

# **How Important are Parties in Legislatures? Legislative Behavior in Partisan and Non-Partisan Settings**

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**“...it no longer seems axiomatic that the weakening of political parties serves the ends of good government.” – G. Theodore Mitau 1970 *Politics in Minnesota***

When partisan effects are measured in legislatures in the US, the House is the most often studied body. While some interesting work has examined partisan effects in state legislatures, there are more cases that can be analyzed (Wright and Schaffner 2002, Welch 1978 and Brandt 1977). These studies fail to take advantage of a natural case study that sheds light on the level of partisan influence on legislative behavior. This paper utilizes the unique case of Minnesota that had an officially nonpartisan legislature from 1913 to 1973. When Minnesota legislature returned to partisan labels it created an interesting set of data. I will be examining the legislative floor votes of legislators in both the nonpartisan and partisan in order to help gauge the effect that official party labels had on the behavior of the legislators.

There is a well developed literature examining the effect of parties in the US House. These authors argue varying levels of partisan effects and also the proper methodology for measuring these effects. Krehbiel (1999) argues that party effects are weak and hard to measure apart from other influences. McCarty, Poole and Rosenthal (2001) argue that partisan effects are overstated by some authors. There are challenges to this line of thinking. Some have found that we can measure partisan effects in Congress (Binder, Lawrence, and Maltzman 1999). These arguments are nuanced and present to us the difficulty of discovering the true effect of parties upon the behavior of legislators. This is where the usage of Minnesota comes into play. While members of Congress are in a relatively stable system of party labels and control, Minnesota presents with an opportunity to examine how legislators behaved with partisan labels and without them.

The issue of nonpartisanship is still important in Minnesota. Governor Ventura advocated returning to a nonpartisan, unicameral legislature in 1999 (Whereatt 1999). Annually, the legislature has a few bills advocating this type of system between 2000 and 2002. In 1998, the Minnesota legislature requested a study of the Nebraska legislature and the effects of unicameralism, but they ignored the consequences of nonpartisanship and Minnesota's own history under a nonpartisan system. This helps to show that the history of nonpartisanship is still remembered in a fond light by some in Minnesota.

### **History**

When Mitau (1970) wrote his history of Minnesota politics, he was witnessing the end of a long era of nonpartisanship in the elections of Minnesota state legislators. He observed that public support, of having no official party labels, waned over time. By the end of the 1960's the nonpartisan system had its lowest level of public support from Minnesota voters (Mitau 1970). Mitau showed that Minnesota had long history of innovation and gave cases for and against partisan elections. This was interesting because a few years later (1973), Minnesota's legislature passed legislation to move back to partisan elections. In 1973, the partisanship bill was passed and the legislators campaigned under partisan labels in 1974 session. However, while these legislators were not elected under a partisan system, they were allowed to have relatively partisan caucuses. The voters of Minnesota first elected an openly partisan House in 1974 and the Senate in 1976. The newly elected, partisan House members took office beginning in 1975 and the Senators in 1977. At this time, the Republican Party was called the Independent-Republican Party (IR) and the Democrat Party was called Democrat Farmer-

Labor Party (DFL).<sup>1</sup> The Independent part of the Republican name came from the Republicans who allied with the Progressive Republicans of the 1930's and early 1940's. The Farmer- Labor Party fusion with the Democrat party began in 1944 to counter the electoral success of the Republicans (Elazar, Gray and Spano 1999). However, these name differences are not important to the substantive differences between the parties. The two parties are still representative of Republicans and Democrats in other states. Interestingly, the Independent-Republicans were listed in the Senate in 1975, while the Representatives called themselves Republicans. In 1969, the Liberal caucus became the DFL caucus (Brandt 1977). The Conservatives kept their caucus name in to the 1970's.

It has been said that Minnesota's nonpartisanship was an "accident". In 1913, a conservative Republican despised a bill that proposed nonpartisan elections for municipalities and judicial elections. Expecting to kill the bill, he added an amendment to make legislative elections nonpartisan (Straumanis 1994). However, many legislators on both sides ideological spectrum supported the newly amended bill. The conservative legislators saw this as a way to end socialist political influence (Straumanis 1994). The progressives also supported this bill because it would lead to weakening the dominant progressive parties. With this wide support, the amended bill sailed through the legislative process and quickly became law. Immediately, nonpartisanship was criticized as giving too much power to special interests (Mitau 1970). However, once entrenched, nonpartisanship remained in place for approximately 60 years. Citizens were very supportive of the system for many years (Mitau 1970). The earliest poll (in the 1940's) of public support for nonpartisanship showed that only 14% of Minnesota residents wanted to switch to a partisan system (Mitau 1970). This partisan preference support number

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<sup>1</sup> The Independent-Republican Party changed back to the Republican Party denomination in 1995.

floated around the 45% for most of the 1950's and sixties. However, this percentage of support for a return to partisanship had reached 65% in 1969 (Mitau 1970). The nonpartisan system, at one time, appeared to be a point of state pride, much in the way that The Unicameral is for some Nebraskans.

There are several normative reasons for having nonpartisan elections. The original intent was to end party power and take power away from the conference committees (Mitau 1970). The conference committees were seen as tools of a very powerful few legislators who had more influence than was healthy for the system. This appears to have been an outcome of nonpartisanship because when partisanship returned, conference committee activity increased dramatically (Hanson 1989). Some also felt that the system was biased toward two parties and tended to shove out those who could have a more radical effect on legislation (Sidgwick 1891)<sup>2</sup>. Without party labels, the parties *should* lose influence. Another normative consideration was that representation for individual voters should increase because the voters would be able to choose legislators based on individual characteristics, not party. There were many intellectuals at the time who clearly thought that parties were very corrupt and served only a few special interests (see Cree 1892 and Lilly 1900). Interestingly, some very liberal districts elected Conservative caucus (Republican) members (Elazar, Gray and Spano 1999). This shows that some voters may have been uninformed about their legislators' politics and activities in the capitol.

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<sup>2</sup> The volume edited by Scarrow has many articles that show feelings toward parties in the 1800's and in the early 1900's. Some authors are optimistic and others are very skeptical of parties. This volume is helpful because it shows the intellectual debate of the time and how these writers responded to each other after producing works about parties.

Why was nonpartisanship ended? The most obvious reason is that the DFL caucus members wanted to consolidate their power. The majority of voiced opposition came from the Conservative caucus members that believed they were likely to lose more ground with partisan elections. This was shown to be true. Generally voters and the politicians largely felt that parties were implicit in the system. This is most obviously demonstrated through the majority of legislators who identified with parties and attended nominating conventions for governors and US Congress seats (Mitau 1970). The parties were also openly endorsing candidates for office. The legislature was largely run by the Republican leaning Conservative caucus and the DFL leaning Liberal caucus. These caucuses were not explicitly party tools, but largely functioned along the same lines as party caucuses. It is generally agreed that the Conservative caucus was less organized and coherent than the Liberal caucus (Seitz and Shaw 1977). But, Mitau (1970) showed that when looking at voting coalitions, these caucuses were fairly stable. Mitau's (1970) tables show that the Conservative caucus tended to be slightly more stable across votes, but both sides stayed stable for about 70-80% of the votes examined. The Liberal caucus, acting on behalf of their own interests believed that they could solidify their new control of the state legislature with a return to partisanship (Brandt 1977). Another factor is that the public had little faith in the nonpartisan system and saw it as an anachronism.

Even though there were no official majority and minority leaders, the leaders of the caucuses were still able to fill that role to a point. These caucuses and party endorsements would be the strongest theoretical arguments against a substantive difference in the partisan versus nonpartisan systems. However, it has been argued that a nonpartisan system has relatively unorganized legislative voting (Welch and Carlson

1973, Wright and Schaffner 2002). This presents us with a chance to test the claims of both lines of thought. Was Minnesota a perfectly functioning partisan system? Or was Minnesota's legislature somewhere between the chaos that is Nebraska and a typical state legislature, as I contend?

An interesting anachronism of Minnesota politics is that the DFL party was largely successful in getting US Congressmen and Governors elected throughout the nonpartisan period. However, they lagged behind the Independent-Republicans in getting state legislature. Adrian (1952) explained that nonpartisan elections would lead to more conservative bodies. Interestingly, this was observed most of the time in Minnesota where relatively liberal votes were coming from the electorate, except when it came to the nonpartisan elections. Some districts that would swing Democrat/ DFL for other elections would send a Conservative Caucus member to the state legislature. Immediately prior to the return to partisanship, the legislature had a large shift in the electoral fortunes of the DFL/ Liberal caucus membership.

The Minnesota legislative differences probably have not occurred solely because of partisanship's return. There were important reapportionments of legislative districts that favored the DFL party in 1965 and again in the early 1970's. These reapportionments lead to a large increase in the number of Representatives and Senators elected from the suburban Twin Cities area. At the same time, the more conservative rural areas had fewer representatives. Previous to 1965, the distribution of representatives was inequitable because the rural districts had fewer people and the districts around the Twin Cities area had many more people represented by each district (Mitau 1970). This inequitable

distribution was solved through the 1962 *Baker v. Carr* court case where the redistricting was ordered by a Federal court judge (Hansen 1989).

The reapportionment led to an increase in the number of DFLr's elected to office. The power of the party increased in this same time period (Hansen 1989). The Conservative caucus had dominated the Senate from 1933-1972. The Conservative caucus also controlled the House for most of the same time period. This dominance led to low turnover and members, on average, gained many years of experience. After the changes in apportionment and partisanship, the DFL gained many seats and controlled both the Senate and House from 1973 until 1983. However, the switch in party numbers and control led to much less experience for the average member and committee chairs (Hansen 1989).

### **Previous Work**

Some authors that have looked at the unique case of Minnesota have assumed that the nonpartisan legislators acted as they would have under a partisan system (Johnson 1978 and Mitau 1970). There is some merit to this case as the Liberal and Conservative Caucuses served as proxies for the party caucuses. One problem with this assumption is that there were some Democratic leaning members of the Conservative caucus. Also, the Liberal caucus was considered to be fairly cohesive beginning in the late 1960's while the Conservative caucus was not as organized.

Another example possibly supporting the nonpartisan system acting the same as the partisan system is that the parties endorsed candidates beginning in the 1950's. Party labels were still not allowed onto the ballot. One interesting finding is that some relatively liberal districts elected legislators that were members of the Conservative



caucus (Elazar, Gray and Spano 1999). This meant that some legislators were somewhat removed from their connections to their districts. However, with the relatively weak power of the caucuses, the legislators were free to vote their preferences. Valelly (1989) stated that there were two consequences of non-partisan elections. First, legislators that were already in office had a strong advantage because of name recognition. Second, legislators would vote in a relatively random manner because they did not have the parties to constrain their votes. These statements were made without citations, but both have some support in the literature. For example, the majority caucus, in the House, would always elect its preferred Speaker (Valelly 1989). Berry, Ringquist, Fording and Hanson (1998) used the caucus designation as a replacement for party as I also do in this paper.

Other papers have tested partisan effects in Minnesota and other settings, but they looked at the effects in the electorate (Ansolabehere, Hirano, Snyder, and Ueda 2004, Schaffner, Streb and Wright 2001). These papers both claim that you do see some effects of partisan labels on the electoral behavior of voters. However, while they make use of the natural experiment of Minnesota, they do not address the issue of legislative behavior. Also, the Ansolabehere, etc. (2004) paper assumes that, in Minnesota, party endorsements of the candidates served the purpose of party in the electorate. However, party was still not present on the ballot. This assumes a high level of knowledge on the part of the voters. However, they also find no incumbency advantages under the nonpartisan system. This might help explain the liberal districts that elected Conservative Caucus members to the state legislature. The voters were not able to tell the party label of their respective candidates. However, within the legislative body, I would assume that the

legislators are more aware of the labels of their colleagues. However, while they know the allegiance of their fellow legislators, they were not as loyal as party members would have been.

Does Nebraska answer the relevant question on the effects of partisanship? While Nebraska is also an interesting case of nonpartisanship, it is also unique. There are no party labels and the voting behavior of the legislators is erratic (Wright and Schaffner 2002). These authors both found that partisan labels do have an important effect on legislative voting behavior. Importantly, Brandt (1977) looked at the Minnesota legislature both before and after the return to partisanship. He found that party effects were observed. While the Liberal and Conservative caucuses existed previously, they did not have the same influence on the membership as party caucuses (Brandt 1977). Brandt had served in the Minnesota legislature shortly before the return to partisanship and therefore presents a unique perspective on this case. Also, he presents data to support his claim of labels having an influence on behavior.

There is an interesting examination of the 6<sup>th</sup> Illinois Constitutional Convention of 1969 and 1970. This is important because it is another example of a deliberative body that was formed without explicit party labels in an American state setting. Partisanship was a strong predictor of the voting behavior of the delegates, but not the only, or even the strongest predictor (Van Der Slik, Pernacciaro, and Kenney 1974). Several other factors, such as loyalty to Mayor Daley, divided the body more often than previous partisan loyalties. I expect to find similar behavior in Minnesota. I am not arguing that party effects are not observed, but that they are muted under the nonpartisan system.

### **Methodology**

What is important about the case of Minnesota is that it presents us with a natural experiment where we can look at the same legislators' behaviors both before and after official partisan labels. This is where the use of DW-NOMINATE scores comes to serve a very useful purpose. Using DW-NOMINATE scores with the state legislators allows us to form a baseline of their behavior under the nonpartisan system. Other work has used DW-NOMINATE scores as a valid measure of state legislators (Aldrich and Coleman 2002). With Minnesota's return to partisanship, we can observe the voting behavior of the same legislators. The primary hypothesis of this paper is that the legislators will behave differently under the partisan system. That is, we will observe caucus members under the nonpartisan system that behaved in a manner inconsistent with their caucus. The conformity under the party caucus system should be greater than under the nonpartisan caucus system.

For purposes of this paper, the DW-NOMINATE procedure offers us a huge advantage when it comes to comparing party labels with nonpartisan caucus labels. This measurement allows us to compare the members of the legislature in the varying systems without worrying about their caucus or party designations. The legislators' votes are counted in relative ideological position with each other without labels. However, to compare the effects of caucus labels with party labels, I will still need to place the legislators in their appropriate caucus. With the new regressions, we can see how much the legislators vary while comparing the two systems. A few legislators crossed lines with the new partisan designations, possibly because of district preferences. There is precedence for equating the nonpartisan caucus labels with party labels (Berry, Ringquist,

Fording and Hanson 1998). However, I am not assuming that we will see similar effects, only that caucus labels are a valid proxy for party labels for purposes of this analysis.

DW-NOMINATE scores allow us to create a measure of where legislators are in relation to each other in a legislative setting (Poole and Rosenthal 1997 and McCarty, Poole, and Rosenthal 1997). This is also valid because the DW-NOMINATE method allows the legislators to change their preferences between sessions. We do not assume that they are stable, as in the W-NOMINATE method. The DW-NOMINATE procedure is parsimonious and allows us to make useful inferences looking at only floor votes (Poole and Rosenthal 1997).

DW-NOMINATE is considered a useful tool for measuring the relative partisan position of legislators in various settings. DW-NOMINATE scores have already been used to gauge the positions of state legislators (Aldrich and Coleman 2002).<sup>3</sup> Also, DW-NOMINATE scores allow legislators to vary in their preferences within and across various legislative sessions. Another benefit is that legislators are not measured against a relatively arbitrary selection of important votes. They are measured with their behavior on votes that are not nearly unanimous. While I have not decided the level, votes where almost all legislators voted one way or another, either as a whole or along caucus lines, will be excluded from the analysis. This is because these votes give us little information. It allows the non-controversial bills to be excluded as there is near unanimous consent.

The time period examined will be from the 1967 legislative session through the 1981 session. The reasoning for this time period is that while the legislature first gained partisan labels in 1973, legislators were not elected under the system until 1974 (for the

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<sup>3</sup> I could also use ADA scores, but these would be difficult to obtain and I would also not have control over what part of the voting behavior of the legislators was measured.

House) and 1976 (for the Senate). I desire to have three sessions before and after the electoral change in order to gain a reliable baseline for the DW-NOMINATE scores. I expect that the legislators that were on ideological extremes in the nonpartisan system will maintain a similar position and keep voting in line with their relevant caucus. Also, I expect the more moderate members of the legislature to shift slightly toward the direction of their caucus with the return to officially partisan labels. This is the key demonstration of the power of partisan caucuses and leadership powers. Over time, legislators are assumed to be relatively stable in the partisan (DW-NOMINATE score) positions (Poole and Rosenthal 1997). However, with a major change in the system, such as partisan labeling, we should observe a relatively drastic change in the floor voting behavior of some members of the Minnesota Legislature.

There are three potential problems with the time period examined that some may believe is problematic. First, the Liberal Caucus members first gained control of the legislature in 1973 via the 1972 elections. This could be a problem as we had a new majority and they could be behaving in a consistently different manner. The most obvious of which is the passage of the return to partisanship. The Democratic leaning Liberals passed this bill as a way to reinforce and gain power at the state level (Seitz and Shaw 1977). They were more cohesive to begin with and then may have changed the votes of the relatively conservative Democratic caucus members that previously voted more often with the Conservative Caucus.

The second potential problem was the redistricting that took place in 1974 due to a Minnesota court case. This changed the districts that some legislators represented and may affect their votes. I assume that both of these problems affect a few of the members.

Also, the membership that got redistricted can be examined to see if they change more than those that did not have their districts changed.

The third potential problem is the change in the types of sessions. Before 1973, the legislature would meet in odd numbered years then only convene in even number years for special sessions. Beginning in 1973, the legislature regularly met in even numbered years, but still for the same total number of days total per session. They still met for much fewer days in the even numbered years. While this raises questions, I see no reason to expect that the members will vote differently given the session meeting times.

The Wisconsin legislature will be used as the control case for the same time period. Wisconsin was chosen for several reasons. First, the obvious geographic proximity is important. Similar politics confronted Wisconsin and Minnesota such as environmental, agricultural and social issues. Also, both states have a strong populist tradition. The states both have one metropolitan area that has a considerable portion of the state's population and a large influence on the politics of the state. Both Wisconsin and Minnesota had similar competitive party systems from 1960 to 1980 (Jewell and Olson 1982). This measurement showed that neither party dominated politics, but that both parties were able to capture various offices within their respective states. Ultimately Wisconsin will show that for the same time period, we do not observe similar changes in the behavior of the legislators in a state that did not change in its partisan labels.

The method used to examine this data should be an interrupted time series with the change to partisanship as the interruption. I could also use a simple count model to

compare different time periods. When I have the dataset completed I will use both methods and compare the results.

### **Conclusions**

The importance of this work is that it adds to the overall literature on the effects of partisanship on legislative behavior. While other important work compares different methods on the behaviors of US House and Senate members, this work provides a natural experiment where party was officially absent within the legislative setting. Overall, this helps to bolster the argument that parties do have a relatively strong and appreciable effect on the voting behavior of the legislators. Without a strong party caucus system, the legislators are free to vote as they want or how their district wants them to vote.

In future work, this data and this case provide several valuable opportunities. First, I would like to go back to the time that Minnesota first became nonpartisan in 1913 and perform a similar analysis on the behavior of the legislators. It has been said that Minnesota was largely similar to Nebraska in its anarchic voting until the rise of the caucuses in the 1940's. However, immediately after the changeover, I would expect there to be residual party effects. Using an expansion of the original dataset created in this work, I can also look at the importance of redistricting on legislative votes. This would be after the *Baker vs. Carr* decision in 1962 and another redistricting in Minnesota in 1972. Another artifact of interest I found in other research found that legislative output decreased dramatically between the 1971 session and the 1973 session. I have no strong explanation for the sudden drop of nearly one-third of total bills passed. It is possible that many legislators new of the switch to partisanship ahead of time and authored many bills expecting passage to be easier in the nonpartisan system. It is also possible that the

conference committee began to perform gate keeping functions (Hanson 1989). Also, the partisan leadership may have exercised more control and created greater compromise, taking more time in the legislature. It is also possible that average bill length increased. However, partisan labeling may be the reason for changed committee activity.



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