

Gubernatorial Veto Powers and the Size of Legislative Coalitions*

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Abstract

As the key mechanism supporting policy bargaining between executives and legislatures, few political institutions are as central to theories of lawmaking as the executive veto. Despite its importance, institutional continuity at the national level has precluded identification of empirical effects of the veto on legislative behavior. We address this limitation and present evidence from the states demonstrating how the veto affects the formation of legislative coalitions and, indirectly, executive influence over policymaking. First, we evaluate how the addition of the veto in North Carolina in 1997 affected legislative voting patterns in that state. Second, we leverage across-state variation in veto override requirements to identify their effects on legislative coalition sizes in the 1999-2000 legislative sessions. We find consistent evidence that the presence and strength of gubernatorial veto powers affect the lawmaking behavior of state legislatures. Our analysis shows how institutional provisions condition executives' ability to affect policy outcomes in separation of powers systems.

Following Alexander Hamilton's insistence in *Federalist 73* that the presidential veto would guard against the tendency of the legislature to "invade the rights of the executive," the veto is the key mechanism supporting policy bargaining between executive and legislative branches, and is, for most executives in the American context, their most important formal source of legislative power. Veto power, established in Article I, Section 7 of the U.S. Constitution, enables presidents to extract greater policy concessions from legislatures than they otherwise could, and scholars (e.g., Cameron 2000; McCarty 2000) have made significant progress in demonstrating how the veto augments executive influence over policy and serves as an important constraint on the enactment of legislation.

The simplest way the veto affects lawmaking is that congressional majorities anticipate presidential preferences and thus are unlikely to schedule votes for bills that the president is sure to veto unless there are enough votes for an override (e.g., Cox and McCubbins 2005).¹ In this paper, we build on models of policymaking that explicitly incorporate the veto (e.g., Brady and Volden 1998; Krehbiel 1998) and argue that the specific proportion of votes required to override a veto has important implications for the size of legislative coalitions and, by extension, implications for executive influence over policy. Larger override requirements make it more difficult for legislatures to enact policy over an executive's objections, while smaller requirements advantage the legislature over the executive.

Unfortunately, such predictions about the relationship between override requirements and legislative behavior cannot be tested at the national level because the veto has been available to all presidents, and the number of legislators necessary to override a veto has remained constant across American history (Cameron 2009).² However, override requirements vary across the U.S. states, providing a set of institutional contexts in which to study the effects of the executive veto and, in particular, how the override requirement affects the nature of lawmaking.

Our focus on the institutional environments in which governors and legislators bargain over policy contrasts with extant research on state lawmaking. Most work on state policymaking focuses on the roles of legislative professionalism (e.g., Kousser 2005; Mooney 2009; Squire 2007), partisanship (e.g., Erikson, Wright, and McIver 1993; Wright and Schaffner 2002), or electoral security (e.g., Barrilleaux, Holbrook, and Langer 2002; Holbrook and Van Dunk 1993) and their effects on policy. In perhaps the most comprehensive study of gubernatorial power, Kousser and Phillips (2012) model and investigate variation in gubernatorial influence across

¹Groseclose and McCarty (2001), however, illustrate some scenarios in which Congress will consider and pass legislation even while knowing the president is likely to veto it.

²Contrast this with the cloture rule that was adopted in 1917 to end a filibuster in the Senate, which Wawro and Schickler (2004) use to examine how the filibuster affected legislative coalitions.

different kinds of legislation (substantive policy versus appropriations), but devote less attention to the ways in which institutional differences affect the nature of interbranch bargaining.

Here, we contribute directly to a growing literature that uses variation across and within the states to examine how institutional design and sources of gubernatorial influence affect important political outcomes (e.g., Alt and Lowry 1994; Gordon and Huber 2007; Huber and Shipan 2002; Lax and Phillips 2009, 2012; Wright and Schaffner 2002). In particular, we argue that the gubernatorial veto is powerful only insofar as it advantages supermajoritarian pivots in state legislatures that may be more amenable to the governor's preferences than the median. Without the veto, simple majority-sized coalitions would be able to pass policy over the objections of a relatively toothless governor. Furthermore, the more onerous the supermajoritarian override requirement, the larger coalition sizes and the potential for gubernatorial influence, should be.

We test these arguments with three sets of analyses. First, we examine the introduction of the veto in North Carolina in 1997 as a quantitative case study of how the existence of the veto can affect coalition sizes. Comparing voting patterns in the 1995-1996 General Assembly to those in the 1997-1998 session, we find that legislative coalitions were larger in both the upper and lower chambers upon the introduction of the veto. Second, leveraging cross-sectional variation in states' veto override requirements, we examine how the nature of these requirements affects the size of legislative coalitions in state chambers during the 1999-2000 session. We find that legislative coalitions are larger in size in states with greater override requirements. Our final empirical section compares coalitions in states with majority override requirements to pre-veto North Carolina and finds that veto power with a simple majority override requirement confers no additional power to governors than if no veto existed. We conclude by discussing the implications of our findings for interbranch bargaining and executive power, stressing the connection between coalition sizes and the dynamics of policy change and policy content across the states.

This research is especially relevant in an age of legislative gridlock and polarized political institutions. Either deferring to or ignoring the governor can produce dramatic changes in policy outcomes. Controversial social issues like Medicaid expansion, abortion, gay marriage, gun control, and drug laws are increasingly legislated at the state level; at the same time dramatic economic changes have strained state budgets and made taxing and spending policies more salient. By understanding the relationship between the location of override pivots and coalition sizes, we can speak to governors' ability to shape policy outcomes in all of these areas.

Veto Override Thresholds and Coalition Sizes

Because legislatures must either satisfy the executive or produce enough votes for override, the locations of members' ideal points is critical; varying distributions of legislative preferences

produce different gridlock intervals, coalition sizes, and policies. Pivot-based theories (e.g., Brady and Volden 1998; Chiou and Rothenberg 2009; Krehbiel 1998; Tsebelis 2005) account for the ways in which supermajoritarian institutional rules in legislatures affect whether (and to what extent) policy changes occur.³ These models commonly assume that legislators can be arrayed along a unidimensional ideological continuum according to their preferences and receive declining utility as policies move away from their ideal point. The relevant pivots compare the proposed policy to the status quo, and policy change will only occur when all pivotal actors (in Congress: the House median, Senate filibuster pivot, and *either* the president or both the Senate and House veto override pivots) prefer the proposed policy to the status quo. As Krehbiel (1998, chapter 2) shows, any status quo policy located between these pivots will not be changed because at least one pivotal actor will prefer the status quo to any proposed alternative. In addition, Krehbiel (1998) characterizes how the presence of such institutional pivots affects the size of winning coalitions, increasing them beyond simple majority or majority party sized as earlier models suggest (e.g., Black 1948; Riker 1962).

Since the filibuster is (mostly) inconsequential in state legislatures, there are only two pivotal actors in state chambers: the chamber median and *either* the governor or the veto override pivot.⁴ Figure 1 illustrates how the rules governing the veto override threshold are hypothesized to affect legislative coalition size. First assume the veto override threshold (labeled V_o) is a simple majority ($50\% + 1$) of the legislature, as it is in a number of states. Assume the governor's ideal point (designated G) is located to the right of the chamber median (designated C_m).⁵ In this case, any winning coalition must simply include the median chamber member (Riker 1962), as the top panel of Figure 1 indicates. If the governor vetoes the proposed policy, it can be overturned by C_m/V_o . There is no gridlock interval, so in this scenario, any policy not already at the chamber median's ideal point will be moved there and the minimum winning coalition, designated α [α_2] if the status quo is to the right [left] of the median, will consist of all voters on the opposite side of both the status quo and the median plus one. Thus, policy will become more conservative [liberal] if the status quo is to the left [right] of the median.⁶

³A "pivotal" vote is one where the outcome turns on that vote and would be different if the vote were changed. "Pivots" refer to legislators whose votes exhibit this property.

⁴Most states do not provide for unlimited debate; in the few that do, filibusters are exceedingly rare and are only marginally effective at the end of a term. Even if a legislator manages to filibuster until the end of the session, the governor or legislature may call a special session to pass the filibustered bill, as happened in Texas in 2013 when a Democrat filibustered a bill on abortion limitations. Restricting our analysis to those states that explicitly do not have a filibuster does not change our substantive conclusions. We also control for states in which the governor or legislature is allowed to call for a special session in our empirical models.

⁵The intuition is the same whether the governor is located to the left or right of the chamber median.

⁶The winning coalition may also include any member on the same side of the status quo if the distance between that member and the status quo is greater than the distance from that member to the median. We focus on minimum

Observing that most legislation in Congress is passed by large majorities, Krehbiel (1998, chapter 2) argues that the congressional veto override and filibuster pivots are important checks on the ability of the median voter to influence policy outcomes. These supermajoritarian features increase the size of winning legislative coalitions beyond simple majorities. In the states, any new policy must be approved by either the veto override pivot or the governor, so the member closer to the chamber median establishes one boundary of the gridlock interval (designated γ in Figure 1). We assume that the status quo is to the right of C_m and that V_o is closer to C_m than is G , as shown in the second and third panels of Figure 1. Of course, the veto override pivot will not always be closer; in many cases, the executive will be more moderate than the override pivot, but these are instances in which the governor often signs the legislation, making a veto override unnecessary. Because we are interested in how the veto override rule changes coalition sizes across many bills, our examples here consider the veto override pivot as the relevant policy constraint.

Figure 1 goes here.

Status quo policy can be moved to the ideal point of the pivotal actor closest to the status quo. If the proposed policy moves any farther, it will move into the gridlock interval and that pivotal actor will prefer their ideal point to any other proposed policy. In these examples, any policy to the left of the chamber median will move to the median and the other pivotal actors, the governor and veto override pivot, will prefer it to the status quo. However, when the status quo lies to the right of the gridlock interval, policy will move to the override pivot's ideal point. As override thresholds increase, increasingly large coalitions are necessary to approve a policy *and* policy change is limited to a smaller subset of the policy space. In the middle panel of Figure 1 below, the override threshold is set at $3/5$ of voters in the legislature. The figure clearly demonstrates that with this override requirement and configuration of actors, larger minimum winning coalitions, members of which have ideal points located in the space α , are required to achieve passage, more status quos are located in the gridlock interval, and fewer policies to the right of the median are subject to change, as compared to a majority override requirement.

This same pattern is demonstrated in the bottom portion of Figure 1. Here, the veto override threshold is set even higher, at $2/3$ of legislators. This rule moves the veto override pivot farther to the right because the pivotal legislator lies farther from the chamber median. Any status quo winning coalitions, or the smallest possible coalition necessary to pass new policy. It is nearly impossible to predict a particular winning coalition for any given policy due to the difficulty in estimating status quo locations (Richman 2011).

moved toward the veto pivot from the right will be approved by any legislator with an ideal point in space α .

The pivot-based theory of lawmaking outlined above and stylized in Figure 1 generates several testable hypotheses. First, the mere existence of a supermajoritarian veto override requirement should increase coalition sizes over what they would be in the absence of a veto. Second, coalition size should increase with the number of votes necessary to override a veto. More specifically, coalitions should be larger in states with 3/5 requirements than in states with simple majority requirements, and they should be larger still in states with 2/3 override requirements. Finally, compared to situations in which no veto power is available, a simple majority override requirement should not have a positive effect on legislative coalition size. As the top panel of Figure 1 indicates, a majority veto override renders the veto quite toothless. As long as more than half of the legislature agrees to a policy change, there is nothing the governor can do to prevent the proposal from becoming law. In states with no veto provision, the same would appear to hold true: without veto power, legislatures can enact whatever policy they like.⁷

Krehbiel's pivotal politics model is, at its core, a nonpartisan theory of lawmaking. Because lawmaking requires bargaining between a legislature and an executive, enacted legislation is likely to reflect some convex combination of each branch's preferences. As the spatial models reflect, the veto override pivot is only relevant for assessing the fate of a bill that the executive has vetoed or threatens to veto. Legislatures, then, would be expected to assemble veto-proof majorities only when they might expect a gubernatorial veto. As a result, we expect the override provision to affect coalition size primarily when the legislature and the governor have conflicting policy preferences.

Lacking precise estimates of gubernatorial and legislative preferences, we use the incidence of unified or divided government as a simple proxy for conflict in our cross-sectional analyses. The basic intuition is this: under unified government, the governor's preferences are likely to share some similarities with the median legislator's preferences because they are members of the same party. But under divided government, the median member of the legislature is (by definition) a member of the opposite party, and thus the governor is likely to appear more ideologically extreme relative to the legislature. Just as previous research on presidential vetoes has found that vetoes (and veto threats) are more effective during divided than unified government (e.g., Cameron 2000; Rohde and Simon 1985), so too might we expect override requirements to structure lawmaking

⁷On the other hand, perhaps the symbolic importance of a gubernatorial veto is enough to dissuade a legislature from passing policy that the governor opposes. Research finding that vetoes reduce public approval of the executive (i.e., Groseclose and McCarty 2001) supports this claim. Conversely, if public opinion strengthens the executive's hand in policymaking (e.g., Canes-Wrone and De Marchi 2002), perhaps even a simple majority override requirement provides at least some minimal protection for the policy views of an executive.

more consequentially when government is divided rather than unified. Klarner and Karch (2008) further show that governors issue considerably more vetoes under divided government, lending further support to our use of party control as a proxy for interbranch conflict.⁸

Vetoes, Overrides, and Gridlock in the States

Though substantial variation exists in governors' formal and informal powers, legislatures' sizes and levels of professionalism, and the rules by which the legislature and governor interact, our theory draws on the congressional-presidential veto framework to characterize the effect of the veto pivot on coalition size. Despite this variation, the basic process of vetoing and overriding is the same in the states as at the federal level. In all states, the governor chooses to sign or veto a bill after passage in the same form by both chambers, and if the governor issues a veto, the legislature has the opportunity to reconsider the same bill and pass it over the governor's objections. In so doing, the veto override pivot becomes the singularly most important legislator.

There is further variation in the conditions under which governors may consider whether to sign or veto legislation, and in the opportunities given to legislatures to override a veto. In some states, such as Iowa, Minnesota, New Mexico, North Dakota, and Wyoming, governors have only three days to veto legislation before it becomes law. Other states allow governors considerably more time, including New Jersey, which allows governors 45 days, and Illinois, which provides 60 days. Furthermore, some states, such as Louisiana, require the legislature to vote on whether to hold a special session specifically to attempt to override a governor's veto, while other states, such as Virginia, mandate that the legislature consider gubernatorial vetoes. These variations in the specifics of the veto process may have consequences for the extent to which governors and legislatures wield influence over an enacted bill by, for instance, creating differing incentives for patience (see, e.g., Kousser and Phillips 2012). Though these other veto rules have not been studied extensively, we focus on override pivots as an initial examination of governors' formal sources of influence, as all state legislatures face similar incentives to pass bills by majorities large enough to overcome a governor's objections.

The frequency of vetoes and overrides differs across states; during the study period, more vetoes were issued in California than in any other state (Klarner and Karch 2008, 397). The 1999-

⁸We wish to emphasize that accounting for partisan control of government is not itself inconsistent with the pivotal politics model. Our reason for doing so, in fact, is to clarify the conditions under which veto override provisions are likely to affect patterns of lawmaking, and our use of party control is merely a rough proxy for characterizing when conflict (more formally, this might refer to the spatial distance between the governor and the relevant legislator) between different branches of government is relatively high or relatively low. Our tests are agnostic as to whether party control of government "matters" for legislative outcomes. Using divided party control of government to measure the location of ideal points is also consistent with Krehbiel's (1998) analysis of regime changes (which we investigate in the Appendix).

2000 term in California was characterized by frequent disagreements between the Democratically controlled legislature and the more moderate Democrat Gray Davis (prior to his recall in 2003). According to the *San Francisco Chronicle*, “. . . Davis’ legacy in nearly every public policy area involved constant behind-the-scenes fights with lawmakers. Bills often were vetoed and then signed a year later with only minor modifications. Lobbyists and lawmakers complained that Davis’ legislative staff worked without authority to make even small decisions for the governor.”⁹ Maryland, New York, and New Mexico also had a significant number of vetoes, and with the exception of New Mexico, each is a state with an above average level of legislative professionalism. In fact, the number of vetoes and professionalism correlates highly, as legislatures with greater resources appear to be more insulated from the governor’s influence.

We also find that vetoes were considerably more common in states with supermajoritarian override requirements than in states with a simple majority override requirement. The five majority override states in our sample averaged only 12 vetoes per term, while 3/5 override states averaged 79 vetoes and 2/3 override states averaged 42 vetoes. Clearly the veto bargaining dynamics in majority override states differ from those in the other states; these governors’ unwillingness to issue vetoes is likely due to their institutional weakness rather than agreement between the branches.¹⁰ In a comparative study of vetoes across states, Klarner and Karch (2008) report that vetoes are issued more frequently by governors with greater formal powers, defined as states with higher override requirements, longer decision-making time, and more powerful pocket veto powers.

North Carolina Introduces the Veto

Our empirical analyses begin with an investigation of the adoption of the veto in North Carolina in 1997, midway through Governor Jim Hunt’s (D) final two terms in office,¹¹ as a quantitative case study of how the introduction of a qualified (3/5 override requirement) veto power affected the size of legislative coalitions.¹²

⁹Salladay, Robert. November 12, 2003. “State of Transition—End of the Davis Era—Tempered Temperament led state.” *San Francisco Chronicle*. Accessed at <http://www.sfgate.com/politics/article/STATE-OF-TRANSITION-End-of-the-Davis-era-2549307.php> on September 9, 2013.

¹⁰The maintained hypothesis that generates our theoretical expectations about the relationship between override requirements and coalition size is that larger override requirements increase the size of the gridlock interval in some unidimensional policy space. Using Shor and McCarty’s (2011) legislator ideology data, we can map the size of the gridlock interval by finding the distance from the median legislator to the override pivot. For all chambers, the gridlock interval is larger in states with two-thirds override requirements (0.52) than in states with three-fifths requirements (0.52), with $p < 0.06$ (two-tailed test). We also estimate a set of linear regressions of gridlock interval size using and find the override requirement to be a significant predictor of gridlock interval size under a variety of specifications. The results are included in Table R-1 in the Reviewer’s Appendix.

¹¹Governor Hunt served four (four year) terms from 1977-1985, then from 1993-2001.

¹²Our study of North Carolina is not a true natural experiment because the assignment mechanism was not random (see, e.g., Sekhon and Titiunik 2012), but it approximates one in that the treated and control groups (winning

The North Carolina General Assembly is a bicameral body consisting of a 120-member House of Representatives and a 50-member Senate. As with most subnational legislatures, NC Senate rules stipulate strict limits on debate, thereby precluding political minorities from filibustering legislation. In terms of legislative resources, the NC General Assembly is less endowed with formal powers than many state legislatures and far less professionalized than the U.S. Congress, according to the Squire Index (Squire 1992, 2007).

North Carolina was the last state to adopt the veto and, as expected, scholarly accounts of the pre-veto political landscape in North Carolina portray the legislature as relatively dominant against the institutionally impotent governor (Beyle 1968; Dometrius 1979). Prior to the change, the chamber medians would have served as the key pivotal actors. Although the introduction of veto power has not significantly altered the NC governor's relative standing among state chief executives, we examine whether it affected legislative coalition sizes.¹³

The conspicuous absence of the veto in North Carolina was due to a deeply-rooted historical distrust of powerful executives. When the state's constitution was written in 1776, drafters sought to avoid the overbearing rule of British royal governors by concentrating lawmaking powers in the legislative branch. In fact, they were so worried about monarchical executives that the state constitution called for governors to be *appointed* by the legislature, and not until 1835 was the constitution amended to provide for the direct election of governors.¹⁴ Other attempts to amend the state constitution occurred in 1933 and 1967, but even as all other state constitutions provided veto powers (until 1917, Rhode Island was the last remaining state without the veto), support for the veto failed to gain much traction in North Carolina. This changed with the election of Republican legislators in 1994, having run on promises to support a gubernatorial veto and by

coalitions pre- and post-veto) appear similar across observables. This appearance of similarity does not of course ameliorate the problems of inference that exist in quasi-experimental analysis (see, e.g., Campbell and Ross 1968 for a classic treatment of these myriad pitfalls), so we cannot unambiguously attribute a causal effect to the introduction of the veto. However, as noted below, if some other characteristic were really driving the temporal change in NC coalition sizes, we would be far less likely to confirm the relationship we find in the cross-sectional data as well. We also used regression to predict coalition sizes using differences between the two North Carolina sessions. The key variables of interest, such as party control of government, reelection support for the governor, and number of majority-controlled seats, are so similar across sessions that multicollinearity results if more than one or two predictors are included in a model. These bivariate regressions however are consistent with our claims. Taken together, the two sets of results increase our confidence in our claim of a causal relationship.

¹³Thad Beyle maintains a Gubernatorial Power Dataset (available online at <http://www.unc.edu/~beyle/gubnewpwr.html>) which measures governors' institutional (including appointment powers, veto powers, budgetary powers, and powers of administration and management) and personal powers (including governors' levels of job performance, electoral mandate, and career trajectories). Pre-1997, North Carolina regularly had the least powerful governor according to this measure. In more recent years, the NC governor's relative power has improved only slightly—but as a direct result of being granted the veto—according to the institutional powers index.

¹⁴February 12, 1995. "Last Governor Without Veto Could Get It." *New York Times*. Accessed at <http://www.nytimes.com/1995/02/12/us/last-governor-without-veto-could-get-it.html> on April 5, 2013.

1995, both chambers passed a constitutional amendment that provided for veto power subject to a 3/5 override vote (line-item veto powers were not included). North Carolina voters ratified the amendment in 1996 with 76 percent support, and the veto became part of the governor's formal powers beginning in 1997.

While the introduction of the veto was clearly not the result of chance, it also did not stem from a legislature anxious to cede power to the governor. Nor was it implemented by a legislature which expected to have extensive agreement with the governor; in both the 1995-96 and 1997-98 legislative sessions, Republicans controlled the House while Democrats controlled the Senate. Moreover, the same governor—Democrat Jim Hunt—held office across both legislative sessions. Hunt was re-elected to his fourth (and final) term in 1996 with 56.7% of the vote—an increase of fewer than two percentage points from his election in 1992. Thus, his re-election did not appear to signify a clear mandate for his priorities.

The congruence of these institutional environments, as displayed in Table 1, enables us to consider the introduction of the veto as something of a treatment to a political system that was otherwise quite similar across legislative sessions. These similarities allow us to hold constant, to the degree possible, virtually all characteristics that might also affect the size of legislative coalitions, and thus plausibly infer that any change in coalition sizes from the pre-veto legislature (1995-96) to the subsequent post-veto legislature (1997-98) resulted from the introduction of the veto. Further, it does not appear that any other significant changes to the legislative rules affected potential confounders like legislative professionalism, chamber size, or the budgetary process.

One potential concern, however, is that Governor Hunt, upon being awarded the veto, sought to enact a much more aggressive agenda for his term that began in 1997. But, newspaper and biographical coverage of Governor Hunt provides little evidence to suggest this was the case. Nowhere in the coverage of Hunt's 1997 inauguration or State of the State address did the *Raleigh News and Observer* characterize Hunt's proposals as aggressive or far-reaching. In fact, Hunt's biographer reported that Hunt's proposals for his final term in office were mostly restatements of his commitments to public education that he had voiced repeatedly during his term in office that began in 1993 (Pearce 2010, 244-245). In fact, in characterizing the effect of the veto on Hunt's governorship, Pearce (2010, 244) writes: “[H]e had added the veto power. But he never used it. He never needed to. It was his gift to his successors.” These evaluations of Hunt's final term in office, then, improve our confidence that any potential changes in legislative coalition sizes upon the introduction of the veto are not due to the heavy hand of a newly-empowered governor.

Table 1 goes here.

Since North Carolina had no provisions for either a veto or a filibuster before 1997, the spatial

theory outlined above provides no reason to expect that coalition sizes were anything other than simple majority-sized (Aldrich 1995; Baron and Ferejohn 1989; Riker 1962). Any bill which achieved a majority in both chambers was certain to become law (as in the top panel of Figure 1). In contrast, the introduction of the veto implies that the 3/5 member of each chamber becomes pivotal when considering a possible override attempt, suggesting that coalitions must be at least as large as that constitutionally-stipulated supermajority when the governor disapproves of legislation. As implied by Cameron (2000) and others, this effect is driven by the legislature's anticipated response to gubernatorial behavior and exists even when the veto is not used.¹⁵ Thus, we expect that legislative coalitions were larger in both chambers after the veto was adopted.

Figure 2 provides a sense of the distribution of coalition sizes across chambers of the NC General Assembly. The data we use were derived from roll call votes in the 1995-1996 and 1997-1998 legislatures. We obtained data from the General Assembly website (<http://www.ncleg.net/>) for the 1997-1998 legislatures, from microfilm provided by the NC Division of Archives and Records (House 1995-1996), and from the Senate Journals of the General Assembly for 1995 and 1996. All third reading roll calls (omitting procedural votes and intermediate amendments) that received more yes votes than no votes on final passage are included. The winning coalition size variable is calculated as in Krehbiel (1998) and is the number of yes votes divided by the total number of yes and no votes (that is, omitting nonvoters or missing votes), so values range from 0.5 to 1.

Figure 2 goes here.

As Figure 2 makes clear, coalition sizes are often greater than minimum majority-sized. This comports with empirical research on coalition sizes in Congress (Browne 1993; Krehbiel 1998). While the frequency distributions for both pre- and post-veto legislative sessions are negatively skewed, there are obvious differences in the extent to which the House passed bills with small majorities across the sessions. There are nearly twice as many instances of coalition sizes between 0.5 and 0.6 in the pre-veto legislature than in its immediate post-veto successor. The discrepancy between the pre- and post-veto sessions increases when comparing coalition sizes between 0.6 and 0.8. While the post-veto session lacks many close votes, more than half of its successful roll calls were determined by coalitions greater than 0.85. The story for the Senate is a bit different, as a larger proportion of post-veto votes were unanimous or near-unanimous. Still, the histograms for the Senate confirm that there were far more closer votes (with coalitions between, say, 0.5

¹⁵Although veto power was conferred in 1997, the first veto was not issued until November 2002 by Governor Mike Easley.

and 0.7) pre-veto than post-veto. This figure provides preliminary, if inferentially imprecise, confirmation of our expectation that coalition sizes increased in the post-veto period.

If, as we argue, the political-institutional environments (save for the introduction of the veto) are sufficiently similar to approach a quasi experimental design, then we need only test the equality of summary statistics across the distributions. As Table 2 shows, the mean coalition sizes are significantly different across the two sessions for all votes on final passage. Consistent with Figure 2, average coalition sizes are very large both before (0.91 in the House and 0.92 in the Senate) and after the introduction of the veto (0.95 in the House and 0.96 in the Senate).

Table 2 goes here.

The inclusion of “hurrah” legislation that does not elicit substantive opposition may account for the large average coalition sizes and obscure the results. To explore this possibility, we eliminate unanimous votes from the mean coalition size figures (the middle rows of Table 2) and then follow previous literature (e.g., Clark, Osborn, Winburn, and Wright 2009) and count only “competitive” roll calls where the ratio of yes votes to total votes is less than or equal to 0.95 (the bottom rows of Table 2). While this approach reduces the number of observations, it allows us to focus more squarely on those votes that generate some degree of controversy. No matter how we cut the data, the same pattern holds: consistent with the theory, coalition sizes are significantly larger in the post-veto session.¹⁶ Importantly, coalition sizes increased in *both* chambers of the legislature. Though it may not be surprising that coalition sizes increased in the Senate, as the Democratic majority itself became larger, the fact that a similar increase occurred in the House, where the Republican majority dwindled, supports our claim that the introduction of the veto led to the observed differences in coalition size across terms.

The data from Table 2 also support the importance of the veto from a somewhat different perspective. As discussed above, the location of the veto override pivot has implications for characterizing the width of the gridlock interval. As the requirements increase to override a veto, the increased ideological distance between the chamber median and the veto override pivot suggests that an increased number of status quo policies are located within the gridlock interval. One observable implication, then, is that the introduction of the veto in North Carolina should have reduced the level of legislative productivity.

And indeed, the general patterns shown in Table 2 are consistent with this expectation. Using the entire sample of final passage votes, the evidence is clearest in the Senate, where the number

¹⁶Notice that for coalitions $\leq .95$ in the Senate, the difference in means is only statistically significant at the (one-tailed) 0.1 level. Given the robustness of the other tests found throughout Table 2 and found later in the paper, this is likely a function of sample size. That there were more than twice as many competitive votes pre-veto than post-veto in the Senate can in fact be seen as additional support for our expectation.

of votes decreased from 361 to 323 after the veto was introduced. In the House, in fact, the number of final passage votes increased from 280 to 314. But the patterns are more striking when focusing on more contentious legislation; among non-unanimous votes, the number of final passage votes decreased from 203 to 187 in the House, and even more dramatically—242 to 153—in the Senate. Examining those votes for which the majority coalition comprised 95% or less, the number of final passage votes again decreased both in the House (from 110 to 83) and Senate (from 152 to 75).

Of course, these results should be viewed somewhat tentatively, as our approach does not allow us to characterize the magnitude of the policy changes that occurred either before or after the veto was introduced. Nevertheless, they are consistent with the general expectation that the provision (and nature) of the gubernatorial veto has implications for legislative behavior. As more legislators are required to agree before policy can be changed, policy change is likely to occur at a slower rate and in more incremental forms.

Explaining Coalition Sizes across the States

Thus far, we have demonstrated that the introduction of the veto in North Carolina significantly altered patterns of lawmaking by generating larger legislative coalitions. Here, we conduct a similar cross-sectional assessment of the effects of varying override requirements on coalition sizes. Seven states require a 3/5 vote of members to override a veto, and remarkably, six states require only a simple majority to sustain legislation over a veto (see Figure 3).¹⁷ This variation allows us to examine our expectation that states with higher override requirements produce larger coalitions than states with simple majority overrides.

Figure 3 goes here.

As with the North Carolina case, the dependent variable is the size of winning legislative coalitions. The data are drawn from Wright's (2004) data on all competitive (coalition ≤ 0.95) roll call votes in state chambers in their 1999-2000 legislative sessions. Because we expect the strategic considerations of the veto to be especially relevant on final passage votes (and not, for example, on amendments or procedural votes),¹⁸ we focus only on this subset of the data. In addition, we limit our attention to those states that do not hold off-year state legislative elections to ensure that the compositions of the state legislatures is constant across legislative sessions.¹⁹

¹⁷States differ between stipulating members elected and members voting to create an override majority. In practice, this distinction is minor because nearly all legislators cast a vote on most roll calls.

¹⁸Jenkins, Crespín, and Carson (2003), Van Houweling (2001), and Krehbiel, Meirowitz, and Woon (2005) all stress the importance of focusing on final passage votes.

¹⁹These omitted off-year election states are Kentucky, Louisiana, Mississippi, New Jersey, and Virginia. The results reported below hold when we alternatively include these states. In addition, due to its unicameral and

As a first cut, we compare the differences in coalition sizes between the states with simple majority override thresholds and those that require a supermajority override. Surprisingly, this initial inspection reveals that the mean coalition size for states with simple majority override requirements (0.803) is larger than that for states with supermajority requirements (0.792), and this difference is statistically significant.²⁰ But just as each U.S. Congress casts hundreds of votes on trivial and non-salient bills, so too do state legislatures. Scholars have long recognized this issue, which has led some to focus on identifying “significant” legislation (Mayhew (1991); see also Krehbiel (1998), chapter 4) or to otherwise develop rules for separating “lopsided” roll calls from more contested votes (e.g. Masket 2008; Snyder and Groseclose 2000). Theories of lawmaking, after all, tend to focus on the contested politics that accompanies important legislation (Cameron 2000). As with the North Carolina data, by including votes on substantively trivial or uncontested issues, we risk confounding tests of the theory.

Notwithstanding the intuitiveness of this problem, it is difficult to separate the votes on important issues, on which one would expect legislative coalitions to behave strategically, from “hurrah” votes. This problem is especially acute when analyzing roll calls across the U.S. states. Even if we were able to code each vote in the data for issue area, a gargantuan task, the state politics literature has yet to identify substantive areas that might be more or less salient across the states. While studies of Congress have classified vote importance using measures of national media attention (e.g., Binder 2003; Howell, Adler, Cameron, and Riemann 2000; Krehbiel and Woon 2005; Mayhew 1991) there is no analogous method for the states and, therefore, no *a priori* method of identifying legislation important enough to elicit political opposition.

Instead, we follow the established approach of using a proxy for the salience of votes based on the intuition that lopsided votes are much more likely to occur on non-salient issues than they are on more important ones. This characterization is consistent with Krehbiel and Woon’s (2005) contention that closer roll call votes are more strategically significant. Due to the relatively small number of votes, we used a cutoff of 95% for the North Carolina data above. Snyder and Groseclose (2000) and Masket (2008) use a 65% threshold to separate competitive votes from lopsided votes. Unfortunately, 65% is too low a threshold for our purposes; many states require votes from 2/3 of legislators to override a gubernatorial veto, and thus we expect that there are occasions when legislatures in these states want to fashion winning coalitions on important legislation of greater than 65%, especially when the override requirement is 2/3. To ensure that

nonpartisan legislature, Nebraska is omitted from the analysis. We also omit the Tennessee Senate, for which the documentation do not allow us to distinguish votes on final passage. This provides data for roll call votes in 87 chamber-states.

²⁰See Table R-2 in the supplementary appendix.

we do not exclude these important votes from our analysis and to capture a sufficient number of observations, we use a threshold of 75%.²¹ Such a choice is admittedly arbitrary (as are all other threshold choices), but to the extent that the 75% threshold introduces a number of votes on substantively trivial legislation into our sample, we simply risk underestimating the relationship between override requirements and coalition sizes for important legislation.²² An initial inspection of the raw averages across simple majority and supermajority states supports the validity of this approach; when examining these samples of more contested votes, mean coalition sizes are larger (.644) in states with supermajoritarian requirements compared to those with simple majority requirements (.634), and this difference is statistically significant.²³

As with the North Carolina data, the dependent variable is the size of the winning coalition on a roll call vote, expressed as a proportion of the total number of voting legislators.²⁴ We characterize the key independent variable in two different ways. For each set of analyses, we include an indicator for whether the state requires a supermajority (either 3/5 or 2/3) to override a gubernatorial veto. Positive values of this coefficient indicate that states with supermajoritarian override requirements pass legislation with larger winning coalitions than states with simple majority requirements. As a more nuanced way of characterizing the override provision, we include separate indicators for states with 3/5 requirements and for those with 2/3 requirements. We expect the coefficients for both indicators to be positive, and importantly, the coefficients for states with a 2/3 requirement should be larger in magnitude than the coefficient for states with a 3/5 override requirement.²⁵

²¹We estimated additional variants of our main empirical models (shown in Table 3 below) using thresholds of 67% and 70%. Our substantive conclusions do not change. See Table R-3 in the supplementary appendix. In addition, as an alternative to the threshold approach, we identified all final passage roll calls on budget/appropriations bills in the Wright (2004) data, thinking that these bills would be more salient on average than other types of proposed legislation. Instead, we found that budget bills across the states are actually *less* contentious than non-budget bills (average coalition size of .80 on budget bills versus .77 on non-budget bills, and nearly a third of budget votes had coalition sizes greater than .90). The process of identifying these budget bills in the data indicated that budget bills in many states represent very narrow appropriations for essentially distributive projects—something that does not often engender much political contention in legislatures. In the end, the difficulty in identifying salient issues *ex ante* strengthens our argument for the threshold approach that we have adopted here.

²²Intuitively, it seems that override requirements play a greater role in affecting coalition sizes as the importance of the bill increases; thus, were we able to select bills using a lower threshold, we would expect that the significance of the override requirement would increase.

²³Again, see Table R-2.

²⁴This variable is right skewed, so we also logged it to smooth out the distribution. The results remain substantively and statistically identical. We report the results for the untransformed dependent variable for ease of interpretation.

²⁵At the outset, we acknowledge that these cross-sectional analyses cannot establish a definitive causal relationship between override requirements and legislative coalition size. However, should we find that the coefficient for the 3/5 indicator is positive yet smaller in magnitude than the coefficient for the 2/3 indicator, we have evidence of a dose-response relationship that supports the notion of a causal association between override requirements and coalition size.

In addition to the problems associated with unimportant legislation, simply comparing means across states cannot control for other factors that might systematically affect legislative coalition sizes. Thus, we include other independent variables to control for important cross-institution factors. Though the pivotal politics theory we draw from is explicitly non-partisan, the partisan composition and control of institutions are likely to affect coalition dynamics both between and within state institutions. For instance, most obviously, we would expect that state legislative chambers with larger majority parties will have the potential for larger winning coalitions than states with more even splits between the two major parties. We test this intuition by including a measure of the size of the majority party in models of the determinants of coalition size. We expect a strong positive relationship between the two variables. Divided government may also affect legislative coalition size. Most directly, divided government accounts for many of the conditions where we would most expect legislatures to cobble together larger majorities in support of a particular policy initiative. We use the traditionally-understood definition of divided government in which at least one chamber of the legislature is controlled by the party opposite the governor's.²⁶ As mentioned above, there is substantial variation in chamber sizes across the states. We include this as an additional covariate because large legislatures may introduce coordination problems for majorities and create incentives for strategic position-taking by legislative minorities. Finally, we cluster the standard errors by chamber to account for any within-chamber correlation in the error term.²⁷

In Table 3 we estimate models using the supermajority variable (column 1) and the indicator variables for override threshold (column 2). Column 1 shows the coefficient for supermajority is positive, statistically significant, and robust to the inclusion of state fixed-effects.²⁸ The supermajority variable indicates that legislative coalitions are approximately 3.2 percent larger in states with supermajority override requirements than they are in states that require only a simple majority to override a veto.

Column 2 shows the results when we include indicators for the specific override requirement (3/5 versus 2/3; simple majority states are the omitted category). Importantly, states with 3/5 requirements tend to have larger coalitions than states with majority requirements, but states with

²⁶We use divided government instead of a chamber-governor indicator for different/same party to control for the possibility that chambers anticipate the other chamber's behavior as well as the governor's anticipated reaction. We have also used an indicator for whether or not each chamber was controlled by the governor's party and these results are reported in Table R-4. These results confirm the robustness of those found in Table 3 and demonstrate that either potential proxy for inter branch policy divergence captures the concept adequately.

²⁷We also estimated models in which we included chamber fixed-effects and clustered the standard errors by state. While we are somewhat reluctant to rely on these models because of severe multicollinearity and likely overfitting, these models generate substantively similar results.

²⁸The result holds when state fixed effects are not included.

$2/3$ requirements have larger coalitions than both. An F test (reported in the last row of the table) shows that these coefficients are statistically distinguishable. States with $3/5$ override requirements have coalitions that are about seven-tenths of a percentage point larger than states with simple majority requirements, while states with $2/3$ veto override requirements have coalitions that on average are 3.2 percentage points larger than states with simple majority requirements.²⁹

The coefficients for the control variables, meanwhile, are generally consistent with expectations. Across both models, the coefficient for majority party size is positive and statistically significant, indicating that the size of winning coalitions increases with the size of the majority party in the chamber. On the other hand, the size of coalitions decreases as the number of legislators in the chamber increases. This suggests that coordination problems make it difficult to create and sustain proportionally large legislative coalitions in larger chambers.

Table 3 goes here.

The results in columns 1 and 2 show a strong positive effect of divided government on coalition size. Recalling our expectation above that override requirements are likely to be most consequential for coalition size when the executive and the legislature are in conflict, the next four columns replicate the previous analyses and account for conditions of unified and divided government. Columns 3 and 4 show results for states with unified government, and columns 5 and 6 for states with divided government. We split the sample rather than interact divided government with supermajority because of data limitations. There is only one state with a majority override and unified government so the results for unified government should be interpreted with caution. And, by examining only those states with divided government, we can focus on the differences between the various override levels holding constant party control of state institutions. These results plainly support the contention that the relationship between override requirements and coalition size is conditioned by the distribution of pivotal actors' preferences. All the indicators for override requirements are positive and statistically significant under divided government. Additionally, the coefficient for states with a $2/3$ override requirement is significantly larger than the coefficient for states with a $3/5$ requirement. Thus, to the extent that divided government serves

²⁹One potential concern is that state legislatures may have adopted different rules governing the majority size needed for passage (see, e.g., Krehbiel and Woon 2005). Unfortunately, the data do not allow us to distinguish bills that require a simple majority from those that require, for instance, three-fifths. However, states do have different rules regarding the majority size required to pass budgetary items; some states require only a simple majority while others require a supermajority. After identifying only those bills that concerned the state budget (described in note 20 above), we re-estimated the models shown in Table 3 for the states that require only a simple majority to pass budgetary legislation. The pattern of results broadly conforms to the findings in Table 3. In fact, the coefficients for supermajoritarian override requirements are larger in magnitude. This suggests that, by not accounting for the precise requirement for bill passage, the coefficients shown in Table 3 may *underestimate* the true strength of the relationship between veto override requirements and legislative coalition size. Reviewers, please see Table R-4.

as a useful proxy, override requirements appear to be especially important for coalition size as the ideological distance increases between the governor and the override pivot.³⁰

These results are robust to the inclusion of a variety of other factors that state politics scholars suggest are likely to influence coalition size. Most importantly, we control for legislative professionalism, long recognized as a critical determinant of state policymaking capacity (Squire 1992, Squire 2007). Additional controls include the line-item veto, which may increase the governor's power and affect legislators' strategic considerations, and a variable which measures whether the governor has the power to call a special session, a rule which significantly weakens the ability of a legislator to filibuster. Further, for the purposes of identifying the model, we use only the supermajority indicator variable; states with majority or 3/5 override requirements are always among the least professionalized, resulting in a lack of variation which prevents testing the differences between the 3/5 and 2/3 override levels.³¹

Table 4 goes here.

The results in Table 4 are consistent with our theory and the previous models. A supermajority override requirement, controlling for divided government, legislative professionalism and other factors, increases coalition size by about 4.3 percentage points, all else equal. However, when the sample is split by party control of the government, it is clear that the result is largely driven by larger coalition sizes during periods of divided government, mirroring the result found above.

A few other results are worth noting. Legislative professionalism has a negative effect, indicating that as the legislature becomes more organized, legislators have access to more information and a greater lawmaking capacity, coalition sizes tend to decrease, consistent with expectations in the literature. The negative effect is significant only during periods of unified government, suggesting that professionalism's organizing mechanism is most important when one party controls all branches of the government and perhaps seeks significant policy change. Interestingly, the governor's power to call a special session of the legislature increases coalition size only during periods of unified party control. If this power weakens the minority's ability to filibuster and a member of the minority is most likely to use the filibuster as a result of being shut out of the lawmaking process (during periods of unified government), then this result may indicate a greater

³⁰We also conducted a supplementary analysis using Krehbiel's (1998) notion of regime change, in which a *change* in the executive party will have a negative conditional effect on coalition size. A discussion of these results can be found in Appendix A, available online.

³¹Scholars may also be interested in the extent to which these state-level factors condition the relationship between override requirement and coalition size. Unfortunately, given that we use data from a single snapshot in time, we are unable to interact these factors with override requirement. Future work on this topic should employ time-series data to examine how state-level political factors condition the effect of particular institutions.

willingness of legislative leaders to compromise or moderate legislation. Finally, the line-item veto is positive and statistically significant during divided government. This result is particularly important for our theory because it confirms the intuition that coalition sizes increase in order to override a potential veto especially during periods of divided party control. As with the traditional veto, legislators likely anticipate the use of a line-item veto and preemptively respond by creating legislation meant to attract widespread support in the legislature.

Gubernatorial Power and Veto Override Requirements

Six states have a majority override threshold, which, according to the theory, should have no effect on coalition size as compared to not having a veto. As reported earlier, we have complete individual-level roll call data for the North Carolina House for 1995-1996, the term in which no gubernatorial veto was available.³² Moreover, we have complete roll call data for virtually every state during the 1999-2000 term. Thus, we compare the 1995-1996 coalition sizes in the North Carolina House to the coalition sizes for simple majority states in 1999-2000.³³

Table 5 below displays the comparisons between the size of winning coalitions in North Carolina and the states that require a simple majority to override vetoes. The cell entries show the mean size of winning coalitions. The top row displays the results for those votes in which the coalition is less than or equal to 95% of the chamber. The bottom row displays results for more controversial legislation (coalition sizes of 75% or less). The first column shows the average size of coalitions in North Carolina, while the second column shows results for states that also had majority parties constituting less than 60% of the chamber. The third column contains results for only those states in which the majority party in the House differed from the party of the governor, and the fourth column shows results for only those states in which there was divided party control between the governor and the state legislature. Both of these latter distinctions capture important features of North Carolina governance in 1995-1996.

On the whole, Table 5 provides little evidence to suggest that the mere existence of the veto affects coalition sizes. Though states with simple majority override requirements did pass legislation with the support of about two percent more of their members compared to North Carolina, these differences disappear when we examine more contentious legislation. When comparing otherwise similar chambers in states with similar partisan configurations, a simple majority over-

³²Unfortunately, the roll call data used for the NC Senate exist only at the aggregate level for each roll call vote.

³³Due to lack of data availability, we cannot compare coalition sizes across legislatures in the same year. State roll call data is extraordinarily difficult to track down. Nevertheless, we note the important caveat that these results rely on the assumption that the legislative dynamics in North Carolina in 1995-1996 would have been similar to those in 1999-2000 had no veto power been established in 1997.

ride requirement appears to make no difference for the size of the coalition passing legislation. These results, then, suggest that veto authority confers power only when it increases the size of the legislative coalition needed to enact policy over an executive's objection. Governors in states with simple majority override requirements are either institutionally weak, or else must rely upon other means (such as unilateral action) to enact new policy that is more in line with their preferences.

Table 5 goes here.

Conclusion

On a fundamental level, the findings presented in this paper offer empirical confirmation of the pivotal politics predictions concerning the effects of veto override requirements on legislative coalition sizes. As institutional continuity precludes empirical assessment at the national level, examining these predictions at the state level makes it relatively straightforward to catalogue the visible effects of an all-too-hidden power. In particular, the quantitative case study of North Carolina's introduction of the veto highlights the causal direction of the effect of the veto override requirement on coalition sizes. Our cross-sectional findings complement these results by showing that the expected pattern between override requirements and coalition size holds across states generally. Our findings are particularly interesting when considering how override requirements serve as institutional sources of variation in gubernatorial power.

These results have important implications for policymaking. First, the higher the veto threshold, the more power the governor has in bargaining with the legislature. Most obviously, as it becomes more difficult for a chamber to produce enough legislators to override a potential veto, the governor increasingly is the relevant pivotal actor. Legislatures in majority override states can effectively ignore the governor, while those in 2/3 override states must often defer to the governor's policy preferences. Our empirical findings confirm the validity of abstract theories of lawmaking while suggesting practical consequences of institutional design. Understanding the conditions under which a bill becomes law in a separation of powers system speaks to questions about the relative influence of executives and legislators.

The findings shed light on recent attempts in Alabama to revise the state constitution and increase the proportion of votes needed to override a gubernatorial veto from a simple majority. In 2003, incoming Governor Bob Riley created the Alabam Citizens' Constitution Commission to draft five changes he wanted to make during the 2003 legislative session, including strengthening the governors' veto powers such that an override would require two-thirds support from the legislature. Perhaps predictably, the legislature failed to act upon this recommendation. More

recently, in 2013 current Governor Bob Bentley pushed the Alabama Constitutional Revision Commission to increase the number of voters for override to three-fifths. However, legislators, such as state Rep. Paul DeMarco, argued that their ability to override was an important component of their ability to protect constituent interests. The commission narrowly voted down the proposal to strengthen the override requirement, leaving the Alabama governor as one of the nation's weakest.

Finally, our research indicates that veto override rules are critical in determining the potential for, and nature of, state policy change. States with larger veto override requirements have larger gridlock intervals and as a result, fewer status quos can be changed. In states with low override thresholds, not only will policy be subject to more dramatic swings from one period to the next, but wider sets of policies are also subject to change. High thresholds promote conservatism and incrementalism by privileging the status quo. The results of our inquiry suggest the ways in which proposed institutional changes, such as amending the requirement for cloture in the U.S. Senate, will affect the ability of legislative bodies to overcome gridlock.

For example, in the Spring of 2013, Missouri Republicans passed a strong anti-tax measure, apparently believing the governor, Democrat Jay Nixon, would not veto the measure given Missouri's conservative, anti-tax reputation and the Republican supermajorities in both chambers of the legislature. When Nixon did in fact veto the bill, Republicans attempted an override despite being six votes short of a supermajority on initial passage (all Democrats voted against the bill, three Republicans also opposed it, and six Republicans abstained). In September, the override vote failed because Republicans, despite being only six votes short on initial passage, simply could not pick up enough votes for an override. In particular, schools and school boards around the state opposed the bill for its possible influence on school funding, and, as the *New York Times* noted, all three Republicans who voted against the bill had either been teachers or school board members. Republicans plan to re-introduce the bill in the next session, and our model predicts the new bill will be slightly more moderate to capture support from these Republicans, ensuring the policy will become law over the governor's objections.

Examining cross-state differences in the legislative agenda and the content of legislation as a function of the override requirement is a natural extension of our work. Based on our results, we would expect to observe important qualitative differences in the rate and scope of policy change based on the override requirement because higher override requirements generate larger gridlock intervals. Thus, state legislatures (and governors as well) may condition their political agendas on their expectations about what kinds of policy change are feasible, given the institutional arrangements of their state.

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Tables

Table 1: North Carolina Political Landscape Before and After the Veto is Introduced

	1995-1996 term	1997-1998 term
Governor	Jim Hunt	Jim Hunt
Party	Democrat	Democrat
Gubernatorial election result	55.0% (1992)	56.7% (1996)
House Control	Republican	Republican
# of Dems	52	59
# of Reps	68	61
Senate Control	Democratic	Democratic
# of Dems	26	30
# of Reps	24	20
Veto available	No	Yes

Table 2: Winning Legislative Coalitions in North Carolina General Assembly

Sample of Votes		House		Senate	
		1995-1996	1997-1998	1995-1996	1997-1998
All	(N)	280	314	361	323
	Mean Coalition Size	.910	.947	.915	.955
	SD	(.124)	(.097)	(.119)	(.082)
	Mean difference	.037		.040	
	<i>t</i> -statistic	4.08		5.12	
	<i>p</i> -value	.008		.001	
Non-unanimous	(N)	203	187	242	153
	Mean Coalition Size	.876	.912	.872	.906
	SD	(.131)	(.112)	(.127)	(.097)
	Mean difference	.036		.034	
	<i>t</i> -statistic	2.86		2.75	
	<i>p</i> -value	.005		.005	
Coalition size ≤ 0.95	(N)	110	83	152	75
	Mean Coalition Size	.787	.826	.815	.837
	SD	(.118)	(.122)	(.010)	(.011)
	Mean difference	.039		.022	
	<i>t</i> -statistic	2.24		1.31	
	<i>p</i> -value	.026		.100	

Roll call votes on final passage only. One-tailed *t*-tests conducted.

Table 3: Coalition Sizes Across the States (1999-2000)

Independent Variables			Unified government		Divided government	
	(1)	(2)	(3)	(4)	(5)	(6)
Supermajority	.032 (.004)		-.026 (.009)		.034 (.004)	
3/5 requirement		.007 (.002)		-.018 (.010)		.006 (.002)
2/3 requirement		.032 (.004)		-.026 (.009)		.034 (.004)
Majority party size	.100 (.033)	.100 (.033)	.086 (.052)	.086 (.052)	.112 (.041)	.112 (.041)
Chamber size (*100)	-.011 (.002)	-.011 (.002)	-.016 (.006)	-.016 (.006)	-.009 (.002)	-.009 (.002)
Divided government	.033 (.003)	.033 (.003)				
(Constant)	.540 (.027)	.540 (.074)	.611 (.035)	.611 (.035)	.562 (.032)	.562 (.032)
N	6105	6105	3578	3578	2527	2527
MSE	.064	.065	.062	.062	.067	.067
Clusters	87	87	42	42	45	45
State fixed-effects	Yes	Yes	Yes	Yes	Yes	Yes
<i>F</i>		22.45		1.17		21.3
<i>P > F</i>		.000		.287		.000

Entries are linear regression coefficient estimates and standard errors, clustered by chamber-state. The dependent variable is the size of legislative winning coalitions expressed as a percentage of the number of voting members in the chamber. To capture only contested votes, we restricted the sample to coalition sizes ≤ 0.75 . State fixed effects are included where indicated but not reported. The *F*-statistics in the bottom row reflect the results of a statistical test for whether the coefficients for states with 3/5 override requirements are statistically distinguishable from the coefficients for states with 2/3 override requirements.

Table 4: Coalition Sizes Across the States (1999-2000) Accounting for Other Factors

Independent Variables	(1)	Unified government (2)	Divided government (3)
Supermajority	.043 (.007)	-.016 (.008)	.044 (.006)
Majority party size	.100 (.033)	.086 (.052)	.112 (.041)
Chamber size (*100)	-.011 (.002)	-.020 (.006)	-.009 (.002)
Divided government	.048 (.011)		
Legislative professionalism	-.088 (.059)	-1.030 (.516)	-.083 (.06)
Governor power to call session	.011 (.003)	.021 (.005)	.012 (.022)
Line-item veto	.004 (.023)	-.042 (.035)	.051 (.024)
(Constant)	.531 (.031)	.701 (.07)	.520 (.051)
N	6105	3578	2527
MSE	.064	.062	.067
Clusters	87	42	45
State fixed-effects	Yes	Yes	Yes

Entries are linear regression coefficient estimates and standard errors, clustered by chamber-state. The dependent variable is the size of legislative winning coalitions expressed as a percentage of the number of voting members in the chamber. To capture only contested votes, we restricted the sample to coalition sizes ≤ 0.75 . State fixed effects are included where indicated but not reported.

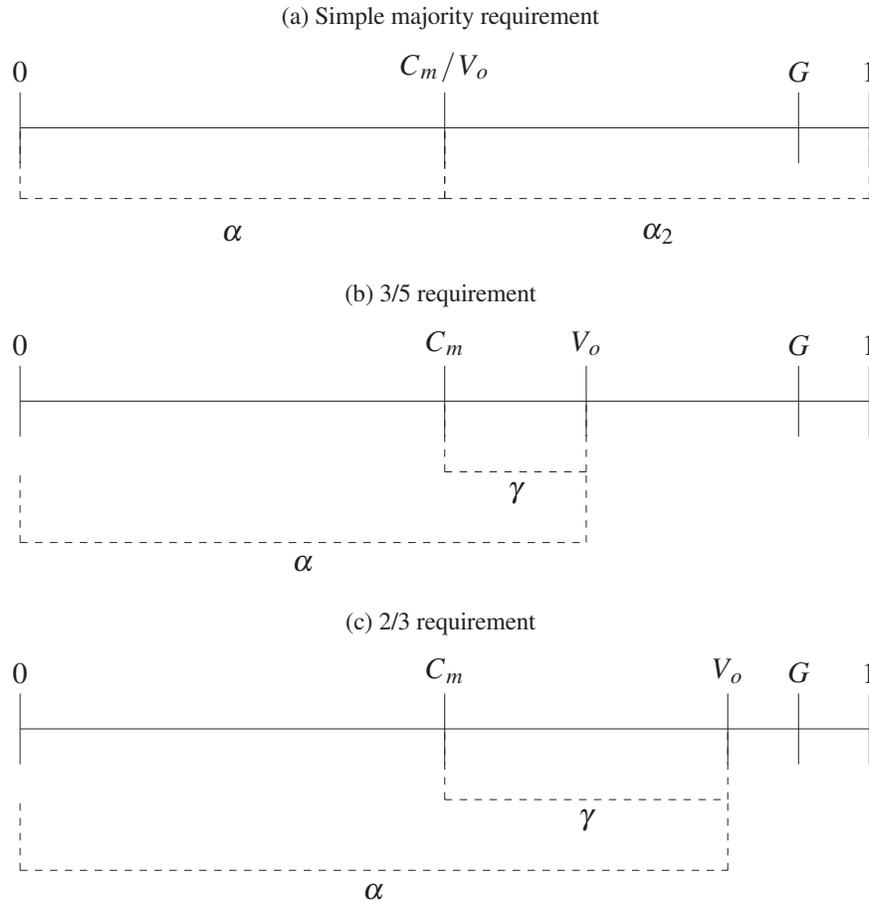
Table 5: Is Some Veto Better than No Veto? Mean House Coalition Sizes in Pre-Veto North Carolina and Comparable States

	North Carolina, 1995-1996	States with simple majority override requirement, 1999-2000		
		All	Different party from governor	Divided government
Coalition \leq 0.95	.787	.802	.808	.794
Coalition \leq 0.75	.644	.638	.649	.637

Cell entries are mean coalition sizes as a proportion of the total number of voting legislators. Average winning coalition sizes for the NC House in 1995-1996 are compared to coalition sizes for the lower chambers of states with simple majority override requirements in 1999-2000. Nearly 57% of the NC House was controlled by Republicans, and thus only those states with majority party sizes less than 60% are included. “Different Party from Governor” indicates states where the House was controlled by a party different from the party controlling the governorship, and “Divided Government” indicates states in which at least one chamber was controlled by a party different from the one holding the governorship.

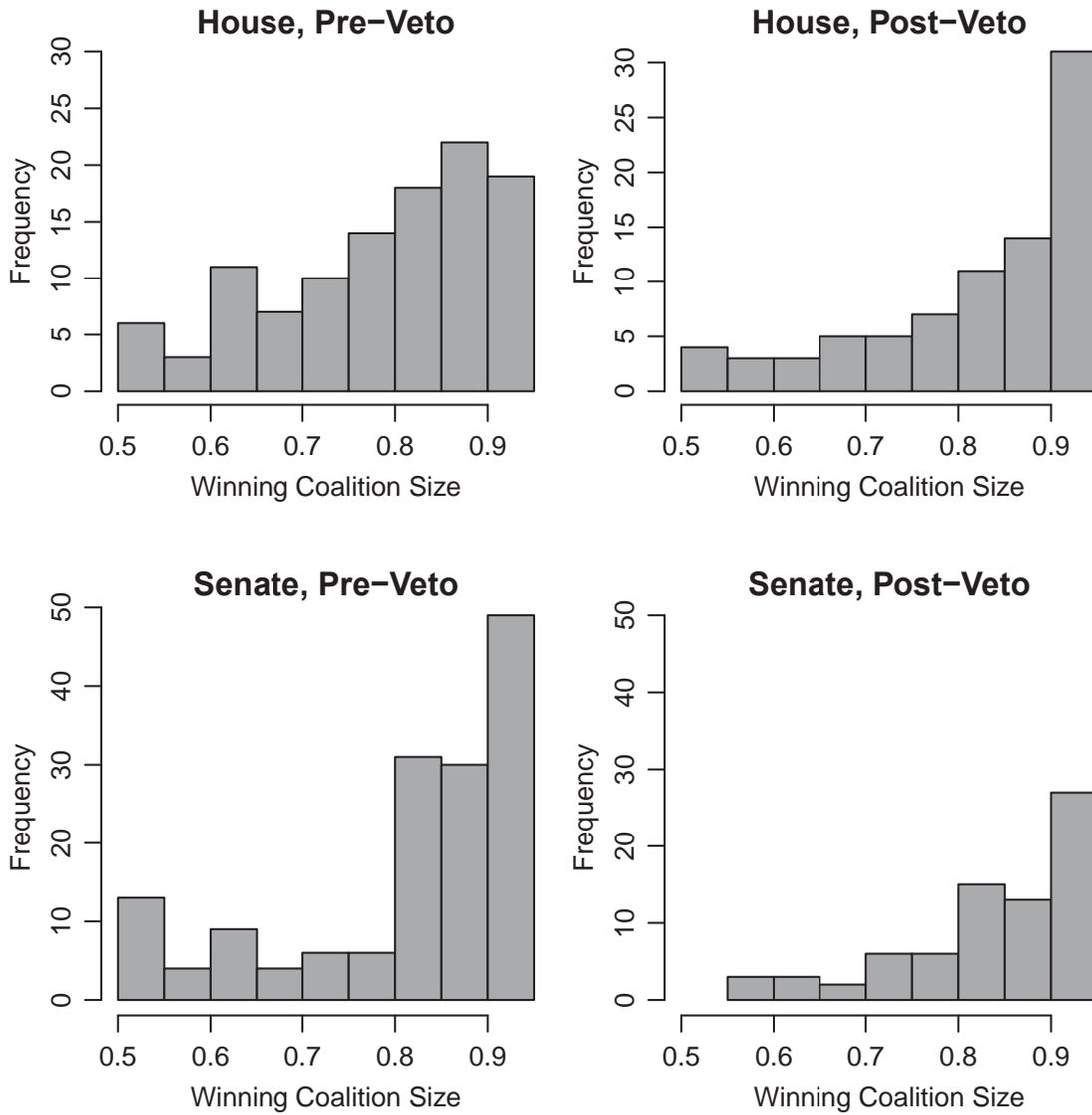
Figures

Figure 1: Veto Override Pivots and Legislative Coalition Size



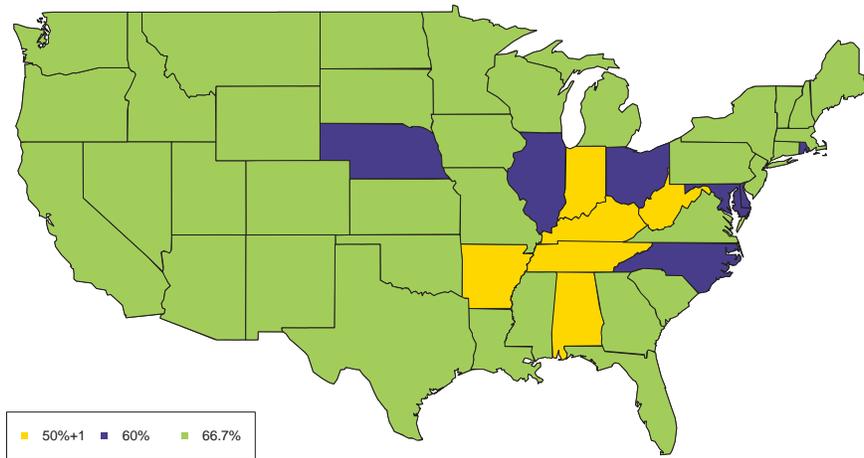
- C_m = Chamber median's ideal point
- V_o = Veto override pivot's ideal point
- G = Governor's ideal point
- α = Minimum winning coalition when SQ is to the right of V_o
- α_2 = Minimum winning coalition when SQ is to the left of V_o
- γ = Gridlock interval

Figure 2: Distribution of Coalition Sizes in North Carolina ($\leq .95$)



Plots show the distributions of winning coalition sizes on votes of final passage. Pre-veto votes occurred in the 1995-1996 General Assembly, and post-veto votes took place in the 1997-1998 General Assembly.

Figure 3: Veto Override Requirements by State



Appendix A: Coalition Sizes and Gubernatorial Regimes

The pivotal politics theory also predicts that a *change* in the party of the executive will have a negative conditional effect on coalition size. Such a change, what Krehbiel (1998) calls a “new regime,” results in the veto pivot moving from the right to the left (or vice versa) of the median voter’s ideal point as a result of a shift in the governor’s ideal point. This jump over the median’s ideal point allows status quos that were in the gridlock interval during the old regime to be changed in the new regime. Empirically, we would expect that under a new regime, the size of the gridlock interval prior to the new regime would have a negative effect on coalition size, and that this negative effect would be larger in states with higher veto override thresholds. These regime changes are not our primary focus, but we have evaluate these arguments from Krehbiel (1998), chapter 4.

The results shown in Table A-1 below test and largely confirm these expectations. Here, we create an indicator variable equal to one if the governor in the 1999-2000 legislative session is from a different party than their immediate predecessor. As expected, the new regime variable is negative and statistically significant and the supermajority variable is positive and significant. The effect sizes of the two variables are about the same, demonstrating that a change in the governor’s party reduces coalition size by about as much as a supermajority requirement increases it. In a second model, we interact new regime with supermajority and find this term to be negative and statistically significant, indicating that new regime has a negative effect in supermajority threshold states that is statistically different from its effect in majority override states, again as expected.

Table A-1: The Effect of a “New Regime” and Override Requirements on Coalition Size

Independent Variables	“New regime”	“New regime” w/ interaction
Supermajority	.017 (.003)	.016 (.005)
Majority party size	.101 (.033)	.053 (.022)
Chamber size (*100)	-.011 (.002)	-.007 (.002)
Different government	.033 (.003)	.003 (.004)
“New regime”	-.016 (.006)	.016 (.008)
“New regime”*Supermajority		-.008 (.010)
(Constant)	.556 (.019)	.600 (.013)
N	6105	6105
MSE	.0642	.0654
Clusters	87	87
State fixed-effects	Yes	No

Entries are linear regression coefficient estimates and standard errors, clustered by chamber-state. The dependent variable is the size of legislative winning coalitions expressed as a percentage of the number of voting members in the chamber. To capture only contested votes, we restricted the sample to coalition sizes ≤ 0.75 . State fixed effects are included where indicated but not reported.

Reviewer's Appendix

Table R-1: Veto Override Requirements and Gridlock Intervals in State Legislatures (1999-2000)

	Model 1	Model 2
Two-thirds override requirement	0.26 (0.08)	0.18 (0.07)
Variance of legislative preferences		0.64 (0.18)
(Constant)	0.26 (0.05)	-0.04 (0.09)
N	82	82
MSE	0.42	0.42
Clusters	41	41

Entries are linear regression coefficient estimates and standard errors, clustered by state. The dependent variable is the width of the gridlock interval, as calculated from Shor and McCarty (2011).

Table R-2: Winning Legislative Coalitions in U.S. States (1999-2000)

	Coalition size ≤ 0.95		Coalition size ≤ 0.75	
	Simple majority	Supermajority	Simple majority	Supermajority
Final passage votes (N)	973	15,103	313	5,792
Mean coalition size	.802	.792	.638	.646
SD	(.128)	(.132)	(.071)	(.065)
Mean difference	.010		.008	
<i>t</i> -statistic	2.26		2.13	
<i>p</i> -value	.012		.017	

Roll call votes are distinguished by whether the state constitution requires a simple majority (AL, AR, IN, TN, WV) or a supermajority (all others) to override a gubernatorial veto. One-tailed *t*-tests conducted.

Table R-3: Coalition Sizes Across the States (1999-2000)

Independent Variables	Bills passed with 67% or less				Bills passed with 70% or less			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Supermajority	.014 (.005)	.010 (.005)			.012 (.007)	.010 (.005)		
3/5 requirement			.012 (.005)	.011 (.005)			.012 (.007)	.012 (.006)
2/3 requirement			.014 (.005)	.010 (.005)			.012 (.007)	.010 (.005)
Majority party size		-.005 (.024)		-.006 (.024)		.020 (.020)		.020 (.020)
Chamber size (*100)		-.005 (.004)		-.005 (.004)		-.007 (.003)		-.007 (.003)
Divided government		-.007 (.005)		-.007 (.005)		-.004 (.004)		-.005 (.004)
(Constant)	.590 (.004)	.604 (.020)	.590 (.004)	.604 (.020)	.603 (.018)	.597 (.016)	.607 (.006)	.604 (.019)
N	3697	3697	3697	3697	4566	4566	4566	4566
MSE	.044	.044	.044	.044	.052	.051	.052	.051
Clusters	85	85	85	85	87	87	87	87

Entries are linear regression coefficient estimates and standard errors, clustered by chamber-state. The dependent variable is the size of legislative winning coalitions expressed as a percentage of the number of voting members in the chamber.

Table R-4: Coalition Sizes Across the States (1999-2000)

Independent Variables	Same party as governor				Different party from governor	
	(1)	(2)	(3)	(4)	(5)	(6)
Supermajority	.033 (.004)		-.026 (.009)		.036 (.004)	
3/5 requirement		.006 (.002)		-.018 (.010)		.005 (.002)
2/3 requirement		.033 (.004)		-.026 (.009)		.036 (.005)
Majority party size	.11 (.035)	.11 (.035)	.086 (.052)	.086 (.052)	.120 (.047)	.120 (.047)
Chamber size (*100)	-.010 (.002)	-.010 (.002)	-.016 (.006)	-.016 (.006)	-.007 (.002)	-.007 (.002)
Different party from governor	-.007 (.006)	-.007 (.006)				
(Constant)	.575 (.027)	.575 (.027)	.611 (.035)	.611 (.035)	.554 (.037)	.554 (.037)
N	6105	6105	3980	3980	2125	2125
MSE	.064	.064	.063	.063	.067	.067
Clusters	87	87	51	51	36	36
State fixed-effects	Yes	Yes	Yes	Yes	Yes	Yes
<i>F</i>		22.45		1.17		21.3
<i>P > F</i>		.000		.287		.000

Entries are linear regression coefficient estimates and standard errors, clustered by chamber-state. The dependent variable is the size of legislative winning coalitions expressed as a percentage of the number of voting members in the chamber. To capture only contested votes, we restricted the sample to coalition sizes ≤ 0.75 . State fixed effects are included where indicated but not reported. The *F*-statistics in the bottom row reflect the results of a statistical test for whether the coefficients for states with 3/5 override requirements are statistically distinguishable from the coefficients for states with 2/3 override requirements.

Table R-5: Coalition Sizes Across the States on Budgetary Legislation (1999-2000)

Independent Variables			Unified government		Divided government	
	(1)	(2)	(3)	(4)	(5)	(6)
Supermajority	.151 (.016)		.032 (.013)		.126 (.038)	
3/5 requirement		.195 (.016)		.075 (.013)		.085 (.027)
2/3 requirement		.151 (.016)		.032 (.013)		.126 (.038)
Majority party size	-.007 (.127)	-.007 (.127)	-.020 (.103)	-.205 (.103)	.197 (.282)	.197 (.282)
Chamber size (*100)	-.017 (.005)	-.017 (.005)	-.018 (.016)	-.018 (.016)	-.022 (.010)	-.022 (.010)
Divided government	.073 (.004)	.073 (.004)				
(Constant)	.506 (.071)	.506 (.071)	.765 (.055)	.765 (.055)	.458 (.165)	.458 (.165)
N	379	379	193	193	186	186
MSE	.061	.061	.062	.062	.059	.059
Clusters	56	56	28	28	28	28
State fixed-effects	Yes	Yes	Yes	Yes	Yes	Yes

Data reflect votes on budget bills in states in which budgetary items required only a simple majority for passage. Entries are linear regression coefficient estimates and standard errors, clustered by chamber-state. The dependent variable is the size of legislative winning coalitions expressed as a percentage of the number of voting members in the chamber. To capture only contested votes, we restricted the sample to coalition sizes ≤ 0.75 . State fixed effects are included where indicated but not reported.