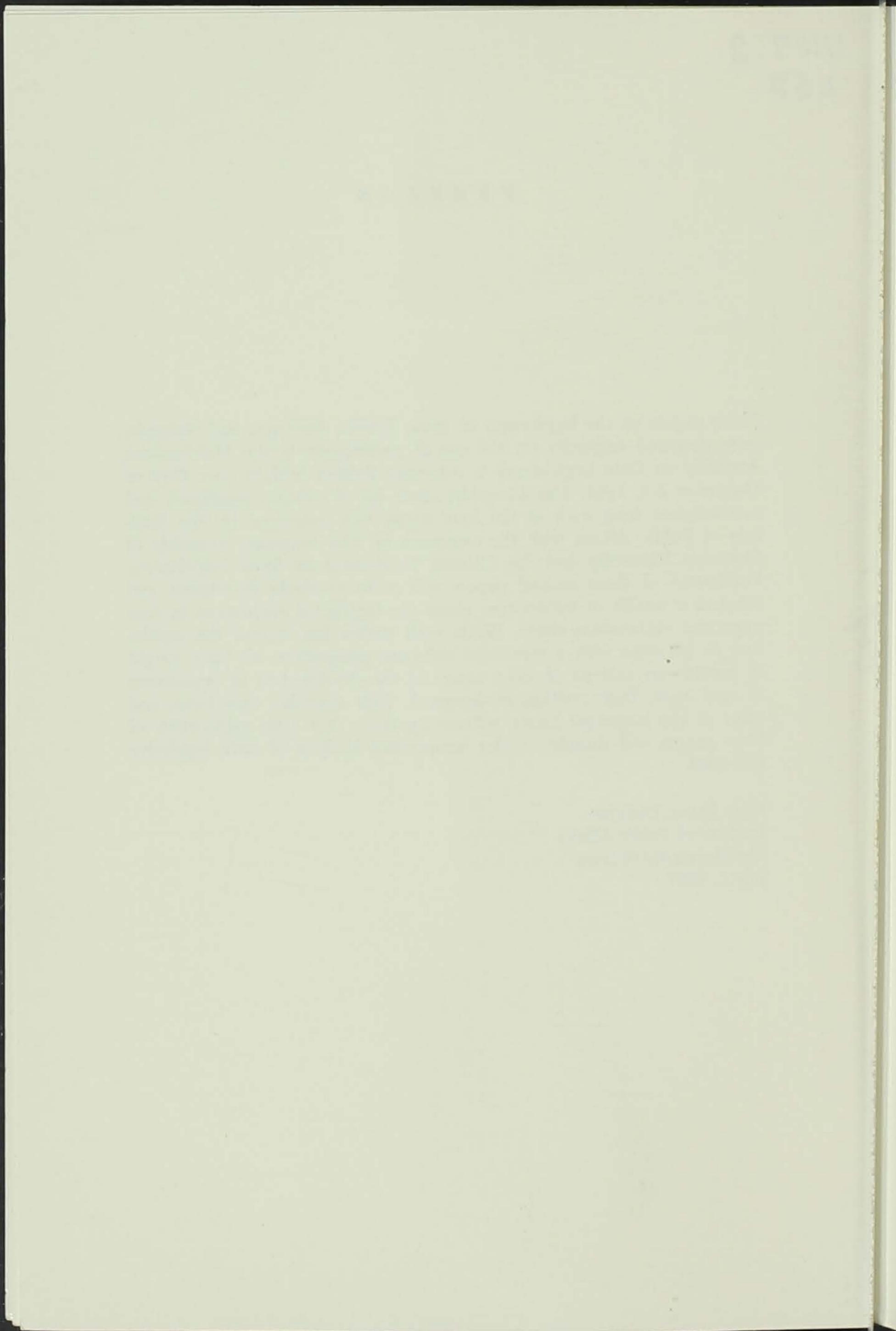
P R E F A C E

These papers on the legislatures of Iowa, Kansas, Missouri, and Nebraska were prepared originally for the use of participants in the Mid-America Assembly on State Legislatures in American Politics held in Iowa City on December 2-4, 1966. The Assembly, made up of citizens, legislators, and academicians from each of the four states, was sponsored by the Institute of Public Affairs with the assistance of The American Assembly of Columbia University and the Citizens' Conference on State Legislatures. Publication of these revised papers will make available to citizens and scholars a wealth of information about the legislative institutions in four important midwestern states. While each author has viewed the legislature in his state with a somewhat different perspective, all have sought to provide an analysis of some aspect of the development of legislatures in each state, their political environment, their everyday operations, and some of the important forces influencing them. We hope publication of these papers will stimulate wider comparative analysis of state legislative processes.

Dean Zenor, Director  
Institute of Public Affairs  
The University of Iowa  
July 1, 1967

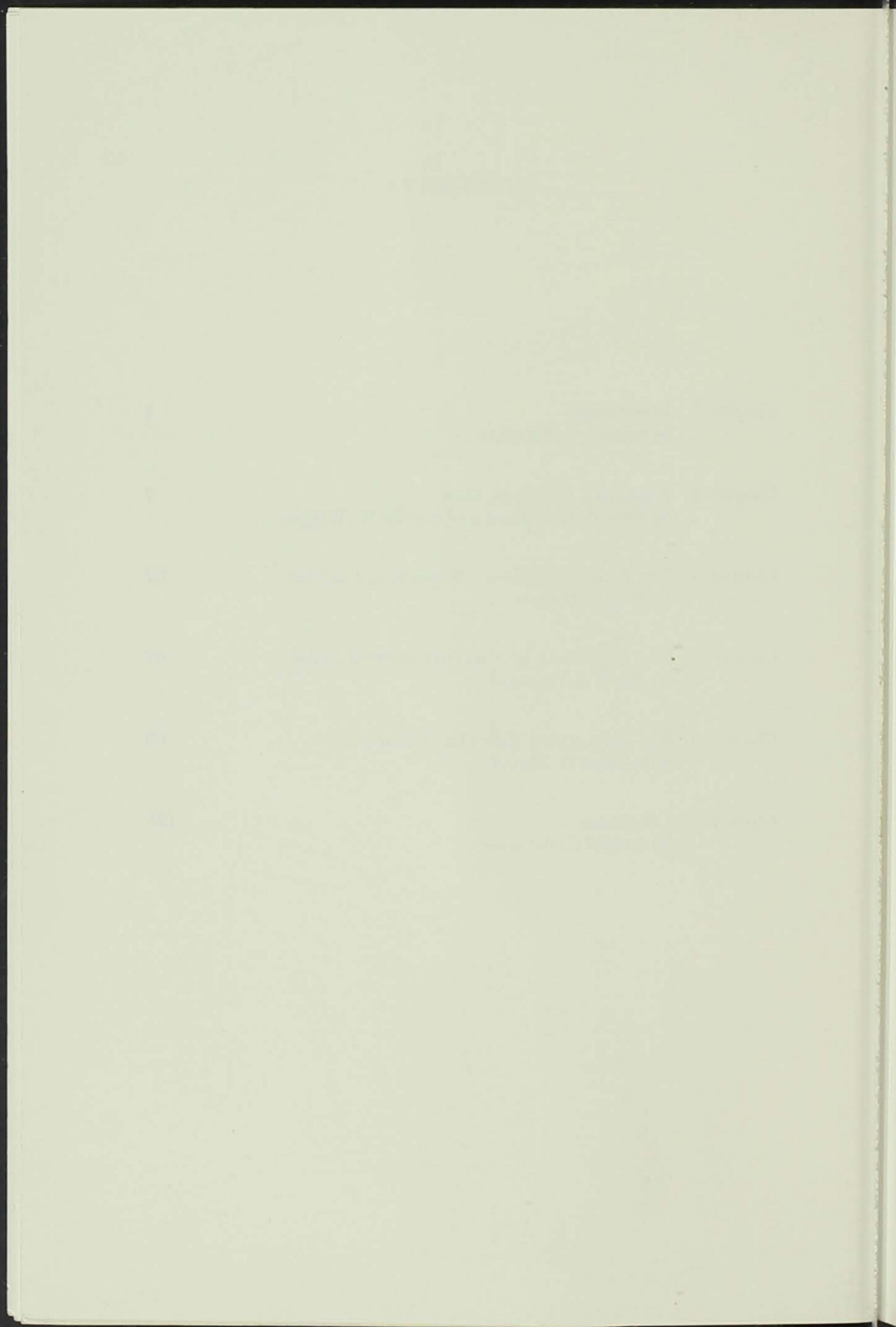
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## CONTENTS

Chapter 1	Introduction <i>by Samuel C. Patterson</i>	1
Chapter 2	Legislative Politics in Iowa <i>by Ronald D. Hedlund and Charles W. Wiggins</i>	7
Chapter 3	The Kansas Legislature: Republican Coalition <i>by John G. Grumm</i>	37
Chapter 4	The Legislature in Missouri's Political System <i>by David A. Leuthold</i>	67
Chapter 5	The Nonpartisan Nebraska Unicameral <i>by Richard D. Marvel</i>	89
Chapter 6	Conclusion <i>by Samuel C. Patterson</i>	121



CHAPTER

1

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## Introduction

SAMUEL C. PATTERSON

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American state legislatures are highly institutionalized political groups. Most state legislatures exhibit characteristics and have traditions that have developed over a period of at least a hundred years. These legislative bodies are remarkably stable, uniform, coherent, complex, autonomous, and adaptable in their internal procedures, processes, practices, and organization. On the broadest canvas, state legislatures do not present a drastically different picture today than they did in their early years. If a state legislator were transported back in time to a session of his legislature in the nineteenth century, he would not find the legislative way of life in that era unrecognizable or unfamiliar.

On the other hand, if American legislatures are roughly the same in general outline as they were in the last century, their differences in detail are great and important. Demands on the legislatures for decisions have increased with each generation, and the scope and variety of modern legislative proposals doubtless would have flabbergasted the nineteenth-century legislator. Rapid transportation and communication have changed the nature of the relationships between legislators and constituents. Structural changes, like reapportionment, unicameralism, or committee streamlining, have changed the legislative landscape in significant ways.

Changes in state legislative institutions have not been linear, moving inscrutably and invariably from less-developed to more-developed, nor have legislative modernizations been even across the states. State legislatures have had their ups and downs. And, today the legislature of California is far more professionalized than that of North Dakota. The state legislatures have adapted to changes in their political environments in a variety of ways. Whether they have, in general, adapted adequately or not is a question in great dispute today.

### ECONOMIC ENVIRONMENT

The Midwest is, by most definitions, a large region, and the states of

MIDWEST LEGISLATIVE POLITICS

Iowa, Kansas, Missouri, and Nebraska constitute only a part of it. These four states are the agricultural heartland of the Midwest, spanning the Missouri River and bordered on the east by the Mississippi. Iowa is one of the richest agricultural areas in the world, containing 25 per cent of all the Grade A soil in the United States and ranking second among the states in the value of farm products sold. As Table 1 indicates, the other states are also heavily agricultural; all four rank in the top eight states in the nation in value of farm products sold. All are below the national average in proportions of persons employed in manufacturing, and above the national average in percentage of persons engaged in agriculture. Farming is least important in Missouri, but Missouri is more industrialized than the other three states. Value added by manufacturing in Missouri is about equal to the combined totals for Iowa, Kansas, and Nebraska, and per capita personal income is about 10 per cent higher in Missouri than in each of the other states. In addition, among these states Kansas ranks high in the production of minerals, ranking about tenth in the nation in the value of minerals produced.

Table 1  
Economic Characteristics of Iowa, Kansas,  
Missouri, and Nebraska

	<i>Average Value Per Acre of Farm Land</i>	<i>Per Cent Employed in Manufacturing</i>	<i>Per Cent Employed in Agriculture</i>
Iowa	\$253.82	18.6	20.7
Kansas	100.04	16.5	13.3
Missouri	112.40	24.7	9.5
Nebraska	88.66	12.2	21.2
United States	115.15	27.1	6.7

SOCIAL ENVIRONMENT

The populations of the four states are very white, Anglo-Saxon, and Protestant. The populations of these states are also rather unusual in the proportions of old people among them; Iowa, Missouri, and Nebraska rank highest among the American states in the percentage of their people who are sixty-five years of age or older. The Iowa population is the most rural among those of these four states, and it has no city over 250,000 inhabitants. Missourians are more concentrated in metropolitan centers; a quarter of the people of Missouri live in two large urban areas. Though Nebraska ranks fifth in the nation in the rural proportions of its population, a fifth of its citizens live in Omaha. All four states fall below the national

INTRODUCTION

Table 2

Social Characteristics of Iowa, Kansas,  
Missouri, and Nebraska

	<i>Iowa</i>		<i>Kansas</i>		<i>Missouri</i>		<i>Nebraska</i>		<i>U.S.</i>
	%	Rank	%	Rank	%	Rank	%	Rank	
% 65 and over	11.9	1	11.0	8	11.7	2	11.6	3	9.2
% rural	24.0	4	14.7	13	12.5	17	21.9	5	7.5
% non-white	1.0	47	4.6	31	9.0	20	2.6	37	11.3
% foreign born	14.0	29	9.4	36	8.5	37	18.3	20	19.0
Median school years completed by adults	11.3	15	11.7	10	9.6	39	11.6	12	10.6

average in foreign born or immigrant populations. However, although Missouri is below the national average in educational level, Iowa, Kansas, and Nebraska are well above the median for the whole country in the educational levels of their people.

POLITICAL ENVIRONMENT

These four states exhibit political traditions and mores which are very much individualistic and localistic. This is exemplified in Nebraska by very pronounced economic conservatism, evidenced by the absence of state sales and income taxes until very recently. The political localism of Kansas and Iowa is indicated by the very high relative proportions of expenditures for public services, like public welfare or school programs, made by local governments. These states rely heavily on local property taxes to finance governmental services. Missouri differs fairly sharply from Iowa, Kansas, and Nebraska in its relatively greater degree of intra-state centralization of public programs. For instance, in contrast to the other three states, welfare programs are in Missouri almost entirely financed from state and federal, rather than local, expenditures.

Over the last quarter of a century, Iowa and Missouri have had two-party competitive politics at the state-wide level, although of course Republicans have been more often elected in Iowa, and Democrats more often elected in Missouri. Two-party politics has been weaker in Kansas and Nebraska, both of which lean toward the Republicans. Political styles in these four states differ, so that Iowa politics reflects some of the political puritanism more noticeable in Wisconsin and Minnesota, while Missouri politics is more urban, patronage-oriented, and more open to political manipulation. Nebraska politics is very much a politics of nonpartisanship; in Kansas temperance, oil, populism, and cattle mix in curious ways such that Democratic public officials often are more conservative than Republicans.

Table 3  
 Characteristics of State Legislatures in Iowa, Kansas,  
 Missouri, and Nebraska

State	Year of First Territorial Legislature	Year of First State Legislature	Size		Official Name of Legislature	Years in Which Sess. Are Held	Limits on Length of Regular Sessions	Legislative Service Agency
			House	Senate				
Iowa	1838	1846	124	61	General Assembly	Odd	None	Legislative Research Bureau (1955)
[4] Kansas	1854	1861	125	40	Legislature	Annual*	Odd years; 90 Legis. days; Even years: 30 Calendar days	Legislative Council (1933)
Missouri	1812	1821	163	34	General Assembly	Odd	Approx. 195 Calendar days	Committee on Legislative Research (1943)
Nebraska	1854	1867	Unicameral 50		Legislature	Odd	None	Legislative Council (1937)

\*Budget sessions in even-numbered years.

## INTRODUCTION

The legislatures of these four states present interesting laboratories for analysis. The papers which follow provide overviews in rich detail of the legislative bodies in each state. All of these legislatures trace back to well before the Civil War. Although they are similar in many ways, each has developed somewhat differently; the Nebraska legislature is unique in its one-house structure. Missouri, with the oldest of these four legislatures, has perhaps changed the least in its basic organization. The Nebraska legislature is the youngest, but it has undergone the most dramatic change in organization. The Kansas legislature is the only one of the four which has met annually for some time, and its legislators were among the pioneers in the legislative council movement. Nebraska's legislative council, a less auspicious success than the Kansas council, was organized in 1937. Iowa and Missouri have not utilized the legislative council method of operation.

In spite of its long experience of Republican legislative dominance, the Kansas legislature seems to engage in party-line voting much more than the other states. The Nebraska unicameral is about as genuinely non-partisan as any human group could be expected to be. Iowa and Missouri legislatures fall between these extremes, where roughly between one-third and two-fifths of the legislative votes have been on a party basis. Rural-urban conflict probably has been sharper in Missouri than in the other

Table 4  
New Members, Party Politics, and Representation  
in the Legislatures of Iowa, Kansas,  
Missouri, and Nebraska

State	Per Cent of First-term Members 1963	Legislative Party Competitiveness	% Party Votes in Lower House	Changes in Representation (smallest % of state pop. which could elect House majority)	
				1961	1964
Iowa	25	Limited two- party	47 (1955-65)	27	45
Kansas	24	One-party Republican Dominant	73 (1953-57)	19	19
Missouri	34	Limited two- party	36 (1945-46)	20	†
Nebraska	35	Nonpartisan	—	37	44

†Figure not available.

#### MIDWEST LEGISLATIVE POLITICS

three states, with its great population concentration in two urban centers. Pressure-group politics has perhaps been most intense in Nebraska, possibly because party organization has not been present in its legislature to mediate pressure-group demands.

In the papers which follow, the authors describe and analyze the salient features of the legislatures in the four states. Each paper approaches the legislature from a somewhat different purview, although there are many points of comparison. These analyses draw upon interviews with legislators, experience with legislative service, and official documents and reports. They underscore the diversity of the states, in the sense that they suggest that no political or legislative formula is likely to work universally in every state.

This volume is intended to be a set of analyses of four state legislatures, and not diagnoses of ailments nor prescriptions for reforms. Discussions of legislative reform are important and useful—perhaps more vitally needed today than ever before—but discussion must be informed. These studies, along with the more general works of the American Assembly, the Citizens' Conference on State Legislatures, the National Municipal League, the Council of State Governments, the National Conference of Legislative Leaders, and other organizations, will help to provide background to legislators and citizens in their discussions of legislative organization and change.

CHAPTER

2

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## Legislative Politics in Iowa

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A state legislature does not operate in a vacuum. The major implication of this rather simple observation is that it is very difficult to understand the way a legislature functions unless one first has some knowledge of the environment within which it operates. Therefore, our analysis of the Iowa legislature will focus initially on a few important external factors which may affect its ability to function. Subsequent sections will deal with the major internal operations of the legislature and some salient characteristics of legislators.<sup>1</sup>

### THE LEGISLATURE'S ENVIRONMENT

A number of factors operate in the legislative environment; however, we will concentrate on three which appear to be relevant to an understanding of the Iowa legislative system. These factors are the socio-economic characteristics of Iowans, agencies through which demands are made upon the legislature, and public attitudes toward the legislature.

*Socio-Economic Milieu.* Iowa legislators are selected from an environment which is very homogeneous in terms of the social and economic characteristics of residents. Approximately 99 per cent of the state's population is

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<sup>1</sup> The authors gratefully acknowledge the assistance of the Honorable John M. Ely, Jr., State Senator from Linn County, William R. Kendrick, Chief Clerk of the Iowa House of Representatives, and Bernard Duclos of Iowa State University for their assistance in obtaining portions of the data used in this study.

white, and over 85 per cent is Protestant.<sup>2</sup> Although numerous ethnic or nationality groups are found in the state, their members tend to be well dispersed geographically.<sup>3</sup> Our impression is that ethnic group identification is not very strong. In terms of wealth, Iowans can be characterized as predominantly middle class; in other words, the very rich and very poor constitute only a small part of the state's population. The major consequence of this homogeneity can be seen in the kinds of demands made upon state government, including the legislature. These demands are rarely based upon racial, religious, ethnic, or class interests.

One aspect of the Iowa socio-economic milieu stands out as a major exception to this observation. Throughout the first half of this century, a majority of Iowans lived on farms and in small rural villages. Gradually, as a result of improved farm technology and the slumps which periodically struck the agricultural sector of the state's economy, rural residents began to move to urban communities. During the 1950-1960 period, more than 50,000 individuals left the rural-agricultural community in search of jobs in urban-industrial centers in Iowa and in other states.<sup>4</sup> By 1960, a majority of Iowa residents resided in urban regions.

Rural to urban migration has produced a changing emphasis in the demands made upon state government. Foremost among the newly emphasized demands has been the desire of urban residents for a greater voice (or equal representation) in the political decision-making process, especially in the legislative assembly. Another consequence of this movement has been increased pressure from urban residents for greater state support of governmental services of direct benefit to them. The continuing controversy over the distribution of state road money is an example. In addition, pressure for a liberalization of state governmental policies having strong moralistic overtones—liquor control, parimutuel betting, etc.—appear to have become more intensified with the urbanization of the state.<sup>5</sup> Finally, demands for policies designed to aid a growing industrial labor force—increased unemployment compensation and workmen's com-

<sup>2</sup> Unless otherwise noted, data on the characteristics of Iowans are taken from 1960 census reports of the U.S. government. The percentage of Iowans who are Catholics (15) is significantly below the national average of 23 per cent; see the *Official Catholic Directory* (New York, 1960).

<sup>3</sup> For a discussion of nationality groups in Iowa, see Homer L. Calkin, "The Coming of the Foreigners," *The Palimpsest* 43 (April 1962), 145-208.

<sup>4</sup> For a discussion of the general implications of socio-economic changes in Iowa, see "Iowa—A State in Economic and Social Transition—A Panel Presentation," 30 *Iowa Business Digest* (December 1959).

<sup>5</sup> Significant differences between urban and rural residents have existed on the liquor-by-the-drink question, with urbanites tending to take a "wet" position and ruralites a "dry" position; for example, see the Iowa Poll of *The Des Moines Register and Tribune* (May 13, 1962). For the similar urban-rural differences on the legalization of parimutuel betting on horse and dog racing, see the Iowa Poll of *The Des Moines Register and Tribune* (September 18, 1966).

pensation benefits, industrial safety laws, etc.—have become more pronounced with the rural to urban population movement.

*Demand Channels.* The demands made upon legislatures by interests in society are channeled through a number of institutional mechanisms. Interest groups, political parties, and the governor are among the most important of these mechanisms in the Iowa political system.

Throughout most of its history, Iowa has had what political scientists refer to as a single dominant interest group structure. During the latter half of the nineteenth century, when the state was being settled, the railroads tended to “call the shots” on important public policy questions.<sup>6</sup> The railroads’ power stemmed in part from the overriding desire on the part of Iowa political leaders, as well as residents, for the economic development of the state. Farming interests were particularly concerned with opening up transportation outlets to Chicago and eastern population centers.

For the greater part of this century another interest group, the Iowa Farm Bureau Federation, has tended to dominate the state’s political system.<sup>7</sup> The Farm Bureau’s influence stemmed from its large, well-distributed membership, financial resources, and superior organization. Of particular significance to the Bureau’s influence in state legislative politics was the overrepresentation of rural areas in the legislature.

During the short span of time since 1964, when the legislature was reapportioned on a population basis under a federal court order, it would appear that the Farm Bureau has no longer been playing a dominant role in legislative affairs. Yet, it would be incorrect to argue that a particular interest group has replaced it, or that such an event is likely to happen in the foreseeable future. What has happened is that the interest group power structure has changed from one of single interest group dominance to a more pluralistic pattern. The major implication of this change is that interest groups will experience differing rates of success (or failure) in their attempts to influence the state legislature. In other words, interest groups will win on some public policy questions and lose on others.

If the political parties in the legislature become more cohesive and thus more influential in the shaping of legislative decisions, as appears to be the trend, interest group representatives may be required to work through them to a greater extent if they are to influence legislative policies. The net result over the long run probably will be an overall decline in the influence of interest groups within the Iowa legislative system.

<sup>6</sup> See Benjamin F. Shambaugh (ed.), *Statute Law-Making in Iowa* (Iowa City: State Historical Society of Iowa, 1916), especially pp. 628-631.

<sup>7</sup> For an analysis of the role of the Iowa Farm Bureau in state legislative politics during its period of dominance, see Charles William Wiggins, “Interest Group Power Within State Legislative Systems: The Case of the Iowa Farm Bureau Federation” (unpublished Ph.D. dissertation, Washington University, 1964).

MIDWEST LEGISLATIVE POLITICS

During most of its history, Iowa has had a one-party dominant political party system, with the Republican Party holding the upper hand. From 1857 to 1955, for example, the Democratic Party was able to capture the governorship in only four of the forty-nine elections. In addition, it managed to win control of both houses of the state legislature on only two occasions, both of which were during the years of the Great Depression. To the extent that there were conflicts over public policies in the state during the era of Republican dominance, they tended to be fought out among factions within the dominant party.

During the 1950s, the partisan complexion of the state began to change as Democratic strength gradually increased. This strength became more visible in 1956, when the Democratic Party captured control of the governorship for the first time since depression days and narrowed the Republican margin in the legislative assembly. After experiencing a temporary setback in gubernatorial and legislative election fortunes in 1960, an election influenced very much by national political issues, Democrats recaptured control of the governorship in 1962 and have held it to date. In addition, partly because of reapportionment, Democrats won a majority of seats in the legislature in 1964.

Although the Democrats have won the governorship in the most recent elections, it would appear questionable to assume that the Iowa political party system is still a one-party dominant system, this time with the Democrats in the driver's seat. A more appropriate classification would be that it is a very competitive two-party system, with each of the two major parties having a good chance of achieving victory. The election of

Table 1  
Partisan Identifications of Iowa Electorate, 1956-66  
(in percentages)

<i>Year</i>	<i>Republican</i>	<i>Democratic</i>	<i>Independent</i>
1956	54	41	5
1957	51	43	6
1958	50	43	7
1959	48	41	11
1960	49	42	9
1961	47	40	13
1962	46	41	13
1963	47	36	17
1964	42	48	10
1965	42	52	6
1966	44	47	9

Source: The Iowa Poll of *The Des Moines Register and Tribune*, May 1, 1966.

LEGISLATIVE POLITICS IN IOWA

1966 in which the Republicans staged a dramatic comeback from the "1964 catastrophe" could appear to support this contention.

Table 1 shows the distribution of partisan identifications among the Iowa electorate during the past decade. The data in the table reveal that since 1959 the Republican Party has not enjoyed the allegiance of a majority of the state's electorate. In turn, with the exception of one year (1965), the Democratic Party has not managed to marshal the loyalty of a majority of eligible voters, even though according to the most recent poll, it enjoys a slight advantage over the Republican Party. Generally, the data on the distribution of partisanship support the classification of Iowa as a two-party state.

Table 2

Legislative Candidates Without Opposition in General  
Election, 1942-66  
(in percentages)

<i>Year</i>	<i>Senate</i>	<i>House</i>	<i>Both Chambers</i>
1942	17	25	24
1944	40	49	47
1946	26	5	13
1948	24	25	25
1950	0	3	2
1952	36	24	27
1954	10	1	2
1956	3	3	3
1958	5	4	4
1960	3	3	3
1962	17	15	15
1964	3	4	4
1966	8	2	3

The change toward a greater balance between the parties-in-the-electorate has been generally associated with a change in the amount of competition for legislative posts. Data indicating the amount of competition for these posts during the 1942-1966 period are presented in Table 2. The table reveals that from 1942-1950, there was a tendency for a large number of candidates, most of whom were Republicans, to run without any opposition in the general election. However, in all elections since 1952, with the exception of 1962, the proportion of candidates without opponents in the general election has been small.

If the level of party competition remains high, there will be a tendency for the parties to become more cohesive. In addition, the parties will become a more instrumental force in the legislative policy-making process.

One net result should be that the parties will become more significant as channels through which demands are made upon state government.

The Iowa governor can be regarded as a third channel through whom demands are made on the state legislature. The governor has the potential to be an important channel by virtue of his status as the state's highest elected official. State constitutional and statutory provisions give the governor a number of ways to influence legislative decision making. For example, he has the opportunity to outline what he believes to be the major needs of the state through his state of the state and inaugural messages to the legislature. The governor also has the authority to propose the biennial state budget. This power is significant because the governor in proposing the state budget establishes the format, or frame of reference, for the budget deliberations of the legislature. The governor also can influence legislative decisions by virtue of his power to veto bills passed by the legislature.<sup>8</sup> In addition to his formal powers, the governor has usually been able to influence legislative decisions because of his position as a leader of the majority party in the legislature.

The major post-war trend in the role of the Iowa governor in the operations of the legislature has been his assumption of a more assertive role in proposing and supporting specific legislative proposals. Traditionally, Iowa governors have not been known for their involvement in legislative decision making. However, two relatively recent precedents in executive-legislative relations suggest that Iowa governors are playing a more assertive role. The first occurred in 1961, when Governor Erbe called a special pre-session Republican caucus with the hope that a joint executive and legislative position on reapportionment could be formulated.<sup>9</sup> The second precedent occurred during the 1965 session when Governor Hughes visited a Senate Democratic caucus and urged support of a bill repealing the state's "right-to-work" law. Hughes' action was regarded as precedent-setting in that it was the first time in the history of the state that a governor had been known to visit a legislative party caucus while the legislature was in session.

*Public Attitudes.* How do Iowans evaluate their legislature? Does the legislature operate within an environment of public attitudes which are favorable or unfavorable toward it?

Table 3 shows the results of surveys taken by the Iowa Poll of *The Des Moines Register and Tribune* concerning Iowans' general evaluations of the job performances of three recent legislatures. For the purpose of com-

<sup>8</sup> Compared with all previous sessions, post-war governors have used their veto power more frequently. From 1856 to 1943, governors vetoed two bills on an average per session. During the 1945-1966 period, an average of five bills have been vetoed each session.

<sup>9</sup> Frank T. Nye, "The 59th General Assembly of Iowa," *The Palimpsest*, 42 (November 1961), 525.

LEGISLATIVE POLITICS IN IOWA

parison, the results of surveys evaluating the job performances of the state's four most recent governors are also included.<sup>10</sup> If the questions asked about the performances of the legislature and governor can be considered comparable, one gets the distinct impression that Iowans' have a significantly lower, or less favorable, assessment of the job performance of the legislature than they do of the governor.

These differences in people's evaluations may result from two factors. First,

Table 3  
Iowans' Evaluations of the Legislature and Governor  
(in percentages)

<i>Object and Year</i>	<i>High</i>	<i>Evaluation Low</i>	<i>No Opinion</i>
Legislature			
1959	28	48	24
1963	25	60	15
1965	28	53	19
Governor			
Leo Hoegh			
Dec., 1955	41	40	19
May, 1956	46	39	15
Herschel Loveless			
Nov., 1957	55	20	25
July, 1960	65	17	18
Norman Erbe			
July, 1961	45	24	31
Sept., 1962	49	25	26
Harold Hughes			
June, 1963	56	16	28
Jan., 1966	73	12	15

Source:

The evaluation scores in this table are based upon figures appearing in the following Iowa Polls of *The Des Moines Register and Tribune*: January 19, 1964; May 1, 1966; August 22, 1965; and May 10, 1959.

<sup>10</sup> In evaluating the job performance of the legislature, the Iowa Poll asked its respondents, "How would you rate the job of the past session of the legislature, excellent, good, fair, poor, or no opinion?" The high evaluation scores in Table 3 constitute the combined "excellent" and "good" responses to the job performance question, while the "low" evaluation scores constitute the combined "fair" and "poor" responses. In evaluating the governor's job performance, the Iowa Poll asked respondents, "Do you approve or disapprove of the way . . . . . is handling his job as governor of Iowa?" The high-low scores in Table 3 are the same as the "approve-disapprove" poll responses.

people may find it easier to be critical of a collegial group than of a single individual. Second, the differences may stem from the failure of the legislature to fulfill the people's expectations of it. Prior to the 1965 session, for example, the Iowa Poll asked a sample of Iowans what they expected the next legislature's job performance would be. Comparing these results with those of a poll taken after the legislature adjourned, one finds that the performance of the 1965 legislature did not fulfill people's expectations.<sup>11</sup>

#### LEGISLATIVE ORGANIZATION

For the most part, the organization of any given session of the Iowa legislature—selection of leadership, establishment of committees, and adoption of procedural rules—is a party matter. In organizing the assembly, the majority party plays the dominant role.

In the following discussion concerning the organization of the Iowa legislature, the major emphasis will be on the practices employed by the Republican Party. This is necessitated by the fact that, except for two recent sessions (the 1965 and the 1967 Senate), the Republicans have controlled both houses in all sessions during the post-war years. However, significant Democratic departures in 1965 from Republican practices will be pointed out.

Before getting into an examination of leadership, the committee system, and procedures, brief mention should be made of what appears to be a general principle of Iowa legislative organization. This principle is that each session of the legislature is organized on an *ad hoc* basis. Unlike the U.S. Congress, which is characterized by a continuity of leadership, committee chairmen, and committee membership, significant changes in these aspects of organization occur in the Iowa legislature. In other words, even though the same formal leadership positions and standing committees generally have existed during the post-war years, the personnel occupying leadership positions, committee chairmanships, and committee memberships have changed readily during this period. Probably the most stable, or permanent, aspect of Iowa legislative organization has been the procedural rules which provide guidelines for the orderly consideration of legislative proposals.

*Leadership.* Any legislative body, if it is to function smoothly, must have leadership. Leaders are important figures in the legislative process in that they are elected by rank and file legislators to make instrumental decisions affecting the division of labor and responsibilities among legislators, the manner and order in which legislative proposals are to be

<sup>11</sup> Before the 1965 session convened, 55 per cent of Iowans thought the legislature would do an excellent to good job, while only 29 per cent thought its job would be fair or poor; see the Iowa Poll of *The Des Moines Register and Tribune* (January 31, 1965).

considered, and the interpretation and enforcement of procedural rules. How are leaders of the Iowa legislature selected? What types of individuals have usually been selected? What are the important powers that they wield? In attempting to answer these questions, we will be concerned only with those legislators who occupy official legislative and party leadership positions. We recognize, however, that some influential persons in the legislature may hold no formal leadership position.

Both the speaker of the House of Representatives and the president of the Senate (the lieutenant governor) usually are regarded as the majority party leaders in their respective houses. The speaker is, in effect, elected by the majority party caucus held prior to the legislative session.<sup>12</sup> It has not been unusual in Iowa for speakership contests to develop, and for several candidates to campaign prior to the caucus. In the years since World War II, as many as eight candidates have vied for the speakership, and on more than one occasion the incumbent speaker has faced opposition. Among the many factors which have entered into speakership elections have been prominent public policy questions (liquor-by-the-drink, yellow oleomargarine, taxes, the school bus question), regional considerations, the role of interest groups (most notably, in the past, the Iowa Farm Bureau), and personal followings in the legislature. In 1965 the governor had a particularly prominent role in the selection of the speaker, a major departure from past practices when gubernatorial interference in the selection of legislative leadership would have been regarded as improper. Once selected, the speaker has very considerable legislative power in organizing the legislature. Under the rules, he provides for committees, assigns members to them, and appoints their chairmen. In addition, bills are referred to committee by the speaker, and he can thus influence the course of legislative consideration of issues.

The lieutenant governor presides over the Senate as its president, though he is not formally a member of the Senate and is not elected by the senators. But he does have substantial influence over the work of the Senate. Not only is he ordinarily regarded as the leader of the Senate majority, but also he appoints committees, refers bills to them, and interprets and enforces the rules of procedure.<sup>13</sup>

With the exception of 1953, when the House Democrats selected no floor leader, both parties have selected floor leaders at every session

<sup>12</sup> The information in this section dealing with the selection of House and Senate leaders has been obtained from newspaper stories, a series of articles on each legislative session since 1953 by Frank T. Nye, Jr., in *The Palimpsest*, and personal interviews with legislators and others closely associated with the Iowa legislature.

<sup>13</sup> For a discussion of the President's authority in Senate voting, see Jacob A. Swisher, "Iowa Government in Action," *The Palimpsest*, 30 (October 1949), 316-317.

MIDWEST LEGISLATIVE POLITICS

of the legislature since World War II. On two occasions in the post-war years, this post has been a steppingstone to the House speakership for the House majority leader. Since 1959, House Republicans have also chosen an assistant majority leader when they controlled the House, a practice adopted by the Democrats in 1965. Also in 1965 Senate Democrats established the position of assistant majority leader for the first time.

*Committee Structure.* Large organizations require some division of labor to operate effectively. In legislative organizations this is accomplished most markedly in the committee structure. In Iowa the structure of legislative committees does not differ in any striking way from practices in other American legislatures in the use of standing, select, joint, and interim committees. The number of committees in the House and Senate has fluctuated since 1945 from eighty-eight in 1947 (fifty-four in the House and thirty-four in the Senate) to thirty in 1965 (fifteen in the House and fifteen in the Senate). The usually larger number of committees in the House reflects, of course, the larger House membership; it may also have been associated with the way in which the elected speakers developed support for their candidacy before the majority caucus.

The 1965 legislature not only drastically reduced the number of House and Senate standing committees, but it also substantially reduced the number of committee assignments for each representative. In most sessions prior to 1965, members of the House and Senate served on six or seven committees, but in the Sixty-first General Assembly most legislators served on only three committees. This practice was generally followed in the Republican controlled Sixty-second session of the Iowa House.

Table 4  
Standing Committees in the Iowa Legislature, 1945-1967  
(in numbers)

<i>Session</i>	<i>Year</i>	<i>Number of Committees</i>	
		<i>House</i>	<i>Senate</i>
51st	1945	55	32
52nd	1947	54	34
53rd	1949	39	35
54th	1951	37	36
55th	1953	38	34
56th	1955	37	39
57th	1957	35	39
58th	1959	40	31
59th	1961	42	30
60th	1963	41	30
61st	1965	15	15
62nd	1967	21	14

The work of the legislature is not evenly divided among its committees, though an analysis of committee workloads in 1963 and in 1965 does indicate that a somewhat more balanced workload was achieved during the latter session. Even so, in 1965 the judiciary, governmental subdivision, transportation, and governmental affairs committees together handled 57 per cent of the bills introduced in the House, while 20 per cent of the bills referred in the Senate went to the judiciary committee.

The chairmen of legislative committees certainly are key figures in the Iowa legislative process. Since they are selected by the presiding officers, they are not independent of the party leadership as are chairmen of congressional committees. Seniority as the basis for selecting chairmen is of only slight importance in Iowa, and first-term legislators have often been appointed committee chairmen. In fact, minority party members have sometimes been selected to chair minor committees in the post-war years. Furthermore, chairmanships have not been very stable in the sense of going to the same people from session to session. In Iowa, it is usual for more than half the chairmen in one legislative session to be appointed as chairmen of different committees in the next session. In 1949 more than 80 per cent of the previous chairmen chaired different committees! Beyond this, it is not unusual for about half of the committee chairmen in any one session to be new to the job, not having served as a committee chairman in a previous session.

*Legislative Procedures.* The formal rules of procedure in the Iowa legislature are, like the rules of procedure in most American legislatures, the bearers of legislative traditions. Though they do not cover all contingencies, the rules are fairly complex. And sometimes, when the unwritten rules permit, the written rules are violated. We shall discuss some of the unwritten rules presently.

Much of the formal legislative process in the General Assembly is familiar to anyone aware of the workways of American legislative life; but unlike the practice of the Congress or lower houses in some states, the committee of the whole procedure is very seldom used in the Iowa House. The state constitution requires that a majority of all members approve the passage of legislation, and procedures are available which encourage maximum attendance on the floors of the houses. One characteristic of legislative procedure in Iowa worthy of special note is that of the use of steering and sifting committees. The steering committees are calendar committees, appointed by the presiding officers at about mid-session to rearrange the order of priorities in scheduling bills for floor consideration. As a legislative session nears its end, the steering committees have been dissolved to be replaced by sifting committees. The latter committees are given very wide latitude to schedule legislation in the final days of the session. These committees have been controversial because of the secrecy of their very crucial deliberations; in 1965 the rules of both houses were

## MIDWEST LEGISLATIVE POLITICS

amended to require that all meetings of the sifting committees be open to the public and that committee votes be a part of the public record.

### LEGISLATIVE FACILITIES, STAFF, AND SERVICES

Compared with Congress, the facilities, staff, and services provided Iowa legislators can be described as minimal. Most knowledgeable persons, including legislators themselves, admit that much room for improvement exists in this aspect of the legislature.

*Facilities.* To an Iowa legislator, his "office" is usually a desk and small filing cabinet found on the floor of the House or Senate. In other words, except for the legislative leaders, separate private offices are not provided legislators. Thus, if a legislator receives a visit "on the hill" from a constituent, he usually must have a chair brought to his desk so that the constituent can be seated, or he visits with the constituent in the rotunda or the capital cafeteria. Although plans are being made to provide party floor leaders with private offices during the 1967 session, it would seem that the problem of providing the overwhelming majority of legislators with such space will not be alleviated in the near future.

*Staff.* Individual legislators and standing committees are provided no professional staff assistance. Each legislator is permitted to hire a secretary (or clerk) who occupies a chair next to the legislator on the floor. It is not unusual to find a legislator quietly dictating letters to his secretary while floor proceedings are in progress. A pool of typewriters is available behind each chamber for the use of the secretaries.

Chairmen of standing committees receive no special staff assistance. In fact, the secretary of a committee chairman doubles as the secretary of the committee.

*Services.* The major service agency of the Iowa legislature is the Legislative Research Bureau. Organized in 1955, the bureau is the major bill-drafting, and, as its name denotes, fact-finding agency of the legislature. Any legislator may avail himself of the services of the bureau. Our impression is that so many legislators utilize the services of the bureau, especially during a session, that its facilities and staff oftentimes appear to be overtaxed. A recent innovation in the operations of the bureau has been an attempt to integrate House and Senate leaders into its research activities. In 1965, the legislature enacted a law providing that House and Senate leaders would automatically serve on the research committee which oversees the work of the bureau. Supporters of this law contemplated that policy recommendations growing out of between-session bureau studies would tend to go for naught less often if the legislative leadership were brought more directly into the research process. In addition to the bureau, the code editor, an employee of the Iowa Supreme Court, has usually provided legislators with bill-drafting services. On occasion, an assistant attorney general in the attorney general's office

## LEGISLATIVE POLITICS IN IOWA

has also been assigned the responsibility of helping legislators draft bills on request.

### CHARACTERISTICS OF IOWA LEGISLATORS

A legislature is more than an abstract representative body, a political organization, or a set of procedures. It is a collection of individual men and women who, while varied in background and experience, present the observer with many interesting regularities in their characteristics and recruitment. The legislature is not a microcosm of the general population in the attributes of its members. Rather, legislative recruitment is such that certain kinds of individuals tend to become legislators and others do not. What are these descriptive characteristics of Iowa legislators?

*Age.* Elected officials frequently are characterized as mature individuals who enter public office only after they have obtained extensive experience elsewhere. This characterization appears to be accurate for many public officials, including Iowa state legislators. Using the age of fifty as a dividing point for comparison underscores this fact because more than half of the members of the House and Senate for every session since 1945, except for the two most recent ones (1965 and 1967) have passed that age when they entered the legislature. Throughout this period, however, there has been a trend evident in both houses to elect a greater proportion of younger members with each succeeding session. In the 1965 and 1967 sessions nearly a third of the House members were forty years of age or younger while about three-fifths of the members of the Senate for these same sessions were fifty years of age or younger. This trend may result from an increasing interest in service as a state legislator by younger persons as well as a conscious effort by the political parties, particularly the urban Democrats in 1965, to recruit younger persons to run for the legislature.

Comparing this age distribution with that reported in the 1960 census of Iowa underscores the overrepresentation of individuals beyond the age of fifty in the Iowa legislature. About 57 per cent of Iowa's adult population is less than fifty years of age, while only 44 per cent of the legislators sitting in the 1961 session were less than fifty years of age.

*Education.* According to the 1960 census, 54 per cent of Iowa's population over the age of twenty-five had not completed four years of high school, 30 per cent had completed high school, and 16 per cent had attended college. Comparing these figures with those from members of the legislature (see Table 5) reveals that members of this elected body are more likely to have had some type of post-high school training than is true among the general population. If we consider previous census figures, the same trend appears to occur for the entire period since World War II. For example, the 1950 census showed that 61 per cent of the population had not completed four years of high school, 25 per

cent had completed high school, and 14 per cent of the population had attended college.

Throughout the post-war period the proportion of members of both houses who have attended college has generally increased, in spite of a slight decrease since the middle 1950s among members of the House. This trend, especially prior to 1965, is due in part at least to a decreasing number of legislators who have had professional legal training beyond college, rather than to a decreasing number of legislators in the "high school or less" category. This is perhaps evidence of a growing tendency to elect individuals who are generalists rather than specialists in their educational training, as well as the tendency for greater numbers of individuals to attend college. Some of the increases in the proportion of Iowa legislators in the 1965 session who have only high school or vocational training may be traced to the reapportionment of 1964, which resulted in the election of a larger number of Democratic legislators from the industrial centers of the state.

*Occupation.* Members of state legislatures throughout the United States tend to be recruited from some of the "prestigious" occupations.<sup>14</sup> Most notable have been such occupations as attorney, businessman, and white-collar occupations. Certain positions, particularly those related to the legal profession, are generally considered as appropriate "training grounds" for legislators. Persons with service and lower status occupations do not appear in state legislatures to the degree that they are found among the general public. For example, the 1960 census found that 17 per cent of the male working force in Iowa were engaged in professions or managerial occupations, 22 per cent were farmers or farm managers, and the remainder, 61 per cent, were in clerical, service, or blue-collar professions. Table 6 indicates that farming and legal professions have been particularly overrepresented in all post-war state legislatures.

Concurrent with the increasing number of farmer-legislators was the decreasing number of lawyer-legislators—particularly in the Senate. This drop in the number of lawyers elected to the legislature may be due in part to an increasing unattractiveness of legislative service—relatively low salary and damage to an individual's legal practice. Also of considerable interest is the sizable increase, in the 1965 session, in representatives who held blue-collar positions over that of previous sessions and the dramatic decline with the 1966 election. The increase resulted in large measure from the Democratic landslide of 1964, while the decrease can be traced to the return of the Republican party to power.

*Religion.* In addition to overrepresenting certain educational and occupational sectors of our society, members of our state legislatures tend in

<sup>14</sup> See: Malcolm E. Jewell and Samuel C. Patterson, *The Legislative Process in the United States* (New York: Random House, 1966), p. 108.

Table 5  
Education of Iowa State Legislators and Session—1945-1967  
(in percentages)

EDUCATION	51st 1945	52nd 1947	53rd 1949	54th 1951	55th 1953	56th 1955	57th 1957	58th 1959	59th 1961	60th 1963	61st 1965	62nd 1967
	HOUSE											
High school or less	25	20	23	22	23	22	22	31	32	29	27	21
Some type of trade training	1	1	1	0	0	0	0	2	2	2	6	5
Some amount of college	35	39	41	45	48	54	52	47	45	48	41	44
Professional training beyond college	14	11	12	7	4	2	4	2	1	2	3	2
Some amount of graduate training	7	12	6	8	7	6	6	6	8	8	10	10
Law degree	19	18	17	18	19	17	17	14	13	11	13	18
	SENATE											
High school or less	17	11	9	6	12	12	16	19	17	15	20	23
Some type of trade training	0	0	2	4	4	4	2	0	0	0	2	2
Some amount of college	30	40	46	45	44	45	43	37	38	50	49	51
Professional training beyond college	4	4	9	11	10	6	2	2	8	8	0	2
Some amount of graduate training	4	6	9	6	4	8	12	20	16	6	9	2
Law degree	45	39	26	28	25	25	25	22	21	21	21	18

Source:

The data for this table, and for subsequent tables (except Tables 8 and 10) were acquired from: *Iowa Official Register*, 1945-1965 editions (Des Moines: State Printing Board); and *The Des Moines Sunday Register*, December 18 and 25, 1966, and January 1, 1967.

Table 6

Occupations of Iowa State Legislators and Session—1945-1967  
(in percentages)

OCCUPATION	51st 1945	52nd 1947	53rd 1949	54th 1951	55th 1953	56th 1955	57th 1957	58th 1959	59th 1961	60th 1963	61st 1965	62nd 1967
	<i>HOUSE</i>											
Farmer	32	31	39	35	38	46	42	45	45	45	32	35
Lawyer	17	14	12	13	15	13	15	13	11	9	13	14
Professional	19	26	19	21	12	10	9	7	14	14	12	14
Businessman	26	18	15	17	19	17	21	19	15	17	13	18
Newspaperman	2	6	6	8	7	2	1	0	0	0	3	2
Salesman	2	4	3	3	4	6	4	5	6	6	9	2
Blue Collar	0	0	3	1	1	1	1	3	2	1	10	2
Other (retired)	2	1	4	4	5	6	9	9	7	8	10	13
	<i>SENATE</i>											
Farmer	16	18	20	26	32	30	30	24	33	38	25	26
Lawyer	38	33	25	24	22	20	20	18	18	16	15	18
Professional	14	20	20	16	8	14	16	20	16	16	18	12
Businessman	22	16	20	22	22	20	22	24	20	14	23	29
Newspaperman	4	4	2	2	6	6	2	2	0	2	2	2
Salesman	0	2	6	8	6	4	4	4	6	8	8	7
Blue Collar	0	0	0	0	2	2	2	6	4	2	5	3
Other (retired)	6	6	6	2	2	4	4	2	4	4	3	3

Table 7

Religion of Iowa State Legislators and Session—1945-1967  
(in percentages)

<i>RELIGION</i>	<i>51st</i> 1945	<i>52nd</i> 1947	<i>53rd</i> 1949	<i>54th</i> 1951	<i>55th</i> 1953	<i>56th</i> 1955	<i>57th</i> 1957	<i>58th</i> 1959	<i>59th</i> 1961	<i>60th</i> 1963	<i>61st</i> 1965	<i>62nd</i> 1967
	<i>HOUSE</i>											
Protestant	93	96	89	96	97	94	94	90	93	90	68	83
Catholic	7	4	11	4	3	6	6	10	7	10	32	15
Jewish	0	0	0	0	0	0	0	0	0	0	1	2
	<i>SENATE</i>											
Protestant	94	97	94	92	93	91	86	84	89	90	79	74
Catholic	6	3	6	8	7	9	14	14	9	10	21	25
Jewish	0	0	0	0	0	0	0	2	2	0	0	0

[231]

LEGISLATIVE POLITICS IN IOWA

varying degrees to differ from the population in their religious affiliation. In Iowa, which is predominantly a Protestant state, the percentage of members of either house of the state legislature who identify themselves as Protestants has dropped below 85 per cent on only five occasions. Three of these exceptions can be traced directly to the 1964 Democratic landslide, the 1965 House and Senate session, and the 1967 Senate session. Thus the Democratic landslide produced deviation from the past trend in terms of religious affiliation as well as age, education, and occupation of Iowa legislators.

*Place of birth.* Previous studies have observed that most public officials are "local boys," born and raised within the district they now represent.<sup>15</sup> While the data presented here do not permit us to test this hypothesis, they suggest that throughout the post-war period the overwhelming majority of state legislators have been native Iowans. Most of the non-native legislators were born in the middlewestern portion of the United States, with the largest number being from a neighboring state. The proportion of Iowa-born legislators corresponds closely with the 1960 census, which reported that 81 per cent of Iowa's population was born in Iowa.

*Organizational Affiliations.* Politicians frequently have been labeled "joiners" because of their propensity to belong to all types of organizations. This tendency probably results as much from their outgoing nature as from their desire for exposure to potential supporters. It is necessary to review a few biographies of state legislators to realize the number and variety of membership held by these public officials. Iowa legislators appear to fit the image of being joiners.

A few select observations demonstrate this point. The number of members belonging to veterans' organizations has shown a marked increase since World War II (from 21 per cent in 1945 to 40 per cent in 1965). A drop in the number of legislators belonging to agricultural organizations stems from the decrease in the number of farmers elected in 1964. However, the most striking fact evident from the organizational data is that at least seven out of every ten members of either house belong to some type of club or organization. Thus the fortunes of many organized groups are probably enhanced because they have potential support from their own members who sit within the legislature.

*Political Affiliations.* In addition to the numerous organizational affiliations of the legislators, studies indicate that a comparatively large number of them have had some previous experience in one or more levels of government, either in an elective or appointive capacity. These studies found that in California, New Jersey, Ohio, Tennessee, Wisconsin, Minnesota, and Pennsylvania between 37 and 66 per cent of the state legisla-

<sup>15</sup> *Ibid.*, pp. 102-103.

tors had held some type of political position.<sup>16</sup> When we consider the comparatively low levels of political participation by the general public, the data concerning previous political positions held by legislators are quite striking.<sup>17</sup>

The data for Iowa seem to suggest that its legislators have had less previous political experience than their counterparts mentioned above. Since the data about Iowa were gathered through the use of the official state register, while data from the other states relied on interviews with legislators, the differing method used to gather data may account for some of the variation noted in the results. Regardless of this difference, it is apparent that members of the Iowa legislature have been more active in politics and are much more likely to have held a public or party position than the population of the state in general.

Prior to the 1964 election there was a fairly constant increase in the proportion of members of the House who had previous experience on the county and municipal levels. The 1965 session, however, witnessed a drop of about 5 per cent in the number of members having held county and municipal offices. While this absence of previous political experience may have affected the public image of the legislature as a deliberative body, it does not appear to have affected the willingness of legislators to deal with a wide variety of controversial issues. As a matter of fact, these legislators may have been more free from inhibitions and external restraints than the more politically experienced legislators in previous sessions.

This decrease in the proportion holding prior public office is particularly noteworthy when compared with the increase in the number holding positions in their party prior to election to the legislature. This suggests that a greater number of party activists are being recruited to run for legislative office than was previously the case, and that party work has become an important factor in the recruitment process. It is, however, premature to posit this as a rule governing the future.

While there have been some fluctuations among members of the House with regard to the proportion having held public offices prior to their election to the legislature during the post-war period, these fluctuations are not as marked nor as extreme as the trend among senators. The

<sup>16</sup> *Ibid.*, p. 116.

<sup>17</sup> Supporting this contention of low citizen participation are two recent surveys of a national sample reported in Angus Campbell *et al.*, *The American Voter* (New York: John Wiley & Sons, Inc., 1960), summarized below:

	1952 <sup>o</sup>	1956 <sup>o</sup>
"Do you belong to any political club or organizations?"	2%	3%
"Did you do any other work for one of the political parties or candidates?"	3%	3%

<sup>o</sup> Entries are proportions of total samples answering affirmatively.

#### MIDWEST LEGISLATIVE POLITICS

trend for senators to be elected at a younger age suggests that a period of "apprenticeship," during which legislative aspirants served in public positions on the county and local levels, is no longer as common as it was in previous decades. Thus, it is more likely today that an individual will be elected state senator without having previous experience in public offices than in previous decades.

In addition to noting the number of Iowa legislators who have had previous experience with government, it is important to note the types of positions involved. The most frequently mentioned county offices among both senators and representatives of the post-war period were those of county attorney and county supervisor. During the 1940s and the early 1950s, the county attorney was the most frequently mentioned, but beginning with the Fifty-eighth General Assembly (1959) the county supervisor's post began to receive more mention, especially by members of the House. The most frequently mentioned local office throughout the period was school board member, a nonpartisan office. This suggests that a sizable portion of the previous experience of Iowa legislators in public office has been in some ways related to a representational role in the deliberative body.

Two prominent themes running throughout this section on the legislators as individuals have been (1) overrepresentation of certain sectors of society in terms of age, education, and occupation, and (2) the disruption of many trends brought about by the 1964 election. Both themes have been amply underscored throughout this discussion and in the various tables. It is, however, appropriate at this point to note that the 1966 election reinstated, in part at least, some of the trends which can be traced back to 1945. There is, for instance, an increase in the number of farmers sitting in both houses after a drastic reduction because of the 1964 election. We cannot at the same time assess precisely what the future trends in legislator background characteristics will be on the basis of the 1966 election. It would seem probable, however, that in the long run there will not be the radical departures evidenced by the 1964 election.

#### THE LEGISLATIVE ACTOR IN IOWA

Previous sections have focused on the legislative process and the individuals recruited as legislators for the Iowa General Assembly. These are some of the major elements of the legislative system operating in Iowa. One of the more interesting yet largely unexplored aspects of this system is the study of an individual's behavior within the legislature. This section will examine some of the major frames of reference which influence the behavior of Iowa legislators.

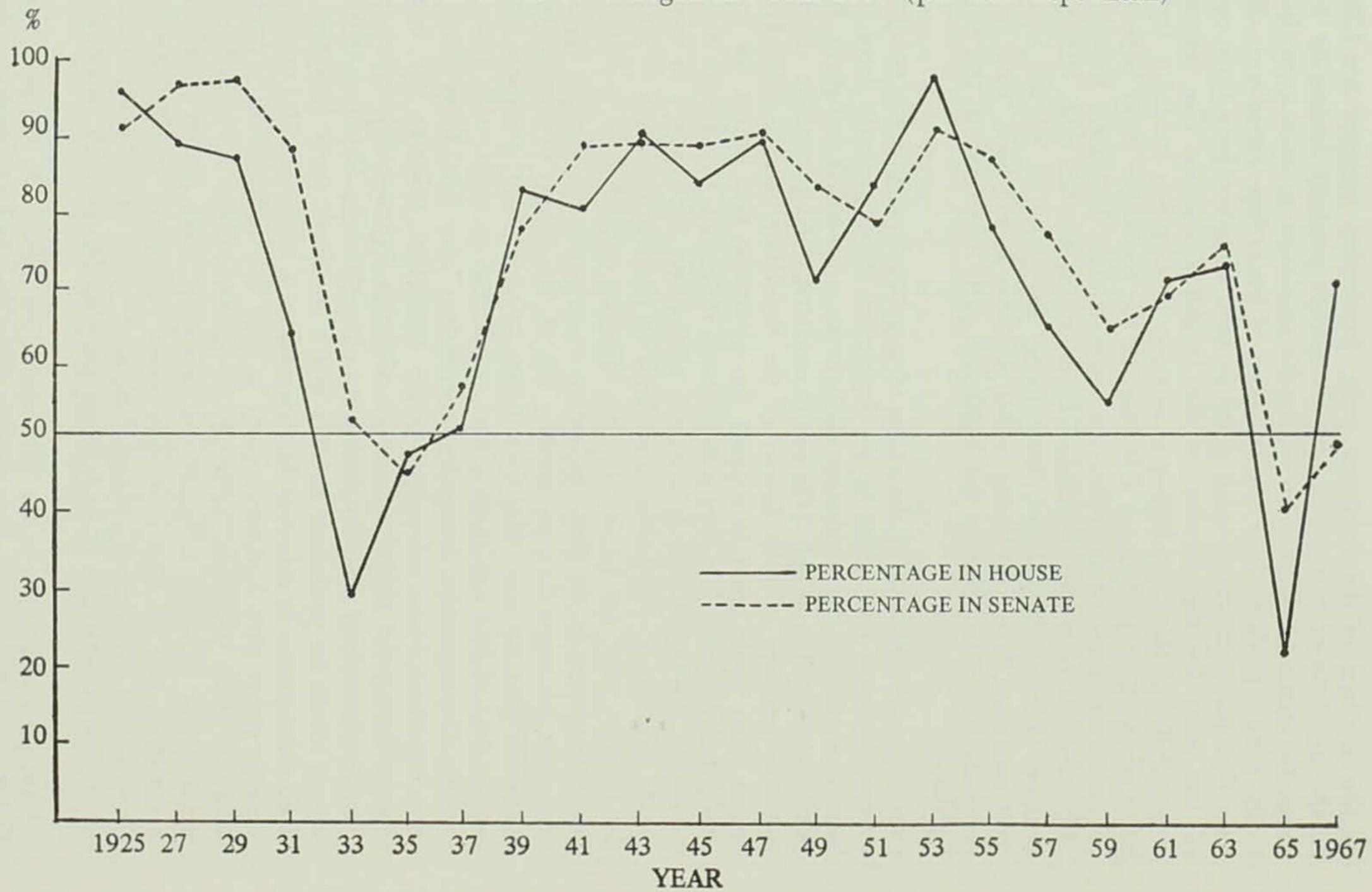
*The Legislative Party.* As previously noted, the organization of both houses of the Iowa General Assembly after each election is undertaken

by the members of the dominant party. Leadership positions are filled by the members of that party, and the party's platform frequently becomes the guide for legislation. While the legislators in each party look to the state organization for certain types of leadership, expediency dictates that the members of each party in each chamber form their own *ad hoc* party for the duration of the legislative session. The primary responsibility of this organization is to unite its members behind a legislative program. In performing this function the legislative party becomes an important frame of reference for understanding legislative behavior. This point has been well established by numerous scholars who, although studying different legislatures, have found the party to be the single most important factor explaining voting patterns in roll calls. Thus, it is necessary for us to consider the legislative party operating in the Iowa legislature.

One major aspect affecting the status of a political party is the competitiveness between the parties in the legislature. Until recently Iowa has been characterized by numerous analysts as a modified one-party Republican state. The graph (Figure 1) represents the proportion of Republican members of both houses of the legislature for the 1925-1967 period. This would seem to support the contention that except for very brief interludes Iowa has been a Republican state. But, as we have noted previously, this is not entirely accurate, particularly with regard to recent trends. While it is undesirable to establish an absolute minimum at which the minority party can be said to offer effective opposition, it is doubtful that either house in the Iowa legislature experienced an effective opposition party for more than six sessions out of the twenty-two being considered.<sup>18</sup> Thus we may infer that during many sessions interparty competition was of less significance than rural-urban or some other type of conflict. Consequently, interparty competition may not have been a very important frame of reference for legislators' behavior for many sessions during the 1925-1967 period. Although Figure 1 does raise certain questions about effective interparty competition in the Iowa legislature, it would be premature to state that a member's party affiliation is of no consequence in affecting his behavior as a legislator. The majority-minority status of a legislative party is only one indicator of a party's ability to affect individual behavior. In addition, there are such factors as the extent to which a majority of one party votes against a majority of the other, and the degree of unity within each party (party cohesion). These factors are elusive concepts, as most party activists will readily admit. Rough indicators of each factor are available through an examina-

<sup>18</sup> On party competition in the 1967 session, see Charles W. Wiggins, "Party Voting in the Sixty-second Iowa General Assembly," in *Iowa Business Digest*, 39 (December 1967), 3-11.

Figure 1  
Partisan Affiliation in the Iowa Legislature 1925-1967 (per cent Republican)



tion of the significant roll call votes in the legislative body.<sup>19</sup> This has been done for the Iowa legislatures meeting during the 1955-65 period, and the results are shown in Table 8.

Of the 2,553 significant roll call votes recorded between 1955 and 1965, 49.6 per cent can be termed party votes, i.e., a majority of members of one party voted against the majority of members in the other. Party voting for all sessions was slightly more frequent in the Senate (51.1 per cent) than in the House (48.4 per cent).

Notable variations between sessions existed during the ten-year period. Party voting was especially high during the 1957 and 1965 sessions, moderate during the 1959 and 1963 sessions, and somewhat lower during the 1955 and 1961 period. One factor which may account for some of the variation is the interparty balance during the session. The theory states that legislatures which are about evenly divided between Democrats and Republicans are likely to have a higher degree of party voting than are legislatures with lopsided majorities from one party. Comparing the incidence of party voting with the interparty competition (see Figure 1) indicates that only a weak relationship exists. The absence of a particularly strong relationship supports the observation that party balance is only of marginal importance in determining the frequency of party voting in the Iowa legislature.

Since party balance is of little importance, what other factors might affect the incidence of party voting? During three of the six sessions in this period the Republicans controlled both houses of the legislature while the Democrats held the governorship (1957, 1959, 1963). This position of party control probably affected the outlook of legislators with regard to legislation originating with the governor, solidifying them in opposition to Democratic proposals. This contention is supported by noting the higher incidence of party voting when there was divided party control. The one exception, when the same party controlled the legislature and the governorship (1965), can be explained by the party discipline imposed by the Democrats and the controversial nature of the legislation considered. This legislation was so offensive to Republicans that they achieved a unity rarely experienced before.

Another important dimension of the legislative party is the cohesion or unity of the political parties. Table 8 includes data on the incidence of a high party cohesion in the Iowa legislature.<sup>20</sup> The data indicate that Senate Democrats were more unified than Senate Republicans for each of the six sessions, as well as for all sessions combined. However, in the House the Republicans were slightly more cohesive for all sessions than

<sup>19</sup> A significant roll call is defined as a nonunanimous vote in which 10 or more per cent of the legislators voting on the question were in the minority.

<sup>20</sup> A high level of cohesion occurs when 90 to 100 per cent of the legislators vote with their party.

Table 8  
Party Voting and Cohesion in the Iowa Legislature 1955-1965

Session	Year	Party Voting†		Party Cohesion*					
				House			Senate		
		House	Senate	Democrat	Republican	Both Parties	Democrat	Republican	Both Parties
56th	1955	40.2	42.3	23.0	6.6	0.0	54.5	9.1	0.0
57th	1957	48.9	56.4	42.3	28.2	16.4	43.5	36.6	21.8
58th	1959	44.9	48.0	29.6	35.7	18.1	56.8	33.7	22.1
[30] 59th	1961	38.3	45.3	18.2	11.7	5.2	49.3	31.5	21.9
60th	1963	44.4	46.5	20.7	20.7	9.0	34.8	21.5	8.7
61st	1965	66.1	56.9	25.4	42.4	6.8	49.3	46.0	29.4

\*Per cent of party votes with a cohesion index of 80 or more.

†Per cent of significant nonunanimous votes with majority of one party voting against majority of other party.

were the Democrats, while the Democrats were more cohesive in three sessions (1955, 1957, and 1961) and equaled the Republicans once (1963). One possible explanation for the generally greater disunity among Republicans is that their party traditionally has been the dominant one in Iowa politics. As is often the case in other states dominated by one party, a comparatively high degree of factionalism develops within the majority party.

In addition to these differences within each house there are important differences between the House and the Senate branches of each party. Senate Democrats were more cohesive than House Democrats for every legislative session since 1955. Senate Republicans were more cohesive than House Republicans for five of the six sessions. These differences possibly result from the greater amount of latitude allowed senators because of their longer terms and more heterogeneous districts. This should theoretically permit the senator a greater degree of freedom to support his party when so desired.

*Previous Legislative Experience.* A second factor affecting the behavior of the legislators is the amount of previous experience they have had as lawmakers. State legislatures, unlike Congress, experience a rather extensive turnover in membership from session to session. This trend is congruent with the reputation of state legislatures as bodies of amateur politicians who are acting as part-time legislators. Data to support this contention show that during recent sessions of several state legislatures an average of 25 per cent of the entire membership was serving their first term. Turnover ranged from a low of 11 per cent in Minnesota (1961) to a high of 44 per cent in Kentucky (1964). Iowa also has experienced comparatively high rates of turnover during the last twenty years. An average of 39 per cent of the House membership and 19 per cent of the senators served their first term during this period. A portion of the difference in these averages can be traced, of course, to the fact of overlapping terms for senators.

The presence of a larger portion of new members in the legislative chamber may or may not affect the behavior of *individual members*. They are a potential source of change for the legislative body and thus may be viewed as a threat to established procedures and policies. If their numbers are large enough they may actually seize power in that chamber. A good example of this was in 1953 when a group of "young Turks," most of whom were serving their second terms, were instrumental in ousting the incumbent speaker.

In addition to these overall aspects of previous experience, numerous legislators have reported that only after several sessions as legislators can they consider themselves effective law makers. Legislators argue that since there is so much to learn about the legislative process as well as about the substance of policy, a legislator must take time to become familiar

Table 9

Previous Legislative Service for Members of the Iowa Legislature and Session—1945-1967  
(in percentages)

NUMBER OF PREVIOUS SESSIONS	51st	52nd	53rd	54th	55th	56th	57th	58th	59th	60th	61st	62nd
	1945	1947	1949	1951	1953	1955	1957	1959	1961	1963	1965	1967
	<i>HOUSE</i>											
None	40	41	46	32	29	41	40	35	35	21	65	50
One	22	25	24	31	30	25	29	32	23	31	15	18
Two	19	12	14	15	18	14	13	17	19	16	6	14
Three	12	10	7	12	12	9	6	5	10	15	6	6
Four	4	8	1	5	5	5	5	4	4	7	6	4
Five	2	1	3	1	4	1	5	6	3	3	—	4
Six	—	2	2	—	1	1	1	1	4	3	1	—
Seven or more	1	1	3	4	3	4	2	1	3	5	4	4
	<i>SENATE</i>											
None	14	16	20	12	24	16	18	18	18	16	33	16
One	14	12	14	22	10	24	20	22	20	24	8	38
Two	16	14	10	10	16	8	14	12	12	12	15	7
Three	28	14	6	12	10	18	12	18	10	12	12	8
Four	18	20	10	6	8	8	12	4	14	4	8	7
Five	8	16	18	10	6	8	6	10	2	10	8	10
Six	2	4	14	6	10	4	4	4	10	2	3	3
Seven or more	2	4	8	22	16	16	14	12	14	20	10	11

[32]

with the many complexities of the legislative system. In many ways a freshman member of the legislature is not likely to behave in the same manner as one with more experience. Thus, previous legislative experience is an additional frame of reference for the individual legislator.

*Legislative Norms for Behavior.* The formal rules of procedure governing the operations of both houses of the General Assembly have been previously discussed. Political analysts in other states have noted that there appeared to be other more subtle rules or norms which guide the conduct of legislators. While these norms are not written or stated specifically, most members are aware of these "informal rules of the game."

A recent study of four state legislatures (California, New Jersey, Ohio, and Tennessee) explored the nature of these unofficial rules and concluded that "legislative rules of the game constitute a body of specific rules of behavior generally accepted and understood by all members."<sup>21</sup> These rules are frequently the result of customs and are intended "as a device to secure . . . a 'working consensus' . . ."<sup>22</sup> They cover a wide variety of legislative behavior including a member's performance of obligations, respect for the rights of other members, and interaction between members and nonlegislative participants in the legislative system. It is evident that a norm for behavior does not necessarily mean the same thing in every state legislature. Thus the norm enforced in California may or may not apply to Iowa and vice versa.

During a recent session of the General Assembly it was possible to gather data about the informal rules of the game operating in the House of Representatives. However, due to the large number of freshman members in this session (80 out of 124) and the overwhelming preponderance of Democrats (101 out of 124) there are some questions about the representativeness of this session and consequently about the legislative norms operating at that time. The information was gathered through a "forced-response" questionnaire. The directions asked the legislative respondent to indicate for each of twenty-one norms of behavior whether the performance of this type of behavior was expected from members, if it was generally accepted, if it was not generally accepted, or if it was taboo to act in this manner. Responses to this questionnaire were received from 105 of the 124 members, representing a good cross section of the entire House. The results are contained in Table 10. They indicate that there is a general consensus among members of the House about norms governing individual behavior. The list is ordered, with the greatest amount of consensus existing for those placed first, i.e., "being entertained by lobbyists," and the least amount for those placed near the end, i.e., "campaign-

<sup>21</sup> John Wahlke, Heinz Eulau, William Buchanan, and LeRoy C. Ferguson, *The Legislative System* (New York: John Wiley & Sons, Inc., 1962), p. 143.

<sup>22</sup> *Ibid.*, p. 145.

## MIDWEST LEGISLATIVE POLITICS

Table 10  
 Legislative Rules of the Game in the Iowa House of Representatives  
 (1965)  
 (in percentages)

NORM FOR LEGISLATIVE BEHAVIOR	LEVEL OF ACCEPTABILITY					Total
	<i>Expected</i>	<i>Accepted</i>	<i>Not Accepted</i>	<i>Taboo</i>	<i>N.A.</i>	
Being Entertained by Lobbyists	12	83	2	1	2	100
Keeping Your Word	72	20	2	2	4	100
Maintaining Your Integrity	72	20	2	3	3	100
Forming Voting Blocs	13	69	9	3	6	100
Being Willing to Compromise	11	69	16	1	3	100
Being a "Loner"	—	9	67	20	5	101
Refraining from Personal Attacks on Members	64	18	9	6	3	100
Speaking When Not Informed	3	6	64	24	4	101
"Going Along" with Party Leaders	10	63	17	2	8	100
Spending Spare Time with Lobbyists	2	22	62	8	6	100
Being Familiar with All Legislation	54	33	7	1	5	100
Engaging in "Behind the Scenes" Activity	28	57	12	—	3	100
Being Known as a Representative of any Interest	2	21	58	16	3	100
Voting with Opposition Party	2	28	49	14	7	100
Becoming Expert in One Area	11	51	30	3	5	100
Being Known as a Legislator with an Open Mind	49	43	5	—	4	101
Respecting Member's Rights over His Legislation	48	42	5	1	5	101
Giving Top Priority to Re-election	14	47	28	7	5	101
Respecting Older Members	6	47	41	1	6	101
Getting Publicity	8	47	39	3	4	101
Campaigning Against Incumbents	15	34	29	16	6	100

ing against incumbents."<sup>23</sup> Looking at the distribution of the responses for all norms leads one to conclude that a great deal of consensus does exist among members of the Iowa House about these informal rules. As a matter of fact, all of these distributions except one, "maintaining your integrity," are unimodal in nature, further supporting the observation that a good deal of agreement does exist about the operation of these norms among House members.

Evaluating the amount of consensus in terms of the substantive nature of these norms leads to the conclusion that the greatest amount of consensus exists on matters where personal demeanor is involved, such as keeping one's word and maintaining one's integrity. The least consensus exists concerning those actions dealing with re-election, campaigning against incumbents, and giving top priority to re-election. It is interesting to note that the norms of behavior dealing with a political party and with a legislator's attitudes toward lobbying are scattered throughout the rankings. Thus, most agreement among members of the Iowa House concerns norms of general personal behavior and the least with electioneering. The consensus about other legislative behavior depends on that specific act.

A question frequently asked about data such as that presented above is, "Do various groups of legislators such as Republicans or Democrats, freshmen or experienced members, differ in their responses to this question?" Because of the representativeness of the returns it is possible to divide the responses on the basis of political party affiliation and the amount of previous legislative experience of the respondent.

When the responses are divided on the basis of party, Republicans are generally more reluctant to rate any action at both of the extremes—expected to perform and taboo to perform—than are the Democrats. This results in part from the greater amount of agreement about the degree of acceptability for any action exhibited by the Republicans. This greater agreement is in turn due in part to the smaller number of Republicans in the 1965 House and the greater similarities among the personal and social backgrounds; however, these differences between the parties are not *statistically* significant.<sup>24</sup>

<sup>23</sup> The rationale for ranking these norms was based on the principle that the greatest amount of consensus existed for that norm which has the largest proportion of respondents falling in any single category. Thus, since the largest proportion of respondents fell into the accepted category for the norm "Being Entertained by Lobbyists," this norm was considered to have the greatest degree of consensus. This procedure was replicated for each of the twenty-one norms. In instances where ties occurred, such as with the second and third norm and with the fourth and fifth, the proportions in adjacent categories were added together until such a distinction could be made.

<sup>24</sup> The term statistically significant should not be confused with terms such as significant, interesting, important, etc. Statistically significant means that when a statistical test, in this case a chi square test, was applied to the data the differences between the observed results and the expected results could not have been due to chance.

A second factor which might account for some of the differences is the amount of previous experience the respondent has as a member of the House. These differences are not as great as one might expect and again are not statistically significant. Overall, freshman members appear to perceive legislative norms much the same as do the more experienced legislators. This similarity in perception probably stems from their ability to sense "cues" which are given regarding proper behavior in the Iowa legislature. Thus, in terms of legislative rules of the game, Republicans and Democrats and experienced and freshman members all seem to perceive these norms in about the same manner.

#### CONCLUSION

An attempt has been made in this chapter to provide the reader with a thumbnail sketch of the Iowa legislature and how it operates. We have noted that post-World War II legislatures have been functioning within an environment characterized by an accelerated rate of social, economic, and political change. The dynamic character of post-war Iowa has produced novel and exceedingly complex problems, many of which have been regarded as requiring effective decision making in the legislative arena for their solutions.

The major question which remains to be answered in the future is will the Iowa legislature, as an institution of representative government, be able to meet this challenge. Proposals related to streamlining the legislature—higher salaries, annual sessions, improved facilities and staff assistance, updating rules of procedure, reapportionment—seem to us as steps in the right direction. Yet, other conditions, many beyond the direct control of the legislature, appear to be necessary if the legislature is to meet the demands of modern society. For example, will the political parties of Iowa recruit well-qualified candidates to run for the legislature; and will they attempt to impose discipline upon elected representatives in order to offer the state's electorate viable alternatives to the solution of social and economic problems? Generally, then, it would appear that reforms both inside and outside the Iowa legislature are needed if it is going to make a significant contribution to solving contemporary and future public problems.

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## The Kansas Legislature: Republican Coalition

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The Kansas legislature, which first met in Topeka in March, 1861, started its history under the most tumultuous conditions. Kansas had been a battleground, both politically and physically, for the pro- and anti-slavery forces. Only after four attempts at writing a constitution that would be acceptable to the people of Kansas and the United States Congress was success achieved. The anti-slavery forces had been victorious, and the Republican party took command of a state government that would be under its continuous dominance for more than a century. Still, the flow of blood had not been checked in "Bleeding Kansas"; there were still large sections in the eastern end of the state where southern sympathy and pro-slavery sentiment were high. Before this first session of the Kansas legislature was over, Fort Sumter had been fired upon. Kansas had played a considerable role in the origins of the Civil War, and now it would be deeply embroiled in that war. But despite the magnitude of the problems facing the new, inexperienced, and untried legislature, it did manage to get the state government established on a firm basis and to start it out with its first year's appropriations.

### ORGANIZATION AND STRUCTURE

Problems of organization and structure caused relatively little controversy in the Wyandotte Convention that drew the permanent constitution of Kansas, except on the question of legislative apportionment. The seventeen convention delegates who were Democrats did not care for the way the thirty-five Republican delegates apportioned the legislative districts in the constitution, and ultimately they refused to affix their names to the document as a protest against this and the fact that certain parts of what is now Nebraska and Colorado were not included within the boundaries of the new state. The bulk of the constitution was hurriedly drawn and was largely copied from the contemporary Ohio constitution.

MIDWEST LEGISLATIVE POLITICS

There was also a little trouble, as a result of the apportionment battle, over the size of the legislative bodies. This was finally set at twenty-five members for the Senate, which could be increased to a maximum of thirty-three, and at seventy-five for the House, which could be raised to a maximum of 100. Senate terms were set at two years and House terms at one year. Sessions were to be held annually. Table 1 shows the changes that have been made in the size of each house and in the number of legislative districts since 1859.

As a result of an 1873 amendment the maximum size of the House of Representatives was set at 125 and of the Senate at 40. Since 1876 the terms of senators have been four years and those of the House members two years. There are no staggered terms.

Table 1  
Changes in the Number of Kansas State Legislative Districts  
and Members in Apportionments, 1859 to 1966

Year	Senate		House	
	Districts	Members	Districts	Members
1859 <sup>a</sup>	14	25	14	75
1862	20	25	75	75
1866	20	25	80	80
1871	29	33	90	90
1876	38	40	123	123
1881	38	40	125	125
1886 <sup>b</sup>	40	40	125	125

<sup>a</sup>Provided by Art. 10 of Wyandotte Constitution.

<sup>b</sup>No change in this number of districts and members through 1966.

*Representational System.* From the beginning representation in the Kansas legislature has been based on a system of districts largely following county lines. In the original Wyandotte Constitution each organized county was guaranteed one representative. There were only forty such counties mentioned in the original document, but as the western end of the state began to develop, more counties were organized and the size of the house had to be increased to satisfy this guarantee. The constitution has always required a reapportionment every five years based on the previous year's state census. By 1894 all of the present 105 counties had been organized, and since then it has become more and more difficult to provide one representative per county, stay within the limit of 125 members, and apportion on the basis of population. As early as 1920, for instance, the twenty most populous counties contained almost 50 per cent of the population. Since the other eighty-five could claim eighty-five representatives

in the House, no matter how the remaining forty seats were distributed, half of the population residing in the smaller counties could control a minimum of two-thirds of the seats. By 1960, these eighty-five smaller counties, still able to control two-thirds of the seats, contained only 35 per cent of the state's population. No basic reapportionment of the Kansas House occurred between 1909 and 1959. But due to the fact that the constitution gave very little latitude in the adjustment of districts, the 1959 apportionment only slightly improved a very bad condition. Based on 1960 U.S. Census figures, the population range between the smallest and largest district before the reapportionment was 2,100 to 114,000 (1:54). After the 1959 shift of some of the "extra" seats to the more populous counties, the range was narrowed to 2,100-69,000 (1:33). After some prodding by the courts, another reapportionment of the House was accomplished in 1964; but this was still within the framework of the existing state constitutional restrictions, and so the range was only reduced to 2,100-55,000 (1:26).

In the Senate there has been no restriction on the number of counties that may be included in a single senatorial district. Thus there has been no constitutional barrier to reasonably equitable apportionment of that body. Nevertheless the Kansas Senate has not exhibited any great dedication to reapportioning itself every five years on the basis of equal population districts. In fact there had been only two comprehensive reapportionments of this body during the first sixty years of this century, in 1933 and 1947, and neither of these could be considered truly equitable. The 1950 U.S. Census revealed how poorly the senators had done their job in 1947; it showed that the range in population of the Senate districts went from 20,000 to 220,000—or one to eleven. By the time of the 1960 Census this ratio had reached the even more alarming proportion of one to twenty, as the largest district's population swelled to 343,000 and the smallest's shrank to 16,000. At this time Glendon Schubert and Charles Press, in a study of malapportionment in the fifty state legislatures, ranked the Kansas legislature forty-eighth in the equitability of its apportionment.<sup>1</sup>

Finally, under a court order to reapportion on a "one-man-one-vote" basis, the Kansas Senate adjusted its districts toward population equality in 1963. This had to be repassed because of an error in drawing district lines that left several hundred citizens of Kansas outside any senatorial district; but the result was a considerable improvement over anything that had gone before. The population of the average district was 54,300 according to the state's 1965 agricultural census, with the largest 61,900 and the smallest 47,100 (deviations of +14.0 per cent and -13.6 per cent). This still did not please the federal judiciary, however; and in December, 1965, a three-judge federal district court ruled that the Senate reapportionment

<sup>1</sup> Glendon Schubert and Charles Press, "Measuring Malapportionment," *American Political Science Review*, LVIII (June 1964), pp. 302-327.

violated the "equal protection" clause of the U.S. Constitution. Since the apportionment of 1964 did not follow county lines, the court noted that the deviations in the districts could not be justified on the basis of the use of existing political subdivisions. Its implied suggestion was that the Senate should either produce an apportionment that is nearly perfect in its numerical equality between districts or give some regard to "communities of interest" or boundaries of political subdivisions in its reapportionment scheme. The court stayed the execution of this order until the election of the next Senate, which will be in 1968. Presumably the Senate will take up this problem again in the 1968 session of the legislature.

On the House side an equitable reapportionment has finally been accomplished. Under court direction a special session in 1966 tossed aside the "one-county-one-vote" rule for the "one-man-one-vote" doctrine. Counties were combined and subdivided, and the result was a deviation of only +11.0 per cent and -8.9 per cent from the size of the mean district. The range, based on the 1965 state agricultural census, was from about 16,000 to 19,500. It appears as if the House has now achieved an acceptable reapportionment of its districts.

*Sessions.* The Kansas legislature decided in 1875 that it was not necessary to meet every year and initiated a constitutional amendment permitting only biennial sessions. It was back to annual sessions in 1954 with another amendment that established a budget session, limited to thirty calendar days in even-numbered years and a regular session in the odd-numbered ones. Another change came about due to an amendment adopted in November, 1966, which provided for annual regular sessions, but limited the even-numbered year sessions to sixty days. While there continues to be no limit on the length of the odd-numbered year sessions, the legislator's pay and expense allowance stop after ninety calendar days, and this has become quite an effective limiting device. The new amendment also provides that unfinished business during the regular session in an odd-numbered year may be carried over to the next session without starting at the beginning.

*Procedures.* The rules of procedure in the Kansas legislature are rather typical of other legislative bodies in this country. Some of the major things to note about these are as follows:<sup>2</sup>

Three readings are required of every bill, and they must be made on three separate days, except when two-thirds of the legislative body decides otherwise. The bill must be read in full on the third reading.

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<sup>2</sup> A detailed account of rules and procedures of the Kansas legislature is contained in Frederic H. Guild, *Legislative Procedure in Kansas* (Lawrence: Governmental Research Center, University of Kansas, 1956).

Bills are referred to the committees by the speaker in the House and by the president pro tem in the Senate at the second reading.

After a favorable report of the standing or select committee, or the proposal of a committee bill, or by the membership overriding an unfavorable report, a bill goes before the committee of the whole, which is the entire membership of the house acting as a general committee.

After a favorable report by the committee of the whole and acceptance of the report by the house, the bill is sent to the secretary of state for engrossment prior to the third reading.

A roll call vote is required for final passage (and for all joint resolutions). The bill must be read in full at the third reading prior to the final vote. An absolute majority of all the elected members of the house is necessary for approval.

If the bill is amended by the second house, concurrence in these amendments by the house of origin is required. Failing concurrence, it is sent to a conference committee appointed from members of both houses to reconcile the differences. For final passage both houses must accept the conference committee report.

After transmittal to the governor, he may sign it into law, may hold it for three legislative days without action and let it become law without his signature, or he may veto it within the three-day period. Overriding a veto requires a two-thirds majority of the elected members of each house.

As in every legislature, provisions such as these are not precisely adhered to in practice. For instance, even though the rules of both houses require committees to report on each bill, many bills are never reported back. It appears to be impossible to find any way of enforcing this rule. The requirement of a full third reading also is often overlooked. As long as no one objects, bills may be hurried through by merely reading the first line of each section, or several bills may be read aloud simultaneously. And, although a roll call is required on each measure, several bills may be grouped together for "bulk voting," letting one roll call apply to the bills in the package. Each member is required to vote on each bill, but this is seldom enforced. Occasionally, however, if a bill seems to be failing for lack of sufficient members present, a "call of the house" may be held. The chamber doors are locked and the sergeant-at-arms and his assistants go through the building in search of absentees. The legislature also has found a way of getting around the "pocket veto" by postponing *sine die* adjournment until three days after passage of its last bill. This also makes it possible to bring the members back for an overriding vote in case of a direct veto. In practice, Kansas governors have used the veto very spar-

ingly; in 1965 the governor vetoed only 3 of the 531 bills that came across his desk.

The committee of the whole house is probably the most interesting institution of the Kansas legislature. The speaker will yield his chair during these meetings to one of the other members and a general air of informality prevails. The bills are read, debated, and amended section by section, but votes are not recorded in the journal and most of the formal rules of the house are in abeyance. The committee may recommend that the bill be passed as is, passed with amendments, rejected, or set aside for more deliberation. Quite naturally, since the committee consists of all the members of the house, the fate of a bill on final passage can be predicted quite accurately from the report of this committee. In large measure the Republican leadership uses this committee as a "gatekeeper," generally permitting only those measures it has sanctioned to get through the gate. It also is used as a device for reconciling opposition, should it appear, and for bringing about a concensus.

A look at the roll calls on bills during any session of the Kansas legislature would suggest that it is one of the most harmonious legislative bodies in the world. In the 1965 session about 2 per cent of the measures that came to a third reading in both the House and Senate failed to pass in the roll call of that house. And of those that passed, 91 per cent in the House and 92 per cent in the Senate received majorities that were unanimous or nearly unanimous (less than 15 per cent of the members in opposition). Obviously, a look at the roll calls alone does not reveal the conflict in the legislature, which is more apparent at the committee stage and particularly in the committee of the whole. Thus, to a large degree, conflict is resolved at this stage or there is no roll call vote.

The Kansas legislature, like most others, has too many committees. Presently there are forty-five in the House, and they account for a total of 506 committee posts. Hence, the average committee has a little over eleven members and the average member serves on about four committees. In the Senate the committees number thirty-one with 264 committee posts. The Senate committees average about eight and one-half members per committee, and the senators serve on the average with about six and one-half committees. Some senators, if they were able to attend all meetings of all committees to which they are named, would consider as committee members over 300 bills in a regular session. With a total of seventy-seven committees (including one joint committee), Kansas is exceeded by only five other states in total number of legislative committees.

Committee chairmen have a rather powerful position in the Kansas system. They schedule and call the meetings, set the agenda, preside, and can influence in various ways the fate of bills coming before their committees. As in many legislatures, the leadership uses the key committee chairmanship posts as a means of control. Customarily, all committee

chairmen, and even all vice-chairmen, are Republicans, although the Democrats generally receive an equitable share of the membership on committees. Seniority is a consideration in appointment of chairmen, but no strict rule is applied. Usually it is necessary to have served at least one term before being considered for a chairmanship.

On the House side, committee appointments are made by the speaker, who generally consults rather closely with other members of his party. Probably the most important committees in the lower house are ways and means (appropriations), assessment and taxation, education, judiciary, roads and highways, state affairs, revision of calendar, and (during the 1965 and 1966 sessions) legislative apportionment. A survey of House members in 1965 showed that they rated the ways and means committee as by far the most important (82 per cent ranked it first), the state affairs committee second (12 per cent), and the education committee third (6 per cent).<sup>3</sup> Other knowledgeable observers might have placed the unobtrusive committee on revision of calendar near the top. Its power is particularly significant toward the end of the session because of its control of the calendar. It can ultimately determine which bills will be permitted to come up for a vote and which will die on the calendar. The Republican leaders generally keep rather tight control over this five-man committee. Usually, they let only one Democrat, usually the minority floor leader, sit on this committee. Apparently the behind-the-scenes operations of this committee escape the cognizance of the rank-and-file members of both parties.

On the Senate side the crucial committees almost exactly parallel those of the House. In the Senate the ways and means committee was also ranked first by the senators (61 per cent), the federal and state affairs committee was ranked second (14 per cent), and the assessment and taxation committee was third (11 per cent). As with the calendar committee in the House, the Senate committee on revision of calendar and rules can also be a significant factor influencing the fate of legislation, but only three of the thirty-four senators interviewed ranked it in first place. An additional important committee, which has no counterpart in the House, is the Senate committee on committees. As the name implies, it selects the committee members and chairmen. Again, on the Senate side the Republican leadership is in complete control. In the 1965-1966 sessions the president pro tem was chairman of the committee on committees and vice-chairman of the judiciary committee and the revision of calendar and rules committee. The majority floor leader was chairman of

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<sup>3</sup> I am indebted to Professor Earl Nehring of the Political Science Department of the University of Kansas who made available all of the data and coded responses to a survey of 143 Kansas legislators conducted under his supervision during the 1965 session of the legislature. Findings from this survey are used extensively throughout this paper.

the calendar revision committee and of the assessment and taxation committee and a member of the committee on committees.

*Legislative Services.* The legislative council was a Kansas invention. The necessity that was the mother of this invention was the combination of very short sessions and very long interim periods. The idea seems to have germinated after an extensive study of the Kansas tax system by a group of experts who were sponsored by the state chamber of commerce in the early 1930s. The proposals that resulted from the one-and-one-half year study failed to gain acceptance in the legislature, but the manager of the chamber of commerce became convinced that if the legislators themselves were personally involved in the supervision of technical studies, the legislature would be more receptive to the policy conclusions reached through the research process. The chamber and several prominent Republicans and Democrats took the idea to Professor Frederic H. Guild who immediately saw the potential value of such an agency and set to work to get the plan adopted. The first formal meeting of the council was on May 15, 1933.

An essential feature of the legislative council plan is the permanent staff of qualified researchers. The Kansas council's research staff, known as the research department, consists of a director and twelve full-time staff members. In recent years the staff has been supplemented by the employment of graduate student interns supported by the Ford Foundation State Legislative Internship program. The research department provides the necessary research assistance for the council committees and carries on continuing research studies into legislative problems as instructed by the legislature, the council, or council committees. It also provides considerable spot research for standing committees and individual legislators. During the sessions virtually all of the staff's time is spent in providing legislative reference-type services; in other words, answering specific questions such as what the effects of a new law will be, what other states are doing in a particular field of legislation, or merely verifying the passage or status of a bill. The research department itself is not to make recommendations on policy, but only to report the data and findings on the problems it has been instructed to study.

There is no separate legislative fiscal agency in Kansas. Consequently, the research department of the legislative council performs the function of fiscal analysis. One member of the staff, designated the fiscal analyst, has the primary responsibility in this area and works closely with the council's assessment and taxation and its budget committees. The legislature also gets fiscal assistance from the staff of the department of finance.

The membership of the council is spearheaded by the lieutenant governor and the speaker of the House, who are *ex officio* and who choose the remaining twenty-five members. Their choice is rather circumscribed, however. It is subject to the approval of the members of the respective houses

from which they are appointed, and there are four statutory restrictions on the selection process: (1) The major political parties must be represented on the council in proportion to their relative strength in each house. (2) There must be at least one representative from each congressional district on the council. (3) There must be representation from each of the more important committees of both houses. (4) Fifteen of the appointed members must be selected from the House of Representatives and ten from the Senate.

An analysis of council appointments between 1942 and 1962 reveals that the requirement of proportional representation among the major parties has been followed consistently.<sup>4</sup> Although the requirement that all congressional districts be represented has always been met in council appointments, there has been considerable divergence from equal representation in council appointments. Of the 250 council appointments during this twenty-year period, one of the western districts accounted for fifty-nine while one of the eastern districts accounted for only twenty-six. The western half of the state consisted geographically during this period of two congressional districts and the eastern half of four. The population in the eastern section was four times that of the western. Still, 116, or 46 per cent, of the council appointments were given to the western section. To some extent this can be accounted for by the fact that representation in the House was largely based on counties, and slightly over half (59 out of 105) of the state's counties are in the western section. But another factor is that the leadership of the Republican party has come primarily from the western part of the state, and most of the Republican influentials in the legislature manage to get appointed to the council. Related to this is the fact that turnover of legislative seats is less in the west than in the east. It has been unusual to have a legislator appointed to the council unless he has served more than one term in the legislature. The average council members between 1933 and 1962 had a little less than five years of legislative experience.

The legislative leadership is always well represented on the council. Of the fifteen councils between 1933 and 1962, the president pro tem of the Senate has been appointed to twelve, the speaker pro tem of the House to ten, and the majority floor leader of the House to eight. Also, during this period about 60 per cent of the council members have been either chairmen or vice-chairmen of one of the ten most important committees in each house in terms of legislative workload.

<sup>4</sup> Much of the analysis in this section is based on William H. Cape and John Paul Bay, *An Analysis of the Kansas Legislative Council and its Research Department* (Lawrence: Governmental Research Center, University of Kansas, 1963). Additional data were obtained from a survey of all legislative councils and service agencies conducted by the Citizens Conference on State Legislatures. See Calvin W. Clark, *A Survey of Legislative Services in the Fifty States* (Kansas City: Citizens Conference on State Legislatures, 1967), pp. 99-101.

MIDWEST LEGISLATIVE POLITICS

In a recent study of the Kansas Legislative Council, William Cape and John Bay concluded that the selection of council members can be an issue which results in an intraparty factional struggle. Within the legislature, committeemen are often chosen for their allegiance to a dominant party faction. Thus, there is a tendency for council membership to reflect the representation of the dominant faction through the appointment of key committee chairmen and vice-chairmen. The end result is that the council can become an agent of the dominant Republican faction which further increases its influence and control.<sup>5</sup>

The average legislator seems to regard the legislative council quite highly; there is rather broad general support for it in both houses; and there is rather little opposition to it, even among the Democrats. Allegations of bias are rare and are never expressed publicly. Interviews with 143 of the 165 legislators in 1965 suggest that the council's relationships with the legislators are good. The question was asked: "How important do you feel the legislative council is?" The results are shown in Table 2.

Table 2  
Legislators' Evaluations of the Importance of the Legislative Council  
(in percentages)

	<i>House</i>	<i>Senate</i>	<i>Republicans</i>	<i>Democrats</i>	<i>Total</i>
Not very important	4	12	4	8	6
Fairly important	42	41	40	45	42
Very important	43	44	49	33	43
Don't know, or others	11	3	7	14	9
	—	—	—	—	—
	100	100	100	100	100

It appears that the Democrats were able to restrain their enthusiasm for the council a little more than the Republicans, but it is certainly not likely that they would lead a revolt against it or even try to do away with it should they gain control of the legislature. In fact, it appears as if the Democrats have found the council's research department as useful as have the Republicans. Thus, they apparently do not regard it as generally unreliable or as biased in a partisan direction. In the 1965 survey the question was asked of the legislators, "About how many times have you, personally or through a secretary, made use of the research department of the legislative council?" The results are displayed in Table 3.

<sup>5</sup> Cape and Bay, *op. cit.*, p. 66.

THE KANSAS LEGISLATURE: REPUBLICAN COALITION

Table 3

Legislators' Use of the Legislative Council  
(in percentages)

	<i>House</i>	<i>Senate</i>	<i>Republicans</i>	<i>Democrats</i>	<i>Total</i>
Never used it	6	—	3	8	5
A few times	38	24	40	24	34
Once or twice a week	22	24	19	29	23
Often, many times, daily	23	32	26	24	25
Continuous use	10	21	11	16	13
	100°	100°	100°	100°	100

°Do not add to 100 per cent due to rounding.

The major function of the legislative council is to "prepare a legislative program in the form of bills or otherwise . . . to be presented at the next session of the legislature." Hence, some twenty to forty bills are placed in the hopper during the regular session by the council. In view of the fact that there is considerable legislative power and influence represented on the council, one might expect that its bills would fare much better than the individual members' bills. Such is not the case to any significant degree. Between 1935 and 1961 council bills and bills embodying council recommendations rated 52 per cent acceptance by the legislature, compared to 47 per cent acceptance for the average bill proposed in the legislature. This does not appear to be an outstanding record on the face of it, but it should be viewed in light of the fact that many of the most controversial issues are passed to the council. Often the legislature "passes the buck" to the council in order to avoid or delay making a decision that they would rather avoid. In some states, sending a bill or issue to interim study or to the legislative council is merely a humane way of killing it. This is undoubtedly practiced in some degree in the Kansas legislature. Or it may be sent to council with the hope that it can reconcile conflicts and achieve a compromise where the legislature itself cannot. Consequently, the 52 per cent success rating is reasonably good considering the issues with which the council has to deal.

The other major legislative services in Kansas are provided by the state library and the revisor of statutes. The library employs a legislative reference librarian and makes other library employees available to the legislature as needed. It is quite extensively used while the legislature is in session, primarily performing a sort of bibliographical function in which the staff locates citations or actual articles and other material on a subject requested by a legislator.

MIDWEST LEGISLATIVE POLITICS

During the session the revisor's major function is bill drafting. This service is provided for any legislator who requests it, but it is not mandatory that all bills are drafted by the revisor's office. Virtually without exception, all bills that are not money bills are reviewed by the revisor at some stage in the legislative process. In the interim the revisor, as his title implies, is involved in a continuous statutory or code revision.

Secretarial and clerical services are provided to the legislators through a stenographic pool in the House, but each of the senators has a personal secretary. Only the legislative leaders have their own offices.

Total expenditures on legislative services, operation of the legislative branch, and compensation of legislators amounted to \$1,935,000 during the 1963-64 biennium. In this respect the state ranked twenty-ninth among the fifty states, which, coincidentally, is where it ranked in respect to total population in 1960. It costs each citizen of Kansas, on the average, a little less than 25 cents to keep his state legislature going. The nearly one-million-dollar-per-year expenditure on the legislative branch amounted to about \$6,000 per legislator.

Relatively speaking, the Kansas legislature does not seem to be lacking in legislative services, although a better coordination of services might be in order. Cape and Bay suggest that the council's research department, the office of revisor of statutes, and the legislative reference service may be involved in performing duplicate services for the legislature.<sup>6</sup> All three services seem to be involved in some way in legislative reference, and it might at least be practical to consolidate this function in a single agency. The legislative council has an expert staff, and because of this it receives many requests for assistance, and many of these are of a legislative reference nature. The energies of the council staff should probably not be dissipated in this way. Strengthening of a consolidated reference service would be the solution to this.

Table 4  
Length of Legislative Sessions Since 1901

Years	Calendar Days	Legislative Days	
		Senate	House
1901-1945	70	50	52
1947-1963	86	60	62
1963	99	67	70
1965	102	65	68

<sup>6</sup> *Ibid.*, p. 115.

*The Legislature's Workload and Output.*<sup>7</sup> The recent regular sessions of the Kansas legislature have been exceptionally long, even though sessions have been increasing in length for some time. The 1963 session consumed 99 calendar days and the 1965 session 102 days. Table 4 below shows the increasing length of the legislative sessions during the last two regular meetings and during a recent period as compared to an earlier one.

The legislators, therefore, have been in these recent sessions bumping up against the limit of ninety calendar days, which is the maximum number of days for which they can be paid. The increasing length of the sessions has been due, quite obviously, to the greater work load placed on the legislature in terms of number of bills introduced and number of enactments.

Actually, the upsurge in introductions has occurred only recently. During most of this century there was a steady decline. The average fell from a little over 1,300 bills in the 1901-1947 period to an average of 880 in 1947 to 1963. But 1965 brought an increase all the way up to 1,019. Nevertheless, since the early 1940s, the number of enactments has steadily risen. This means that a larger percentage of the bills are becoming law. During 1901 to 1945, 27 per cent were enacted, but since 1947 the figure has risen to almost 55 per cent. In 1965, there were 529 enactments, which represented 52 per cent of the introductions. This is a rather high enactment rate, considerably above that of other states in the region, with the exception of Nebraska. In Iowa, for example, during the 1965 session it was 34 per cent; in Missouri it was 31 per cent; and in Oklahoma, 47 per cent. One can only speculate as to the reasons for this high percentage in Kansas, although a few observations might shed some light on the reasons.

The number of introductions may be held down somewhat by the fact that there is some consolidation by the device of "committee bills" and because a broad area of legislation is covered by the relatively small number of legislative council bills introduced during each regular session. Also, because the minority party is so weak, very little legislation is introduced by its members. Bills that are introduced have a relatively good chance of passage, probably because of the devices for achieving concensus such as the committee of the whole. There are also ample opportunities for considering amendments to legislation in this system; and an analysis of bills would probably show that many come through considerably altered.

Where are the real hurdles in this legislative process? As previously indicated, most of the bills that are killed die in committee or on the calendar. If a bill actually gets to the floor for a vote in its house of origin, it has slightly better than a three-to-one chance of being signed into law. During

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<sup>7</sup> Except for some updating of the data, the analysis in this section is largely based on Earl Nehring, "The Workload of the Kansas Legislature," XIX, *Your Government* (October 1963).

the post-World War II period, for every one hundred bills introduced in either house, about seventy would get to the floor, but only an average of two or three would be eliminated at that point. Generally, about sixty-seven would go on to the next house which would pass an average of 83 per cent of these, or roughly fifty-six out of the sixty-seven. Typically, one of these would die in conference committee, and there was about a fifty-fifty chance of one being vetoed by the governor. So fifty-four or fifty-five of every one hundred bills dropped in the hopper will eventually go onto the statute books. There has been little change in this pattern since 1947, and there is little difference between the two houses in the percentage of bills killed.

The Kansas legislature, much like other legislative bodies, has had a decided tendency to leave most of the formalities of bill consideration and passage until very late in the session. This undoubtedly stems from the realities of the political process and is not likely to be radically altered, but it is a matter of grave concern to those interested in well-considered and carefully drawn legislation. In the regular sessions between 1951 and 1963, an average of 59 per cent of the bills that became law were passed in the legislature during the last three days of the session (excluding the three days at the end of the session, during which no bills are considered). This meant that an average of 285 laws were approved by each session during these three days, while the other 200 completed their legislative journey sometime during the preceding three months. Of course, consideration of these measures that passed in the last few days may have started very early in the session; nevertheless, the floor debate and final passage of these 285 bills had to be squeezed into a very short period of time. The recently approved constitutional amendment permitting bills introduced in the first session of a biennium to retain their status in the legislative process at the beginning of the second session should help relieve the "log jam" in the first session at least.

#### THE NATURE OF THE KANSAS LEGISLATOR

*Election, Recruitment, Induction.* Politically, Kansas is generally classified as a "modified one-party" state or, at best, a semi-competitive state. In terms of the party division in the legislature and of the activity of the minority party in recruiting for and contesting legislative elections, it comes closer to a straight one-party state.

Interparty rivalry in legislative elections is comparatively low in Kansas. In the average general election between 1940 and 1962, forty-three of the 125 House seats went uncontested. An average of eleven of the forty Senate seats had no general election contests. In the primaries of the two parties during this period, Republicans competed for nomination to seats in the House 22 per cent of the time, and Democrats fought each other only 6 per cent of the time. In the Senate primaries, competition among the

Republicans existed in 45 per cent of the instances, and Democrats had contests in only five per cent of the possible opportunities for a contest. V. O. Key has hypothesized that in the modified one-party states such as Kansas the electoral conflict becomes concentrated in the primary of the dominant party.<sup>8</sup> This is borne out in Kansas to some extent, but there is not even very much life in the Republican primaries for legislative nominations. There is considerably more primary activity in other states of low party competition than there is in Kansas.<sup>9</sup> This should not suggest, however, that the Kansas Republican party is a unified, monolithic organization that is able to stifle or control intraparty conflict. Rather, there are two other explanations that seem to account for this phenomenon. First, the factions that do exist in the Republican party are sectionally oriented. Generally, in any given legislative district, factional conflict tends to be nil. Secondly, the inducements to run for legislative office in Kansas are not very great. Neither party has been particularly well organized for recruiting purposes, and neither can offer legislative candidates much help in their campaigns, financially or otherwise. Legislative compensation is still below par despite a recent increase. Campaigning and even serving in the legislature involve financial sacrifices for most candidates.

In the matter of support from the political parties, neither party has ever provided its candidates for any office with very much help. Principally because of the relatively rural nature of the state, Kansas parties have never developed the highly articulated precinct organizations that are more characteristic of urban politics. Another factor has been the electoral weakness of the minority party. Its strength always seems to have been below that threshold point beyond which one success can lead to another. That is, it seems to have been trapped in a defeating spiral where it cannot attract good candidates because it cannot hope to win most districts; it cannot win in most districts because of its weak party organization; it cannot seem to build up its organization because it cannot attract good candidates; and so on.

Organizationally, the Republicans are not much better off. They are in the comfortable position, however, of not having to support their candidate very heavily; nor do they find it necessary to build a strong party machine at the grass-roots level. The Republican politicians are fond of saying that they can win with merely the "walk-in vote," which means that they feel little need for organizational efforts toward activating and mobilizing the voters.

That legislative candidates are pretty much on their own in running for office is indicated by the fact that only 5 per cent of the respondents

<sup>8</sup> V. O. Key, *American State Politics* (New York: Alfred A. Knopf, Inc., 1956), pp. 172-173.

<sup>9</sup> *Ibid.*, pp. 106-109, 172-173.

in the 1965 survey of Kansas legislators mentioned that they received financial help from their party. About 60 per cent said that the party helped them by providing speakers, setting up rallies and meetings, and in other small ways; but 30 per cent said they had no real help from their party. Interestingly, more Republicans (33 per cent) said their party provided no help than did Democrats (21 per cent). When asked what percentage of the cost of campaigning came from their own funds, 49 per cent of the respondents said, "100 per cent!" Only 15 per cent maintained that they received one-half or more of their campaign money from other than personal funds. Apparently even the pressure groups are not very heavily involved in financing legislative campaigns. Fortunately for the candidates, they do not find it necessary to spend much money in a legislative campaign. According to the 1965 survey, the median expenditure was slightly over \$200. But many a prospective candidate must wonder if it is really worthwhile to spend even this much of his own money for a chance at getting a low-paying job that will probably involve additional financial sacrifices.

In all but a handful of states the compensation that legislators receive constitutes no inducement to seek legislative office. This certainly has been the case in Kansas. Until 1962, legislative compensation was set by the state constitution and could be changed only by amendment. Since statehood, it had been changed only once—from a basic pay of \$3 per day to \$5 per day in 1949. The latter amendment also provided for \$7 a day in expenses while the legislature was in session. Limits were imposed, however, on the number of days one could be paid in a regular session (sixty days) and a special or a budget session (thirty days). So, in the average biennium the Kansas legislator received a compensation, including an expense allowance, of around \$1,000 for the two years. A survey of 146 of the 165 legislators conducted in 1959 revealed widespread dissatisfaction with the existing pay levels. Eighty-eight per cent felt that there was a genuine need for a substantial raise in compensation, and 83 per cent said that their service in the legislature resulted in a loss of income for them. When asked what they thought would be a reasonable compensation, the greatest number of answers fell within the range of \$20 to \$25 per day.

In 1960 a constitutional amendment was submitted that would have raised legislative pay to \$15 per day and the daily expense allowance to \$15, with a maximum for a total compensation placed at \$1,350 for the biennium. The voters would have none of this, and it was soundly defeated. Two years later the legislature struck back with a proposed amendment to remove all pay provisions from the constitution and permit the establishment by statute of the levels of pay and other compensation. Rather surprisingly, this was approved, and the next session of the legislature set about immediately to raise legislative pay to \$10 per day and

the expense allowance to \$15 per day. Pay and expense allowances were limited, of course, to cover ninety calendar days during the regular sessions and thirty calendar days for the budget or special session. In addition, an expense allowance of \$50 per month was granted for the months when the legislature was not in session. Expense allowances were raised again in 1967 to \$25 per day while in session and to \$100 a month during the interim. It is now possible for the legislator to receive a total of \$4,150 during the odd-numbered years and \$3,100 during the even-numbered years, or \$7,150 for the biennium in pay and expense allowances.

Still, Kansas does not pay its legislators a living wage. According to pay scales prevailing in 1964-65, Kansas ranked thirtieth in legislative compensation. Among the eighteen states with annual sessions at that time, it ranked fifteenth in compensation, and the recent increase has only slightly improved this situation. Calculations based on other responses by the legislators in 1965 reveals the financial plight of the Kansas legislator. The median total income for these lawmakers came to a little over \$12,000 per year in 1964. They estimated that they spent about three and one-half days a month (the median figure) on legislative business when the legislature was not in session. In a two-year period, the average legislator will now spend five months in legislative sessions and about two months (not counting weekends) in legislative business during the interim. Add to this a month for campaigning in the primary and general elections, and the result is a conservative estimate of eight months for the biennium or an average of approximately four months a year. Assuming that the in- and out-of-session expense and mileage allowances cover actual out-of-pocket costs, the legislator's income from the state is only \$1,200 (\$10 per day for 120 days) for this eight months of work. Since the average Kansas legislator earned \$12,000 a year in his regular occupation, he would normally receive \$8,000 for that amount of working time. Thus, it could be argued that pay should be increased about six and one-half times in order that running for and serving in the legislature would not constitute a financial sacrifice.

*Composition and Turnover.* Despite the lack of inducements to run for office, the background of the average Kansas legislator reveals him to be considerably better educated than the average citizen of the state and probably better qualified for his legislative task than one would have a right to expect. The following compares the median school years completed by the citizens of Kansas (1960 census) and the Kansas legislators (1965 survey):

State population twenty-five years and older	11.7 years
Kansas House members	14.8 years
Kansas Senators	16.4 years

From this, it can be seen that most of the House members had completed

## MIDWEST LEGISLATIVE POLITICS

two or more years of college and most of the senators were college graduates, while slightly less than half of the citizens of Kansas had finished high school.

The Kansas legislature has been dominated by farmers to a larger extent than most other legislatures in this country, but to no greater degree than would be expected considering the agricultural orientation of the state's population and economy. In Kansas, the farmers are the most numerous group in the lower House, while lawyers are the most numerous group in the Senate. As one can see from Table 5, lawyers have been represented in the Kansas legislatures in about the same proportions as in other legislatures throughout the country. There was a slight decrease in the number of lawyers in the Kansas House of Representatives in 1965 as compared

Table 5  
Occupational Classification of Kansas and Other States  
(in percentages)

Occupational Class	48 States—1949			Kansas—1949-59			Kansas—1965		
	House	Sen.	Tot.	House	Sen.	Tot.	House	Sen.	Tot.
Agriculture	20	21	20	41	22	37	40	25	36
Law	19	34	22	24	44	28	18	45	24
Merchant	14	16	14	10	9	10	8	5	7
Banking and Trusts	2	2	2	3	5	3	5	0	4
Real Estate/Insurance	7	7	7	5	7	5	6	13	8
Medical	1	2	1	2	2	2	1	0	1
Others	37	19	33	16	12	16	22	22	22

## Sources:

Bernard L. Barnard, "The Legislature of Kansas: An Appraisal" (Unpublished Ph.D. dissertation, American University, 1949); Kansas Legislature, *House and Senate Journals* for 1949 through 1959 and 1965.

to the earlier period, and this appears to have been counteracted by a small increase in the number of bankers and persons of miscellaneous occupations. Whether or not this is a trend could not be ascertained as yet. In general terms, however, the occupational structure of the legislative bodies of Kansas is not dissimilar from that of other such bodies in the country.

On the average, the Kansas legislators have had a considerable amount of political and government experience before going to the legislature. In 1965, 71 per cent of the members of the House and 63 per cent of the members of the Senate had held a government position at some time prior to coming to the legislature. In that year 77 per cent of the senators

THE KANSAS LEGISLATURE: REPUBLICAN COALITION

and 53 per cent of the House members held an appointive or elective position with their party before coming to the legislature. Furthermore, in the 1965 session about 45 per cent of the House members and about one-fourth to one-third of the senators had served in their respective bodies for at least one term previously.

Comparatively speaking, the Kansas legislature has not been noteworthy in keeping the services of those with previous experience in legislature. Until recently, in fact, the turnover rate in the Kansas legislature has been extremely high. Between 1901 and 1931 there was an average of seventy-nine new members in each term in the House—which meant a turnover rate of 63 per cent—and of thirty-three new faces in the Senate—an 82 per cent rate! Table 6 presents the turnover rates, or percentage of new members, from 1933 (when only three senators returned) to the most recent session.

The table indicates that there has been a decrease since 1933, but that turnover is still quite high. It has been considerably above the national average, which was 34 per cent in both houses in 1963. The reasons behind Kansas' high rate are not altogether clear, nor are the reasons for the recent reduction. One obvious hypothesis is that the low legislative pay in Kansas is responsible. Lockard, in correlating pay rates with turn-

Table 6  
Turnover in the Kansas Legislature—1933-1965  
(in percentages)

<i>First Year of Term</i>	<i>New Members</i>	
	<i>Senate</i>	<i>House</i>
1933	93	63
1935		47
1937	80	53
1939		55
1941	70	44
1943		43
1945	80	34
1947		42
1949	63	50
1951		37
1953	65	37
1955		34
1957	73	53
1959		31
1961	45	51
1963		26
1965	58	35
Average	69.7	43.2

over rates in the fifty states in 1963, found no relation; so this does not appear to be a factor.<sup>10</sup> Still, the rate of pay might involve different financial sacrifices in different states as a result of the varying length of sessions and other factors. If one could devise an "index of financial deprivation" for legislators, it is possible that this might be correlated with turnover. It is somewhat early to determine whether the pay raise in Kansas in 1963 will have any effect on this state's turnover rate.

Some light can be shed on the matter of the turnover rate in Kansas if we examine what happened to those individuals who did not return to their seats in the legislature from one term to the next. Of the forty-four House members who had been in the 1963-64 legislature but had not been elected to the 1965-66 term, thirteen ran in the general election of 1964 but were defeated, and five ran in their party's primary and were defeated at that stage. These eighteen incumbents who failed at the polls could be considered "involuntary retirements." Nine of the forty-four sought other posts: seven running for the state senate, one for attorney general, and one for U.S. House of Representatives. One representative died before the 1964 elections, and ten apparently retired voluntarily from elective state position. The story is about the same in the Senate. Twenty-three of the Senate incumbents failed to return in 1965—eight through defeat at the polls (four in the primaries and four in the general election); three by running for higher office; two because of death; and ten by voluntary retirement.

The incumbents who failed to gain renomination or re-election in 1964 represented a significant contribution to the high turnover rate. In the House 18 per cent of the incumbents who filed for re-election failed to return, and in the Senate 32 per cent who ran were defeated. It is difficult to compare these figures with other state legislatures, since the data are not readily available, but they can be compared with Congress, where in the four elections between 1954 and 1960, an average of only 6 per cent of the incumbents running for re-election lost in either the primary or the general election. The relatively high rate of incumbent failure in Kansas elections may, again, be related to the weakness of the party organizations in the state. Particularly, the lack of any open endorsement of candidates by the party organization before the primary could have contributed to the rather large number of incumbents who were denied renomination.

One of the significant political effects of the high turnover is the great degree of influence wielded by the "veteran" legislators. A "veteran" might be defined as anyone who is not in his first term. Those who have

<sup>10</sup> Duane Lockard, "The State Legislator," in Alexander Heard (ed.), *State Legislatures in American Politics* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1966), pp. 98-125.

THE KANSAS LEGISLATURE: REPUBLICAN COALITION

had two or three previous terms become extremely powerful. One Republican senator, who had served in the Senate for almost thirty years before running for governor in 1964 and who had seen eight different governors come and go, was reputed to have virtually dictatorial powers over the Senate. Although the seniority rule is not strictly followed in the appointment of committee chairmen, the important chairmanships always go to the veterans, as do the party leadership positions in both houses.

Few will be surprised to learn that the Kansas legislature has been traditionally Republican. The extent of the Republican domination is, however,

Table 7

Political Affiliations of Kansas Legislators 1901-1965  
(in percentages)

<i>First Year of Term</i>	<i>House Republican</i>	<i>Senate Republican</i>
1901	66	83
1903	78	82
1905	86	92
1907	77	92
1909	69	88
1911	56	88
1913	41	48
1915	53	48
1917	69	78
1919	88	75
1921	90	95
1923	76	95
1925	72	80
1927	73	80
1929	81	93
1931	60	93
1933	52	58
1935	60	65
1937	60	63
1939	86	62
1941	78	88
1943	90	90
1945	96	97
1947	86	98
1949	76	85
1951	84	85
1953	84	88
1955	71	88
1957	66	80
1959	55	80
1961	66	80
1963	71	80
1965	65	68

quite extraordinary. Only once have the Democrats had a majority in either house; this was in the House of Representatives elected in 1912. For this century, the average Republican percentage in the House has been 72 per cent and in the Senate, 80.5 per cent. As can be seen from Table 7, the Republican percentage in the Senate has ranged from as high as 98 per cent (all but one senator) down to 48 per cent after the three-way split in the 1912 election. The peak for the House was in 1945 when there were only five Democrats in the 125-member body, and the low was 41 per cent Republicans in 1913.

It should be noted that the voting for other offices in Kansas has not exhibited such consistent, unflinching Republicanism. Kansas has gone Democratic for President four times since the turn of the century and has elected five Democratic governors, one for two terms. Apparently, the "electoral lag" which V. O. Key noted in voting for the legislature in other states is in operation in Kansas as well.<sup>11</sup> He noted that when there are shifts in the balance of party strength nationally, these are reflected in most states almost immediately in the voting for the higher offices; but the national ebb and flow of party strength does not readily trickle down to the level of the state legislative elections. Only if the traditional minority party is able to take advantage of its peaks of power to consolidate its position and build its organization will it be able to translate victories for the higher offices into gains in the legislature. It appears that the Democratic leaders in Kansas have generally failed to make the most of their opportunities.

#### LEGISLATIVE VOTING BEHAVIOR

Studies of roll call votes in legislative bodies have generally identified five types of influences on the legislator: (1) his political party affiliation, (2) constituency pressures, (3) organized interest groups lobbying the legislature, (4) pressure from the chief executive, and (5) the legislator's philosophical orientation resulting from his own political socialization. Roll call studies of the Kansas legislature have shed some light on how the first two of these influences operated in this legislative institution. Some conclusions can also be made regarding the other factors, but these will have to be more speculative and tentative.

*Party and Constituency.* The most thorough roll call analyses of the Kansas legislature were made for the 1957 and 1959 sessions,<sup>12</sup> although

<sup>11</sup> Key, *op. cit.*, pp. 106-109.

<sup>12</sup> See the following papers by John S. Grumm: "The Systematic Analysis of Blocs in the Study of Legislative Behavior," *Western Political Quarterly*, XVIII (June 1965), pp. 350-362; "The Means of Measuring Conflict and Cohesion in the Legislature," *The Southwestern Social Science Quarterly* (March 1964), pp. 336-356; "A Factor Analysis of Legislative Behavior," *Midwest Journal of Political Science*, VII (November 1963), pp. 336-356.

some of the findings have been updated for the 1965 session. These showed, as we have already noted, a striking degree of unanimity in the voting of both houses. There were 1,089 roll calls on final passage in the 1957 and 1959 sessions of the Senate, and all but 57 of these were passed or (in a few instances) defeated by a unanimous or near unanimous vote.<sup>13</sup> In the 1959 session of the House, 533 measures came to a roll call vote, and forty-one of these produced a division of the House that was not unanimous or near unanimous. About the same proportions held for 1965 when the respective figures for the House were fifty-two bills out of 607 voted upon in that body during the session, and for the Senate, forty-six bills out of 606.

Indices of conflict and cohesion were computed for the ninety-eight roll calls during the 1957 and the 1959 Senate and the 1959 House sessions in order to determine which groupings were related significantly to the voting patterns on these controversial bills. It had often been hypothesized that an urban-rural cleavage, or an East-versus-West split produced strongly opposed cohesive groupings in the legislative bodies and that this division would be reflected in the roll call votes.<sup>14</sup> Such was not the case, however. The index of conflict, or "unlikeness" as it is sometimes called, for the urban-rural voting patterns averaged only fifteen in the Senate and eighteen in the House. This index ranges from zero to 100; so these figures are quite low. What they essentially mean is that there was a 15 percentage-point difference, on the average, between the urban members and the rural members in the way they distributed their votes in the Senate and an 18 percentage-point difference between them, on the average, in the House. Out of all the bills considered, there were only two measures in the Senate and two in the House that could be regarded as causing an urban-rural division of a significant proportion.

Even less conflict was recorded for the East-West grouping. In both houses, the indices of conflict were less than ten, and none of the bills could be said to have caused a really strong division on this basis.

What, then, was the basis for the controversy on these ninety-eight votes? By and large, it was political party affiliation. The index of conflict in the Senate on a party basis was thirty-five and in the House was thirty-six. These are not extremely high, but they exceeded the urban-rural indices by a factor of two. In order to be satisfied that some other way

<sup>13</sup> "Near unanimous" is defined as a vote in which the minority side constitutes less than 15 per cent of the total membership of the house.

<sup>14</sup> "Urban" legislators are defined as those from districts in which the population in 1960 was 50 per cent or more urban (as defined by the U.S. Census). The remainder are "rural" legislators. U.S. Highway 81 is generally considered as the dividing line between eastern and western Kansas. Legislative districts to the east of this highway were designated as "eastern" and those to the west of it as "western."

of grouping than these three would not produce higher indices of conflict, a "cluster analysis" was performed on this set of roll calls. This was accomplished by programming a computer to assign legislators to one of two clusters in a manner that would produce the most cohesive voting pattern within each cluster and the greatest difference between clusters. When these clusters were examined for the House, it showed that one consisted almost entirely of Republicans and the other almost entirely of Democrats. On the Senate side, there were two Democrats in the Republican cluster, but no Republicans in the other. This would appear to provide ample evidence of the primacy of party as a divisive factor in legislative voting.

If this seems somewhat surprising in view of the apparent weakness of the organizations of extra-legislative parties, it should be recalled that the parties do have some organization *in* the legislature; they both hold regular caucuses; and there are some sanctions the leaders can employ to promote party regularity. On the other hand, there is no formal or informal organization of urban and rural or eastern and western legislators. For the new member—and this may be more than half of the legislative body—the clues that he gets from the party leaders may be the only indications from anyone on how he should vote on controversial measures or, at least, the only ones that he can regard as reliable.

During the period under examination, the governor of Kansas was a Democrat and the indices of cohesion for the Democrats were found to be higher in both houses than they were for the Republicans. The governor appears to have exerted his influence to keep the Democrats in line on some of the important and controversial issues. As a partial check on this theory, roll calls were again examined for the 1965 session when a Republican governor was in office. This showed that the cohesion was noticeably lower for the Democrats in both houses but about the same, if not slightly higher than previously, for the Republicans. Thus, the evidence is a bit scanty, but it does suggest that the chief executive can enhance the voting cohesion of his partisan colleagues in the legislature.

The question of the absence of marked conflict between the urban and rural legislators and between the eastern and western legislators remains unanswered. It appears that the agencies promoting concensus in the legislature—the caucuses, the standing committees, the legislative council, the committees of the whole—provide ample opportunities for the reconciliation of differences between these groups concerning legislation. But these are somewhat more effective at reconciling *intraparty* differences than *interparty* differences. The Republican party is so pervasive as to be both an urban and a rural party, both an eastern and a western party. Still, it must, through amendments, trading, or log-rolling, unify these relatively diverse groups if it is going to enact its legislative program. Making concessions to the Democrats is next in priority after the intra-

party divisions have been smoothed over. One must assume that such concessions are often made as double protection; otherwise, the high degree of unanimity in the total voting patterns is difficult to explain.

A close analysis of the clusters, or blocs, in the legislature suggests that the moderately high degrees of party cohesion were achieved because the new members followed the lead of the veterans very closely. The cluster analysis of the 1959 House of Representatives showed that the "sub-cluster" within each party that exhibited the highest degree of party voting was composed of two types: a small number of legislative veterans who were also party leaders, and a large number of first-termers. It appeared obvious that the veterans were setting the party line, and the new members, feeling somewhat unsure of themselves, were following it rather closely. Those who had been in the legislature a little longer, but not long enough to become leaders, acted more independently, going along with the party when it suited them and feeling, probably, less in need of the party's help and support. The delineation of these relationships was somewhat less clear in the 1965 analysis, probably because of the stronger role played by the governor who submerged, to some degree, the influence of the legislative veterans. Nevertheless, there was a perceptible pattern which showed the governor, the Republican legislative leaders, and the first-term Republican members acting with a high degree of regularity.

One additional use of these roll call data was made by subjecting them to a "factor analysis." By this process, four factors in the Senate and five in the House were identified as being related to or "causing" the observed voting patterns in those bodies. The party factors were, of course, the most important ones in both houses. Less "strong" urban-rural factors were also singled out. But in the Senate in particular, and in the House to a lesser degree, a rather well defined third factor was identified that was unrelated to anything in the previous analysis. This was labeled a "growth-decline factor" because it was associated with such constituency variables as population increase or decrease and economic expansion or decline. This meant that, regardless of other factors, legislators tended to vote on many issues according to whether they were from a district with a growing population and expanding economy or from a static or declining one. There was not a very close relationship between these district characteristics and the party membership of the legislators, although more Democrats than Republicans came from the declining districts. But this factor did explain some of the *intraparty* differences in voting behavior in the legislature. The Democratic legislators from declining districts appeared to be slightly more consistent party voters than other Democratic members. Although the terms are somewhat ambiguous in this context, it could be concluded that the legislators from the declining districts were also somewhat more "liberal" in

their legislative voting behavior, while those from the growth districts were slightly more "conservative."

The perceptions of the legislators regarding conflicts in the legislature are a good deal different from that revealed by the roll call analysis. They generally rate the urban-rural conflict as more important than the party conflict. It may well be that it is in the context of the total legislative process, although it is one that is generally not allowed to be vented on the floor of the legislature. The following table shows how the legislators in the 1965 survey ranked the various opposing groupings in terms of the importance of the conflict to the legislative process.

Table 8  
Ranking of Groups in Relation to Importance in Legislative Conflict

Groups	Percentage Ranking in First Place			
	House	Senate	Democrats	Republicans
Urban vs. Rural	37	41	59	26
Democrats vs. Republicans	21	18	24	18
Liberals vs. Conservatives	23	17	6	32
Governor vs. Opponents	8	2	3	8

It is interesting that the Democrats saw the urban-rural and party conflicts as more important than the Republicans did, while the Republicans saw the ideological struggle as more important. This might be explained by the fact that the majority party generally finds it useful to perpetuate the myth that there are few partisan or interest conflicts in the legislature that cannot be eventually reconciled. To a great degree, it is a credible myth, although the minority party has not entirely been convinced.

*Lobbying.* It is difficult to determine anything about the influence of lobbies from the analysis of roll call votes, since most of their effectiveness is achieved in working with committees before the bills reach a vote. Over the years, however, it is possible to observe the success with which the individual lobbies have been able to get the legislation they want and to block legislation which they oppose.

From these observations, one has to rank the Kansas Independent Oil and Gas Association near the top of the list of successful lobbies. Kansas is the only major oil and natural gas producing state that does not have a severance tax on these resources, a fact that can be traced directly to the effectiveness of the KIOGA lobby. Also near the top is the Kansas Farm Bureau which has hardly ever failed to achieve the major goals

THE KANSAS LEGISLATURE: REPUBLICAN COALITION

of its legislative program, much of which has been concerned with tax legislation. The KFB, along with the state chamber of commerce, managed to get right-to-work legislation past the legislature on two occasions; after the first bill was vetoed by the governor, it was repassed as a constitutional amendment.

In recent years, the Kansas State Teachers Association and various educational pressure groups, such as the PTA and the Kansas School Boards Association, have become rather influential. They were quite effective in the 1965 session in getting through a state "school foundation program" and in working with the governor to get the necessary tax increases to support it.

The Kansas Bankers Association has managed over the years to keep branch banking out of Kansas and has been able to keep the amount of interest paid by its member banks on the deposit of state funds at a nominal level.

The railroad lobby was probably the most important lobby until the 1920s, but its influence has diminished while that of the motor carriers has increased.

The United Drys, the main temperance lobby, has also been extremely influential in the past, but with the repeal of state prohibition in 1948 its power declined, although it has been successful in keeping alcoholic beverages under very strict control in this state. Other important groups are labor, the public utilities, and the savings and loan associations.

In the 1965 survey the legislators were asked what lobbying groups they thought were the most powerful. In reviewing the answers, it is not

Table 9  
Rankings by Legislators of Most Powerful Interest Groups

<i>Groups</i>	<i>Ranks</i>		
	<i>Total</i>	<i>Republicans</i>	<i>Democrats</i>
Teachers (KSTA)	1	1	4
Motor Carriers	2	3	2
Labor	3	2	3
Railroads	4	6	1
Gas and Oil	5	5	5
Kansas Farm Bureau	6	4	7
Bankers	7	7	6
Schools (PTA, KSBA)	8	8	10
Misc. Farm Groups	9	9	8
State Chamber of Commerce	10	11	9
Public Utilities	11	10	11
S. W. Bell Telephone	12	12	12

clear whether most were responding by listing the most active or the most powerful. In this survey, the teachers' lobby came out on top, but this probably reflects a peculiarity of that session, which saw a tremendous amount of pressure applied for the school foundation program. Labor, in particular, seemed to be ranked somewhat higher than its legislative successes would have warranted. The labor lobbyists are always much in evidence, but they are not always very effective. The mean rankings given to each of the lobbying groups by the legislators are shown in Table 9.

The Democratic legislators apparently thought that the transportation lobbyists (railroad and motor carriers) were a good deal more effective than did the Republicans, while the Republicans tended to attribute more power to the teachers and the Farm Bureau than did the Democrats. These different responses may have been a result of "selective perception" due to political biases, but more probably they reflect some differences in the way lobbying organizations treat the two partisan groups. Each lobby will tend to deal with the party with which it feels it has the better access and relations.

One further interesting comparison can be made with responses to another survey question which asked: "Are any interest groups or lobbies particularly strong in your own district?" Half of the respondents answered "no" to this, but of those who answered "yes," the ranking as to which was the strongest was as follows:

1. Kansas Farm Bureau
2. Educational groups (KSTA, PTA, KSBA)
3. Labor
4. Chamber of Commerce
5. Oil and Gas Industry

Mention of other groups was quite scattered. But this does suggest that the Farm Bureau, the educational groups and, to some degree, labor derive much of their legislative strength through active involvement at the district level in terms of assisting candidates and building citizen support for their programs. For these lobbying groups much of their work has already been accomplished by the time the legislature convenes.

*Other Influences on Legislative Voting.* No studies have been made in Kansas regarding the influence of the governor over legislation. Most knowledgeable observers would probably conclude that, on the average, it is not very great. Occasionally governors who have wished to exert such influences have been moderately successful. Governor William Avery was extremely effective during the 1965 session in getting his legislative program adopted. As in most states and at the federal level, the chief executive who wishes to wield some influence over legislation will have a much happier time in the first year of his first term—the so-called

"honeymoon" period—than later on when opposition to him builds up through resentment and jealousy and factional squabbles within the party. Kansas seems to conform to this pattern as a rule, although most Kansas governors have not been very aggressive in attempting to "run" the legislature. A few have attempted to do so, but without success, as in the case of Governor Fred Hall, whose legislative program became hopelessly mired in a factional struggle within the party. Governor Avery's success has been largely due to his ability to forge a coalition of interest groups behind his program and his use of these groups to lobby through his program. Aside from the veto and appointment power, the governor inherits few tools with his office that would make him an effective legislative leader, so he must build support for his program largely by persuasion, compromise, trading, and bargaining.

It is almost impossible from the analysis of roll call votes to separate the influences of a person's own political philosophy from the influences of social, political, and economic interests that condition his reactions to legislative proposals. In the factor analysis of the 1957-59 roll call votes, a so-called "liberal-conservative factor" was identified, but this was a rather "weak" one and did not account for very much of the variation in voting behavior in the legislature. One can only generalize, and even this is rather risky, about the philosophical orientation of the average legislature. In a 1959 questionnaire survey the legislators in both houses were asked to locate themselves on a line, broken into seven intervals and labeled at one end with the word "liberal" and at the other with the word "conservative." The vast majority placed themselves in the middle or on the conservative side. Less than one-fourth put themselves on the liberal side. This would conform with the expectations of most observers; the average Kansas legislator is a conservative and rightly regards himself as such. There is very little extreme, right-wing conservatism in the legislature, however, and most could be termed "moderate" conservatives.

Analysis of the legislative output over the years indicates that this self-styled conservative legislature has often been quite progressive. Kansas has pioneered in such areas of legislation as anti-trust, "blue-sky laws," non-discrimination in public accommodations, outlawing "yellow-dog" contracts, bank deposit insurance, and was the first state to establish a "court of industrial relations." It was one of the first states to institute a state income tax. Kansas' mental health program has ranked in first place for many years, its per capita expenditures for higher education rank well above the median; it has a reasonably liberal program of public welfare and unemployment compensation; and its tax structure, though not very progressive, is rather broad and diversified.

#### CONCLUSIONS

It can generally be concluded that the function of the legislature in the

Kansas political system has been to reflect and enact the demands and desires of the dominant political elements of the state. These elements are coalesced by the Republican party, which serves as the vehicle for translating these demands and desires into legislative programs. The elements forming the coalition are the wheat farmer, the small-town merchant and businessman, and the middle-class suburbanite. The urban worker, racial and religious minorities, and the marginal farmer are poorly represented in this system, although they are not altogether ignored. Reapportionment may change these conditions somewhat, but not greatly. Probably the influence of the urban workers will be increased, but the increased representation of the suburban dwellers should substantially counteract this. The Republican coalition should remain in firm control of all aspects of state government and all three branches, and also continue to dominate most local units as well.

Either through a sense of security nurtured by over 100 years of political domination or from a feeling of *nobless oblige*, this majority coalition has not ridden roughshod over the interests of the minority. Even though nothing will happen that is not willed by the majority coalition, it does exhibit a disposition toward accommodation and compromise with the minority. There is also manifest in the legislature a tendency toward some degree of "nonpartisanship," a willingness of the majority party to take the minority into its confidence on occasion and to play down partisan differences.

The Kansas legislature is a reasonably smooth-running institution, primarily because there is little confusion as to who is in control. Its efficiency could probably be improved through certain adjustments in its structure and procedures, by providing better facilities, services, and office space for the legislators, by removing limitations on the length of sessions, by increasing legislators' pay, and by reducing the number of committees. Furthermore, the recent amendment establishing annual regular sessions should help to improve the scheduling and processing of legislation. But none of these improvements would drastically change what the legislature does or the direction that public policy will take. Some changes in this respect may come about through the recent reapportionments, but these will not transform the legislature or its output. History, tradition, the social-economic structure of the population, and the political party system determine the functioning of the Kansas legislature as they do the other elements of the state's political system. The Kansas legislature, in fact, seems reasonably responsive to its environment. We can predict that, as this environment changes, so will this institution.

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## The Legislature in Missouri's Political System<sup>1</sup>

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The Missouri legislature is an important part of the Missouri political system, but it is only a part. Too often the legislature receives the credit or blame for the whole system. One example is home rule for the city of St. Louis—the legislature is often credited with or blamed for the restrictions placed on the city's "right" to home rule. In actuality the legislature was only one of the political institutions which restricted the city. The Constitutional Convention of 1875 did provide for home rule for St. Louis, but it hedged that provision with restrictions. The conflict between the home rule provision and the restrictions was taken to the state Supreme Court which, composed of outstate Democrats who were suspicious of the city's then-Republican administration, consistently ruled in favor of the restrictions. Subsequently citizens of St. Louis who opposed the city government asked the legislature to expand the court rulings by adding more restrictions, and the legislature did so. Finally even the city government itself concluded that it was easier to ask the legislature to pass laws applicable only to St. Louis than to ask the city electorate to approve amendments in the city charter.<sup>2</sup> The restrictions placed on St. Louis' home rule should be credited not only to the legislature, but also to the Constitutional Convention, the Supreme Court, the political parties, citizens of St. Louis, and the St. Louis city government itself. This example illustrates why those who would understand the legislature must consider not just the legislature itself, but the entire political system.

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<sup>1</sup>I wish to express my appreciation to Ronald Claunch, William M. Reid, and Ann Thompson for their help in gathering and analyzing some of the data included in this paper; and to a number of my colleagues, especially Rondal Downing, for their comments and criticisms of an earlier draft.

<sup>2</sup>Henry Schmandt, "A History of Municipal Home Rule in St. Louis" (Unpublished Master's thesis, St. Louis University, 1948).

A conceptual framework for studying political systems has been presented by David Easton and adapted for states by Herbert Jacob.<sup>3</sup> This paper will utilize that framework to focus on particular aspects of the Missouri political system, including its environment, its output, the demands made upon it, and the support given it. Special emphasis will be placed on the role of the legislature in the system.

#### THE POLITICAL SYSTEM'S ENVIRONMENT

*Physical Environment.* Those states which border an ocean or a great lake have had low-cost shipping, ease of access which stimulated early development, and, in many cases, a mild climate which still attracts new residents and industry. Such advantages are denied Missouri and its landlocked neighbors. Missouri does have 1,000 miles of navigable waterways, including long frontages on the nation's largest rivers, the Mississippi and the Missouri. The mineral and soil wealth of the state are average, judging by Missouri's rank near the median of the states in the value of minerals produced, and by the similarity in value per acre of farm land in Missouri and in the nation.<sup>4</sup>

Overall the state is not so well-endowed as, for example, California, Pennsylvania, Illinois, and Louisiana, each of which borders an ocean or great lake and has good agricultural land and extensive mineral resources. On the other hand, Missouri has had a clear advantage in physical environment over such states as Vermont, Nevada, and South Dakota, which have poorer land, less mineral production, more severe climates, and more limited access to water. If there existed a scale summarizing the relevant aspects of physical environments, Missouri would probably rank near the median of the states.

Within the state there is substantial variation in the physical environment. This is most noticeable in the quality of the soil, which is high near the Iowa border and low in the Ozarks. Conversely, the state's mineral wealth is concentrated more heavily in the southern part of the state.

*Economic System.* Missourians have developed and exploited the environment so that the state's economic system ranks at least at the median, if not above it. Such a ranking is indicated especially by Missouri's rank among the states in 1965<sup>5</sup>—twenty-second in per capita personal income,

<sup>3</sup> David Easton, *A Systems Analysis of Political Life* (New York: John Wiley & Sons, Inc., 1965); Herbert Jacob, "Dimensions of State Politics," in Alexander Heard (ed.), *State Legislatures in American Politics* (Englewood Cliffs, N.J.: McGraw-Hill Book Company, 1966), pp. 5-36.

<sup>4</sup> U.S. Bureau of the Census, *Statistical Abstract of the U.S.: 1966* (Washington, D.C. 1966), p. 704. (Hereafter cited as *Statistical Abstract.*); U.S. Bureau of the Census, *U.S. Census of Agriculture: 1959, Volume II, General Report, Statistics by Subject—Chapter I* (Washington, D.C., 1962), p. 35.

<sup>5</sup> *Statistical Abstract*, 1966, pp. 330, 621, 774.

fourteenth in value added by manufacturing, and seventh in value of all farm products sold.

The state's top income producers are manufacturing, agriculture, and tourism. The principal manufacturing industries are (1) transportation and equipment, including aircraft and auto assemblies (McDonnell Aircraft, Chevrolet, Chrysler, and Ford, as examples); (2) food products (Anheuser-Busch brewery, and meat packing plants), and (3) chemicals (Monsanto and Cook Paint and Varnish).<sup>6</sup>

Once again there is great variation within the state. The most consistent variation is between the urban and rural areas, with the rural areas, especially in the Ozarks, being centers of poverty. In many of these areas, in fact in one-third of the counties in the state, half or more of the families had annual incomes below \$3,000 in 1959. In contrast more than one-fourth of the families in St. Louis county (the St. Louis suburban area) had annual incomes above \$10,000. (This combination of fairly high proportions of both the affluent and the poverty-stricken is also found in Virginia, Florida, and Texas.)<sup>7</sup>

*Social System.* The social system in Missouri is highly diversified, due in part to the Civil War. Ten per cent of the battles of the Civil War were fought in Missouri, but most of these were skirmishes between Missourians, who constituted approximately 10 per cent of both the Union and Confederate armies. These skirmishes were of minor importance to the war, but they were important in the development of the Missouri social and political system.

The war and immigration into various parts of the state divided Missouri into numerous social and political areas. A simple urban-rural classification is often inadequate because the rural areas alone contain counties dominated by such diverse groups as descendants of German immigrants, Iowa and Illinois immigrants, Mississippi delta plantation people, Kentucky slave holders, and Tennessee hill people. Similarly the two large cities, St. Louis and Kansas City, have a diversity of racial and ethnic groups much like that in other northern industrialized cities.

Summary measures of social systems can be based on such indicators of modernity as urbanization, education, and use of mass media or communications devices. By these measures, Missouri's social system would rank near the median, for her rank among the states on individual measures is as follows:<sup>8</sup>

Twentieth in per cent who live in urban areas;

Twenty-sixth in per cent of housing units with television sets;

<sup>6</sup> *The World Almanac and Book of Facts*, 1965, Harry Hansen (ed.) (New York, 1965), p. 228; *Missouri Directory of Manufacturers* (Jefferson City, 1966).

<sup>7</sup> U.S. Bureau of the Census, *County and City Data Book*, 1962 (Washington, D.C., 1962), Table 2.

<sup>8</sup> *Ibid.*, Table 1.

#### MIDWEST LEGISLATIVE POLITICS

Twenty-sixth in per cent of housing units with telephones; and Thirty-ninth in median school years completed by population age twenty-five and over.

One other important indicator of Missouri's social system is its rank of second among the states in the percentage of people sixty-five years of age and over.<sup>9</sup>

Missouri is a state with an environment and physical resources which are about average for the nation. Using the crude indicators that are readily available, the economic system and the social system appear to be near the median for the fifty states. The state is characterized especially by diversity, with many small but distinctly different areas. Trenton Kostbade, a geographer who studied Missouri's political patterns, identified fourteen distinct political regions in the state.<sup>10</sup> As an example of the distinctness, some counties elect Republicans at least 95 per cent of the time while the adjoining counties elect Democrats at least 95 per cent of the time.

#### OUTPUT OF THE POLITICAL SYSTEM

The output or production of a political system can be readily divided into four categories—taxation, expenditures, regulation, and employment.

*Taxation.* Missouri is a low-tax state. Probably the best of the numerous devices to measure the scope of taxation is one which (a) excludes federal government money but includes all other revenues of state and local governments, and (b) is stated as a proportion of total personal income within the state. Local government revenues should be included because the amount which local governments can collect is often closely regulated by the state, and inadequacies in local funds are often met by state equalization programs. Stating taxes as a proportion of total personal income provides a control for the number of people in a state and for their wealth.

Using then the measure of all state and local general revenue sources per \$1,000 of personal income in 1965, Missouri ranked forty-eighth among the fifty states. Missouri has ranked near the bottom for some time—forty-sixth in 1932, thirty-eighth in 1942, forty-fifth in 1953, and forty-eighth in 1962.<sup>11</sup>

Another measure of the tax output of a state is the type of taxes which are collected. Missouri collects a wide variety of taxes from its citizens but has low rates in almost every case. The principal tax sources in Mis-

<sup>9</sup> *Ibid.*

<sup>10</sup> J. Trenton Kostbade, "Geography and Politics in Missouri" (Unpublished Ph.D. dissertation, University of Michigan, 1957).

<sup>11</sup> *Statistical Abstract*, 1966, p. 425; Clara Penniman, "The Politics of Taxation," in Herbert Jacob and Kenneth N. Vines (eds.), *Politics in the American States* (Boston: Little, Brown and Company, 1965), pp. 308-309.

THE LEGISLATURE IN MISSOURI'S POLITICAL SYSTEM

souri, measured as a proportion of total state and local government revenue, are:<sup>12</sup>

property taxes	43 per cent
general sales taxes	16 per cent
individual income taxes	11 per cent
motor fuel taxes	9 per cent

These proportions, and the proportions for other taxes, are quite similar to those for the fifty states as a whole.

*Expenditures.* Important and easily comparable indicators of the outputs of state political systems are their expenditures. Given Missouri's low tax rates, we would expect her expenditures to be low. The comparable

Table 1

Rank of Missouri Among 50 States, Per Capita Expenditures for Selected State and Local Government Programs, 1962, and Proportion of Funds Contributed by State Government

<i>Rank</i>	<i>Program</i>	<i>Per cent of funds from State Government</i>
8	Public welfare	31
12	Local parks and recreation	0
17	Police protection	12
17	Libraries	5
21	Local fire protection	0
23	Housing and urban renewal	0
25	Corrections	74
27	Health and hospitals	42
35	Highways	41
39	Sewerage and sanitation	0
39	Education	41
42	Natural resources	68
41	All general expenditures of state and local government	

Note:

The Census Bureau has provided rankings of some selected programs of state and local governments expenditures as a proportion of personal income. On such rankings Missouri ranks three to seven places lower than the rankings shown here.

Source:

Compiled from: U.S. Bureau of the Census, *Census of Governments, 1962*, Vol. IV, No. 4, *Compendium of Government Finances*, tables 37 and 44; Vol. VII, No. 25, *Government in Missouri*, tables 16, 35.

<sup>12</sup> U.S. Bureau of the Census, *Census of Governments: 1962*, Vol. IV, No. 4, *Compendium of Government Finances* (Washington, D.C., 1963), pp. 48-49.

measures of expenditures which the Census Bureau has made readily available—per capita expenditures for selected programs—are unfortunately not as valid as the measures of taxation because they do not exclude funds that the federal government transfers to the states, nor do they control for the level of wealth in the state. Nevertheless they can serve as indicators. Missouri's rank among the fifty states for selected programs, using these measures, is shown in Table 1.

A comparison of the rankings and the proportion of funds for each program contributed from the state government provides a fascinating pattern. Of the six programs in which Missouri ranks above the median, the state contributes substantially only to public welfare. (The rank of public welfare is due to the large number of recipients, not to the state's largesse, because Missouri ranks only thirty-third in average payment per recipient.)<sup>13</sup> Of the six programs in which Missouri ranks at or below the median, the state government contributes substantially to all but sewerage and sanitation. Though the correlation is by no means perfect, it does indicate that the greater the state's share of financing for a program, the lower Missouri ranks among the states. The greater the share of local or federal government financing, the higher Missouri ranks. Apparently the state government either receives different demands than are received by the local governments or reacts differently to those demands.

*Regulatory Policies.* The regulatory policies adopted by a political system are an important output. Unfortunately, they cannot be as easily measured and compared as taxation and expenditure policies. Scales can be constructed, nevertheless, by giving weights to various components of the policies and by summing these weights. The states can be compared on these scales. Using this procedure a civil rights scale was constructed, based on state laws regarding public accommodations, fair employment practices, and open occupancy. States were given weights based on such factors as the presence or absence of the laws, their strength, the inclusion of specific provisions, and the time of passage. Based on these rankings, the states fell into one of seven groups, and Missouri was one of nine states tied for twenty-seventh, ranking just above the bottom group of fifteen states, mostly southern states which had no laws in these three areas. A similar scale was constructed for laboring conditions, including provisions relating to workman's compensation, minimum wages, and women's laboring conditions. On this scale Missouri ranked twenty-fifth among the fifty states.<sup>14</sup> These scales cover only two of the many areas of regulatory policies adopted by political systems, and they do not include any measure-

<sup>13</sup> Richard E. Dawson and James A. Robinson, "The Politics of Welfare," in Jacob and Vines, *op. cit.*, p. 395.

<sup>14</sup> See the edition of *Midwest Legislative Politics* prepared for participants in the Mid-America Assembly on State Legislatures in American Politics, pp. 91-95, for the complete scales.

THE LEGISLATURE IN MISSOURI'S POLITICAL SYSTEM

ment of enforcement policies, so evaluations must be made with care. They do indicate, however, that the Missouri state government may rank nearer the median in at least some regulatory policies than in taxation and expenditure policies.

*Employment.* The demands that some people make upon political systems are for personal employment or personal income, often referred to as patronage. Patronage is fairly important in Missouri's political system; in the mid-1950s a member of the governor's staff estimated that there were about 2,500 patronage appointments in Missouri state government.<sup>15</sup> However, Missouri ranks forty-third among the states in the number of full-time equivalent employees of state and local governments per 10,000 population. Not surprisingly, in view of the previous findings, Missouri ranks thirty-third in the proportion of employees per 10,000 population at the local government level, and forty-fifth at the state government level.<sup>16</sup>

*Outputs on Federal Level.* Not only does the output of Missouri local government rank comparatively higher than the output of Missouri state government, but the output of Missouri's federal government representatives, its congressmen, also ranks near or above the median of the states. *Congressional Quarterly* has, since 1959, presented scales of congressional support for a larger role for the federal government, based on roll call

Table 2

Comparison of Votes of Missouri Congressmen and All Congressmen on Support for Increased Role for Federal Government, 1959-66

Year	Percentage of votes cast which were in favor of increasing role of federal government	
	All Congressmen	Missouri Congressmen
1959 and 1960	56%	77%
1961	51	67
1962	63	76
1963	73	73
1964	56	59
1965	68	64
1966	63	58

Source:

*Congressional Quarterly Almanacs*: 1960, pp. 134-137; 1961, pp. 634-637; 1962, pp. 719-721; 1963, pp. 726-729; 1964, pp. 763-765; 1965, pp. 1114-1117. *Congressional Quarterly Weekly Report*, Feb. 19, 1967, pp. 214-217.

<sup>15</sup> George D. Young, "The Role of Political Parties in the Missouri House of Representatives" (Unpublished Ph.D. dissertation, University of Missouri, 1958), p. 63.

<sup>16</sup> U.S. Bureau of the Census, *Census of Governments: 1962*, Vol. III, *Compendium of Public Employment* (Washington, D.C., 1963), p. 30.

votes. The summing of the ayes and nays on the roll call provides a measure of the percentage of votes by all congressmen in support of a larger federal role, and this measure can be compared with the percentage by Missouri congressmen. The results are presented in Table 2. They indicate that Missouri congressmen are usually as much in favor of expanding the role of the federal government as is Congress as a whole.

The measures of output were not always precise or complete but they were fairly consistent, with the possible exception of regulatory policies. They indicated that though Missouri's physical resources, social system, and economic system rank near the median for the fifty states, the output of the state government usually ranks below the median. In contrast the output of local governments in Missouri often ranks near or above the median, and Missouri's congressmen favor expansion of the role of the federal government as much or more than congressmen from other states. A similarity of levels of output might be expected on all three levels; why is it apparently lower on the state government level? Our use of the conceptual framework of political systems focuses our attention on the demands that are made on the political system and the process of converting those demands into output.

#### DEMANDS AND THEIR CONVERSION

Demands are not easily distinguished from the conversion process. A letter from a constituent to a legislator urging a policy clearly represents a demand, but the classification is not so clear when the legislator prepares and introduces a bill which he thinks essential, but for which no other citizen has asked. Similarly, a comparative measurement of the requests of interest groups, such as labor unions in two states, includes both the demands that the unions are making, and the modification or conversion that leaders have already made on the demands of the union members. In a federal system the level of demands may well be related to the rate of conversion of the demands, because citizens will probably make their demands on the particular level which is most likely to respond. Thus demands and conversion may be closely related, and an examination of the process of making and converting demands in Missouri may provide explanations of the comparatively low level of output of the state government.

*Public Desires.* Attitudes of the public can serve as an indicator of the demands that might be made. The only comparable measures of the attitudes of Missouri citizens with citizens of other states are with regard to federal government policies. Such measures were made in a nationwide survey conducted by Herbert McClosky in 1957 and a state-wide survey conducted by the Public Opinion Survey Unit (POSU) of the University of Missouri in 1965. Comparisons must be made cautiously because the wordings varied on most of the issues and because of the

lapse of eight years between the surveys. In the two output issues in which the wording was exactly the same, foreign aid and federal aid to education, the responses were almost exactly the same. In the remaining issue areas, the results are mixed enough and close enough so that there is not a disproof of the assumption, based on the first two issues, that Missourians hold public attitudes toward federal government policies essentially similar to those of all Americans.<sup>17</sup>

*Interest Groups.* In many states, interest (or pressure) groups are important channels in the making of demands. One attempt has been made to rate the comparative importance of pressure groups in American states; the Committee on American Legislatures, American Political Science Association, rated Missouri as one of the seven states in which pressure groups were weakest.<sup>18</sup> The ratings were based upon questionnaires sent to no more than four people in each state and are consequently not regarded as particularly reliable. In contrast, Roy McClintock has provided, in his dissertation on pressure groups in Missouri,<sup>19</sup> a number of examples which indicate high levels of activity and influence. For example, McClintock reports that lobbyists have solicited legislators' votes for candidates for legislative leadership positions, and they have besieged the speaker to appoint their legislator-friends to conference committees, apparently with the assumption that such requests might well be granted. Pressure groups have prepared bills and amendments which the legislature has adopted after being assured by a legislator that the interest group had prepared the bill or amendment. At least one pressure group offered retainers to all lawyers who were interested, and offered to purchase insurance from legislators who were insurance salesmen. One lobby was reported to regularly provide legislators with all the free liquor that they desired. One legislator charged on the floor of the House that an oil company had taken a distributorship away from him after he had failed to support their program. Similarly, McClintock reports a case in which a governor instructed an agency of his to rewrite its proposed legislative program in order to make it acceptable to an interest group. He reports another instance in which an interest group, after having been beaten in the

<sup>17</sup> Data drawn from codebooks for each survey. A similarity in attitudes does not mean a similarity in demands; people may differ greatly in the rate at which they are willing to ask the government for particular policies they favor. The McClosky data were utilized in Herbert McClosky, *et al.*, "Issue Conflict and Consensus Among Party Leaders and Followers," *American Political Science Review*, LIV (June 1960), 406-427. The POSU data were utilized in Eleanora Easterly, Margaret Gadd, and Jay Kiesewetter, "Missouri Congressmen and Their Constituencies," *University of Missouri Business and Government Review*, VIII (March-April 1967), 26-33.

<sup>18</sup> Belle Zeller (ed.), *American State Legislatures* (New York: Thomas Y. Crowell Company, 1954), pp. 190-191.

<sup>19</sup> Roy M. McClintock, Jr., "Pressure Groups in the Missouri Legislative Process" (Unpublished Ph.D. dissertation, University of Missouri, 1961).

legislature by the governor, took the governor's law to the people in a referendum, and there defeated him. Such activities (which are common in many states) certainly do not seem to represent weak pressure politics.

If we accept McClintock's evidence as indicating that pressure groups are active and influential in Missouri state government, an important question is, "Which groups are the strongest?" Perhaps Missouri is dominated by groups which favor low levels of governmental activity, while other states are dominated by other groups. In the 1966 survey, legislators were asked which interest groups and lobbies they considered most powerful. The results were fairly similar to the findings in a number of other states,<sup>20</sup> with the Missouri State Teachers Association, the AFL-CIO, the Missouri Farmers Association, truckers, the chamber of commerce, liquor, oil, the Farm Bureau, and the Steamfitters Union being mentioned by many legislators. A less extensive survey in the 1950s by McClintock produced a somewhat similar list, with the most important difference being the inclusion of the small loan lobby in the earlier list.<sup>21</sup>

Similarity among the strong pressure groups does not, however, mean similarity of demands; Robert Salisbury has argued that pressure groups in Missouri make comparatively few demands.<sup>22</sup>

Each group tends to seek a narrowly defined program calling for marginal adjustments in policy with as little fuss as possible.

. . . . .

. . . the focus is on specific and incremental adjustments accompanied by a rationale which emphasizes job or investment protection against the impersonal forces of the larger world. No one seeks to depart from existing conditions in any dramatic, drastic, or rapid way, but rather to preserve things as they are, as far as possible. In this sense, labor groups are as conservative as business groups in the state, differing only in the specific objects of their conservative desire.

With regard to demands made by the Missouri State Teachers Association, the state's most powerful interest group, Salisbury commented:<sup>23</sup>

<sup>20</sup> For listings in other states, see John Wahlke, Heinz Eulau, William Buchanan, and LeRoy C. Ferguson, *The Legislative System* (New York: John Wiley & Sons, Inc., 1962), pp. 318-319; Kenneth Janda, Henry Teune, Melvin Kahn, and Wayne Francis, *Legislative Politics in Indiana* (Bloomington: Bureau of Government Research, Indiana University, 1961); and John G. Grumm, "The Kansas Legislature: Republican Coalition," *supra*.

<sup>21</sup> McClintock, *op. cit.*, pp. 389-390.

<sup>22</sup> Nicholas A. Masters, Robert H. Salisbury, and Thomas H. Eliot, *State Politics and the Public Schools: An Exploratory Analysis* (New York: Alfred A. Knopf, Inc., 1964), pp. 37-38.

<sup>23</sup> *Ibid.*, pp. 13, 21.

. . . the proposals MSTA makes to the legislature are adjusted to the state's political traditions.

. . . .

First, MSTA scales down its demands for support to 'reasonable' levels, hoping to minimize conflict over school issues. [MSTA leaders] are fully conscious of the gap between the Missouri school aid level and that of, say, neighboring Illinois. . . Nevertheless, rather than press for state aid at an abstractly desirable level, MSTA has sought to pitch the formula for aid at the highest level that present or immediately prospective state revenues will support, assuming no *major* shift in existing patterns of allocation of state money. Missouri's political culture includes a powerful tradition against asking for more money than the revenue picture comfortably allows.

Salisbury notes that MSTA might fight the fiscal conservatism of the system by mobilizing extensive popular support for increased aid for education, but has done so only once. Such campaigns, he notes, would require MSTA to hire new personnel, because the present personnel are part of Missouri's political culture and abide by it.<sup>24</sup>

*Political Parties.* Political parties are a second important channel in the making and converting of demands. An assumption of the "responsible party" theory of democracy is that the people, as a unit, can effectively express their views only if the political parties present different programs and are competitive.<sup>25</sup> If the parties are in agreement in their views, the voters have difficulty replacing an unresponsive group of officials with a responsive group. The amount of disagreement between parties has been measured in two ways—one being the per cent of nonunanimous legislative roll calls in which a majority of one party is opposed by a majority of the other party, and the other being the proportion of legislators who, when interviewed, list party conflict as one of the important conflicts in the legislature. Roll call measures have been compiled for fifteen non-southern states, based on various legislative sessions in the 1940s and 1950s.<sup>26</sup> Interview results are available for five states. Both sets of data indicate that the level of party conflict in the Missouri Senate is comparatively low, but that the level in the Missouri House is at about the median for northern states.<sup>27</sup>

<sup>24</sup> *Ibid.*, p. 25.

<sup>25</sup> See, for example, *Toward a More Responsible Two-Party System* (Supplement to September 1950 *American Political Science Review*).

<sup>26</sup> Malcolm E. Jewell and Samuel C. Patterson, *The Legislative Process in the United States* (New York: Random House, 1966), pp. 420-421.

<sup>27</sup> The low level of party conflict for the Senate is indicated by the data collected by Jewell (footnote 26) for the 1945-46 session, in which a majority of the Democrats were opposed by a majority of the Republicans on only 23 per

A measure of party competition is the amount of competition for public office. Missouri is often classified as a two-party or weak-two-party state,<sup>28</sup> but an examination of county election patterns indicates that most counties are dominated by one party, being either solidly Democratic or solidly Republican. In more than half of the outstate counties, 90 per cent or more of the county officials elected between 1944 and 1962 belonged to the dominant party.<sup>29</sup> In state legislative races 25 to 30 per cent of the seats in each house were uncontested in the elections between 1956 and 1962, a rate of competition above most southern states but below most northern states.<sup>30</sup>

Competition is discouraged by restrictive laws and by public attitudes. State law prohibits persons who have not lived in the state for ten years from running for governor. Competition from independents is discouraged by a law which makes their candidacy difficult. The extent to which this

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cent of the nonunanimous votes, by data for the 1953 session, in which the figure was only 8 per cent, and by data for the 1955 session, in which the figure was only 29 per cent. Further support is provided by the interview data, with only 32 per cent of the Missouri senators ranking party conflict as important, a figure far below New Jersey (85 per cent) and Ohio (59 per cent) and only slightly above California (26 per cent), a state noted for its nonpartisanship, and Tennessee (17 per cent), a southern state. (The Missouri figures are from the interviews with legislators. The figures for other states are from Wahlke, et al., *op. cit.*, p. 423.)

Jewell also reported a comparatively low level of party conflict for the Missouri House, with only 36 per cent of the nonunanimous votes involving party majorities in conflict. These data are contradicted, however, by other data. George Young found that *two-thirds* of one party was opposed to *two-thirds* of the other party on 41 per cent of the nonunanimous votes in 1955 and 35 per cent in 1957. He did not provide figures for a majority against a majority, but a projection of his figures would indicate that the figures for a majority against a majority would be near the median that Jewell reports for the fifteen non-southern states. George D. Young, "The Role of Political Parties in the Missouri House of Representatives," (unpublished Ph.D. dissertation, University of Missouri, 1958), pp. 100, 176. In addition, the percentages of House members who listed party conflict as important in their House were as follows:

New Jersey	96 per cent
Missouri	69
Ohio	49
California	26
Tennessee	23

Since these data conflict with that for the 1945-46 session, the question arises as to why. My colleague Martin Faust has told me that the 1945-46 session of the legislature was unusual in that legislators were implementing the state's new constitution; consequently partisan conflict was intentionally reduced. Thus it appears that the 1955 and 1957 data and the interview data may be more typical.

<sup>28</sup> See, for example, Austin Ranney, "Parties in State Politics," in Jacob and Vines, *op. cit.*, p. 65.

<sup>29</sup> Robert F. Karsch, *The Government of Missouri* (8th ed.: Columbia, Lucas Brothers Publishers, 1963), p. 21.

<sup>30</sup> Comparison of data compiled from *Official Manuals of the State of Missouri* and statements in Jewell and Patterson, *op. cit.*, p. 80.

law is reinforced by public attitudes was indicated by an October, 1964, survey of Boone County (in Central Missouri), conducted by the Public Opinion Survey Unit, University of Missouri. Respondents were asked for their views about the local sheriff's race in which a defeated primary nominee had filed as an independent. Numerous respondents expressed admiration for the personal qualities of the independent, but said that since it was not proper for a man to run as an independent, they would not vote for him. In campaign appearances in this county, candidates competing for office rarely attack each other, contenting themselves with descriptions of their personal qualifications for office. Emphasis on such personal attributes as ancestral family relationships and long-term local residence reduces competition by reinforcing public discrimination against those born elsewhere.

Competition in the primary of the majority party is often limited, especially by informal decisions which result in only one major candidate for important offices. Salisbury has described the process of selecting gubernatorial candidates as follows:<sup>31</sup>

. . . through an informal process of quiet negotiation among persons of political influence in various parts of the state, a 'succession' of Democratic hopefuls is often arranged, and, when necessary, rearranged . . . Potential candidates are 'assigned' places on the waiting lists and given appropriate rewards for waiting their turn patiently. The succession is backed up by few sanctions, but in the absence of counterpressures from groups not represented in the negotiations, it is generally adhered to.

In 1964 Warren Hearnes, then a candidate for governor, labeled the group involved in this process the "Establishment," charging that it was centered around the Central Missouri Trust Company, a Jefferson City bank, in which was deposited many of the state's funds. Reportedly Hearnes had decided not to wait in line, and he successfully defeated Lieutenant Governor Hilary Bush, the 1964 "Establishment" candidate.

The measures of party competition and conflict indicate that most Missouri voters do not have a meaningful choice between two parties because competition is discouraged and one party dominates in their area. The limited amount of conflict between the parties indicates that it does not particularly matter which party is dominant. This low level of party competition and conflict is probably related, according to the "responsible-party" theory of government, to limited conversion of demands.

<sup>31</sup> Masters, et al., *op. cit.*, p. 46. See also the discussion of the oligarchy running the Democratic party in John Fenton, *Politics in the Border States* (New Orleans: Hauser Press, 1957), p. 142.

*Formal Governmental Institutions.* Formal governmental structures, such as the legislature, make demands and convert them, though their emphasis is probably on the latter process. Their structural arrangements are significant if they restrict the presentation or conversion of demands.

For example the powers of state officials may be so restricted that they are unable to convert demands into output. The evidence tends to contradict this assumption, for Missouri state officials have substantial legal power. The governor of Missouri is potentially one of the most powerful governors in the nation. Joseph Schlesinger has constructed a scale measuring the formal (or potential) powers of governors, utilizing their legislative powers, their appointive powers, their tenure potential, and their veto power. The scale scores divided the states into twelve groups ranging from the potentially most powerful governor (New York) to the potentially least powerful governors (Mississippi, South Carolina, Texas, and North Dakota). Missouri was ranked in the fourth group, but the recent adoption of a constitutional amendment allowing the governor of Missouri to serve two consecutive terms would place Missouri in the third group, topped only by New York in the first group and by Illinois and New Jersey in the second group.<sup>32</sup> Such measures as we have of actual power, rather than potential power, also indicate that the governor is quite strong. For example, no veto of the governor has been overridden by the legislature since 1838.<sup>33</sup>

The Missouri legislature is organized so that substantial powers are held by the leadership. The speaker of the house appoints all committees and their chairmen, unrestricted by seniority rules or by any limitation on the number, size, or subject matter of the committees. He also appoints all interim committees. These latter appointments, made after the session is completed, can be used as rewards for those legislators who have "gone along" with the speaker during the session. The interim committees sometimes inspect facilities in such states as Florida and California, making their investigations during the winter time. The speaker of the house also assigns all bills to committees, a process which allows him to kill or delay almost any bill. In the Senate these powers are split between the majority floor leader and the president pro tem.

Measures of actual power substantiate these statements about potential power. In a 1966 survey, members of the legislature were asked who were the most powerful members of their house and why.<sup>34</sup> Almost all House members nominated the speaker as one of the most powerful, and

<sup>32</sup> Joseph A. Schlesinger, "The Politics of the Executive," in Jacob and Vines, *op. cit.*, p. 229.

<sup>33</sup> Karsch, *op. cit.*, p. 21.

<sup>34</sup> The survey of legislators was conducted by the Public Opinion Survey Unit of the University of Missouri and financed by a grant from the National Municipal League.

almost all Senators nominated the majority floor leader. In the House the reasons for nominations for the speaker and others were often based on the power of the positions they held, while in the Senate reasons were often related to the personal qualities of the individuals. The difference between the houses is probably due to the smaller size of the Senate (34 members compared to 163) and to the much longer time members have served together.<sup>35</sup>

The committee structure of the legislature has been cumbersome, but apparently reasonably responsive to demands. The cumbersomeness was related to the large number of committees (more than fifty House committees and thirty-five Senate committees in some sessions), and the large size of some of the committees (more than fifty members for one House committee). Such committees were unwieldy, not only because of their size but also because legislators had numerous committee appointments, so that the conflicts of meeting times and the lack of diligence of some members resulted in high absenteeism at committee meetings. Many of the committees were established especially for the purpose of allowing a legislator to tell constituents that he was a committee chairman. In fact, between 1937 and 1959 the practice in the House of Representatives was to create a chairmanship for every member of the majority party who had more than one term of service. Thus, the number of committees established depended on the number of senior majority party members. If they wished, legislators could have become experts in various substantive areas, since most legislators were allowed to serve on the committees they desired, but in practice most legislators preferred to switch committee assignments from session to session. This, combined with legislative turnover, often meant that almost half of the major committees of the legislature were chaired by members serving on that committee for the first time.<sup>36</sup>

The salaries and facilities for legislators are good, though not exceptional. The salary and per diem of \$11,550 per biennium makes Missouri legislators the eleventh best paid state legislators in the nation.<sup>37</sup> Each Senator has an office and secretary of his own, while in the House members of the majority party have offices and secretaries which they share with one,

<sup>35</sup> One possible explanation of low output would be that the governor and legislative leaders are each sufficiently powerful, and sufficiently opposed to each other to veto the policies of each other, resulting in a restricted conversion of demands. If so, the 1967 legislature should be distinctly different, because the Democratic House caucus selected the governor's candidate as speaker, and the relationship between the governor and the Senate leadership appeared to be good.

<sup>36</sup> The discussion is based especially on Robert F. Karsch, *The Standing Committees of the Missouri General Assembly* (Columbia: Bureau of Government Research, University of Missouri, 1959). See also Young, *op. cit.*, pp. 21-24, and Masters, et al., *op. cit.*, pp. 57-68. In 1967 Speaker James Godfrey reduced the number of standing committees in the House from forty-seven to thirty-seven.

<sup>37</sup> John G. Grumm and Calvin W. Clark, *Compensation for Legislators in the Fifty States* (Kansas City: Citizens Conference on State Legislatures, 1966), p. 7.

two, or three colleagues. Minority party House members are not given individual offices but do have one large room in which they have desks. The Legislative Reference Service was organized in the 1940s and provides extensive research and bill drafting services for members and committees, including interim committees.<sup>38</sup> The length and frequency of sessions poses no serious problem because regular sessions, every other year, last for six months, and the present governor, Warren Hearnes, has called a sixty-day budget session during each of the even-numbered years.

One frequently alleged inadequacy of Missouri government has been the malapportionment of the House of Representatives. The Senate has been somewhat equitably apportioned since 1945, but small counties were overrepresented in the House until 1967. (Before *Baker vs. Carr* and the subsequent court decisions which required wide-scale reapportionment, only one state Senate was more equitably apportioned than the Missouri Senate and only five houses were more malapportioned than the Missouri House.)<sup>39</sup> However, David Derge analyzed roll call votes in the Missouri House in the mid-1950s and concluded that the malapportionment had had little effect. He found that there were few rural-urban divisions, and practically no cases in which united urban groups lost to rural groups. Frequently, urban groups were split, especially between core-city Democrats and suburban Republicans.<sup>40</sup> On the other hand, a comparison of responses of metropolitan and outstate legislators on the 1966 survey indicates that there is some division between the two groups, at least in their attitudes, and that this division is usually stronger in the Senate than in the House. (Derge analyzed votes only in the House.) Another indicator of some effect of malapportionment is that the metropolitan areas have contributed only one-sixth of the House speakers in this century, compared to almost one-third of the presidents pro tem of the Senate, and of the governors.<sup>41</sup> Similarly, outstate men dominate the lobbying staff of the MSTA<sup>42</sup> and probably other powerful pressure groups.

Formal structure is only one factor, however, and many studies have found that organizations with similar formal structures operate differently

<sup>38</sup> For a discussion of the formation and early years of the Committee, see Arthur C. Marlow, "The Committee on Legislative Research of the General Assembly of the State of Missouri" (unpublished Master's thesis, St. Louis University, 1950).

<sup>39</sup> National Municipal League, *Compendium on Legislative Apportionment* (2d ed.; New York, 1962). The measure of apportionment used is the per cent of the population which can theoretically control a majority of the body.

<sup>40</sup> David R. Derge, "Metropolitan and Out-State Alignments in Illinois and Missouri Legislative Delegations," *American Political Science Review*, 41 (December 1958), 1051-1065.

<sup>41</sup> Compiled from Karsch, *Government of Missouri*, p. 80, and State of Missouri, *Official Manual*, 1963-64 (Jefferson City, n.d.), pp. 23-32.

<sup>42</sup> Masters, et al., *op. cit.*, p. 18.

because of the varying characteristics of the individuals within the organizations and the informal arrangements that they have made.

For example, the men within a state government might possess sufficient powers and facilities, but use them to restrict the demands of citizens, believing those demands to be inappropriate. The best available measures of the amount of agreement between Missouri legislators and their constituents are, unfortunately, concerned with federal government programs. Eight attitude questions were asked in the POSU state-wide opinion survey in 1965 and in the legislator survey in 1966. Legislators held more conservative attitudes on five of these federal issues, more liberal attitudes on one issue, and attitudes similar to the public on one issue. One comparison is available on a state issue—funds for higher education—though the questions asked of the legislators and the public were worded differently. In this case legislators were more strongly in favor of an increase in funds than the public which also favored expansion. These measures indicate that Missouri legislators are more conservative than the public in their attitudes toward many federal government programs, but that legislators are more strongly in favor of expansion of at least one state government program.

The level of output might be related to some measures of the ability of the people in the political system. Unfortunately we have no comparable measures of the abilities of public employees, who are very important in the making and converting of demands. Some evaluations of elected officials are available. In the early 1960s Salisbury characterized the formal leaders of the Missouri legislature as relatively young, inexperienced, and weak, and Missouri governors as "relatively passive, accepting or rejecting most legislative actions without attempting to guide them."<sup>43</sup> One comparable measure of the ability of legislators is their educational level. Figures have been compiled for legislatures of various states during the 1950s and early 1960s, showing the percentage of legislators with some college education. Missouri, judged by its 1957 legislature, ranked eleventh among the twelve states for which data were compiled, indicating a comparatively low proportion of legislators with college educations. The percentage in the Missouri Senate is regularly much higher than the percentage in the House. In the House the proportion of members with some college education (not including business or trade schools) has varied over the years, being fairly high for example between the mid-1930s and the early 1950s, then slipping after 1953 to percentages lower than those at the turn of the century.<sup>44</sup> After the 1961 salary increase from \$1,500 to \$4,800 per year, the proportion of newly elected legislators with some

<sup>43</sup> *Ibid.*, pp. 45, 52.

<sup>44</sup> Howard B. Lang, Jr., "They Legislate for Missouri," *Annals*, 195 (January 1938), 41; and Karsch, *The Government of Missouri*, p. 76.

MIDWEST LEGISLATIVE POLITICS

college education jumped immediately from about 50 per cent to more than 70 per cent.<sup>45</sup>

Another indicator of the ability of legislators is the percentage with previous legislative experience, based on the assumption that experienced men are more capable than inexperienced men. Data are available for about a dozen states, and Missouri ranks slightly above the median of these states, with about one-third of the districts in each house selecting newcomers at each election.<sup>46</sup>

PUBLIC APPROVAL AND SUPPORT

Missourians apparently are satisfied with their state government, including their legislature. In June, 1966, the Public Opinion Survey Unit of the University of Missouri asked respondents in a state-wide sample:

Do you know if the Missouri state legislature did or did not hold a session this year? (IF YES, I KNOW, THEY HELD A SESSION) How would you evaluate what the legislature did? Would you say that you are very satisfied, moderately satisfied, moderately dissatisfied, or very dissatisfied with the work of the legislature this year?

The most significant finding was the low level of knowledge about the legislature. Only 46 per cent of the respondents said that they knew that the legislature had held a session. Comments by those people indicated that some of those who "knew" that the legislature had met were actually

Table 3  
Attitudes of Missourians Toward Governor Hearnes, President Johnson, and the Legislature, June 1966

	<i>Governor Hearnes</i>	<i>Attitudes Toward Legislature</i>	<i>President Johnson</i>
Very satisfied	37.2%	13.4%	11.8%
Moderately satisfied	54.9	69.1	39.4
Moderately dissatisfied	6.0	14.4	27.7
Very dissatisfied	1.9	3.0	21.1
	100.0 (N=266)	99.9 (N=298)	100.0 (N=289)

Note:

Table includes only those people in the state-wide sample of 951 who had an opinion about the legislature.

<sup>45</sup> Based on compilations from biographical data in *Official Manuals, State of Missouri* (Missouri Blue Book).

<sup>46</sup> Comparison of figures in Jewell and Patterson, *op. cit.*, p. 120; and Karsch, *The Government of Missouri*, p. 76.

thinking of the regular 1965 session rather than the 1966 session, which was a budget session with a restricted agenda.

Similar questions were asked about Governor Warren Hearnes and President Lyndon Johnson. The responses can be compared by looking only at those who had an opinion about the legislature, thus controlling for the effect of cognition, because many more people had opinions about Hearnes and Johnson than about the legislature. The results are presented in Table 3. Apparently public evaluation of the legislature is somewhere between that given to Hearnes and to Johnson. Johnson's popularity in Missouri was far higher in 1965 than in 1966, and in both years was somewhat similar to his popularity in the nation.

The only comparison with legislatures across the nation is a differently worded question by George Gallup, "What kind of job do you think our state legislature does: An excellent job (12 per cent), a fair job (61 per cent), or a poor job (9 per cent)?" No response was obtained from 18 per cent.<sup>47</sup> If we assume that "excellent" is similar to "very satisfied," that "fair" is similar to "moderately satisfied," that "poor" is similar to "dissatisfied," and that Gallup's total sample can be compared to the more restricted knowledgeable group in Missouri, then it appears that the evaluation by Missourians of their legislature is fairly similar to that for the nation as a whole.

*Political Culture.* The concept of political culture—the patterns of orientation to political action—may help to pull together some of these points, and indicate the extent to which they form a pattern. Daniel Elazar has identified and named three different political cultures in the United States—the moralistic, of which the best examples are the old Progressive states such as Wisconsin, Minnesota, and Oregon; the individualistic, of which the best examples are the political machines of big cities, and the traditionalistic, of which the best examples are southern state governments. To summarize, but oversimplify drastically, the moralistic political culture is based on assumptions that political battles should be about policies, that government should be run by citizens rather than professional politicians, and that each citizen has an obligation to participate by voting or even running for office. The individualistic political culture is based on the assumption that politics is, like business, an appropriate means of making a living. A successful political career will be based on such business principles as loyalty to associates and providing the services demanded by the market. Policies become secondary to patronage. The traditionalistic culture is based on an assumption that the role of government is limited, that government should be controlled by a small group at the top of the

<sup>47</sup> "Polls Show Voter Ignorance of Law Makers," *State Legislatures Progress Reporter*, 2 (January 1967), 2.

social structure, and that one responsibility of government is to maintain the existing social structure. Participation is limited to the few.<sup>48</sup>

Elazar has provided preliminary classifications of some geographic areas in each state: He classified St. Louis and Kansas City as individualistic and parts of outstate Missouri as traditionalistic. He classified the state political culture as individualistic-traditionalistic. Elazar commented on the relevance of a particular culture to the outputs of governments as follows:<sup>49</sup>

[In the individualistic culture] Public officials, committed to 'giving the public what it wants,' are normally not willing to initiate new programs or open up new areas of government activity on their own recognizance. They will do so when they perceive an overwhelming public demand for them to act, but only then. In a sense, their willingness to expand the functions of government is based on an extension of the *quid pro quo* 'favor' system which serves as the central core of their political relationships, with new services the reward they give the public for placing them in office.

By virtue of its fundamental outlook, the [moralistic] political culture creates a greater commitment to active government intervention into the economic and social life of the community . . . Not infrequently, public officials will themselves seek to initiate new government activities in an effort to come to grips with problems as yet unperceived by a majority of the citizenry.

Where the traditionalistic political culture is dominant in the United States today, political leaders play conservative and custodial rather than initiatory roles unless pressed strongly from the outside.

In Missouri the patterns of individualistic and traditionalistic cultures provide a rubric under which may be fitted a number of the points noted—the assumption of a custodial role for state government, the fiscal conservatism, concern with patronage, limited competition for office, and the limitations of public participation. At first glance, the concept of political culture does not seem to explain, however, why the output of local governments and of federal government representatives should be comparatively higher than the output of state government. Nevertheless, an examination of the levels of output for those states which are most purely individualistic, moralistic, and traditionalistic in Elazar's classification indicates that the normal pattern for individualistic states is a high ranking on local government programs and a low ranking on state government

<sup>48</sup> Daniel J. Elazar, *American Federalism: A View From the States* (New York: Thomas Y. Crowell and Company, 1966), pp. 86-97.

<sup>49</sup> *Ibid.*, pp. 89, 92, 93-94.

#### THE LEGISLATURE IN MISSOURI'S POLITICAL SYSTEM

programs. Moralistic states rank fairly high on both levels and traditionalistic states rank fairly low on both levels.<sup>50</sup>

#### SUMMARY AND CONCLUSIONS

The data indicate that though Missouri has substantial physical, economic, and social resources, the output of her state political system ranks fairly low among the states. In contrast, the outputs of Missouri local governments and of Missouri's congressmen are at a higher level. The attempt to explain the low state output led to a consideration of demands and their conversion. The only available measure of public desires indicated that Missourians had public attitudes toward federal government policies similar to those held by all Americans. The important pressure groups in Missouri are similar to the important ones in other states, but one study indicated that Missouri groups may not make as many demands as their counterparts in other states. The two parties in Missouri conflict relatively infrequently. In addition, political competition, even in primaries, is subdued in Missouri, so that voters rarely have a meaningful choice between conflicting policies. The formal structures and facilities of Missouri state government seem adequate, with the possible exception of the malapportionment of the House in earlier years. Nevertheless, the one available measure of a state program showed that members of the malapportioned legislature favored increases in funds for higher education more strongly than the public. Finally, the men serving in the legislature in earlier years apparently were not as able and educated as the legislators of some other states. Nevertheless, Missourians are satisfied with their government. These points, seemingly diverse and disparate, fit within the patterns of the individualistic and traditionalistic political cultures, the cultures of Missouri. Missouri's output pattern, in fact, is very similar to that of the individualistic states. This indicates that further understanding of Missouri's output pattern might be gained by looking at the political systems of several individualistic states (Illinois, Indiana, Pennsylvania, and New Jersey, for example) and comparing them with Missouri.

Such an investigation should examine, among other things, the extent of fragmentation and diversity. In Missouri the diversity of political areas seems related to the low output of state government. Within the legislature

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<sup>50</sup> Compiled from *ibid.*, p. 110, and U.S. Bureau of the Census, *U.S. Census of Governments*, Vol. IV, No. 4, *Compendium of Government Finances*, p. 72. Individualistic states are Massachusetts, Rhode Island, New York, Pennsylvania, Delaware, Maryland, New Jersey, Ohio, Indiana, Illinois, and Nevada. Moralistic states are Vermont, Maine, Michigan, Wisconsin, Minnesota, North Dakota, Colorado, Utah, and Oregon. Traditionalistic states are Virginia, North Carolina, Tennessee, South Carolina, Mississippi, Alabama, Georgia, Arkansas, and Louisiana. The measure of output uses rankings of states according to per capita expenditures for the predominately state programs of institutions of higher education, highways, and public welfare, and the predominately local programs of police protection, local fire protection, and sewerage.

#### MIDWEST LEGISLATIVE POLITICS

there is a norm of "local unity"; legislators tend to introduce bills applying only to their particular areas of the state, and their fellow legislators approve the bills only if most or all of those affected are in favor of them. Perhaps fragmentation is more characteristic of individualistic states than of moralistic or traditionalistic states. Certainly many of the individualistic states border on the Mason-Dixon line and contained both Northern and Southern elements during the Civil War. In addition many of them were settled by a wide variety of ethnic groups in the post-Civil War era. The hypothesis would be that diversity required an individualistic culture, while solidarity allowed the establishment of a communitarian culture—either moralistic or individualistic.

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## The Nonpartisan Nebraska Unicameral

RICHARD D. MARVEL

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One of the basic functions of a legislative body is to make decisions for the society which it represents. "The task of government is not to express an imaginary popular world, but to effect adjustments among the various special worlds and purposes which at any given time are pressing for realization."<sup>1</sup> How are decisions made in Nebraska, unique among the nation's state legislative bodies, where since 1934 the legislature has performed its duties within the one-house, nonpartisan framework?

The Nebraska unicameral legislature may provide clues regarding legislative decision making with somewhat less reluctance than some partisan bodies with a more complex organization. There are fewer personalities to study, procedure provides for public hearings on all legislation, for roll call votes should any member so request, and for a substantial reporting system of both floor debates and committee sessions. In sum, the Nebraska field is a fertile one for research on decision making.

Wilson and Alexis discuss six elements common to all decisions: (1) state of nature or environment, (2) decision makers, (3) goals or ends to be served, (4) relevant alternatives and a set of actions from which a choice is to be made, (5) a relationship which produces an order of alternatives in some arrangement, (6) the choice itself—the selection of one or more alternatives.<sup>2</sup> This paper will focus on these various elements in attempt-

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<sup>1</sup> V. O. Key, Jr., *Politics, Parties, and Pressure Groups* (3rd ed.; New York: Thomas Y. Crowell Company, 1952), p. 10, quoting John Dickinson, "Democratic Dogma," *American Political Science Review*, XXV (1930), 291-292.

<sup>2</sup> Charles Z. Wilson and Marcus Alexis, "Basic Framework for Decision," *Journal of Administrative Management* (August, 1962), 151; from Paul F. Lazarsfeld (ed.), *Mathematical Thinking in the Social Sciences* (New York: The Free Press of Glencoe, 1954).

ing to shed some light on the question of how decisions are made in the Nebraska legislative process.

There are basically two ways of analyzing the decision-making process. One is the "mathematical approach" which puts an emphasis on probability and game theory.<sup>3</sup> Although the present study uses mathematics to sort and catalogue data, the framework is basically "social-psychological." The "actor decision-maker participates in a particular kind of social system . . . built into this actor are certain properties which . . . will partly account for his behavior."<sup>4</sup> Thus, institutional factors cannot be disregarded, and it is a premise of this research that one cannot adequately understand pressure politics in Nebraska and the decisions that result without an analysis of the people of the state as well as the legislative institution which they have developed. The history of Nebraska, the structural processes of the legislature, and the personal, informal influences which affect each senator must be described in trying to point out possible influences on the final product—legislative decisions.

#### THE NEBRASKA POLITICAL ENVIRONMENT

*The Physical Factors.* Nebraska is geographically classified as being part of the Great Plains area, with three distinguishing characteristics: "a comparatively level surface of great extent; a treeless land and unforested area; and a region where the rainfall is insufficient for the ordinary intensive agriculture common to the lands of the humid climate."<sup>5</sup> Eastern Nebraska, however, does not fall into the Great Plains area and contains not only entirely different topographical characteristics than the land west, but also is in an entirely separate rainfall area. "The state is indeed in the transitional area and for that reason, perhaps, its problems are more complicated."<sup>6</sup>

Geographical differences between the east and the west have caused substantial variation in the types of crops grown and the entire base of the economy. It seems probable that geographical variance has also affected the personalities of the people. Thus, the geography of the state may be responsible for many of the differences in attitude between the eastern and the western senators.

Major rivers also play a role in both unifying and dividing Nebraskans.

<sup>3</sup> Irwin D. J. Bross, *Design for Decision* (New York: The Macmillan Company, 1953).

<sup>4</sup> Richard C. Snyder, et al., *Foreign Policy Decision-Making* (New York: The Free Press of Glencoe, 1962), p. 172.

<sup>5</sup> Walter Prescott Webb, *The Great Plains* (New York: Grossett and Dunlap, 1931), p. 3.

<sup>6</sup> James C. Olson, *History of Nebraska* (Lincoln: University of Nebraska Press, 1955), p. 6.

THE NONPARTISAN NEBRASKA UNICAMERAL

Every mile of the Platte River "is bound to history and politics."<sup>7</sup> It provided a pathway for settlers, defined the major route for the railroads, became a political dividing line, and in the 1940s and 1950s the center of bitter water diversion battles in the state legislature.

The settlers who came to Nebraska were faced with a situation unknown in the humid east. With rainfall of less than twenty inches annually west of the hundredth meridian, Nebraska is near the margin as far as stable farming is concerned. Drought combined with a grasshopper invasion or an economic downturn turns prosperity into disaster. In such an environment, adaptation and experimentation were necessary, resulting in a "bailing-wire approach" to any problem, and the emergence of a "cult of the practical."<sup>8</sup>

*Demographic Factors.* Nebraska has a built-in urban-rural population schism, for Douglas (Omaha) and Lancaster (Lincoln) counties—both located in the eastern one-third of the state, only sixty miles apart—contain over 35 per cent of the state's population and have enjoyed the major population increase in recent years.

Table 1  
Distribution of Nebraska Population 1960

<i>Communities</i>	<i>Number</i>	<i>Per Cent of Total Population</i>
Over 10,000	611,919	43.4
5,000-10,000	86,897	6.2
2,500-5,000	67,237	4.8
1,000-2,500	102,169	7.2
Under 1,000	136,943	9.7
Unincorporated and on farms	406,185	28.7

Source:

N. D. Searcy and A. R. Longwell, *Nebraska Atlas* (Kearney, Nebraska: Nebraska Atlas Publishing Co., 1964), p. 24.

Observers predict that within a few years Omaha and Lincoln will have over 50 per cent of the population and will, thus, be entitled to a majority of the representation in the state's unicameral legislature. Probably of more significance for the future is the ratio of school age residents to total population. In 1964, Nebraska ranked thirty-eighth in this category,

<sup>7</sup> Wendy Rogers, "Water Treasure," *Depth Report No. 3* (Lincoln: School of Journalism, University of Nebraska, March 15, 1964), p. 9.

<sup>8</sup> Lewis Atherton, *Mainstreet on the Middle Border* (Bloomington: Indiana University Press, 1964), Chapter 4.

with school age population as 25.6 per cent of the total. In the same year, Nebraska ranked fourth in the nation in its population of those over sixty-five years of age—a percentage of 11.6.<sup>9</sup>

Table 2  
Family Income in Nebraska 1960

Family Income	State	Per Cent of Families	
		Urban	Rural
Under \$1,000	5.5	2.8	8.7
\$1,000-\$1,999	9.2	5.3	13.8
\$2,000-\$2,999	11.4	7.4	16.0
\$3,000-\$3,999	12.8	10.0	16.0
\$4,000-\$4,999	13.0	12.7	13.3
\$5,000-\$5,999	12.6	14.4	10.4
\$6,000-\$6,999	9.7	12.3	6.7
\$7,000-\$9,999	15.8	14.1	5.5
\$10,000 and over	10.2	14.1	5.5

Source:

N. D. Searcy and A. R. Longwell, *Nebraska Atlas* (Kearney, Nebraska: Nebraska Atlas Publishing Co., 1964), p. 33.

Immigrants have played an important part in the development of the state. The typical immigrants were poor people, materialistic, thrifty, conservative, religious, and pragmatic.<sup>10</sup> The Germans led the influx with more than 200,000 of the 538,218 foreign population in 1910.<sup>11</sup> Large numbers of Scandinavians and Czechs populated the state, as well as lesser numbers of Central and Southern Europeans, Dutch, French, and English.<sup>12</sup> While the Yankee settlers tended to be more progressive and interested in innovation than were many other groups, "immigrant pioneers influenced the state's politics, its fiscal viewpoint, and its morals."<sup>13</sup> Negroes, predominately located in the metropolitan areas, today number only 2.1 per cent of the population, and the other main disadvantaged minority group, the Indians, account for less than 0.5 per cent of the population.<sup>14</sup>

*Economic Factors.* Founded on an agricultural basis, Nebraska today re-

<sup>9</sup> *Ranking of the States, 1965*, Research Division of the National Education Association, February, 1965, pp. 11-12.

<sup>10</sup> Jane Tenhulzen, "A Foreign Frontier," *Depth Report No. 3* (Lincoln: School of Journalism, University of Nebraska, March 15, 1964), p. 23.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*, p. 22.

<sup>13</sup> *Ibid.*

<sup>14</sup> U.S. Bureau of the Census, *Statistical Abstract of the U.S., 1966* (Washington, D.C., 1966), pp. 26-27.

mains primarily an agricultural state. The state's economy stood sixth in agricultural products in 1962. The farming industry is a one-billion-dollar annual business, and includes 5.2 million head of cattle worth \$1.5 billion. Nebraska has over twice as many people employed in agriculture as in manufacturing.<sup>15</sup>

Present Nebraska industry is largely centered in the metropolitan areas of Omaha and Lincoln. Douglas County (Omaha) has 38 per cent of the manufacturing industries and 45 per cent of those employed in manufacturing.<sup>16</sup> The agricultural emphasis is even more apparent in light of the fact that over 40 per cent of the manufacturing employees process food and other related products.<sup>17</sup>

The interdependence of agriculture and manufacturing is not a coincidence, and Nebraska farmers have historically had a business-oriented view. The latter view triumphed over the Populist view which refused to accept price control based on production limits.<sup>18</sup> In the end, the farmers had to swallow their moral values and accept governmental support and controlled production. This business-oriented view of rural Nebraska is in direct opposition to the practices and policies of the laboring people and the unions that represent them.

With recent legislative enactments, many of Nebraska's pillars of fiscal conservatism have fallen. No longer can the state "boast" of no broadened tax base, no state aid to schools, and the lowest per capita state tax in the nation. Frugality is understandable considering the environment of the Great Plains. In Nebraska, the environment imposes variability and stresses the importance of a materialistic, conservative orientation to life. Uncertainty encourages the citizen to buy, plan, and operate cautiously with an emphasis on practical living. As one western Nebraska mayor commented: "The depression years are still looking over our shoulders."<sup>19</sup>

*Historical Political Factors.* Any description of the Nebraska personality must emphasize the pioneer spirit. "In these years [the 1870s] was created the Soul of Nebraska—characteristic mind, vision, and form of action. Soil and sun and wind, hardship and conflict, spirit, institutions, debates and experiences shaped the type of man who still lives upon these prairies . . . the Nebraska type was created in the '70s. . . . The soul of Nebraska remains in dominant feature the product of the pioneer '70s."<sup>20</sup>

<sup>15</sup> N. D. Searcy and A. R. Longwell, *Nebraska Atlas* (Kearney, Nebraska: Nebraska Atlas Publishing Company, 1964), p. 77.

<sup>16</sup> *Ibid.*

<sup>17</sup> *Ibid.*

<sup>18</sup> James A. Stone, "Agrarian Ideology and the Farm Problem in Nebraska State Politics with Special Reference to Northeast Nebraska 1920-1933" (unpublished Ph.D. dissertation, University of Nebraska, 1960), p. 172.

<sup>19</sup> Frederick C. Wefso, Mayor of Rushville, Nebraska, personal interview, July 18, 1964.

<sup>20</sup> Olson, *op. cit.*, p. 177, citing Addison E. Sheldon, *Nebraska: The Land and the People* (Chicago: Lewis Publishing Company, 1931), p. 579.

Political squabbling dating from the first legislative session between the North and South Platters set a pattern for political behavior which remains even today. Railroads made their presence felt in the early history of Nebraska and have played a significant role in the state's economic and political development. It has been said that the two most important factors in Nebraska's settlement were the construction of the railroads and a liberal land policy.<sup>21</sup> Towns vied for railroads and the competition encouraged feelings of localism and community spirit. A pioneer wrote in 1868: "One part of Nebraska belongs to the speculator, one part to the state, one part to the schools, and one part to the Union Pacific."<sup>22</sup> The political influence of the railroads is still felt in Nebraska, for the railroads continue to be important to the state's economy.

The home of agricultural innovation, the Great Plains region has also been "a land of political innovation, expressing itself in such vagaries as populism, agrarian crusades, and farm relief."<sup>23</sup> Nebraska has been an active, and at times the dominant, participant in these various movements. Yet, the agrarian political behavior was unlike other segments of the population. "In short, the farmer reacts to economic pressure with political protest; yet the response has an explosive quality—great force without duration—which is unique."<sup>24</sup> Perhaps it is not too far-fetched to trace the individualism and the nonpartisanship of early agricultural political revolts to the signs of weakness in the Nebraska political parties by the mid-1930s, and ultimately to the establishment of a nonpartisan state legislature.

It might be expected that a lack of commitment to a political philosophy would lead to significant variation in Nebraska's national political preference. However, this does not seem to have been the case. Dr. Jasper Shannon shows that "Nebraskans generally prefer a Republican liberal or progressive to a Democratic one,"<sup>25</sup> selecting Republicans in eighteen of twenty-four presidential elections.<sup>26</sup>

The environment and conditions of settlement contributed to strong feelings of localism and opposition to centralization. The necessity of the settler to look within himself in the midst of isolation and desolation caused localism to become the only understandable way of life. Localism is still strong today and finds expression in strong opposition to state involvement in educational matters.

<sup>21</sup> *Ibid.*, pp. 161-164.

<sup>22</sup> Tenhulzen, *op. cit.*, p. 23.

<sup>23</sup> Webb, *op. cit.*, p. 514.

<sup>24</sup> Angus Campbell, *et al.*, *The American Voter* (New York: John Wiley & Sons, Inc., 1960), p. 403.

<sup>25</sup> Jasper Shannon, "Conservative Nebraska: Fact or Fiction?" (unpublished, undated paper), p. 1.

<sup>26</sup> *Ibid.*, p. 15.

*Conclusion.* From this brief survey, one might be led to hypothesize that the Nebraska legislator is probably a highly individualistic, conservative Republican, rurally oriented, with a pro-business and anti-labor outlook, cautious with regard to spending, and a staunch advocate of local control. Yet, this picture would fail to account for the liberal innovations which have been a part of Nebraska history—the Populist-Progressive reforms, a complete public power complex, the somewhat radical design of the state capitol, and a one-house, nonpartisan legislature. This blend of conservatism and liberalism may find its origin in the environment of the Great Plains which “challenges human intelligence in regard to every aspect of life—technological, economical, political, social, even philosophical.”<sup>27</sup> This dichotomy has been evident throughout Nebraska history. Whatever the reason, it is evident that “there seems to be a contradiction in everything the Nebraskan thinks and does. He is secure, yet insecure; he is conservative, yet radical; he believes in both private ownership and public ownership. In his shifting moods and attitudes, the Nebraskan is like most of the great Midlands.”<sup>28</sup> Thus, a more valid hypothesis would seem to be that when an overall perspective of the legislative voting pattern is achieved, the Nebraska legislator will prove to be not of extremes, but of moderation, a blend of conservative and progressive strains.

#### DEVELOPMENT OF THE UNICAMERAL

The development of Nebraska's nonpartisan, unicameral legislature was the result of the state's political, social, and economic history. Even though a unique set of circumstances led to the birth at that particular moment in 1934, the thinking of the people as it evolved made the enactment of the system possible.

A number of events and individuals kept the unicameral idea before the people awaiting the right moment. During the Progressive period of the early 1910s, J. N. Norton came to the Nebraska House and eventually became majority leader and speaker pro tem. Norton was interested in the unicameral idea and pushed for it during his legislative career. The issue lost in the Constitutional Convention of 1920 by only one vote. In the same year, a model state constitution recommended by the National Municipal League advocated the adoption of a unicameral state legislature. In this same period, Senator George Norris was actively supporting the unicameral idea in speeches and articles. Dr. John P. Senning, head of the Political Science Department at the University of Nebraska and member of the survey committee for the constitutional drafting committee

<sup>27</sup> Karl F. Kraenzel, Watson Thomson, and Glen H. Craig, *The Northern Plains in a World of Change* (Toronto: Gregory-Cartwright Ltd., October, 1949), p. 175.

<sup>28</sup> James Morrison, “Nebraska and its People: Paradoxes and Truisms of a High Plains Society,” *Studies in Nebraska Journalism*, Pamphlet No. 8 (Lincoln: School of Journalism, University of Nebraska), p. 3.

of 1919 to 1921, saw the unicameral "as the next logical step for the improvement of the structure of the legislature."<sup>29</sup>

The proponents believed the unicameral would be more representative of a legislative body, more open to public scrutiny, and more readily accountable to the electorate. Senator Norris saw partisanship and the conference committee as the two main roadblocks which tended to separate the public from its state representative.<sup>30</sup> It is through Norris's efforts that the nonpartisan feature was part of the proposal put before the people in the election of 1934.

The year 1934 was economically poor for Nebraska. Agriculturally, the state had experienced hard times as early as the 1920s when the parity index began to take an unfavorable turn. Thus, the economic argument of the lesser cost of the unicameral no doubt had relevance for many people. Also, there were two other key constitutional amendments slated for consideration in 1934—a parimutuel proposition authorizing horse racing and repeal of prohibition. Advocates of these amendments, fearful that a "no" vote on one issue might jeopardize all, urged their supporters to vote "yes" on all three propositions. All three carried—repeal of prohibition by 328,074 to 218,107, parimutuel by 251,111 to 187,455, and the unicameral 286,086 to 193,152.<sup>31</sup>

Many credit one personality or organization for the success of the unicameral campaign. One author perhaps has summed it up best: "We may have to be content with the belief that the combination of forces and circumstances of the election produced the unpredicted. Certainly, it was a decision that dismayed and perplexed many political experts."<sup>32</sup>

Perhaps it is appropriate to say that originally Norton's promotion kept the unicameral ideal alive; that Norris' political astuteness judged the "Nebraska mind" ready to accept the proposition in 1934; and that Senning's educational background added the third element—political theory—to the triumvirate.

#### FORMAL STRUCTURE OF THE UNICAMERAL

The unicameral structure represents the innovative, yet conservative, spirit of the Nebraska pioneers. Born in the midst of agricultural depression and severe drought, the unicameral, it was hoped, would create an efficient, economical, and basically democratic state legislative system. The basic goals of the unicameral, as propounded by its supporters and trans-

<sup>29</sup> John P. Senning, *The One House Legislature* (New York: McGraw-Hill Book Company, 1937), p. 3.

<sup>30</sup> George W. Norris, "The Model Legislature," address given in Lincoln, Nebraska, February 22, 1934, reprint from *Congressional Record*, February 27, 1934 (Washington, D.C.: U.S. Government Printing Office), pp. 3276-3280.

<sup>31</sup> Senning, *op. cit.*, pp. 60-61.

<sup>32</sup> Adam Carlyle Breckenridge, *One House For Two: Nebraska's Unicameral Legislature* (Washington, D.C.: Public Affairs Press, 1957), p. 5.

lated into the organization and rules of the legislature, can be summed up as follows: (1) direct communication between the public and the legislative body, (2) visibility, i.e., playing the legislative game in the open, (3) adequate and full deliberation, (4) mobilization of power, (5) maximization of leadership potential, (6) representation of every major segment of the state's population, (7) protection of minority rights, (8) the sum total of the previous goals—democratic representation.

*Access and Visibility.* The legislative operation and structure provides an excellent opportunity for the interested citizen to obtain access to the conflict and to observe the development of the battle plans. Visitors are separated physically from the senators only by a rope strung across the rear of the chamber. Only forty-nine actors are involved and it is relatively simple to discern the key leaders in order to make direct contact with them. Perhaps the most important access point to both organized and unorganized groups is the committee hearing. Almost all bills are given a public airing to which any interested citizen is invited. Printed notice must be given five days before a hearing is held.

The legislative procedure insures "openness" at all stages. Committees must act on each measure, chairmen must report committee decisions to the legislature within eight days,<sup>33</sup> and be accountable for the reasoning behind each decision. Any committee member who disagrees with the decision of his standing committee can rise on the floor to explain his opposition.<sup>34</sup>

Floor debate and voting procedure add another dimension to the visibility aspect. An electronic voting machine permits an observer to see at a glance how any senator has voted. The vote on final reading is recorded in the daily Legislative Journal, but at any time while the bill is being processed a member can request a machine vote and can ask that this vote be made part of the record.<sup>35</sup>

*Informed Deliberation.* Public hearing is the first step a bill takes after introduction. After the open committee session, where all can testify, the committee goes into secret or executive session to take action on the bill. The executive session is a controversial aspect, and though members of the press may be present, they are bound by a "gentleman's agreement" to reveal nothing but the numerical vote on any bill.<sup>36</sup> The legislature, by a majority vote, may vote to raise a bill killed in committee.<sup>37</sup> However, the committee is seldom overridden.<sup>38</sup>

<sup>33</sup> Nebraska, *Rules of the Nebraska Legislature* (1965), Rule 6, sec. 8. Cited hereafter as *Nebraska Rules*.

<sup>34</sup> *Ibid.*, Rule 6, sec. 10.

<sup>35</sup> *Ibid.*, Rule 9, sec. 4.

<sup>36</sup> *Ibid.*, Rule 6, sec. 11.

<sup>37</sup> *Ibid.*, Rule 6, sec. 9.

<sup>38</sup> During the 1959 legislative session, of the bills killed in committees, only

When a bill is released by a committee, it will be considered by the entire legislature after being placed on general file, the first of five procedural steps, followed by enrollment and review for review, select file, enrollment and review for engrossment, and final reading. The first full-scale debate of any bill occurs while that bill is on general file. At this point amendments are offered, the standing committee chairman supports committee action, and the introducer defends his bill. Most bills which survive the general file will be passed, though they are yet subject to amendments which may "water down" or slowly strangle them.

The select file provides an additional deliberative step largely unknown in other legislative bodies. It provides an additional opportunity for debate and examination of the measure. "Procedure on Select File was really action in another committee of the whole."<sup>39</sup>

The two enrollment stages provide for technical correction of the bill and the addition of amendments. A full-time attorney is hired to assure legal correctness.

The last file is final reading. All senators are required to be on the floor, and no visitors are permitted to contact the senators.<sup>40</sup> As the entire bill is being read, the senators, free from interruptions, have a final opportunity to study each bill.<sup>41</sup>

The rules which govern movement of the bill across each of the five files provide that: (1) five legislative days must have passed since the bill was initially referred to enrollment and review, (2) it must have passed two legislative days on the board after its reference to the final reading file, and (3) a final printed form of the bill must have been upon the desks of the members for at least one legislative day.<sup>42</sup>

A "call of the house" further contributes to the deliberative process.<sup>43</sup> When one member requests a call of the house, each member who has not been formally excused must return to his chair and remain there until the call is lifted. Members cannot be forced to vote, but at least they are required to remain during the period of voting.

The unicameral's founders obviously felt that the deliberative process could not be left to chance. The original steps, largely intact, are still providing the necessary checks against hasty or ill-informed legislation.

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four were raised and only two ultimately passed. In 1961, seven bills were raised and only four survived. In 1963, eleven bills were raised from committee and seven of the eleven became law.

<sup>39</sup> Lane W. Lancaster, "Nebraska's New Legislature," *XXII Minnesota Law Review* (December, 1937), 69.

<sup>40</sup> *Nebraska Rules*, Rule 4, sec. 7.

<sup>41</sup> Few legislators take advantage of the opportunity, most having made up their minds as to its merits. These legislators are prone to use final reading time for relaxation, quiet visits, and opening letters.

<sup>42</sup> *Nebraska Rules*, Rule 12, sec. 11.

<sup>43</sup> *Ibid.*, Rule 9, sec. 8.

*Mobilization of Power.* The unicameral structure provides a flexible framework for the use of political power. Flexibility in this instance refers to three major areas—method of selection of legislative leaders, development of leadership by specialization, and the presence of voting blocs which shift with specific issues. Neither seniority, partisanship, nor gubernatorial influence are of major significance in the power struggle in Nebraska's unicameral structure.

The election of legislative leaders—the speaker, chairman of the committee on committees, and the chairman and vice chairman of the legislative council—is by secret ballot, not by party alignment.<sup>44</sup> The speaker presides during the absence of the lieutenant governor,<sup>45</sup> but his real power is based upon his membership in the reference committee<sup>46</sup> and the legislative council executive board. The speakership, often conferred on one of the senior members, is more a position of honor than power in Nebraska.

The chairman of the committee on committees is a strategic position. This committee chooses the chairman and members of each standing committee. Though geographical distribution, nonpartisanship, and a blend of freshman and experienced senators is sought, politics is a vital aspect of committee assignments. Both opponents and proponents of a broadened tax base in the past have attempted to “stack” the revenue committee in their favor. Spending agencies of state government, in like manner, are always happy when their supporters find a position on the budget committee.

A person can rise to committee chairman in as few as two terms. Here again, too often geographic or spending philosophies, rather than ability, are the basis for selection. Peculiar to the unicameral is the fact that committee chairmen usually retain their positions for no more than two consecutive sessions.

The chairman and vice chairman of the five-member legislative council executive board can be very influential. This board, which also includes the speaker and chairman of the committee on committees, heads the main research unit available to the legislature and directs interim studies.

Bills are assigned to various standing committees by the reference committee—the speaker, chairman of committee on committees, and the lieutenant governor. Obviously, referral to an unfriendly committee can greatly lessen a bill's chances for survival.

While partisan machinery might make voting blocs more rigid, Nebraska's nonpartisanship finds that opponents on one issue may be proponents on another. In other words, issues tend to take the place of party alliances in Nebraska's legislative voting patterns.

<sup>44</sup> *Ibid.*, Rule 3, sec. 1.

<sup>45</sup> *Ibid.*, Rule 2, sec. 1.

<sup>46</sup> *Ibid.*, Rule 14, sec. 1.

#### MIDWEST LEGISLATIVE POLITICS

*Leadership.* The legislative climate includes an opportunity for advancement which is not based on seniority. Nonpartisanship permits legislators to wield a considerable amount of individual authority and influence through identification with specific subjects. Ideally, the Nebraska unicameral structure provides the laboratory for the individual who desires to use his talents to full capacity to experiment with the problems of state government. The product of legislation in the American democracy must include the ingredients from the many elements of the society being served. To meet the diverse needs and demands requires the leadership traits of courage, patience, and understanding. The author believes these traits thrive best under a nonpartisan, one-house legislative structure.

*Majority and Minority Rule.* Minority groups in our framework must be allowed to speak, but not so loudly or forcefully as to thwart the majority. A Nebraska citizen can be heard on any issue through individual effort or by uniting with a group which shares his view.

A potent majority, properly organized, is provided adequate means of expression within the unicameral system. Neither party, seniority customs, nor a second house stands in the way of the majority. Lobbying by minority groups behind closed doors is reduced by a visible, accessible, legislative system operated by a small, easily identifiable membership.

*Democratic Representation.* The sum of all the elements discussed previously should lead to representative government producing moderate decisions. A legislative structure must afford the opportunity for the cooperative use of all its elements to meet the challenges facing modern representative democracy. The nonpartisan unicameral structure, in the opinion of the author, provides the mechanism to meet the demands of the first seven points. The seven goals, together, can attain maximum coordination through the nonpartisan, unicameral structure and thus produce the eighth goal—moderation through democratic, representative government.

#### INFORMAL INFLUENCES ON DECISION MAKING IN THE NEBRASKA UNICAMERAL

Each individual elected to the unicameral brings with him predetermined philosophies and prejudices which collide with the informal rules of the group. His "role concept"—how he relates to each individual, to society, and to the world—influences his behavior in the role of a legislator. This "role concept" can be said to be composed of three elements: (1) the personal background and relationships a legislator brings with him to the legislature, (2) the outside pressures of constituents, pressure groups, parties, and agencies of state government, (3) the "rules of the game" gov-

erning the roles and actions of the members of the legislative group itself.<sup>47</sup>

*The Legislator in Perspective.* As was the pattern in the majority of the states, the Nebraska legislature has had to wrestle with the reapportionment problem. Originally set up on an equitable distribution of population, urban growth in the 1950-60 decade resulted in an imbalance. The following table of the 1962 general election results not only indicates the population disparity between rural and urban legislative districts, but also reveals the appreciable difference within the metropolitan areas of both Omaha and Lincoln.

Table 3  
Apportionment in Nebraska, 1962

<i>Legislative District</i>	<i>Total Votes Cast</i>
6 (Omaha)	4,845
10 (Omaha)	31,819
19 (Lincoln)	4,371
20 (Lincoln)	20,500
30 (Two counties in central Nebraska)	13,658
39 (Ten counties in western Nebraska)	9,158
40 (Three counties in western Nebraska)	6,123

Source:

Nebraska Legislative Council, *Nebraska Blue Book* (1962), pp. 653-655. Cited hereafter as *Blue Book*.

Urban-sponsored reapportionment acts were killed in the 1959 and 1961 sessions. A compromise establishing a population-area formula was passed by the legislature as a constitutional amendment in 1961 and was approved by the voters. The 1963 legislature implemented the measure, allowing a 20 per cent weight for area. A three-member federal court, however, voided the act, but approved a 1965 reapportionment act allowing a population discrepancy of almost 20 per cent.<sup>48</sup> Thus, one obstacle to possible majority rule in the Nebraska unicameral has been overcome.

As may be expected, farming-ranching has been the dominant occupation represented in the unicameral. Lawyers, traditionally well-represented in legislative bodies, have steadily declined in the unicameral and business-

<sup>47</sup> John C. Wahlke, Heinz Eulau, William Buchanan, and LeRoy C. Ferguson, *The Legislative System* (New York: John Wiley & Sons, Inc., 1962), pp. 141-169.

<sup>48</sup> *League of Nebraska Municipalities v. Frank Marsh and others*, 232 F. Supp. 411 (U.S. District Court, 1964), and *League of Nebraska Municipalities v. Frank Marsh and others*, 252 F. Supp. 27 (U.S. District Court, 1966).

MIDWEST LEGISLATIVE POLITICS

oriented occupations seem to have taken their place. Few blue-collar workers have served in the Nebraska legislature.

Table 4  
Occupations of Nebraska Senators

<i>Session</i>	<i>Rancher</i>	<i>Lawyer</i>	<i>Busi- ness</i>	<i>Real Estate Banking</i>	<i>Profes- sional</i>	<i>White- Collar</i>	<i>Blue- Collar</i>
1937	18	10	5	4	2	3	0
1939	15	10	10	4	1	3	0
1941	13	14	8	4	0	4	0
1943	10	16	8	6	2	1	0
1945	11	10	11	7	1	2	1
1947	13	7	12	4	4	3	0
1949	13	9	10	6	3	2	1
1951	9	8	9	10	3	4	0
1953	7	5	16	7	4	4	0
1955	15	8	9	4	3	4	0
1957	16	5	10	6	2	4	0
1959	15	5	11	7	2	3	0
1961	16	4	10	8	0	5	0
1963	20	1	6	8	1	6	1

Source:  
*Blue Book*, 1938 through 1964.

The average age of Nebraska legislators has remained fairly constant over the years. The early sessions had the youngest personnel—47.0 years of age in 1941. The average age rose gradually to 54.2 in the 1947 session, and has remained around 54 years.

Table 5  
Average Age of Senators

<i>Session</i>	<i>Average Age</i>	<i>Session</i>	<i>Average Age</i>
1937	48.0	1951	54.9
1939	47.1	1953	55.4
1941	47.0	1955	54.3
1943	50.3	1957	53.7
1945	52.4	1959	53.2
1947	54.2	1961	54.9
1949	52.6	1963	54.5

Source:  
*Blue Book*, 1936 through 1964.

THE NONPARTISAN NEBRASKA UNICAMERAL

Of all the legislators serving between 1936 and 1962, more than 67 per cent of those elected served more than one term, and more than 37 per cent served more than two terms. About one-third served but one term in the unicameral.

Table 6  
Terms Served by Legislators

<i>Number of Terms</i>	<i>Number of Legislators</i>	<i>Per Cent</i>
1	78	32.8
2	70	29.4
3	37	15.5
4	27	11.3
5	13	5.5
6	3	1.3
7	5	2.1
8 or more	5	2.1
	Total	238
		100.0

Source:  
*Blue Book*, 1938-1964.

Of 125 uncontested races in the elections held between 1936 and 1962 (20.7 per cent of the total races), 114, or 91.2 per cent, involved incumbents. The "staying power" of Nebraska senators seems to be very high. Once elected, if he so desires, an individual has greater than an 80 per cent chance of being re-elected. Of 416 incumbents running in the years 1936-1962, 341, or 81.5 per cent, were successful. If one discards those defeated by former legislators, the result is 341 out of 395 successful, or 86.3 per cent.<sup>49</sup>

The turnover ratio in the unicameral has been generally below 40 per cent, and in the last few years seems to be near the national average which was 34 per cent in both houses in 1963.

The process of recruiting state legislators in Nebraska seems neither to be as uniform nor as systematic as many state government observers would indicate. Some political writers would leave the impression that numerous pressure groups devote their time almost exclusively to filling legislative slates with friendly candidates.<sup>50</sup> While the professional lobbyist in Ne-

<sup>49</sup> Compiled from *Nebraska Blue Book*, 1936-1962, inclusive.

<sup>50</sup> Senator Joseph D. Tydings, "The Last Chance for the States," 232 *Harper's* (March 1966), 71-79; Trevor Armbrister, "The Octopus in the State House," *Saturday Evening Post* (February 12, 1966), 25-29, 70-80; Robert Sherrill, "Florida's Legislature: The Pork Chop State of Mind," 231 *Harper's* (November 1965), 82-97.

## MIDWEST LEGISLATIVE POLITICS

Table 7

## Turnover of Senators

<i>Session</i>	<i>New Senators</i> <sup>o</sup>	<i>Per Cent Turnover</i>
1937	First Unicameral Session	
1939	23	53.5
1941	22	51.1
1943	19	44.1
1945	16	37.2
1947	17	39.5
1949	16	37.2
1951	17	39.5
1953	11	25.3
1955	15	34.9
1957	18	41.8
1959	15	34.9
1961	16	37.2
1963	13	30.2

<sup>o</sup>Includes former senators not serving in the preceding session.

Source:

*Blue Book*, 1938-1964.

braska takes an interest in those who file for the unicameral, it would be difficult to prove that many groups actively sponsor their own men. Some groups are more aggressive than others. The labor unions endorse candidates for public office each year. The teachers' associations of Omaha and Lincoln express more than a casual interest in those running for the legislature.

More influential in the selection of candidates than state-wide pressure groups are the local organizations which feel that the incumbent legislator is not properly representing their interests. This situation will usually result in a meeting of the major groups and a subsequent attempt to draft a new legislative candidate.

Election to a legislative office in Nebraska does not offer a fertile ground for advancement to a higher state office, since very few individuals have moved from the legislature to other state offices. Since 1951, the author's first legislative term, only one unicameral member has been elected to a higher office.

The pay for senators is \$2,400 a year (the unicameral meets biennially, except for special sessions).<sup>51</sup> Fringe benefits given senators are minimal.

<sup>51</sup> Article III, sec. 7 of the Nebraska Constitution provides that a senator shall receive "not more than two hundred dollars per month" for his term of office. At the time of the adoption of this amendment in 1960, there were some charges

They are not provided offices and must conduct their affairs from the desks on the floor of the unicameral. Senators can call upon the legislative council, composed of a staff of six people, two of whom are available to individual legislators for research during the session and the interim. In the 1967 session, law students from the University of Nebraska were utilized by the legislative council on a part-time basis to aid in research.

Another service is provided in the form of a bill-drafter's office. Here, a legal staff drafts each bill introduced in the legislature. In 1962, the office of a legislative fiscal analyst was added to the staff of the legislative council. Responsible to the committee on budget and appropriations, the fiscal staff has provided invaluable assistance to the implementation of program budgeting for the state.

*The Legislator as Representative.* Perhaps one of the greatest influences upon the representative as he functions in the legislative arena is potential constituency pressure. Elected on a nonpartisan basis, a Nebraska legislator is committed to support specific groups or issues, rather than to support a party platform.<sup>52</sup> The influence of constituency pressure will depend upon the position of the senator within his own district. Some believe that the increase in senatorial terms from two to four years, adopted in 1964, will relieve some of the constituency pressure. This will permit a legislator to build a better record and to accept leadership in more sensitive areas with less fear of immediate repercussions.

Nebraska has been rated as a vigorous pressure-system state.<sup>53</sup> A further analysis of the Nebraska pressure system would focus attention on a few major groups. High on the list would be the Farm Bureau Federation and the Farmers' Union. Coordination between the Farm Bureau and such business-oriented groups as the National Association of Manufacturers and chamber of commerce has long been known nationally and Nebraska has not escaped the influence of this coalition. The strong anti-labor, conservative spending policies of the Bureau and the associated industries—state chamber of commerce complex is an obvious fact in Nebraska politics. The farm orientation of the well-organized Soil and Water Conservation Commission affords this group continuous favorable budgetary support in the unicameral. These and other groups generally support conservative *status quo* measures.

One type of lobbying originates from within the legislative chamber itself—

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that the wording of the amendment masked the intent of raising legislative salaries which previously had been around 870 dollars per year.

<sup>52</sup> In the 1959 session, the author, on constitutionality grounds, voted against an Associated Industries of Nebraska-sponsored bill on secondary boycotts. Subsequently, he was forced to attend a special meeting of his business constituents to explain his stand.

<sup>53</sup> Herbert Jacob and Kenneth N. Vines (eds.), *Politics in the American States* (Boston: Little, Brown and Company, 1965), pp. 113-128.

## MIDWEST LEGISLATIVE POLITICS

Table 8

## Lobby Spending Reports, January Through May, 1967

<i>Category</i>	<i>Number Groups Reporting</i>	<i>Amount Spent</i>
Public Power	7	\$14,536.61
Labor	5	13,386.02
Business	24	47,747.29
Agriculture	2	3,619.69
Governmental Agencies	5	9,522.88
Citizen	2	1,368.21
Professional	3	3,909.21

## Source:

Monthly reports filed with the office of the clerk of the legislature.

the "occupation" senator, who by virtue of his past affiliations favors certain organizations and may "lobby" for them. He may do so simply because he wishes to aid a cause, or he may be paid to support the position of an organization. If it is known that a man is a "paid lobbyist" his influence within the legislature will be lessened. For this reason, or because of fear of public censure, most paid affiliations are kept relatively quiet.

With the ready access of the public to the unicameral and the small membership, the professional lobbyist finds that the most effective approach is cultivation of friendship. Because of the lack of technical assistance, the legislator is prone to turn to the lobbyist for information. This fact alone may signal success for a lobbyist. The importance of the information-distributing function of a lobbyist is increased in Nebraska's setting.<sup>54</sup>

A questionnaire sent out by the author to lobbyists in 1959 indicated the lobbyist felt he must first prove his honesty in all dealings with legislators. Only if they have the trust of a senator, many lobbyists feel, can a deeper relationship develop. As to technique, the questionnaire revealed that most lobbyists believe friendship and personal contact are most effective.<sup>55</sup>

<sup>54</sup> Belle Zeller (ed.), *American State Legislatures* (New York: Thomas Y. Crowell Company, 1954), p. 215.

<sup>55</sup> This is not to say that lobbyists have always conducted themselves well. During the 1963 special session, many out-of-state lobbyists buttonholed legislators in the midst of serious debate on proposed changes in legislation regulating the interest rates on money. As a direct result of this, the Legislative Processes Study Committee of 1964 made a recommendation to restrict the floor activities of the pressure groups. LB 302, which placed the registration of lobbyists under the office of the clerk of the legislature, was one result. Another was the requirement that lobbyists not be allowed free access to the main floor of the legislative chamber, and that they be restricted to the area under the balconies along the sidelines.

In Nebraska, the countervailing power to interest groups has been a legislative system whose formal and informal structures promote more effective representation. The ability and opportunity to establish a live, two-way communication system between the legislator and his constituency has often resulted in the enactment of moderate decisions which more truly reflect the wishes of the people than would result in a system dominated by interest groups.

Only a small number of measures in any one session of the unicameral carry the endorsement of either of the political parties. On most measures, neither takes a position, and, generally speaking, the state party platforms have not taken strong positions on key state problems. Party leaders have shown little inclination to offer any type of research services to individual legislators. Two meetings with Republican legislators and state Republican leaders which the author attended in 1963 offered little evidence of cooperation on the formation or direction of a state-wide program.<sup>56</sup>

It has been obvious over the years that the Democratic party leadership feels less strongly about legislative partisanship than does the Republican hierarchy. Perhaps this is due, in part, to the dominance of the GOP in state affairs in past years. A number of attempts to influence the legislature to submit a constitutional amendment on the question of a partisan legislature to the people has received little support within the unicameral.<sup>57</sup>

How well do a partisan governor and nonpartisan legislature work together? A poll taken in 1961<sup>58</sup> indicates that a majority of the present and past senators polled felt that the two got along "fairly well." Six governors, however, felt that all was not well. As Governor Cochran said, "There is no formal leadership. It's just like a Mexican army—all generals."<sup>59</sup>

Partisanship in most states provides the connecting link between the governor and the legislature. In Nebraska, the chief executive has the added burden of counseling with introducers of major legislation and committee chairmen, regardless of their party politics.

Some Nebraska governors have made use of nonpartisanship to gain useful information from legislative leaders. Others have used the same feature as an excuse for remaining in virtual isolation.

Nebraska governors generally do not endorse or take positions on bills

<sup>56</sup> Personal notes of author, 73rd Session, Nebraska legislature, March 1, 1963.

<sup>57</sup> In 1963, the motion was defeated 34-8, and failed in the 1967 session by a vote of 26-14. Not only did the legislature defeat the move in 1963, but a resolution encouraging Nebraskans to ignore the campaign of the Federation of Republican Women to place the partisanship issue on the ballot by the initiative petition route was approved.

<sup>58</sup> "Nebraska's Unicameral Legislature," *Depth Report No. 1* (Lincoln: School of Journalism, University of Nebraska, 1961), p. 16.

<sup>59</sup> *Ibid.*, p. 17.

introduced in the legislature. This does not mean that the executive branch is completely disinterested in legislative affairs. Departments or agencies of state government are most anxious to include prominent legislators as part of their clientele. The representatives of the departments, while not officially recognized as lobbyists, do represent a special interest and do exert influence. Many departments furnish research facilities which are invaluable to the legislators. Most legislators recognize the value of administrators in furnishing technical information on the functioning of their departments which is necessary for the legislators to make valid decisions.

*The Legislator as Actor.* The newly elected Nebraska state legislator quickly becomes aware of some of the elements of the unicameral's internal system of pressures and interactions—the "rules of the game."

The small group evidences a camaraderie more intense than found in many similar bodies. The tremendous workload and lack of tools necessitates that all share a part of the burden. The role of committees is thus substantial, and it is here that leadership and expertise are cultivated. The new member finds that he can move in one of two ways in developing leadership—confine himself to a major interest area, or gain the limelight by being a generalist. In any case, he finds that compromise is an essential ingredient of success. Adapting to the needs of others is a fact of legislative life which needs to be absorbed early by the new member.

If a freshman legislator aspires to gain acceptance into the inner club (which in Nebraska may ordinarily come after two sessions), he must initially accept the apprentice role. Promotion is achieved after serving the leadership and remaining in the background. Attempting to bypass the route is to risk excommunication by the legislative guardians of the inner club domain.

The small body encourages legislative friendships which are a major influence on decision making. The effect of the reduced size on lobbying has already been seen. Without party guidance, the freshman senator must turn to the more experienced legislator for aid in making important decisions, such as election of the legislative leaders, making choices for committee assignments, and co-sponsoring legislation, from the beginning of the session. These legislative friendships become even more important during the process of "vote trading" to gain the necessary majority support to enact legislation. In many cases, timing and knowing the "mood" of the body can be the difference between success and failure.

The basic contribution, then, of these various aspects of the internal, or informal, legislative structure is that of allowing the political process to function adequately and effectively in the midst of conflict. As David B. Truman summarizes: "Structural stability is the result, in brief, of internal

processes which have served to keep the institution from tearing itself apart while engaged in the business of decision-making."<sup>60</sup>

#### ANALYSIS OF LEGISLATIVE BEHAVIOR IN NEBRASKA

Having examined the state, or nature, of the environment for legislative decision making in Nebraska, the decision makers, and the intertwining of informal influences, one can now turn to the question of just *what* influences are determinative in the unicameral's decision-making process.

The previous sections have pointed to the main hypothesis of Nebraska legislative behavior—moderation highlights the decision-making process. A review of the history of the state revealed the progressive and conservative strains that have run through the heritage of the people of Nebraska. The formal structure revealed an intricate system of checks and balances, but within the framework of great accessibility and visibility. This "openness" indicates that conflicting forces meet freely on the legislative floor and tend to negate any trend toward an extreme position. An examination of the informal influences showed that high interaction occurs and that role leveling is the result. When outside forces exert influence on the legislators, the varied demands and philosophies must find a compromise as must the senators themselves in their interaction.

Utilizing the 1959, 1961, and 1963 sessions and examining the key controversial decisions of these sessions, an objective, behavioral approach further tested the moderation hypothesis. The insights gathered from a consideration of the environment, the formal structure, and the informal influences, if correct, should be substantiated in an examination of the legislative voting behavior of these three sessions.<sup>61</sup>

*The Hypothesis.* The main hypothesis advanced was that the total, overall profile of the Nebraska unicameral legislature would be moderate. (Moderation in the decision-making area implies a flexible organizational framework of state government which allows the policy-makers the power to use the constructive qualities of both conservative and progressive elements of the state's social system.) A number of sub-hypotheses were also postulated: (1) a rural influence would be dominant, (2) the legislative profile would be slightly on the conservative side, (3) the voting pattern would follow strong Republican lines, (4) a strong anti-labor sentiment would be recorded, (5) a somewhat cautious approach to spending would be revealed, (6) there would be slight attention paid to the chief executive's program, (7) support for transfer of powers from local to state

<sup>60</sup> David B. Truman (ed.), *The Congress and America's Future* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1965), p. 70.

<sup>61</sup> These sessions were singled out because a large number of sensitive issues were considered, the composition of the legislature was fairly stable, and the author, having participated in these sessions, was intimate with the issues and personalities involved.

MIDWEST LEGISLATIVE POLITICS

government would be minimal, (8) pro-business legislation would receive strong support and record dominant influence, (9) measures supporting higher education would tend to receive unfavorable consideration, (10) lobbying would not be a major influence, and (11) floor debate would have little influence on basic decisions measured.

Further, four sub-hypotheses relating to legislative voting clusters were advanced: (1) voting clusters would be isolated, indicating major divisions of rural, conservative blocs opposed to urban, liberal blocs, (2) rural, conservative blocs would outnumber liberal urban blocs, and the Republicans would largely fall into the former and the Democrats into the latter, (3) any factors affecting voting variability behavior would indicate, in addition to an urban-rural split, a conservative-liberal division, and, (4) since the overall legislative profile was hypothesized as moderate, a flexibility in the voting behavior of both blocs was predicted.

*Methodology.* Examining all roll calls during the three sessions where more than 25 per cent of the membership voted either for or against an issue, and selecting those senators who served in at least two of the three sessions, the study involved 461 roll call votes and forty-one senators. After much refinement, thirteen major descriptive dimensions about bill characteristics were determined.<sup>62</sup> Working with fifty-four variables (forty-one senators and thirteen bill characteristics) and 461 roll calls, a total of 1,431 total relationships were tabulated involving: (1) senator with senator, (2) senator with bill characteristics, and, (3) bill characteristic with bill characteristic.<sup>63</sup>

<sup>62</sup> They included: (1) Legislative Decisions—coded 1 if there were more “ayes” than “nays,” 2 if more “nays” than “ayes,” and 0 if a tie vote. Similar coding was used on the other categories of bill characteristics to represent favorable or unfavorable attitude: (2) Political orientation, (3) Business orientation, (4) Labor orientation, (5) Urban-Rural, (6) Spending, (7) Centralization, (8) Higher Education, (9) Conservative-Liberal, (10) Lobbying activity, (11) Floor Debate. In the latter two, for instance, a 1 would indicate a great deal of debate or lobbying in support of an issue, a 2 would reflect opposition, and 0 an equal amount of support and opposition. (12) Perennial—1 indicated an annual issue, 2 an issue of a perennial nature. (13) Gubernatorial—1 indicated a great deal of gubernatorial interest, influence, or pressure for the bill, and 2 gubernatorial influence to defeat the measure.

<sup>63</sup> The coefficient correlation of the response between variables was that used by J. P. Guilford’s *Fundamental Statistics in Psychology and Education*, and is referred to herein as  $r$ . The following chart illustrates the intercorrelation matrix and the relations it depicts.

There are 1,431 relationships, as follows:

820 Senator-Senator  
533 Senator-Bill  
78 Bill-Bill

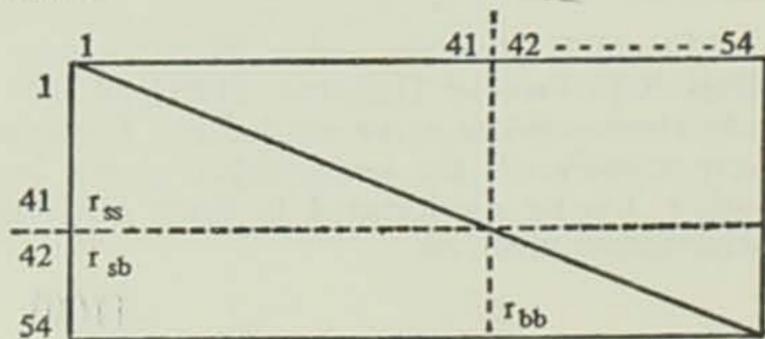
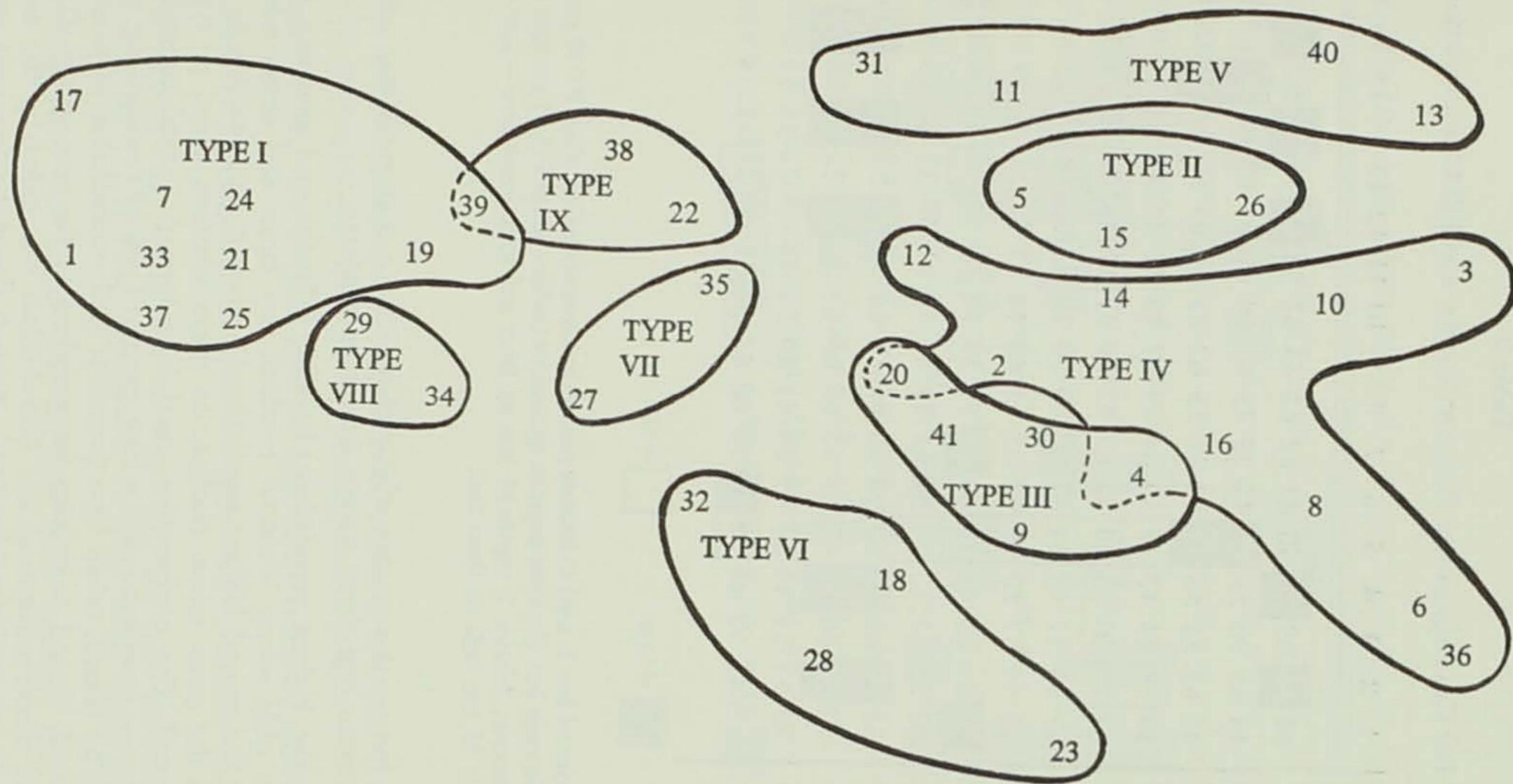


Figure 1  
Sociogram



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MIDWEST LEGISLATIVE POLITICS

Table 9

Per Cent Agreement Between Senator and Bill Characteristics

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
LD	64	71	65	71	60	68	62	62	65	62	56	71	55	76	66	75	56	63	60	60
POL	43	65	50	53	75	45	35	45	68	58	67	61	64	68	76	67	35	68	33	61
BUS	43	62	55	56	73	52	41	53	62	57	58	63	59	64	80	68	44	65	39	55
LAB	54	28	44	47	23	50	64	49	37	36	31	44	31	33	23	40	52	33	68	46
U/R	67	20	50	53	20	52	65	42	39	47	17	46	25	42	33	41	59	45	74	38
SP	67	35	57	56	24	67	70	60	50	39	23	56	28	51	33	53	64	48	68	29
CENTR	62	39	57	52	29	63	65	53	48	44	32	55	38	46	38	52	61	47	68	33
HI ED	72	34	50	48	11	66	74	57	39	32	36	53	26	42	25	45	84	52	65	12
C/L	62	34	51	53	26	61	65	53	41	42	31	49	32	44	35	46	63	45	58	35
LOB	61	70	65	71	62	68	63	65	68	64	55	70	55	79	68	78	53	67	58	57
FL D	62	70	66	71	62	69	63	66	68	65	56	70	55	79	68	79	54	67	58	58
PER	46	53	51	44	50	49	39	41	50	53	48	48	53	48	51	49	46	53	48	50
GUB	52	41	57	43	30	72	56	60	45	54	31	45	25	43	34	47	67	48	70	32

= 70+
  = 30-

The reversed box is used to indicate positive agreements (indices where P = 70 per cent or higher) and the open box identifies negative agreements (indices where P = 30 per cent or lower). Thus, for example, Senator 2 registered low on labor and urban/rural (low = anti-urban), whereas Senator 25 was high on these two.

Using the senator-senator relationship ( $r_{ss}$ ), a sociogram was constructed to illustrate significant voting groups or clusters.

Using the highest correlation of voting behavior and grouping these together, nine voting "clusters" resulted, two major and seven minor ones. Using the second highest correlational values, it was possible to properly locate the seven minor clusters; no major clusters, blocs, or types were developed. The conservative, rural bloc formed a total constellation of twenty-one members, with a core group (Type IV) containing ten members. The liberal, urban bloc formed a total constellation of twenty members, with Type I containing ten members as the core group. Determination of conservative-rural and liberal-urban was aided by the senator-bill characteristics relationships ( $r_{sb}$ ). Table 9 shows the "per cent agreement" between senator and bill characteristics.

THE NONPARTISAN NEBRASKA UNICAMERAL

21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41

63	69	68	63	66	51	63	72	64	55	61	63	62	71	71	63	57	67	56	61	59
39	36	51	40	22	73	40	82	25	77	47	69	29	48	50	61	37	42	18	54	70
48	49	56	43	35	64	49	75	39	69	49	69	37	49	55	59	39	47	27	54	63
67	61	46	69	80	26	61	20	68	24	53	40	75	53	59	31	72	54	77	50	33
69	65	54	72	85	14	70	47	56	33	40	57	75	58	71	38	79	49	72	52	32
60	55	64	66	83	24	72	46	77	38	43	61	70	66	70	33	69	55	81	45	31
63	68	54	65	81	23	70	42	69	30	47	57	68	66	67	45	67	60	74	47	28
55	59	56	56	78	22	85	40	84	26	55	54	61	74	75	39	62	50	79	52	14
61	61	55	63	82	24	64	45	64	33	47	54	70	62	66	40	70	54	75	46	32
66	70	63	62	62	51	64	72	67	60	58	64	60	71	69	62	54	66	53	60	59
66	70	64	63	63	52	64	73	66	60	58	63	60	71	69	62	54	66	53	60	59
49	57	47	51	51	51	50	44	47	47	53	48	50	47	49	49	47	52	48	47	47
64	68	48	58	62	31	73	19	82	12	54	39	63	67	69	53	58	58	75	40	25

Finally, the bill characteristic-bill characteristic relationships ( $r_{bb}$ ), shown in Table 10, permitted the development of a legislative profile.

1. Political (POL)—Any figure over 50 (per cent) indicates pro-Republican.

2. Business (BUS)—Any figure over 50 (per cent) indicates pro-business.

3. Labor (LAB)—Any figure over 50 (per cent) indicates pro-labor.

4. Urban/Rural (U/R)—Any figure over 50 (per cent) indicates pro-urban.

5. Spending (SP)—Any figure over 50 (per cent) indicates pro-spending.

6. Centralization (CENTR)—Any figure over 50 (per cent) indicates pro-centralization.

Table 10  
Legislative Profile

	LD	POL	BUS	LAB	U/R	SP	CENTR	HI ED	C/L	LOB	FL D	PER	GUB
LEGISLATIVE DECISIONS	X	60	63	42	50	59	58	55	56	92	93	48	50
POLITICAL	60	X	93	4	30	14	27	0	12	59	60	49	8
BUSINESS	63	93	X	5	36	25	42	19	25	66	65	51	19
LABOR	42	4	5	X	79	88	72	94	89	41	41	52	86
URBAN/RURAL	50	30	36	79	X	84	87	90	87	49	48	53	69
SPENDING	59	14	25	88	84	X	95	100	97	63	64	47	77
CENTR	58	27	42	72	87	95	X	100	89	62	62	53	88
HIGHER EDUCATION	55	0	19	94	90	100	100	X	100	55	55	44	92
CONSERV/ LIBERAL	56	12	25	89	87	97	89	100	X	56	57	47	81
LOBBYING	92	59	66	41	49	63	62	55	56	X	100	48	54
FLOOR DEBATE	93	60	65	41	48	64	62	55	57	100	X	48	53
PERENNIAL	48	49	51	52	53	47	53	44	47	48	48	X	47
GUBERNATORIAL INFLUENCE	50	8	19	86	69	77	88	92	81	54	53	47	X

In this table, the figures relate the percentage of agreement between bill characteristics. For example, the second item in the column on the left is POLITICAL. Any figure over 50 (50 percent) represents pro-Republican. The correlation between POLITICAL and BUSINESS is 93, indicating a high positive agreement between bills with a Republican and business orientation. On the other hand, the correlation between POLITICAL and LABOR is only 4, indicating a distinctly low or negative agreement between bills with a Republican and a labor orientation.

7. Higher Education (HI ED)—Any figure over 50 (per cent) indicates pro-higher education.

8. Conservative/Liberal (C/L)—Any figure over 50 (per cent) indicates pro-liberal.

9. Lobbying (LOB)—Any figure over 50 (per cent) indicates a positive lobbying influence.

10. Floor Debate (FL D)—Any figure over 50 (per cent) indicates a positive floor debate influence.

11. Perennial (PER)—Any figure over 50 (per cent) indicates pro-perennial over annual issues.

12. Gubernatorial (GUB)—Any figure over 50 (per cent) indicates pro-gubernatorial.

To extract the least number of factors which might assist in explaining the common variance in voting behavior, factor analysis was utilized.<sup>64</sup> Two factor analyses were carried out. The first one utilized the entire correlation matrix from all fifty-four variables and resulted in nine factors. The second analysis was carried out only for the relationships among the forty-one senators. The use of two analyses was to double check the validity of the bill characteristic variables which were more "subjective" than were the voting record variables. Results from the two analyses were consistent in the sense that similar factors tended to appear in both analyses.<sup>65</sup> Thus, the factor analysis for the relationships among the forty-one senators only (see Table 11), an eight-factor solution, was utilized for interpretation.

Interpretation of the factors reveals that Factor I emerges as the most salient, representing approximately 22 per cent of the measurable variance.<sup>66</sup> This factor may be classified as the general progressive category, with the major characteristics including pro-urban, pro-labor, pro-spending, pro-centralization of education, and pro-liberal as the major influences. Factor II may be classified as a pro-higher education category. Factors IV and VI are concerned with both higher education and spending measures, Factor IV shows liberal traits (favoring spending, education, and urban

<sup>64</sup> A special program for this study had to be designed. The author is particularly indebted to Dr. Frank J. Dudek, former Professor of Psychology at the University of Nebraska, who gave numerous hours of his time to advising and counseling, and who helped plan and devise many of the specific computer programs required. Dr. Don Nelson, Director of the Computer Center, University of Nebraska, and his staff also made substantial contributions.

<sup>65</sup> Variable	7	14	18	24	28	32	39
All Variables	-.46	.32	.62	.33	.75	.63	-.30
Senator-Senator	-.35	.42	.62	.22	.84	.64	-.26

<sup>66</sup> Variance is the square of the correlation coefficient (a high value indicates a strong relation between the item in question and the factor, a plus, positively, and a minus, negatively, while a low value shows little or no relation). Thus, .50 or -.50 would indicate that one-half of the predictable variance can be associated with this factor.

MIDWEST LEGISLATIVE POLITICS

Table 11

Varimax Rotation

SENATORS	I	II	III	IV	V	VI	VII	VIII	h <sup>2</sup>
1	.2210	.0319	-.0225	.2073	-.0688	<b>-.7939</b>	-.1362	.1863	.7851
2	<b>-.3103</b>	<b>-.5631</b>	<b>-.4462</b>	.0477	.2852	.1192	-.2201	.0646	.7656
3	-.0560	.0410	<b>-.5650</b>	.2439	.1459	-.0098	.2745	.0273	.4826
4	.1304	<b>-.5560</b>	-.2718	.0453	.0944	-.2091	.0368	.0366	.4591
5	<b>-.3892</b>	-.2461	<b>-.4814</b>	<b>-.5047</b>	.2749	.1574	-.2344	.1761	.8884
6	.1375	-.1285	-.2055	.1928	<u>.5627</u>	.0092	.0202	.0218	.4340
7	<u>.5310</u>	-.0922	.0142	.1795	.1664	-.3024	-.2324	<b>-.4648</b>	.7148
8	-.0395	-.1484	-.1067	.0210	<u>.3720</u>	-.0009	-.0752	.1454	.2013
9	-.0922	<b>-.6906</b>	-.0203	.1405	.2114	.0663	-.0502	.1162	.5727
10	-.2575	-.0505	<b>-.7461</b>	.0947	-.1845	.0981	.0320	.0545	.6842
11	<b>-.5601</b>	-.2465	-.0983	-.0396	.2356	.2725	<b>-.4776</b>	-.1632	.7731
12	.0664	-.2298	-.1519	<u>.4599</u>	.1004	.2804	<b>-.4441</b>	.2721	.6544
13	-.2086	-.1888	-.0404	<b>-.5001</b>	.0897	.1974	<b>-.7820</b>	-.0364	.8339
14	-.0155	<b>-.4014</b>	<b>-.4816</b>	.1994	.2895	-.0567	-.2840	<u>.3206</u>	.7062
15	-.0603	-.2708	<b>-.6620</b>	<b>-.4413</b>	.2473	.0823	-.1048	.1222	.8067
16	.0899	<b>-.3700</b>	<b>-.7180</b>	.1087	.0238	.0216	-.1242	.2311	.7445
17	.1500	<u>.4586</u>	<u>.2222</u>	.1214	<u>.5309</u>	<b>-.3270</b>	-.0788	-.0329	.6958
18	-.0109	-.0108	<b>-.3826</b>	.1442	.0849	.0850	-.0118	<u>.6217</u>	.5706
19	<u>.6926</u>	<u>.3344</u>	-.0376	.0109	-.0765	-.2328	.0248	.1550	.6802
20	-.0419	<b>-.6620</b>	-.1059	-.0157	-.0477	<u>.5341</u>	-.1879	-.0604	.7812
21	<u>.9804</u>	.0370	.0682	-.0527	.1718	.2914	.0222	-.0461	1.0907
22	<u>.4697</u>	-.0858	<b>-.4374</b>	.2461	.1570	.0948	.0416	-.1595	.5425
23	.1359	-.2281	-.0072	-.1168	<u>.4215</u>	<b>-.3425</b>	.2086	.2877	.5076
24	<u>.5963</u>	-.0659	-.0725	.1344	-.0403	-.0726	.2650	<u>.3282</u>	.5703
25	<u>.9507</u>	.2039	.0027	<u>.4381</u>	-.0546	<b>-.3105</b>	-.0898	-.1084	1.2615
26	<b>-.5591</b>	-.2118	-.1328	<b>-.3061</b>	.1246	<u>.4287</u>	-.2219	.1098	.7325
27	.2737	.0993	-.1504	<u>.5910</u>	.1190	.0687	<u>.3104</u>	.0670	.5789
28	-.2055	<b>-.4162</b>	-.0341	<u>.1053</u>	.1967	-.1380	-.2155	<u>.7474</u>	.8941
29	.1709	-.0051	-.0637	<u>.5766</u>	.2637	-.2131	.0240	.0260	.4842
30	-.2287	<b>-.8078</b>	.0945	-.2559	-.1052	-.0178	-.2816	.1898	.9097
31	-.1807	.0930	-.0336	.0723	<u>.7100</u>	.1007	-.0253	-.1700	.5938
32	.2841	<b>-.3126</b>	.0131	-.1085	-.1647	-.2879	.0382	<u>.6285</u>	.7000
33	<u>.8947</u>	.0057	.0628	.1848	-.0217	-.0635	-.1749	-.0891	.8849
34	.1026	.0669	<b>-.3438</b>	<u>.5493</u>	.1912	-.1666	-.1968	.0311	.5411
35	<u>.3247</u>	-.0377	<b>-.3066</b>	<u>.3994</u>	-.1064	-.1434	.1486	.0762	.4218
36	.2661	.1124	<b>-.4578</b>	.0012	<u>.4185</u>	.1803	-.0614	.1494	.5286
37	<u>.6783</u>	-.0494	<u>.2373</u>	.0724	-.0334	-.2842	<u>.3021</u>	.0507	.7025
38	.1198	-.0383	<b>-.5244</b>	.0821	<u>.3018</u>	-.2193	.1452	-.0737	.4648
39	<u>.4043</u>	<u>.3096</u>	-.1215	.1443	.1826	<b>-.5993</b>	<u>.3994</u>	<b>-.3000</b>	.9412
40	.0716	-.1434	.1339	.0542	-.0199	-.1607	<b>-.7134</b>	.0505	.5864
41	-.0424	<b>-.7337</b>	-.1759	<b>-.3533</b>	-.2242	.1330	-.1557	.2430	.8510

PER CENT VARIANCE ACCOUNTED FOR

$\Sigma$	6.2892	4.2684	3.9420	2.8580	2.5866	2.7508	2.7472	2.4771
%	.2244	.1523	.1406	.1019	.0923	.0981	.0980	.0883
CUM %	.2244	.3767	.5174	.6194	.7117	.8098	.9079	.9962

measures), and Factor VI conservative traits (opposing both higher education and spending issues).

Factor III was perhaps the most interesting of the major areas and the most difficult to interpret. The only bill characteristics pertinent to this category are lobbying, floor debate, and gubernatorial influence, which seems to indicate that many legislators do not make up their minds until all the facts and the debates have been recorded.

Factor V suggests a pro-business, anti-labor, and anti-spending component, while the dominant characteristics of Factor VII seem to be associated with opposition to higher education. Factor VIII appears to be identified with individuals who have a tendency to vote both Republican and pro-business.

The voting pattern tends to be complex and varied; the voting of some legislators seems to be explained predominately by one factor; in other cases, the individual picture contains several important parts. An overall view would seem to indicate that the variability is indeed complex and a result of many interrelated factors.

Factor analysis allowed the identification of meaningful factors affecting each individual senator. It also suggested the relative importance and pattern of factors associated with each senator. This analysis also afforded an independent source of information about voting clusters and characteristics. Finally, the analysis called attention to such features as Factor III—the pressure or flexibility trait—a dominant and common trait of Type IV (conservative-rural) and showed no significant weight for Type I (liberal-urban). (See Figure 1.)

#### CONCLUSION

The results tend to support the major hypothesis of moderate decision making in the Nebraska unicameral legislature. The legislative profile (Table 10) seems to indicate a composite voting record which favors no one category to any high degree. The composite would seem to indicate a record of decisions that were pro-business, supported by Republicans, somewhat anti-labor, and slightly liberal in every other category. But, with respect to urban issues or issues which the governor favored, these were as often unfavorably as favorably considered. The high impact of lobbying and floor debate in total legislative decisions indicates either that the system provides access for the pressure system to operate before decisions are made or that legislators make few decisions without giving consideration to all groups and all arguments. In any case, the sub-hypotheses which predicted that lobbying would not be a major influence and that floor debate carried little influence were not substantiated.

It has been seen that the pressure or flexibility factor (Factor III, Table 11) had a decided influence upon the conservative group (CR) and little

or no influence on the liberal-urban (LU). This was in contrast to predictions. This could be explained by the fact that the LU group tends to represent the more homogeneous districts, and the more rigid line held by this group during legislative "warfare" could mean that their major compromises on basic state issues are made prior to, and as a result of, legislative elections. Thus, the LU group can come to the legislature with its position on major issues already established.

The CR group, on the other hand, tends to represent more heterogeneous districts, where a majority of the basic decisions cannot be settled prior to or during the electoral process. Thus, perhaps they come to the legislature without a rigid position on many issues, and the legislative arena must provide the final answer to the conflicting views of many of their constituents.

Nebraska history seems to justify the contention that conservatives can be sold on progressive ideas. By being more flexible and seemingly more sensitive to pressure, the CR group seems to support the contention that moderation is possible among major and diverse elements of the state's people.

Thus, leadership for moderation must be credited to the qualities of both major voting clusters. By following a more doctrinaire approach to legislative decisions, the LU group forces some liberal traits into the legislative profile. The pressure-group system—dominated by conservative, agriculture-oriented, business-dominated organizations—finds its basic influence in the non-urban areas. These rural areas, largely represented by the CR cluster, still find it necessary to share the decision-making arena with the LU cluster. Compromise, or a tempering of the pressure-group demands, would be the natural result of this process or conflict. Moderation is thus produced, as predicted in the major hypothesis.

In reference to the sub-hypotheses, the legislative profile does not support the myth that the conservative influence is dominant in the decisions of the unicameral of 1959, 1961, and 1963. Only when issues are associated with the dominant labor characteristics does the conservative influence rear its head. Even there, it shows only -8 per cent. While the picture painted by the profile figures hardly shows strong liberal qualities, the Nebraska legislature divided evenly between the urbanites and the governor on basic issues, and showed a pro-liberal correlation in every other subject area.

In order to overcome the "cautious" influences indicated in the political column (Republican) and in the business column, a dominant group of senators with strong liberal or progressive traits had to exert major effort. Both Republican and business characteristics indicated little correlation with labor, spending, higher education, general liberalism, or the governor. Without the liberal forces holding firm, the general legislative profile

#### THE NONPARTISAN NEBRASKA UNICAMERAL

would have shown the conservative bias of business and Republicanism on major issues.

Thus, it once more appears that the rigid and disciplined general liberal tendencies of the LU cluster forced the more conservative CR cluster to give ground. The victor was reasonable progressivism. The author would suggest that it was the conservatives of the Nebraska legislature, not the liberals, who showed the most flexibility.

#### THE NEBRASKA UNICAMERAL—CONCLUDING OBSERVATIONS

To be an active and accepted organ, a legislature must reflect the basic thought of a majority of the state's opinion-makers. It must derive sustenance from the lifeblood of the environment of the state it serves. The Nebraska system fulfills those qualifications, for it is a creature, or a creation, of the history, the wishes, the thoughts of the citizens it serves.

The legislative structure derives its basic traits from the people, works with these same people in making state policy decisions, and, in turn, has its own impact upon the people once the decisions are implemented. The input to the legislature from the state and its people is received, remolded, and returned to the people in the form of legislative or decisional output.

The legislature is considered to be an active and influential part of the social process of the state. Likewise, each of the elements exerting major impact upon the decisions of the unicameral is to be considered a segment of the same social system. Thus, the environment exerts an influence on the legislative body directly, and also through the formal and informal structures of the legislative system. Likewise, the formal and informal act upon each other, as well as upon the environment and upon the legislature itself. Finally, the unicameral system, receiving the total impact of these three important pressures, by its final decisions, or output, completes the circle by exerting its own influence back upon the environment and the people of the state it serves.

The decisions of the legislature, reflecting the people's main characteristics and beliefs, produce moderate answers or conclusions to the major problems. Such flexibility is present within the unicameral legislative structure.

The pressure groups, too, are products of the social system and must operate within the same basic framework of a formal structure and an informal process as the legislators being pressured. Both elements, the pressured and those exerting the pressure, are influenced by the same basic elements of the state's social system.

The unicameral structure provides the governmental tools that the people of Nebraska need to confront present challenges. The system is stream-

lined to eliminate obstacles which stand between the people and their goals of democratic representation. The worth of the unicameral has not always been fully understood, appreciated, or utilized. This is no reason to discount its value or underestimate its contribution in meeting the current need to upgrade and strengthen state government in the latter decades of the twentieth century.

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## Conclusion

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The preceding chapters on the legislatures in Iowa, Kansas, Missouri, and Nebraska have utility in two different ways. First, they provide the basis for some interesting descriptive generalizations and speculations about legislative institutions in these four state political systems. Second, they provide a basis for citizen consideration of legislative change. Here, comments will be offered about both of these kinds of contributions.

### MIDWEST LEGISLATIVE POLITICS

These four legislative bodies have undergone substantial changes over their histories. Reapportionments have brought about considerable changes in the 1960s, and some changes in legislative facilities and organizational streamlining have also occurred in recent years. These reapportionments may have contributed to some increase in the four-state region in inter-party competition. At least, legislative elections are more contested in Iowa in the 1960s than they were in the 1940s and 1950s, and the same is true to some extent in Missouri and Nebraska. In Kansas, competition for legislative seats has been, and apparently still is, very low, reflecting the relatively low degree of party competition in the state generally and the very minimal spread and intensity of political party organization.

Legislative reapportionment probably has not, as yet, improved the public image of the legislatures in these states. Judging from the data for Iowa and Missouri, the public evaluation of the legislatures is, at best, only somewhere near the median for the country as a whole. The Iowa and Missouri legislatures get much lower ratings than do the governors in the two states, but it is interesting that Missouri citizens rated the legislature somewhat better than they rated President Johnson. Also, it does not appear that reapportionment has improved the public visibility of the legislatures. The low public visibility of the Missouri legislature observed by Professor Leuthold is, in all probability, fairly typical. Whether uni-

cameralism in Nebraska actually improved the visibility of the legislature there, as Senator Marvel speculates, we do not know from the public opinion data.

The structure of legislative voting varies in some interesting ways in these states. The level of party conflict in the Iowa legislature has been fairly high in the post-war years, and party voting has been on the increase. Party differences among Iowa legislators certainly will explain more variation in legislative voting than anything else. Professor Grumm's analysis makes it clear that party is the most important factor in Kansas, and the same is evidently the case in Missouri. The Nebraska unicameral is formally nonpartisan, and where party is not available to legislators as an organizing base, regional or ideological preferences usually acquire more prominence. The voting of Nebraska legislators does appear to gravitate primarily around a cleavage between conservative rural legislators on the one side, and liberal urban legislators on the other. The former clearly has the larger voice. Iowa and Kansas are not drastically different from Nebraska socially or economically, but the existence of party politics in their legislatures has tended to blur or even erase the rural-urban, or regional, base of political cleavage.

It seems to be the case that the role of the governor in state legislative politics has increased in recent years in all four of these states. The prominence of the governor in legislative politics is most marked in Missouri where the formal powers of the governor are greatest, but recent governors of Iowa, Kansas, and Nebraska have laid a stronger hand on the legislatures than has been true at least for a long time. The analyses presented here for Iowa and Kansas demonstrate the importance of making comparisons regarding the effects of gubernatorial influence upon legislative parties. In Kansas, party cohesion was higher for the legislative party whose leader was in the governor's chair, but the same was not the case in Iowa. As Professors Hedlund and Wiggins show, the Republican legislators exhibited higher voting cohesion than the majority Democrats during 1965 when Democratic Governor Hughes was in office. The comparison suggests that some third factor, probably minority party status, was affecting party cohesion in the legislatures of both states.

The increasing importance of party conflict and the leadership of governors, at least in Iowa, Kansas, and Missouri, appears to have led to reductions in the intensity of the influence of interest groups and associations. In Nebraska, often characterized as a "high-pressure" state, the greater intensity of interest-group influence probably can be attributed to the lack of a partisan structure for legislative politics. Again, when political parties are not available to legislators as structures of leadership and as cue-giving mechanisms for voting behavior, legislative conflict tends not only to reflect ecological or regional differences more markedly, but also to be more sharply focused by a variety of competing private interests and groups.

## CONCLUSION

The four states exhibit differences in legislative recruitment and professionalism. In all, the educational level of legislators is remarkably high, although it is interesting to note that the educational level of Missouri legislators was relatively low until salaries were increased in 1961. Of course, farmers play a much more important role in the legislatures of Iowa, Kansas, and Nebraska than in Missouri. Interestingly, in Kansas, unlike Iowa, lawyers comprise the largest group in the Senate, and there are more businessmen in the Iowa legislature, perhaps because of the lower legislative salaries in Kansas. Iowa and Kansas provide other intriguing contrasts. Both legislatures are made up largely of amateurs in the sense that turnover is very high, though Kansas legislators tend to have had more previous experience in public office. Yet, the Kansas legislature has been more innovative in its policy enactments, has more professional management of legislation and greater research assistance, and is more "efficient" in the narrow sense that it enacts a higher proportion of bills introduced. On the other hand, in Iowa a more vigorous two-party system has developed, while in Kansas the minority party is very impotent.

All of these legislatures have undergone structural changes—in the number of legislative committees, in the organization of sessions, in patterns of leadership, in the facilities and amenities available to members. Whether changes in legislative structures or facilities have measureable effects upon legislative policy outputs is an unresolved question. The evidence is not very good that structures or facilities make for progressive or backward public policies. By some standards Nebraska, with a one-house legislature, is very up-to-date, but that unicameral legislature has failed for many years to provide public services for Nebraskans, and the tax structure of the state reached levels of near disaster before the unicameral adopted a modern tax program in 1967. At the same time, there is no evidence that the unicameral does not represent the people quite as well as any other state legislature, and it permits some economies of operation in a state with limited resources. Whether what the unicameral does can be characterized as "moderation" in some Aristotelian sense, as Senator Marvel hopes, is perhaps open to question.

## CITIZENS AND REFORM

Midwestern legislatures have, from time to time, been innovative in the area of legislative organization, procedure, and representation. The Nebraska unicameral stands as a unique innovation in state legislative organization. Now it is no longer an experiment; the unicameral has demonstrated that a one-house state legislature works, and provides a number of useful efficiencies in processing legislation. The Kansas legislature pioneered the legislative council in the early 1930s, and its council is today a model of institutions of its kind. It is said that the Iowa House of Representatives was the first state legislative body to make use of a sifting committee to screen bills for floor consideration during the final stages of a

legislative session. The 1965 Iowa General Assembly reorganized the legislative committee system, reducing the number of committees by more than half and making the Iowa legislative committee system one of the most modern in the country. The Missouri General Assembly is more noted for policy innovation, particularly in its approval of the so-called Missouri Plan for the selection of judges to sit on the state bench.

State legislative reform is in the air again. There was a wave of reformism in the 1930s, focused around unicameralism and the legislative council movement. Efforts were made in the 1950s to remold state legislatures, though the effort came to focus attention mainly on reapportionment. The reapportionment fight has been won, and only a few skirmishes remain. Seventy per cent of the state legislatures already have been altered, or are in the process of being altered, in their representational basis as a result of *Baker vs. Carr* and subsequent federal and state court decisions. The new reform efforts concentrate on legislative powers, perquisites, and procedures. The program of the current legislative reform effort is quite adequately reflected in the eighteen points advanced by the Final Report of the 29th American Assembly. This program involves the following principal proposals: (1) relaxation of state constitutional limitations on legislative powers to raise revenue and appropriate public funds; (2) adoption of a unicameral legislature in states where this is appropriate; (3) adoption of annual legislative sessions without time limitations; (4) increases in the compensation of legislators; (5) provision for competent professional staffs for legislators and legislative committees; (6) provision for adequate offices and equipment for legislators and committees; (7) reorganization of state legislative committee systems, in general reducing their number; and (8) encouragement of a competitive two-party system in every legislature.<sup>1</sup>

These proposals are not new; it might be said that they have been on the agenda for a long time. What may be new is the vastly increased demand for their implementation, at least in some parts of the country. Jesse Unruh, Speaker of the California Assembly, has argued that there is a "new majority" in the country—referring to the coming of age of those born during the baby boom of the 1940s and 1950s—and that this new majority will increasingly demand to be served by more modern legislative institutions. Speaker Unruh has argued that

As a practicing law-maker, I must admit that state legislators have yet to make substantial progress toward meeting the obligations and challenges which confront us in our role as decision-makers in a rapidly changing society. Who can observe the end-of-session legislative log-jams—which provide such a bewildering spectacle to the public—and not admit that our

<sup>1</sup> See "State Legislatures in American Politics," Report of the Twenty-ninth American Assembly, April 28-May 1, 1966, Arden House, Harriman, New York.

## CONCLUSION

efforts at legislative reform have been inadequate? Too often we have been guilty of enacting minor—even trivial—laws while lagging woefully behind in such major fields of state responsibility as education, employment, public health, welfare, crime, conservation, and tax reform. We stand accused, as one observer put it, of 'stalking mosquitoes while bears are at large.'

Unfortunately, our concept of legislative government has failed to keep pace with the tide of time and technology. For while the U.S.A. has become a complicated and urban society, the legislatures remain geared to face the problems of an earlier day.<sup>2</sup>

*Legislatures and State Political Systems.* As the foregoing papers on the legislatures in Iowa, Kansas, Missouri, and Nebraska have amply demonstrated, contiguous states in the same region exhibit significant differences in political organization, traditions, political styles, partisan loyalties, and public demands for policy decisions. Programs for legislative change will necessarily have to be taken differently in different state political systems. For instance, reapportionment was much easier in the ecologically homogeneous states like Iowa and Nebraska, made up mainly of small towns and cities, than in the more diverse state of Missouri where two very large urban centers account for most of the population and where politico-cultural differences within the political system are quite marked.

Again, it is important to note that a state political system is a pattern of *interrelationships* among individuals organized into a variety of private groups and public agencies. In this system, the legislature does not live in isolation, and changes in it will often substantially affect other political institutions, as well as organizations in the private sector. One fairly obvious danger in legislative reform is that of creating more politically effective legislatures at the further expense of the capacity of state governors to exert leadership, or the capacity of state administrative agencies to implement state programs. The four states we are considering have relatively weak administrative systems; in 1966 only Kansas, for instance, had a general merit system for state employees. And, though the Missouri governorship is relatively strong formally, the relative formal powers of state governors in Iowa, Kansas, and Nebraska are weak. It would be unfortunate if, in strengthening state legislatures, the powers of governors and administrations were further diminished. In sum, political modernization in the states must not focus blindly on one institution at the exclusion of others which will be affected.

Finally, state political systems differ sufficiently so that legislative change is likely to come about differently in different states. Proponents of legis-

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<sup>2</sup> Jesse M. Unruh, "State Legislatures and the 'New Majority,'" University of Missouri, *Business and Government Review*, VII (May-June 1966), 19.

lative reform need to consider not only what changes should be made in state legislatures, but also how such changes can be effectively brought about. In other words, the strategy for legislative reform will vary from state-to-state depending upon its political culture, its influence structure, or its partisan complexion.

*Legislatures as Symbols.* It could be argued that the constitutional-legal form of the legislative body and its procedural rules are not really as important as is the symbolism the legislature provides for the people of a state. Legislatures can be variably organized and do the public business in various ways without affecting the confidence, respect, loyalty, or commitment of citizens. A legislature is much more than a law-making factory. It is a symbol of representative democratic government. Its symbolic "output" may be related to the kinds of policies it makes, but it is related also to the representative adequacy of the legislature, to the respect citizens can have for individual legislators, and to the pride citizens can take in their legislature. For example, legislative reapportionment may have very little measureable effect on the policy output of American legislatures (at least directly); but it is possible that, by improving the representative adequacy of the legislatures, citizen pride and respect will increase. Thus, the reapportioned legislature may not do things differently from the mal-apportioned one, but it can be more effective because it has greater citizen support. Few citizens have much knowledge of what the legislature is or does; but they do have vague feelings about the institution. Reapportionment may make citizens feel more confident in their elected representatives, and a more trusting and confident citizenry is likely to be more supportive, more participant, and perhaps more inclined to compliance with legislative authority.

I do not suggest that earth-shaking increases in citizen support for state legislatures will come about through any immaculate conception of reapportionment, or the streamlining of legislatures. Citizen confidence and trust in government is a complex matter. Still, it is an important dimension of legislative reform.

*Legislative Reform.* At least some of the efforts to bring about state legislative reforms involve attempts to engage citizens in reform campaigns. The American Assembly has sought to select leading citizens who can be engaged in discussions about legislative reform. The Citizens' Conference on State Legislatures was organized by non-legislator citizens, and is directed in part toward assisting in the organization of citizens' groups in the states who will promote legislative reform or support legislators' efforts at reform, or both. Citizen involvement of this sort is vitally important, and it can be meaningful to the extent that citizens are knowledgeable and use finesse, and to the extent that legislators can be convinced that legislative changes are desirable and politically acceptable.

Citizens and legislators often make a very uneasy mix when it comes to

## CONCLUSION

discussing how the legislature should be organized. Sometimes laymen have political convictions that far outrun their practical knowledge, and they think they could run the legislature better than the legislators do. Furthermore, lay opinion about legislators often is hostile. It is not difficult to find citizens of better-than-average educations who think that all legislators are dishonest, if not downright crooked. In addition, the general level of public knowledge about the state legislature and its members is embarrassingly low. Otherwise fairly well-informed people often know little about the way the legislature works. Legislators often report talking to prominent constituents who wonder what they are doing in the hometown when they should be in the capital city (not knowing that the legislature meets only a few months every other year), or worse, wondering why the legislator is not in Washington! And, it is not unusual for legislators to report discussions with constituents in the course of which the good citizen implies, without either guile or gloss, that the legislator must, by definition, have done something unethical. Legislators think their work is important, and thus do not appreciate public ignorance about it. And obviously, legislators do not care to be thought of as immoral. Legislators could probably improve their own understanding of the busy, relatively uninterested, ordinary citizen, but on the whole most of the damage in legislator-citizen communication seems to be caused by poorly-informed and disoriented citizens.

The legislator's main defense against a relatively hostile and poorly-informed citizenry is in his camaraderie with other, similarly situated legislators. Legislators cling together in their common exposure to a not very appreciative constituency. Legislatures, thus, have exceptionally high morale. T.V. Smith, a philosopher who combined a career as a university professor with service in the Illinois Senate and the United States House of Representatives, once pointed out in a classic essay that legislators have "a magnificent protection against external hostility in the friendly bosom of a 'we-group,' none the less dependable because achieved *ad hoc* and perennially shifting in membership." He went on to point out that

By making it possible for representatives amiably to 'stand the gaff,' this we-group bulwark gives opportunity for a great many good citizens to do a great deal of criticizing harmlessly. Legislators became scapegoats, as it were, to bear away without much social damage vague aggressions which, did they not achieve catharsis through expression, might well totalize into attacks upon public order. What, for instance, would most editors have to work themselves into decent form upon were it not for the 'extravagance,' the 'waste,' the 'inefficiency,' the 'stupidity,' the 'venality,' and, in general, 'the never-ending audacity of elected persons?' Nor are editors alone in this need, or alone in the indiscriminate way in which they improve their

#### MIDWEST LEGISLATIVE POLITICS

opportunity. It is safe to say that no other institution today has half the effectiveness of the legislature in soaking up and sterilizing the wastage produced in society when the will to perfection meets the will to power in the lives of good men and women. To have a 'show' that every citizen can 'show up' without fear of retaliation (since he supports it) maximizes the fun and minimizes the fury of the social process.<sup>3</sup>

Legislators are considerably more high-minded and competent than most people think, and legislatures are more effective than is generally thought by the public at large. Many legislators realize that there are ways in which state legislatures can be improved, modernized, and made more effective in coping with the problems of an urban-industrial society. These legislators need intelligent, informed, sophisticated citizen support and cooperation. And these kinds of citizens can look at the legislative body with a fresh eye; legislators ought to listen. The legislative institution powerfully socializes its members, and legislators may too easily tend to regard what is as unchangeable. Whatever can be done to encourage and "tool up" for enlightened dialogue between citizens and legislators seems utterly defensible, and may in the end help to save a rational society from destruction in the streets.

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<sup>3</sup> T. V. Smith, "Two Functions of the American State Legislator," *Annals of the American Academy of Political and Social Science*, 195 (January 1938), 187.

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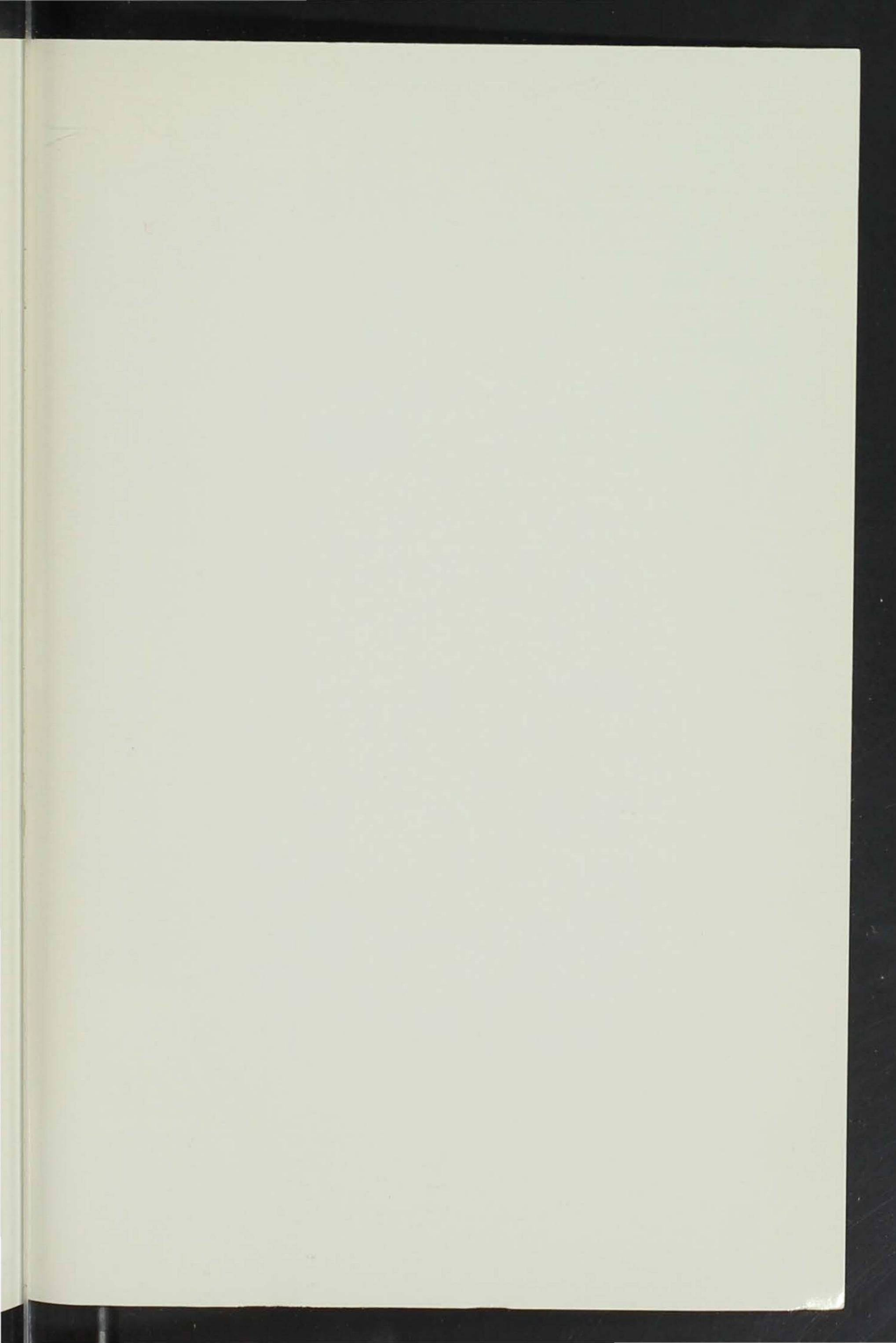
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