Comparing Leviathans: Agenda Influence in State Legislatures, 2011 to 2023

Boris Shor and Michael Kistner

November 02, 2023

Abstract

An extensive literature argues that majority parties function as leviathans (or cartels) that control the agenda, deciding which policies will advance to a vote and which policies will not. However, most studies focus on only a single institution, precluding the development and testing of generalizable theories of agenda influence. We address this gap by introducing new data on agenda control outcomes (both negative and positive) spanning the entirety of state legislatures over a thirteen year period. Using this data, we highlight previously unnoticed patterns in agenda influence, most notably the presence of stark partisan asymmetries. Republican majorities get rolled at approximately four times the rate of Democratic majorities, a finding that holds both across and within institutions. More broadly, we find consistent evidence of greater agenda influence for Democratic majorities, suggesting a need for new theory to explain these differences.

"[P]arties are a species of legislative cartel...most of the cartel's efforts are focused on securing control of the legislative agenda for its members."

— Cox and McCubbins 2012, p. 257

Republicans have held both chambers in the Texas state legislature for more than two decades. While their grip on majority status has been firm, their control of the legislative agenda has been decidedly less dominant. Approximately 1 in 20 roll call votes on the floor have seen a coalition of Democrats and a small number of Republicans pass a measure over the opposition of a majority of the Republican party, an outcome referred to as a *majority party roll*.

Texas is not alone. High roll rates are common, but not universal, in state legislatures. Yet, while roll rates and other measures of agenda control vary considerably *across* legislatures, perhaps more surprising is that agenda control varies considerably *within* legislatures. Consider the New Hampshire House of Representatives during the brief Democratic interregnum in 2013-2014. After Democrats became the majority party following the 2012 elections, the majority roll rate plummeted to 0.9% from its previous level of 4.5% when the chamber was under Republican control. When Republicans won back majority status in 2014, the roll rate ballooned to 20%. This pattern–weak agenda control under Republicans, strong agenda control under Democrats–is a recurring one, as we will show.

Our paper follows and builds upon a line of research on partisan agenda control going back to the publication of *Legislative Leviathan* by Cox and McCubbins (1993; updated in 2012). In laying out their agenda cartel theory of party influence, Cox and McCubbins compared majority party control in the U.S. House of Representatives to the titular "Leviathan" from the Hobbesian theory of the state. Just as the absolute sovereign (in Hobbes' account) uses broad powers to promote peace and prosperity for the kingdom, the majority party (in Cox and McCubbins' theory) wields a variety of procedural powers to win legislative battles and thus promote the party brand.

But what explains variation in the exercise of agenda power? To answer this question, we introduce new data on agenda control outcomes in state legislatures over a 13-year period that offers legislative scholars unprecedented opportunity to test theories of agenda influence. This dataset includes all 50 state legislatures and is based on all recorded votes. It also goes beyond majority rolls, including multiple measures of negative and positive agenda control (using the typology of agenda outcomes introduced by Jenkins and Monroe 2016).

The primary advantage of our dataset is that it spans both *time* and *institutions*, enabling new research designs not commonly found in studies of agenda control. Much existing work has followed the template provided by Cox and McCubbins and applied the insights of agenda cartel theory to a single institution, whether that be the U.S. Senate (Chiou and Rothenberg 2003; Den Hartog and Monroe 2011; Gailmard and

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Jenkins 2007), national legislatures in particular countries (Calvo and Sagarzazu 2011; Jones and Hwang 2005), or individual state legislatures (Cox, Kousser, and McCubbins 2010). Studies that examine patterns in agenda control over time within a given legislature face the tall task of attributing any changes they observe to one or a few causes, requiring them to account for any alternative explanations. In contrast, others have examined agenda control outcomes across institutions such as state legislatures at a single point in time (Anzia and Jackman 2013; Jackman 2014), which requires isolating particular rules or procedures responsible for observed differences amidst countless other differences.

In this paper, we describe our data in detail and use it to characterize agenda power in state legislatures in recent years. In doing so, we take advantage of the panel structure of the data to demonstrate two main findings, each suggesting that existing theories of agenda influence are insufficient or incomplete in explaining majority party agenda power in contemporary state legislatures.

First, there are large and robust partisan differences in agenda control. The most notable example is negative agenda control, as measured via majority rolls. Republican majorities get rolled *four times* as often as Democratic ones, a remarkably stable pattern that can be seen both across and within state chambers. This is contrary to Cox and McCubbins (2005), which predicts a constant (zero) rate of majority rolls, as well as subsequent work (Anzia and Jackman 2013) that highlights the importance of institutional features (such as committee blocking powers and calendar control) that rarely change. To better understand this partisan difference, we consider some potential explanations, ultimately finding suggestive evidence that asymmetrical mismatches in caucus and leader ideology are partially to blame.

Second, majority party agenda control (both negative and positive) varies considerably as polarization increases (or decreases). Using models that take advantage of within-state variation, we find that as polarization in a state legislature grows, majority parties are more likely to be rolled (i.e., a negative agenda control failure) but are also more likely to succeed at getting legislation that they favor passed (i.e., a positive agenda control success). However, these relationships differ depending on whether Democrats or Republicans are the majority party.

As discussed in more length below, existing agenda control theories do not explain either of these findings. Of course, while there are many similarities between Congress and the American state legislatures, expecting Cox and McCubbins' theory–which was developed to explain proceedings in the U.S. House in a largely non-polarized era–to predict agenda control outcomes in 99 chambers in a different time period may be asking too much. Yet the findings we report here suggest the need for new, more generalizable theory, to better understand why some state legislative majority parties looks similar to Cox and McCubbins' titular leviathan, while others more closely resemble the hapless goldfish.

1 Explaining and Measuring Agenda Control

While early work on party power in Congress focused on whether parties could influence the roll call votes members cast (e.g., Krehbiel 1993; McCarty, Poole, and Rosenthal 2001; Snyder and Groseclose 2000), the publication of *Legislative Leviathan* in 1993, followed by *Setting the Agenda* in 2005, initiated a renewed focus on the role parties play in shaping the legislative agenda. Agenda power, the ability to determine what gets voted on, is frequently divided into *negative* and *positive* agenda power. Negative agenda power refers to the capacity of a political actor–here, the majority party–to keep disfavored issue items off the agenda. The two primary ways this can be achieved are by killing legislation in a pre-floor venue (most often, legislative committees) or via the use of plenary scheduling power to select which bills are allowed to take time on the floor.

Following Cox and McCubbins (2005), the primary way that majority party negative agenda power has been measured is by using majority party rolls. Scholars typically use the proportion of votes in which a majority of the majority party votes against a bill that ultimately passes due to a coalition of a small faction of the majority party joining the minority party. Cox and McCubbins (2005) argued that majority parties in the U.S. House get rolled very infrequently due to the majority party's efforts to wield power through an agenda cartel.

Work since has used majority party roll rates to measure agenda control in other institutions. For example, researchers have found that majority parties in the US Senate get rolled at similarly low rates as the House of Representatives (Den Hartog and Monroe 2011; Gailmard and Jenkins 2007), despite the absence of specific institutional features giving House leaders more control over the agenda (e.g., the Rules Committee, germaneness requirement for amendments). Others have examined roll rates in state legislatures, linking the frequency of majority party rolls to a variety of institutional features giving majority parties control over what legislation is considered and advances. For example, Anzia and Jackman (2013) used data from the 1999-2000 legislative session in all 50 states to show that chambers where committee membership is determined by the majority party and where committees have the ability to block bills have lower roll rates than chambers where majorities do not possess such control. Similarly, Jackman (2014) showed that majority gatekeeping is undermined by the presence of floor-wide approval votes on committee membership or discharge petitions allowing floor majorities to extract specific bills from committees. In addition, Cox, Kousser, and McCubbins (2010) analyzed natural experiments in two states where the rules governing majority party control over the agenda change. In each case, rules guaranteeing bills a vote in committee and–upon successful passage–a vote on the floor, are associated with an increased roll rate.

An equally important yet less-studied dimension of agenda power is positive agenda power, or the capacity

of a political actor to place favored issue items on the agenda in a way that ensures the desired outcome. These efforts can be frustrated in two ways. The simplest is to not have control over which items receive a vote. While in the U.S. House, the Speaker, majority party leader, and Rules Committee together determine which bills make it onto the legislative calendar, in some legislative chambers (such as the California Assembly) bills receive a vote in the order they emerge from committee. In such a case, majority-favored bills cannot be given preferential treatment, and if time runs out in a session before they can be voted on, action must wait until the next legislative session.

The second way positive agenda power can be stymied is if the opposition is allowed to introduce amendments or otherwise offer an alternative proposal once an issue reaches the floor. If the majority party can bring forth proposals under a "closed rule," or something similar, then this is not a problem. Otherwise, a majority party might bring a bill up for a vote that would lead to an improvement over the status quo, but a minority-led coalition could change the proposal to an alternative that would not pass (e.g., introduce a killer amendment) or worse, introduce a counter-proposal preferred by a majority of the floor but worse for the majority party than the status quo. Thus the ability to advance legislation under closed rules, filling out the amendment tree to prevent the introduction of unfavorable amendments, or otherwise prevent the opposition from altering proposals is a necessary component of positive agenda power. While positive agenda power has not been the focus of as much study as negative agenda power, research has found that majority parties in Congress wield positive agenda control via methods such as the use of special rules, discharge positions, and the like (Finocchiaro and Rohde 2008), but that powers granted to minorities lead to less majority party agenda power in the U.S. Senate (Ballard 2021).

How can agenda control, either negative or positive, be measured? There are two general approaches. The first is to focus on *actions* taken to control the agenda. For example, Finocchiaro and Rohde (2008) examine the use of votes to order the previous question and votes to adopt a special rule in the U.S. House, while Den Hartog and Monroe (2011) document the use of procedures such as motions to table and filling out the amendment tree in the Senate. This approach has the advantage of looking at the precise mechanisms of agenda control, but due to the focus on a specific procedure, does not by itself completely portray the full extent of agenda power, nor the differential success of these methods. Additionally, making comparisons across institutions is challenging as the specific means of agenda control may vary considerably, even if majority parties wield similar levels of control.

The alternative is to focus on agenda control *outcomes*, or the ultimate successes and failures of agenda control. This approach is used by studies where roll rates are the primary outcome measured, but outcomes need not be restricted to majority party rolls. Along these lines, Jenkins and Monroe (2016) recommend a two-by-two decomposition of agenda control outcomes depending on whether or not a measure passes and

whether or not the majority party supports the measure. When a measure opposed by the majority passes, the outcome is a *roll* (a negative agenda control failure). In contrast, when a measure opposed by the majority party does not pass, the outcome is a *block* (negative agenda control victory). Similarly, when a measure supported by the majority party passes, the outcome is a *success* (positive agenda control victory), while a measure supported by the majority party failing to pass is a *disappointment* (positive agenda control failure).

This typology is particularly useful for making cross-institutional comparisons, as it is possible to completely characterize roll call vote outcomes into these four categories so long as data exist on whether majority party members support or oppose each measure and whether the measure passes or fails. Below, we introduce our new dataset of these outcomes in 99 legislative chambers across a period of over a decade, and conduct some analyses to gauge what factors are associated with more or less agenda power.

2 New Data on Agenda Control in State Legislatures

Our data for the 2011-2023 period comes from Shor (2023a) and builds on the work of Shor and McCarty (2011) and Shor and McCarty (2022). Within this time period, the data span 690,118 floor roll calls in all 50 states.[1] The key measures at the roll call vote level are party vote distributions, vote outcomes (passage or failure), and the classification of each vote as one of the four agenda control outcomes introduced by Jenkins and Monroe (2016) based on whether or not the measure passes and whether or not the majority party supports the measure. In other words, each roll call is classified as a *majority roll*, *majority block*, *majority success*, or *majority disappointment*.

Bill level measures include the party and ideology of the sponsor(s). For example, bills can be Republican-sponsored, Democratic-sponsored, or bipartisan. In addition, the ideology of the median sponsor is used, which in some analyses is used as a rough proxy for the bill's ideological content. Data on partisanship, ideology and polarization come from Shor and McCarty (2011) and Shor and McCarty (2022). These typically include measures at the individual level (e.g., ideal points for sponsor ideology) and at the aggregate level (e.g., differences between party medians for polarization).

3 Majority Rolls in State Legislatures

We first use our data to examine patterns in majority rolls, the focus of much of the literature in Congress and elsewhere. In Congress, majority party rolls are incredibly infrequent–between 2013 and 2021, fewer than

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[1]We include votes on bills only, excluding resolutions and the like. Note that this includes all recorded votes on the floor, including procedural votes, amendments, and required readings.

0.5% of final passage votes on bills rolled the majority party. At the state level the average majority party roll rate has been 1.1%. Figure 1 shows a modest downward trend in rolls occurred over this time.

Figure 1: Trend in Majority Roll Rate
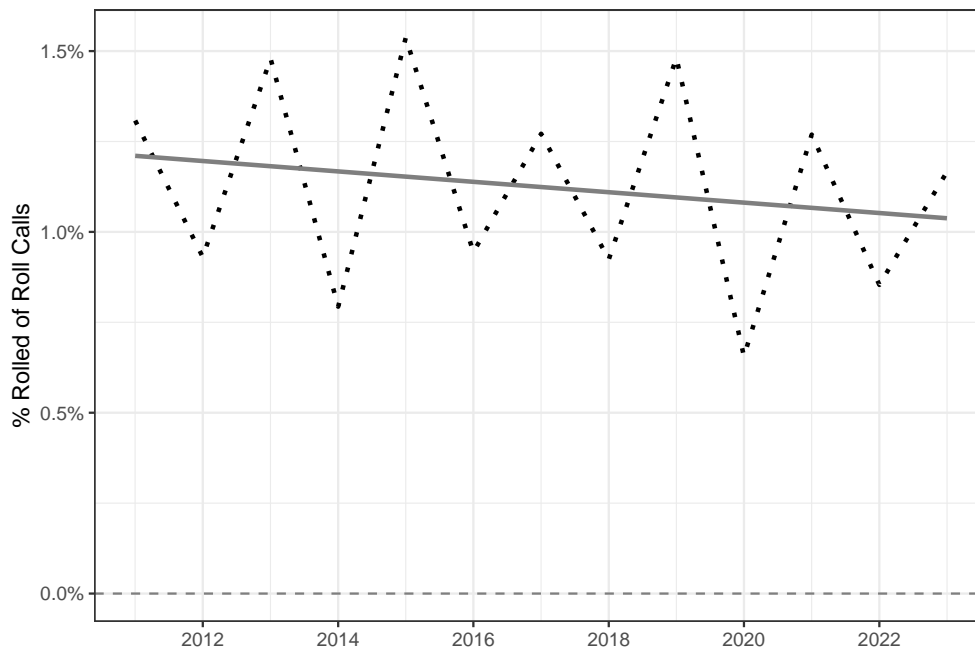
While that roll rate is high in comparison to Congress, it obscures a large partisan asymmetry. Figure 2 shows that Republican majority chambers on average have a roll rate approximately *quadruple* that of Democratic majority chambers. The average roll rate in Republican majority party chambers over this time period is 1.6%, while for Democrats, the average is 0.4%. Furthermore, the downward trend in rolls after the 2010 elections has been concentrated in Democratic majorities, with little indication of change in the Republican roll rate.

What explains this partisan asymmetry in majority rolls? Any account must start with a reason *why rolls occur* at all, contrary to the predictions of Cox and McCubbins. Second, it must establish that *Republicans are more susceptible* to being rolled for this reason, to account for why the parties differ.

In the following section, we evaluate four potential reasons for the asymmetry. First, rolls may happen because majority leaders do not possess institutional powers necessary to control the agenda (e.g., committee gatekeeping powers, control of the plenary calendar). Do Republicans control chambers where leaders do not possess these powers? Second, rolls may happen because majority leaders do not have accurate information about support for a bill, either in their own caucus or on the floor. Do Republicans control chambers with less information-gathering capacity? Third, rolls may happen because majority parties may benefit electorally

Figure 2: Trend in Majority Rolls by Chamber Majority Party
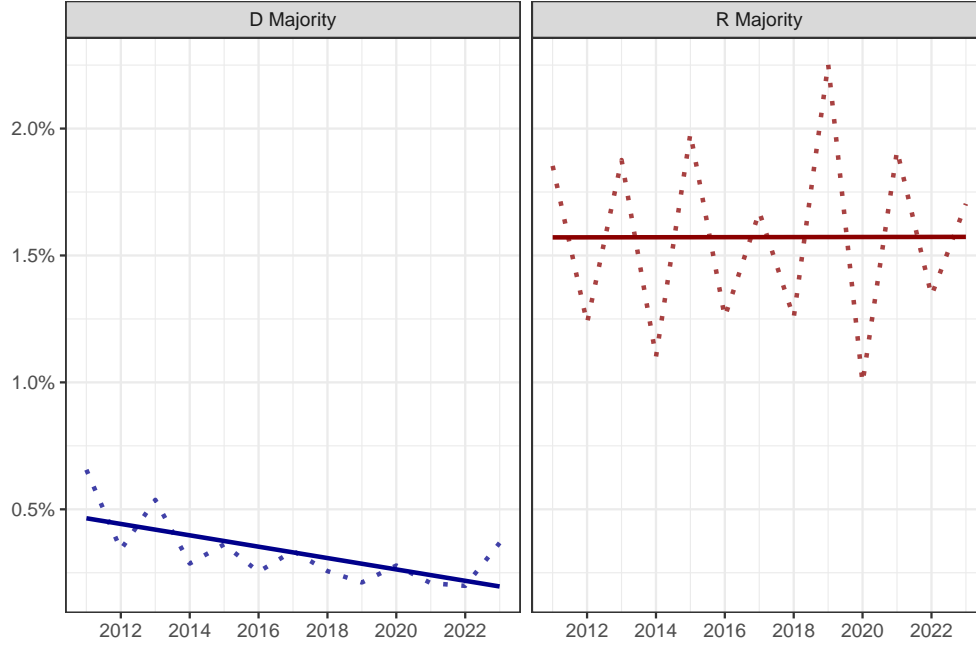
from allowing them in some manner, despite their potential damage to the party brand. One possible way parties may benefit is by allowing electorally vulnerable members in competitive districts to vote against the majority of their party, demonstrating moderation and alignment with their districts.[2]. Do Republicans allow members to vote against their party to preserve insecure majorities? Fourth, rolls may happen because majority leaders favor legislation allowing rolls to occur, even if their parties do not. In other words, rolls may result from agency failure. Do Republican leaders differ from Democratic leaders in terms of ideological similarity to their caucus?

4 What Explains the Partisan Asymmetry?

We begin with the first two explanations, which posit that Republicans get rolled more frequently because they control chambers where leaders do not possess agenda control powers or with less information-processing capacity. To evaluate whether these explanations are plausible, we take advantage of the panel structure of our data to decompose the partisan asymmetry in roll rates into between-chamber differences and within-chamber differences. The first two explanations we consider suggest that the partisan asymmetry is driven primarily by the between-chamber differences.

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[2]An alternative way parties may benefit by allowing a bill to roll them is if aligned interest groups seek to see the legislation pass, and make the provision of electorally valuable resources (campaign contributions, member mobilization, etc.) contingent on cooperation from majority party gatekeepers (Kistner and Shor 2023).

Figure 3: Majority Roll Rate by State and Majority Party
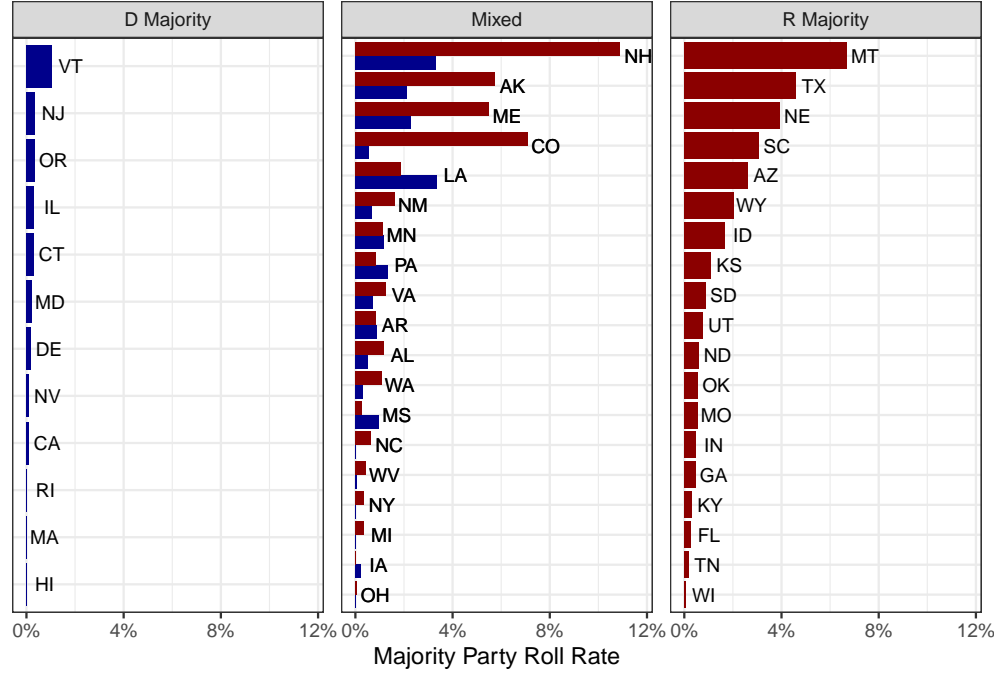
As Figure 3 shows, both between- and within-chamber differences play a role. The left- and right-hand panels of the Figure show the majority roll rates in states with only Democratic and Republican majorities (respectively) during this time span. In all Democratic-controlled states majorities are rolled one percent of the time or fewer, whereas approximately half of the Republican-controlled states have a majority roll rate above one percent. On the other hand, the partisan asymmetry can also be observed when comparing Republicans and Democrats from the same state. In only 4 of the 19 states do Democratic majorities get rolled more frequently than their Republican counterparts; furthermore, Republican majority roll rates frequently eclipse their within-state Democratic counterparts by several orders of magnitude, as in Colorado, New Hampshire, and Washington State.

This provides evidence that chamber-level differences in agenda control institutions and information capacity cannot be wholly responsible for the partisan asymmetry. Can it explain some of the between-chamber differences, at least? Anzia and Jackman (2013) persuasively argue that chambers where committees decide which bills to advance and where majority leaders get to set the legislative calendar have lower roll rates than chambers without these rules in place.

It does not seem that chambers under Republican control lack these powers, however. Using Anzia and Jackman's replication data, we examine whether the exclusively Republican-controlled chambers (i.e., those on the right-hand side of Figure 3) feature committee gatekeeping powers (committees can either refuse to

hear a bill or refuse to report a bill) or calendar gatekeeping powers (a majority leader or majority-controlled committee determines which bills are heard on the floor).[3] Figure 4 shows what proportion of Democratic-versus Republican-controlled chambers possess these powers. Of the 31 exclusively Republican-controlled chambers, 28 (90%) feature committee gatekeeping powers and 23 (77%) feature calendar gatekeeping powers, while 18 out of 20 (90%) of Democratic-controlled chambers feature committee gatekeeping powers and 9 out of 20 (45%) feature calendar gatekeeping powers. In other words, Republican-controlled chambers are *more* likely to have gatekeeping powers than Democratic-controlled chambers, meaning a dearth of gatekeeping powers is not responsible for the disproportionate Republican roll rates.

Figure 4: Agenda Control Powers (Anzia and Jackman 2013) by Majority Party Control
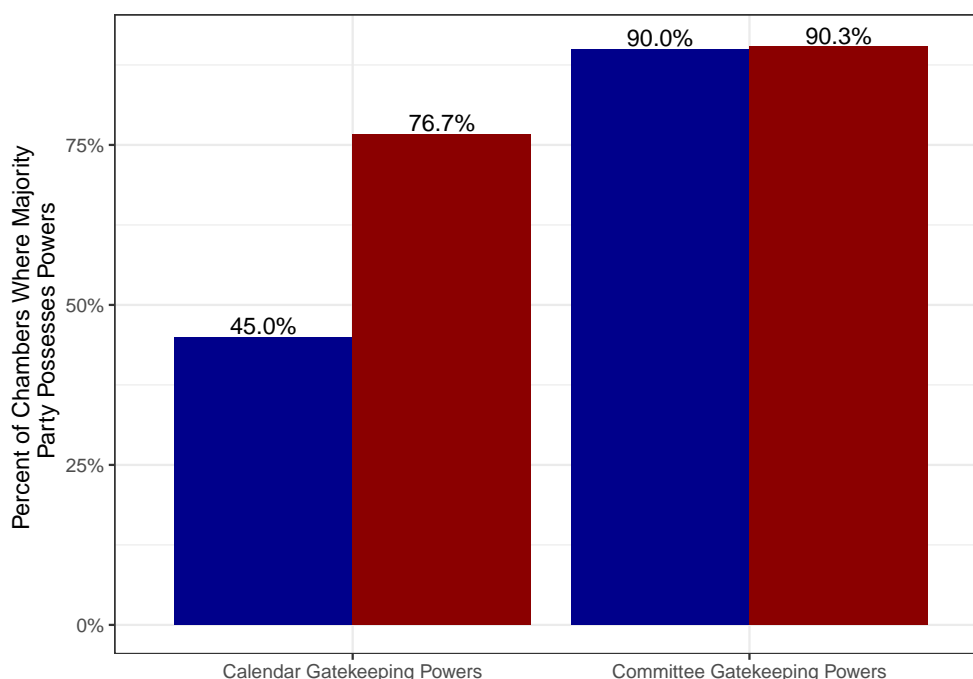
If the between-chamber differences cannot be explained by agenda control powers, what about information-gathering capacity? One measure of this is the professionalism of a legislature, which takes into account the staffing and other resources legislatures possess, how long the legislature is in session, and the pay legislators receive (Squire 1992, Bowen and Greene 2014). Using Bowen and Greene's two-dimensional legislative professionalism indices, the 31 Republican-controlled chambers differ considerably from the 20 Democratic-controlled ones. The average first dimension legislative professionalism score (corresponding to a professional-amateur distinction) for the former is -0.51, compared to 0.88 for the latter.[4]

Does legislative professionalism matter for roll rates? Figure 5 aggregates roll rates across majority parties

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[3]While Anzia and Jackman's data come from before the period we examine here, these institutional powers change infrequently.
[4]The two groups have similar scores (0.11 versus 0.14 respectively) on the second dimension, which represents a labor intensive-support intensive distinction.

and terciles of the Bowen and Greene (2014) first dimension of legislative professionalism. On the one hand, it is true that there is a monotonic relationship between professionalism and roll rates: the least professionalized states experience the most majority party rolls, and vice versa for the most professionalized states. So the between-chamber differences may be partially explainable due to differences in legislative professionalism. Importantly, however, within terciles of professionalization Republican majorities still get rolled at vastly higher rates as compared to Democratic ones, suggesting there is more to the partisan asymmetry.

Figure 5: Majority Roll Rate by Majority Party and Professionalism
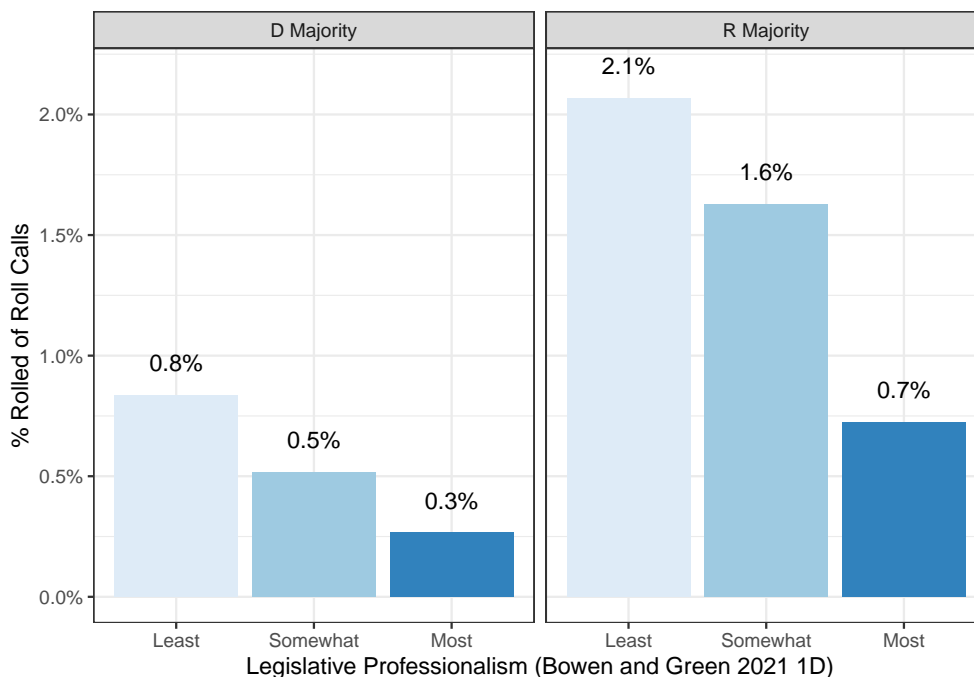
We then turn to the third potential explanation: do majority parties allow bills to roll the majority in order to help members in marginal districts hold on to their seats? To evaluate this possibility, we estimate a multilevel model of majority rolls with the outcome variable–roll rate–at the individual legislator level. Our goal is to determine whether electoral insecurity, measured as members' previous margin of victory, predicts their likelihood of voting to roll their party. We separate the models by legislator party, and restrict the votes only to those when they are in the majority. We aggregate to the legislator-year level and derive the outcome variable of legislator roll rate, or the proportion of votes a legislator joined a majority party roll in a given year.

We include two other sets of explanatory variables as well. The first is a measure of legislator location, measured as the percentile rank within the party, with higher numbers indicating a more conservative legislator. The second is bill location, operationalized as dichotomous indicators of median bill sponsors,

divided into state terciles (liberal, moderate, conservative). Liberal bills are the base category.

Table 1: Legislator-Level Majority Roll Models

	Democrats	Republicans
Intercept	0.000	0.025***
	(0.001)	(0.002)
Electoral Margin	0.000	0.001
	(0.001)	(0.001)
Moderate Bill	0.000	-0.006***
	(0.000)	(0.000)
Conservative Bill	0.005***	-0.006***
	(0.000)	(0.000)
Percentile Rank within Party	0.004***	-0.021***
	(0.001)	(0.001)
Num.Obs.	16695	43680
State-Year REs	Y	Y
Legislator REs	Y	Y

Standard errors displayed in parens. *p<0.05; **p<0.01; ***p<0.001

As the table shows, Electoral Margin is not a significant predictor of whether a member votes to roll their own party. This suggests that rolls are not a tool being used by majority parties to hold on to insecure majorities. We find the same result holds using presidential vote as a measure of district competitiveness. Liberal bills are most likely to draw rolls from Republicans, and the converse is true for conservative bills and Democrats. Strikingly, moderate/liberal Republicans are much more likely to roll their own party than moderate/conservative Democrats.

The final explanation we consider is that majority party leaders allow bills to roll their own party because they personally support the legislation. We would expect this behavior if majority party leaders are more ideologically moderate than the rest of their caucus. In such a circumstance, majority party leaders may find that a temporary coalition of minority party members and moderate majority party members is more willing to support their legislative efforts than a majority of the majority party.

Does leader ideology, relative to the rest of their caucus, predict the likelihood of a roll? To answer this, we draw on state legislative leader positioning data from Shor (2023b). We calculate the difference between each chamber leader's ideal point and the ideal point of the median member of their caucus, then aggregate to the

chamber and state level. We then plot separately, for Democratic and Republican majorities, the relationship between average leader-caucus difference and the percentage of roll call votes that roll the majority party.

Figure 6: Majority Roll Rate by Majority Party and Professionalism
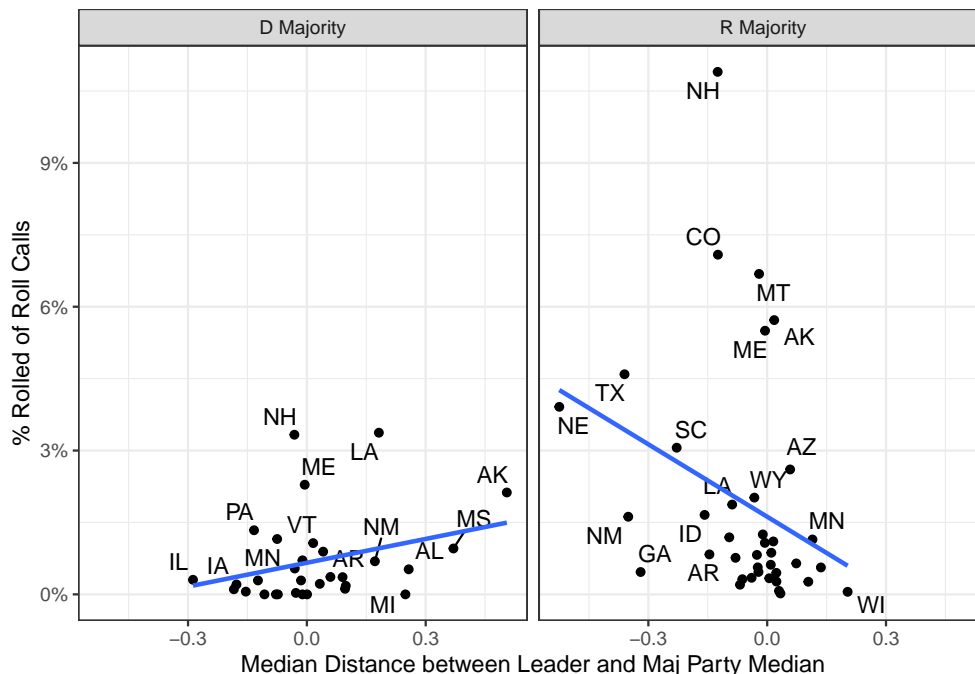
The results are shown in Figure 6. As the figure shows, majority roll rates are considerably higher in states where Republican leaders are located to the left of their caucus, or where Democratic leaders are to the right of their caucus. Furthermore, important differences can be seen within states. In states where Republicans are rolled frequently, such as New Hampshire and Colorado, Republican leaders are considerably more moderate than the median member of their caucus, while the same is not true of Democratic leaders in the same states. Conversely, roll rates are higher in Louisiana for Democrats than Republicans, where Democratic leadership is considerably to the right of most Democratic members. Figure 6 suggests that one explanation for the within-legislature partisan asymmetry in majority rolls may be ideological differences between leaders and their rank-and-file.

5 Which Bills Roll Majorities?

Our data also enable us to understand which bills are more or less likely to roll the majority party. In this section, we consider how the identity of sponsors and the subject of the bill itself relates to the likelihood of a majority roll.

We begin by looking at the partisanship of the bill sponsors. Figure 7 breaks down roll rates by the

partisanship of chamber majorities and bill sponsors. Two patterns are clear. First, minority party-authored bills roll majorities much more frequently than majority- or even bipartisan-sponsored bills. Second, the base roll rate asymmetry between the two parties remains. Not only are Republicans quite frequently rolled on Democratic-sponsored bills, they are even not infrequently rolled on exclusively *Republican* bills, suggesting deep internal divisions.

Figure 7: Majority Roll Rate by Majority and Sponsor Party
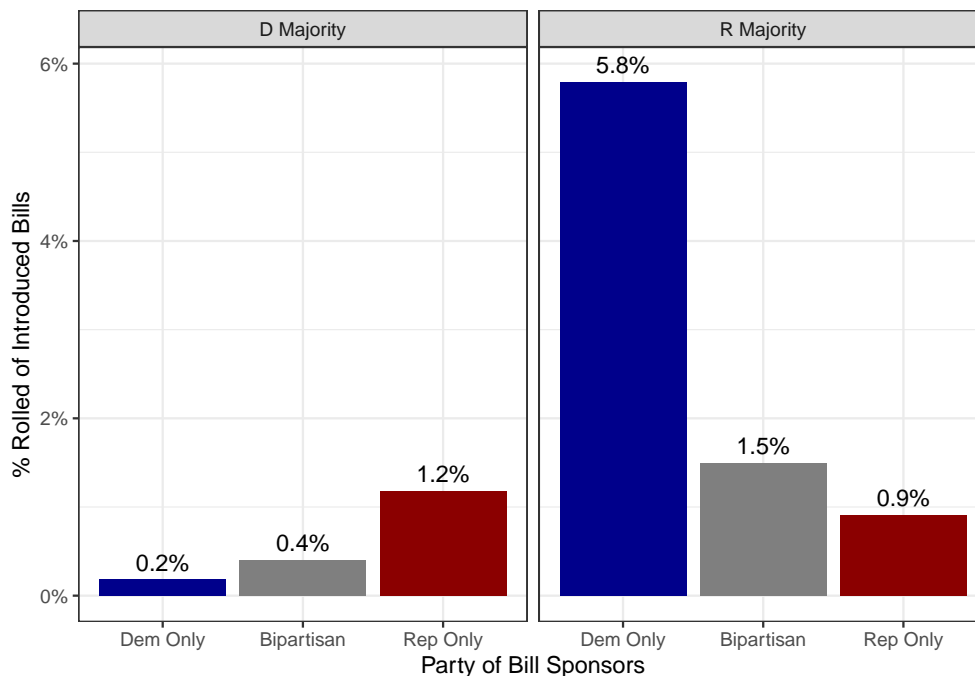
Closely related to sponsor partisanship is sponsor ideology, a factor likely linked to the ideology of the legislation itself. To disentangle the relative importance of sponsor partisanship and ideology, we next estimate a series of regression models of majority party rolls, where the unit of observation is a roll call. Our outcome variable is a dichotomous measure indicating whether the majority party was rolled on the vote. We estimate separate models for Democratic and Republican majority chambers. These are estimated using multilevel models with random effects (varying intercepts) for state-years and bills, which are included to account for baseline differences in roll rates across these units.

The key spatial predictor in all the models is the *signed difference* between the majority party median and median bill sponsor. The majority party median represents the majority party's preferences when decisions are made under simple majority rule (Cox and McCubbins 2012). We use the median bill sponsor under the assumption of a majoritarian inter-sponsor bargaining process (as well as low costs for the introduction of alternative bills if that negotiation deadlocks). Zero on this measure indicates a set of bill sponsors whose

median preferences align perfectly with the majority party median. Positive values indicate the bill sponsors are more conservative than the median, and negative values the opposite. Under a basic spatial model in which bills roll the majority party via a coalition of minority party members and moderate majority party members, we would predict that liberal (conservative) bills should be more likely to roll Republican (Democratic) majorities. In addition to this ideology variable and indicator variables for bill sponsorship (minority-sponsored versus majority-sponsored, with bipartisan-sponsored as the omitted category), we account for the *majority party size*, as under a spatial model absent any majority party agenda control, smaller majority parties should be rolled more often (Krehbiel 2007).

Table 2: Bill Characteristics and Majority Party Rolls

	D Majority	R Majority
Bill Sponsor Distance to Majority	0.001***	-0.010***
	(0.000)	(0.000)
Minority Party Only Sponsors	0.004***	0.008***
	(0.001)	(0.001)
Majority Party Only Sponsors	0.000	0.000
	(0.000)	(0.001)
Majority Party Size	-0.004	-0.037***
	(0.004)	(0.005)
Num.Obs.	190133	335855
State-Year REs	Y	Y
Bill REs	Y	Y

Standard errors displayed in parens. *p<0.05; **p<0.01; ***p<0.001

Table 2 show the results. The key spatial predictor is statistically significant ($p < 0.001$) for both parties, and in the expected direction. The negative sign for the Republican model indicates that the further bills are to the left of the majority party median, the more likely they are to roll the Republican majority. The opposite is true for Democrats: increasingly conservative bills are more likely to roll Democratic majorities. To visualize this relationship, Figure 8 displays the predicted marginal probability of a majority party roll on any given roll call vote as a function of the majority party and the ideological distance between the bill sponsors and the majority party median. As the figure shows, while the relationship is in the expected direction for both parties, the magnitude is much greater for Republican majorities. This implies that spatial factors are more important when it comes to rolling Republican majorities than Democratic ones. Coinciding

with these results, in both cases minority party sponsored bills are more likely to roll the majority party than either bipartisan-sponsored bills (the omitted category) or majority-sponsored bills. Again we see that the effect is stronger for Republican than Democratic majorities. In sum, the bills that roll majorities are sponsored by minority party members (either alone or with some majority party members), and come from sponsors located closer to the minority party than the majority party.

Figure 8: Marginal Effects of Bill Distance to Chamber Majority Party Median for Minority Party Sponsored Bills, Pre-Final Passage
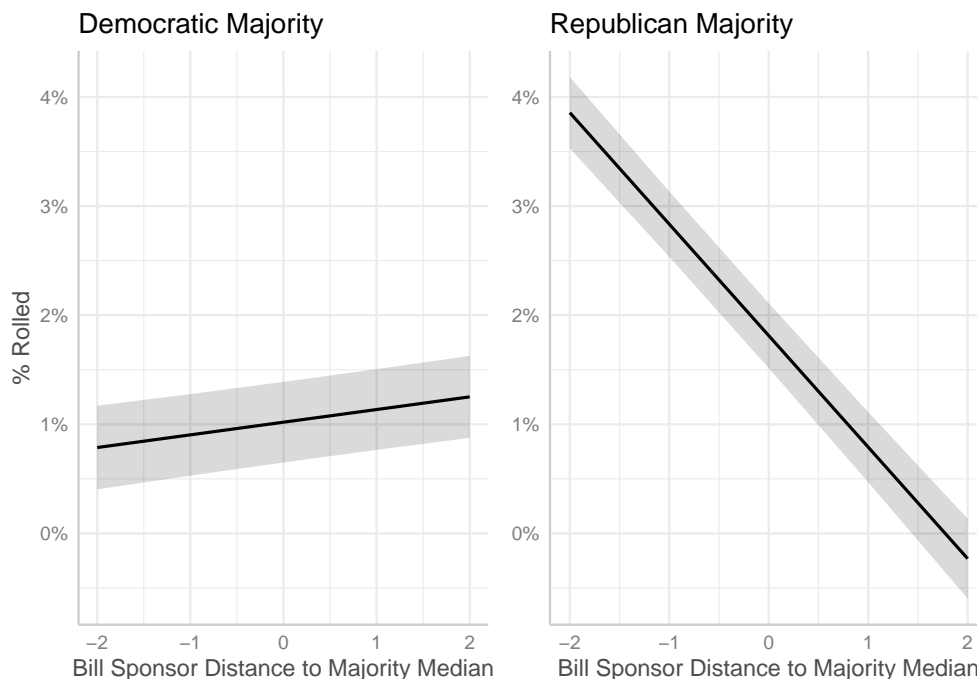
What can we say about the subject matter of these bills? To answer that question, we use the bill issue area classifications developed by Garlick (2020). Following this, we aggregate bills to one of 19 topic areas. These roll rates are displayed in Figure 9, which again separates out the results for Republican and Democratic majorities to identify differences between the two. Doing so is important, as different issue areas are more likely to produce majority rolls for each of the two majority parties. Among Republican majorities, the issue areas where they are rolled most frequently are largely issues dealing with economic policy (tax policy, insurance, construction). Of particular note is small business – a broad issue area that many bills fall into – where Republican majorities are rolled nearly twice as often as the next most common issue area. For Democrats, the bills that roll them most frequently are manufacturing, communication, and sports and recreation, although even in these categories rolls are much less frequent than the roll rate among Republicans for most bill categories.

Figure 9: Majority Roll Rate by Policy
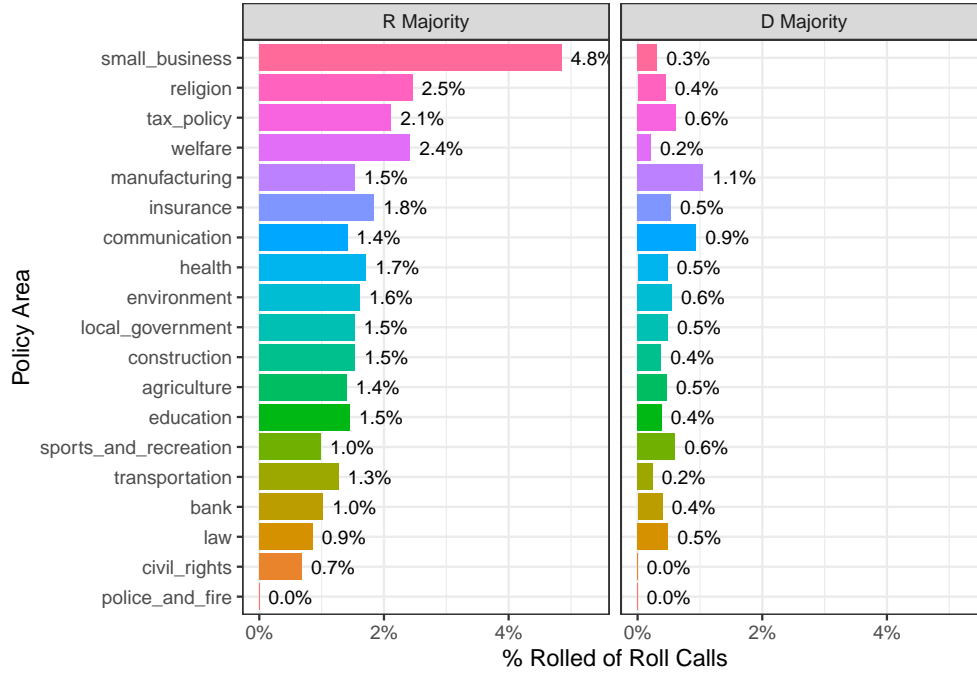
6   Other Forms of Agenda Influence

To this point we have focused on majority party rolls, the most commonly-studied measure of (negative) agenda control. However, as many have noted, agenda influence is more broad than just stopping bills that divide the majority party from coming up for a vote. As discussed earlier, Jenkins and Monroe (2016) divide agenda outcomes into four mutually exclusive and collectively exhaustive categories, representing both agenda "wins" and "losses" for both negative and positive agenda control.

Figure 10 plots the rate of these four agenda outcomes – the block rate, the roll rate, the success rate, and the disappointment rate – over our time period for both Republicans and Democrats. The figure shows partisan differences exist not just for majority rolls, but for the other three agenda control outcomes as well. Interestingly, Republican majorities are not just more likely to be rolled on the floor, they are also more likely to block measures that if passed, would otherwise roll them. At first this seems paradoxical; blocks are an indication of negative agenda control success on the floor, while rolls are a negative agenda control failure. It's important to recognize, however, that a block being required at the floor means that a bill that could potentially roll the majority party has been allowed to emerge from earlier, pre-floor stages (i.e., committees). Thus the higher block rate may simply reflect less negative agenda control at the committee stage.

Turning to the positive agenda control outcomes – successes and disappointments – Democrats appear to be more successful at passing measures they support. The difference in success rate for Democrats and

Figure 10: Agenda Control Frequency by Chamber Majority Party
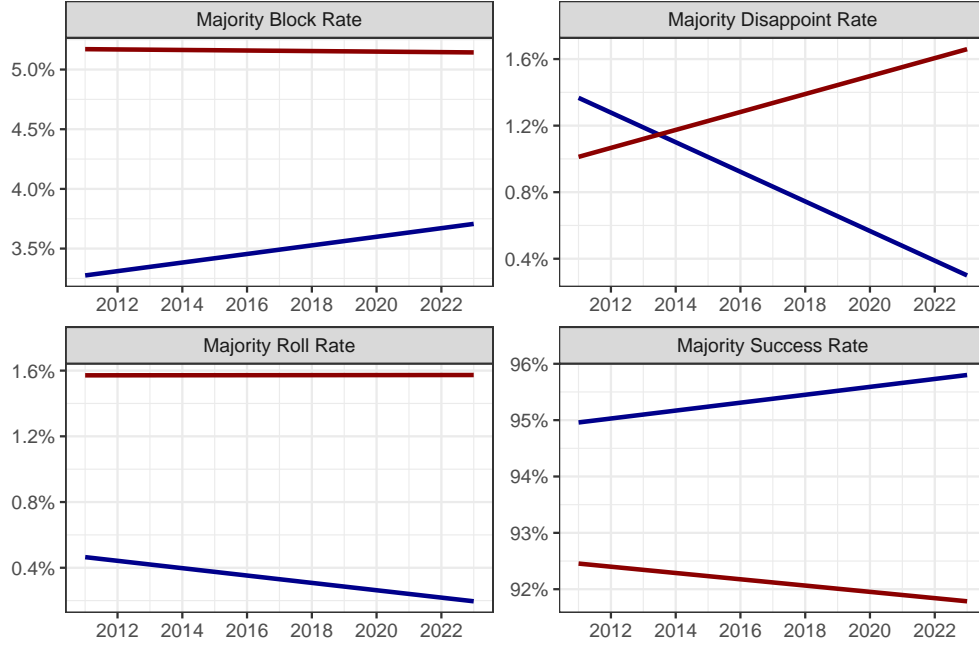
Republicans stands out clearly. Success rates for Democratic majorities during this time period average around 95%, while Republican majorities average approximately a 92% success rate. Disappointments appear to have different trends over this time period for the two parties, with Republican disappointments becoming slightly more common, and Democratic disappointments becoming markedly less common.

7 Polarization and Agenda Power

As a final analysis, we consider whether and how polarization shapes majority party agenda control. When *Legislative Leviathan* was originally published in 1993, polarization was a relatively recent development, and the majority of data analyzed in the book was from a depolarized era. In contrast, both Congress and the large majority of state legislatures today feature high levels of polarization, with essentially no ideological overlap between conservatives in the Republican Party and liberals in the Democratic Party.

Do these changes matter for agenda influence? How would we expect them to? To answer this requires going beyond Cox and McCubbins (1993), which posits near total control of the legislative agenda by the majority party absent any variation. Of course, as we have shown already, in practice considerable variation exists. An alternative theoretical perspective, that of *Conditional Party Government* (Aldrich 1995; Aldrich and Rohde 1997; Rohde 1991), argues that as parties become more differentiated from the opposition (and more cohesive internally), party members provide their leaders with greater control over resources in order to

achieve collective goals. Thus as polarization increases, majority party leaders should have greater ability to control the agenda to achieve majority party goals, as well as more motivation to restrict agenda access to minority parties. The theory of conditional party government would thus predict that increasing polarization should lead to more negative *and* positive agenda control, i.e., fewer rolls, and more successes. Following this argument, we consider two components of polarization here: ideological distance between parties, and ideological cohesiveness within each party. The former we measure as the distance between the Shor-McCarty ideal point of each party's median member, the latter we measure as the standard deviation of Shor-McCarty ideal points in each party.

As initial evidence on this question, we examine whether majorities in more polarized chambers are rolled less frequently than those in non-polarized chambers. The results of this cross-sectional analysis (conducted separately for Democratic and Republican majorities, to again allow for partisan differences) are shown in Figure 11. The x-axis in the top row displays the average distance between party medians in the state for the time periods of the relevant party majorities, while the x-axis in the bottom row displays the average within-party standard deviation. In both cases the y-axis displays the average percentage of floor roll call votes where the majority party is rolled.

The figure reveals that negative agenda control does indeed differ depending on the level of polarization in a state, although not necessarily in ways that existing theories predict. Furthermore, we once more observe a stark partisan asymmetry. Roll rates do vary as polarization increases, but only for Republicans, while roll rates are low at all levels of polarization for Democrats. Beginning with the top row, in places where Republicans are in control and interparty differences high (e.g., Colorado, Arizona, and Texas), roll rates are themselves high. In contrast, Republicans in low-polarization states like Louisiana get rolled infrequently, at similar rates as Democratic majorities. Notably, this runs opposite the prediction of conditional party government. Rather than polarization leading to more investment in party resources leading to more control, it apparently results in less (for Republicans at least). As the bottom row shows, the predictions of conditional party government are partially borne out when it comes to intraparty heterogeneity. More fractious Republican majorities get rolled more often, as conditional party government would suggest. But again, there is little evidence this matters for Democratic majorities.

The relationships displayed in Figure 11 are cross-chamber ones. But what happens when polarization increases within a chamber? Do we witness the same patterns in negative agenda control? And does positive agenda control display similar dynamics?

To answer these questions, we estimate a set of regression models where the dependent variables are the number of majority party "wins" and "losses" in the arenas of negative agenda control (blocks vs. rolls) and

Figure 11: Majority Roll Rate by Legislative Polarization
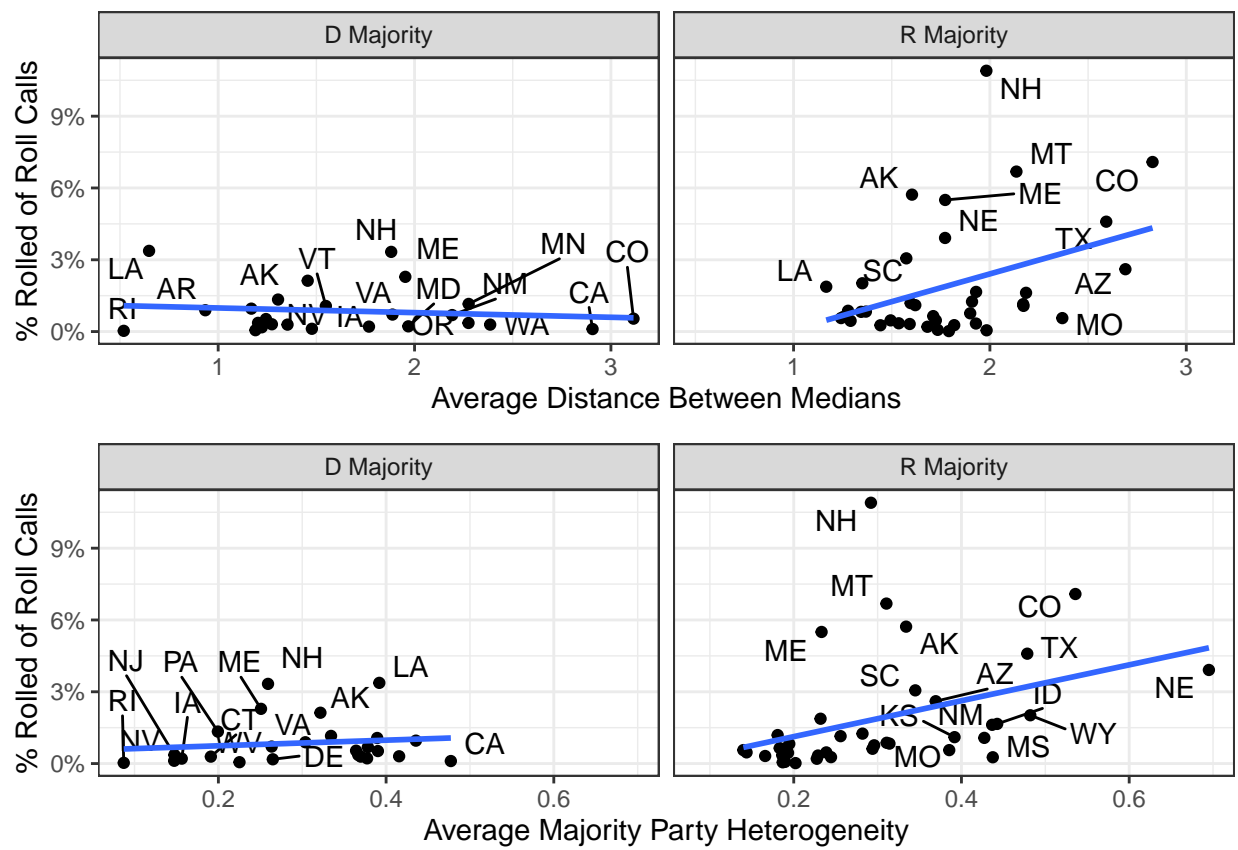
positive agenda control (successes vs. disappointments), measured as simple counts.[5] Unlike before, where the outcome was measured at the roll call level, here we aggregate the measures to the state-chamber-session level as our primary independent variable of interest (polarization) is also measured at the state-chamber-session level.[6] Given that the data is no longer multilevel, we here use simple OLS regressions with fixed effects.

As above, polarization is measured using the absolute difference in the ideal point of the median Republican and the median Democrat, which ranges from 0.26 (the Rhode Island Senate in 2013-2014) to 3.3 (the Colorado House in 2021-2022). Higher values indicate greater polarization. Chamber fixed effects in all models control for not just state-specific but chamber-specific institutions. This includes, for example, such institutional features as committee chair selection methods, calendaring procedures, and more which do not typically change from one legislative session to another within a chamber. We also include year fixed effects which control for any changes across time common to all state legislative chambers.

In addition to the polarization variables and the chamber and year fixed effects, we include controls for a variety of factors that might also affect majority agenda control. We include an indicator variable for Republican majorities, majority party size, divided gubernatorial (as well as chamber) control, and a binary indicator for whether this is the first session a majority is in power (to account for one-time differences in agenda control that new majorities might experience).

We begin by considering the models using the negative agenda control DVs: majority rolls and majority blocks. The results are shown in Table 3. With regards to polarization and majority rolls, the pattern displayed in Figure 11 continues to hold in the within-chamber analysis. As distance between the party median increases, Republican majorities get rolled more frequently, a relationship not observed among Democratic majorities.

As mentioned before, this finding contrasts with both the predictions of Cox and McCubbins (2005) as well as Aldrich and Rohde (1997). What could explain such a finding? One possibility is uneven polarization within the parties. Because we measure polarization using the party medians, it's possible that the majority of a party grow more extreme over time, while a moderate wing of the party remains close to the center. In such a case, the moderate wing might find itself more closely aligned with the minority party, at least on some issues, some of the time. Absent the strong agenda control powers described in Cox and McCubbins (1993;

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[5]As Jenkins and Monroe (2016) note, an alternative way to operationalize these measures is as a rate; in other words, using the count of successes, disappointments, etc. as a numerator and the total number of votes as a denominator. The advantage to this version of the measure is that it accounts for the number of opportunities for successes, opportunities for disappointments, etc. The problem with this measure is that it induces a dependency between the different measures. For instance, if a majority party obtains more positive agenda power, allowing them to put more bills up for a vote and obtain more successes, this will inflate the vote count *denominator* for the other three rates. In this case, the majority roll rate would decrease even absent any change in negative agenda control. For this reason, we prefer the count measures. The chamber and year fixed effects we include in our models, described in more detail below, account for much of the variation in opportunities that represent the primary advantage to the rate measure.

[6]We group together sessions in two-year intervals to compare across different states with different session lengths.

2005), majority leaders might not be able to keep these issues off the agenda, producing more rolls than in the less polarized area.[7] This possibility is partially corroborated by the positive coefficient on the majority party standard deviation variable, suggesting this fracturing contributes to a lack of negative agenda control.

In contrast to the findings on rolls, we find no evidence that polarization (or other factors outside of divided gubernatorial control) affect the number of majority party blocks, for either Republicans or Democrats.

Table 4: Polarization and Negative Agenda Control

	Rolls	Rolls	Blocks	Blocks
Difference in Party Medians	0.6	33.2**	88.3	34.4
	(4.7)	(11.1)	(78.6)	(18.3)
Majority Party Std Dev	9.1	112.5**	-18.7	70.8
	(16.5)	(38.9)	(72.8)	(46.9)
Majority Party Size	-0.2	-1.5***	1.1	-0.7
	(0.1)	(0.3)	(1.1)	(0.4)
Majority Party Change	0.2	18.4	21.1	-14.2
	(2.6)	(15.7)	(10.6)	(15.2)
Divided Chamber Control	-1.3	-12.2*	-22.3	11.9
	(3.1)	(6.1)	(15.4)	(29.7)
Divided Government	0.1	-2.4	-13.7*	-13.7
	(1.2)	(3.9)	(6.4)	(7.1)
Num.Obs.	183	350	183	350
R2 Adj.	0.511	0.757	0.701	0.714
Majority Party	D	R	D	R
Chamber FEs	Y	Y	Y	Y
Session FEs	Y	Y	Y	Y

Standard errors clustered at state level.

Table 4 repeats this analysis, but for the positive agenda power measures. Once again, we find that polarization matters for agenda control in ways that differ by party. Among Democratic majorities, distance between the party medians is associated with a greater number of successes. This finding *does* correspond with the logic of conditional party government, if growing polarization leads majority parties to endow leaders

[7]This explanation also shares some logic with the conditional party government explanation, in that a majority party split into extreme and moderate wings might be less likely to delegate strong agenda control powers to their leaders.

with additional resources and powers enabling them to pass more legislation.[8] On the other hand, we find that for Democrats greater within-party heterogeneity also leads to more successes, a finding that runs counter to the logic of conditional party government. Once again, it appears new theory is required to make sense of these trends.

In contrast, there is no evidence that any of these factors make much of a difference for the frequency of majority party successes for Republican majorities. Additionally, we find no evidence of an effect of polarization on majority disappointments for either party. This latter non-finding again might be consistent with the fact that disappointments are an idiosyncratic phenomenon, likely driven by miscalculation in the amount of support a bill has, rather than any systematic factors tied to polarization or other political factors

Table 5: Polarization and Positive Agenda Control

	Successes	Successes	Disappoints	Disappoints
Difference in Party Medians	935.1*	70.1	7.7	183.8
	(455.4)	(165.1)	(8.2)	(163.2)
Majority Party Std Dev	1294.1*	-130.4	-26.0	75.3
	(640.8)	(381.1)	(49.2)	(118.0)
Majority Party Size	-3.7	-0.8	-0.4	0.2
	(9.2)	(4.1)	(0.6)	(1.0)
Majority Party Change	477.5	21.7	-0.3	-0.9
	(250.4)	(48.2)	(5.7)	(21.0)
Divided Chamber Control	-369.2*	-314.0	-3.0	4.3
	(142.5)	(202.9)	(6.7)	(25.2)
Divided Government	-26.0	-115.5	1.5	-2.5
	(83.2)	(63.2)	(3.9)	(9.2)
Num.Obs.	183	350	183	350
R2 Adj.	0.888	0.846	0.540	-0.026
Majority Party	D	R	D	R
Chamber FEs	Y	Y	Y	Y
Session FEs	Y	Y	Y	Y

Standard errors clustered at state level.

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[8]It contrasts with the predictions of some (e.g., Binder 2003; Krehbiel 1998) suggesting that polarization should lead to more gridlock.

8   Discussion

Understanding the conditions under which majority parties wield agenda powers is crucial to knowing which policies will successful. As we demonstrate, agenda control varies considerably both across and within institutions, in sometimes surprising ways. Among other findings, this paper highlights a striking empirical regularity: Republican majorities are rolled much more frequently than their Democratic counterparts, whether comparing across or within institutions. Further partisan asymmetries in agenda control are common as well. For instance, Democratic majorities get more of their favored policies passed than Republicans. Both of these dynamics are shaped significantly by polarization.

The findings have important implications for policymaking in our current federal system. Democrats in state legislatures appear to have important coalitional advantages relative to Republicans. When in the minority, they can write bills that advance towards passage, even in hostile territory. When in the majority, they can prevent Republicans from advancing their own favored bills and are more successful in pushing forward their own preferred alternatives.

One interpretation of this set of findings is that Democratic majorities in contemporary state legislatures function as cartels that control the agenda, in the sense of Cox and McCubbins, while Republican majorities do not. If this is the case, however, it raises the question of why one major party in American politics – in a variety of very different contexts – regularly wield agenda power like a leviathan, while the other does not.

While further work should study why Democratic parties wield agenda control more effectively than Republicans, the consistency and magnitude of the relationship suggests this is important to developing a more generalizable understanding of how agenda control works. The data introduced in this paper, enabling agenda control to be studied at the level of the individual bill and the individual vote, will be a valuable tool in furthering this understanding. Given the critical role of agenda setting in the policymaking process, additional research addressing these questions and using these data is well warranted.

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