

PART XIV

Structure of State Government

52. State Legislatures



New Mexico State Tourist Bureau

THE State legislature is the policy-framing organ of the State government. That is to say, the legislature enacts the laws of the State. The legislature has a number of other functions as well. As an elected body, it represents the people of the State in the government. It appropriates the money for, and supervises the workings of, the administrative agencies of the State; sometimes it also creates these agencies and sets forth their tasks. It fulfills a judicial role in conducting impeachment trials of State officials and in determining the qualifications of its own members. In general, each State legislature has about the same relation to the State government as Congress has to the national government. This chapter treats of the State legislatures in four sections. First it outlines their structure, with particular reference to their names, number, and sessions. A second section describes the traits of the legislators; a third, the organization of State legislatures; and a fourth, legislative procedure in State governments.

STRUCTURE

The structure of the legislature, as it will be dealt with here, concerns the mere framework of the organism. It involves three topics: the number of houses in the legislature; the number of legislators; and the length and frequency of the sessions of the legislature.

Bicameralism

Every State legislature except that of Nebraska is bicameral; that of Nebraska is unicameral. State legislatures as a unit, and each of the branches, have a variety of names. Table 36 lists the various names for each State. In this text the branch that is by courtesy termed the "upper house"—although there is little if any reason for such a term today—is called the *senate*; the other branch—the "lower house"—is called the *house*.

Size

The size of State legislatures varies greatly from one State to another, and seems to have little relation to the population or area of the State. The largest legislature is that of New Hampshire, with 423 members; the smallest bicameral legislature, that of Delaware, with fifty-two members. The largest senate, with sixty-seven members, is in Minnesota; the smallest, with seventeen, in both Delaware and Nevada. The largest house, comprising 399 members, is in New Hampshire; the smallest, comprising thirty-five, in Delaware. What may be considerably more suggestive is the number of people represented on the average by legislators from different States. For instance, according to the 1950 Census, each member of the national House of Representatives has on the average a district containing 345,000 people. By contrast, each member of the New Hampshire house represents about 1,300 people. At the other end of the scale among the States is the California house, each of whose eighty members represents more than 130,000 people. Table 10 also gives the membership of each house in the forty-eight State legislatures.

Sessions

In the main, State legislatures do not have as frequent regular sessions as Congress has, and the sessions are not so long. Most State legislatures gather for regular sessions only in each odd-numbered year. A few meet every even-numbered year. In only fourteen States does the legislature assemble annually; among six of these, the purpose of the meeting in every other year is to deal solely with fiscal and emergency matters. Hence in a large majority of the States the legislature does not have the opportunity to work during regular sessions that Congress has. A further restriction on the work of State legislatures is the limitation on the duration of the regular session that is imposed in many States. In Alabama, for instance, the legislature

New Mexico State Capitol. Spanish architecture and Indian architecture are adapted to modern use, style, and materials.

TABLE 36. NAMES, SIZE, TERMS, AND PAY OF STATE LEGISLATURES

State	Name of State Legislature	Senate		House		Maximum Annual Pay ¹
		Size	Term	Size	Term	Dollars
Alabama	Legislature	35	4	106	4	360
Arizona	Legislature	28	2	80	2	480
Arkansas	General Assembly	35	4	100	2	600
California	Legislature	40	4	80	2	6,000
Colorado	General Assembly	35	4	65	2	1,800
Connecticut	General Assembly	36	2	280	2	300
Delaware	General Assembly	17	4	35	2	1,000
Florida	Legislature	38	4	95	2	1,200
Georgia	General Assembly	54	2	205	2	400
Idaho	Legislature	44	2	59	2	600
Illinois	General Assembly	58	4	177	2	5,000
Indiana	General Assembly	50	4	100	2	1,800
Iowa	General Assembly	50	4	108	2	1,000
Kansas	Legislature	40	4	125	2	450
Kentucky	General Assembly	38	4	100	2	1,500
Louisiana	Legislature	39	4	101	4	2,700
Maine	Legislature	33	2	151	2	625
Maryland	General Assembly	29	4	123	4	1,800
Massachusetts	General Court	40	2	240	2	4,500
Michigan	Legislature	34	2	110	2	4,000
Minnesota	Legislature	67	4	131	2	2,400
Mississippi	Legislature	49	4	140	4	1,000
Missouri	General Assembly	34	4	157	2	1,500
Montana	Legislative Assembly	56	4	94	2	1,200
Nebraska	Legislature (Unicameral legislature, 2-year term)					872
Nevada	Legislature	17	4	47	2	900
New Hampshire	General Court	24	2	399	2	100
New Jersey	Legislature	21	4	60	2	5,000
New Mexico	Legislature	32	4	66	2	1,200
New York	Legislature	58	2	150	2	7,500
N. Carolina	General Assembly	50	2	120	2	1,350
N. Dakota	Legislative Assembly	49	4	116	2	300
Ohio	General Assembly	33	2	136	2	5,000
Oklahoma	Legislature	44	4	121	2	1,975
Oregon	Legislative Assembly	30	4	60	2	600
Pennsylvania	General Assembly	50	4	210	2	1,500
Rhode Island	General Assembly	44	2	100	2	300
S. Carolina	General Assembly	46	4	124	2	1,000
S. Dakota	Legislature	35	2	75	2	525
Tennessee	General Assembly	33	2	99	2	750
Texas	Legislature	31	4	150	2	3,000
Utah	Legislature	25	4	64	2	500
Vermont	General Assembly	30	2	246	2	800
Virginia	General Assembly	40	4	100	2	540
Washington	Legislature	46	4	99	2	1,200
W. Virginia	Legislature	32	4	100	2	1,500
Wisconsin	Legislature	33	4	100	2	2,400
Wyoming	Legislature	27	4	56	2	480

¹ Where pay plan is calculated on days in session, the maximum days allowed is multiplied by the daily pay. Where the pay is allotted to a two-year period, one-half the total is taken.

may meet for only thirty-six legislative (as distinct from calendar) days during a session. Hence legislation in many States must be enacted in the utmost haste; the last few days of a session are apt to be a bedlam, with the rules suspended and even the clock stopped so as to maintain the fiction that the time limit has not been exceeded.

One innovation to cope with the session-ending rush is the so-called "split session." Under this arrangement the legislators meet for a few weeks at the beginning of the session, when bills are introduced and assigned to committees. The legislature then recesses for a few weeks, to enable the committees to study the proposed laws and the individual legislators to sound out their constituents. Finally the legislature reassembles, presumably to do no more than to enact laws, for supposedly the members have by this time thoroughly examined and comprehended all the bills of interest to them. New bills may now be introduced only by extraordinary majorities. In theory, then, laws may now be passed in somewhat more leisurely fashion. As this arrangement has worked out in California it has not fulfilled the promises made in its behalf. The most notable device employed to circumvent the purposes of the split session is the "skeleton bill," a rough outline of a projected law which after the recess may be so greatly amended that the total effect is little different from the introduction of a new bill.

A much more widespread consequence of the short and infrequent regular sessions is the special session. Some State legislatures may hold as many as half-a-dozen special sessions between regular sessions, each perhaps of but a few days' duration. In most States the Governor alone may summon a special session, at his own discretion. In six States he must call a special session upon receipt of a petition signed by an extraordinary majority of the legislators and in four States the legislature itself may arrange for a special session. In nearly half the States the constitutions also limit the duration of special sessions, and in about an equal proportion the constitutions empower the Governor to set the agenda of the session.

STATE LEGISLATORS

Occupations

According to a survey of State legislators in 1949, businessmen are the largest occupational group among them (see Table 37). Lawyers are the second largest group, and farmers are third largest. There are relatively few laborers and craftsmen; in the legislatures of such industrial States as New York and Michigan there are scarcely any laborers. Yet it may be that a labor lawyer can act as a far better spokesman for laborers than a laborer himself can. In the main, however, business and agriculture are far more heavily represented in State legislatures than labor is.

Qualifications

State constitutions generally set a few qualifications for members of the legislature, primarily those of age, residence, and citizenship. Sometimes

TABLE 37. OCCUPATIONS OF STATE LEGISLATORS¹
(1949)

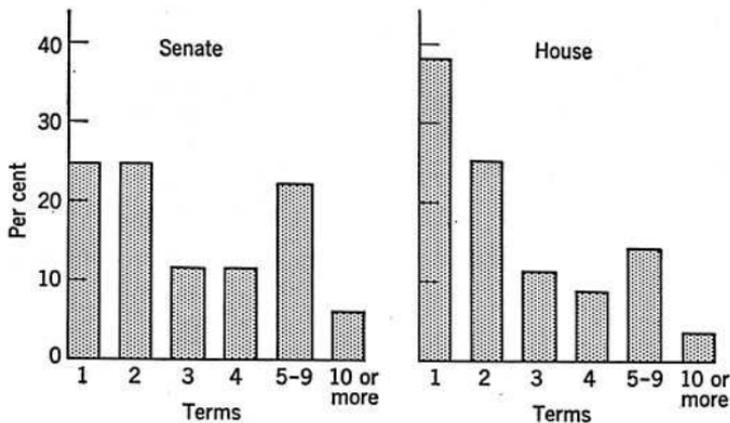
Occupation	Upper House	Lower House	Total
Lawyer	596	1078	1674
Farmer	358	1110	1468
Merchant	268	795	1063
Insurance	75	236	311
Banks and trusts	41	101	142
Real estate	38	174	212
Doctor	34	46	80
Teacher	33	155	188
Laborer	16	129	145
Craftsman	31	191	222
Undertaker	9	31	40
Retired	41	286	327
Other	285	1318	1604
Totals	1825	5650	7475

¹ Zeller, Belle, *American State Legislatures* (New York: Thomas Y. Crowell Company, 1954) p. 71.

the qualifications for each house are the same; sometimes those for the upper house are a trifle more stringent. A typical group of qualifications is that members of the upper house be twenty-five years old, and members of the lower house, twenty-one; that all members be citizens; and that all members have resided in the State a certain number of years. Table 38 lists these qualifications for each State. There may be numerous other unwritten "qualifications" as well, such as residence in the district, nationality, race, religion, profession, marital status, and the like.

Term and tenure

State legislators today are everywhere elected for either two-year or four-year terms (see Table 36). In a few States the four-year terms are overlapping, so that the voters name half the legislative house every two years. The tenure of most State legislators is much shorter than that of congressmen; in other words, turnover among members of State legislatures is rapid. As Figure 127 shows, in 1950 one out of four members of senates and three out of eight members of houses were serving their first terms. Professor Zeller, from whose text these data were drawn, warns that these figures apply to only one year, and declares that the amount of experience among legislators may vary considerably from one year to the next. However, it is clear that many State legislators have not served for a long enough time to have grasped the rudiments of the lawmaking process. Hence it is perhaps easier for a small group to secure dominance over a State legislature than over Congress. It is noteworthy that even in the single year concerned there were great differences from one State to another.



Belle Zeller, "State Legislatures" (N.Y. Crowell, 1954), pp. 66-67

Figure 127. Tenure of State Legislators (as of 1950).

Salary

Salaries for State legislators range from a low of \$200 per term in New Hampshire to a high of \$7,500 per year in New York. In general, salaries are quite low; on the average they are lower than the average salaries of councilmen in each of the thirteen largest cities in the United States. However, in cities of this size, the councilmen are apt to have to devote most if not all of their working hours to their governmental duties, whereas State legislators contribute only a fraction of their time to the obligations of office. In many States the lawmakers are paid on a daily rather than on an annual basis. Some State constitutions and laws employ this method of payment as an instrument for shortening legislative sessions; for instance, Georgia legislators receive \$10.00 per day for a maximum of forty days. A considerable number of States do implement legislators' salaries with allowances for travel or for expenses during sessions. Table 36 shows what the legislators in each State are paid in the way of salary.

ORGANIZATION

The organization of the State legislature is the machinery that puts it into motion so that it can carry out its tasks. In every State the organization consists of several or all of the following elements: the party caucuses; the presiding officer; other legislative and party officers; legislative committees and their chairmen; technical services for legislators; and agencies for planning legislation. Outwardly, at least, the machinery is based upon the State constitution, laws, and the rules and customs of the legislative body. Actually to a great degree it is founded upon the interrelations among political parties and interest groups in the State. Because these interrelations differ greatly from one State to another, the relative importance of each of these elements also differs from one State to another.

TABLE 38. CONSTITUTIONAL QUALIFICATIONS FOR STATE LEGISLATORS¹ AND GOVERNORS

State	Legislators				Governors			
	Age		U.S. Citizen-ship	Length of State Residence	Other	Age	U.S. Citizen-ship	State Citizen-ship or Residence
	Senate	House						
Alabama	25	21	Yes	State 3 County 1	Same	30	10	7
Arizona	25	25	Yes	State 3 District 1	Same	25	10	4
Arkansas	25	21	Yes	State 2 District 1	Same	30	Yes	7
California			Yes	State 3 District 1	Same	25	5	5
Colorado	25	25	Yes	District 1	Same	30	Yes	2
Connecticut	(21)	(21)	(Yes)	Town	Same	30	(Yes)	(1)
Delaware	27	24	Yes	State 3	Same	30	12	6
Florida	(21)	(21)	(Yes)	County	Same	(21)	10	5
Georgia	25	21	Yes	State 4 District 1	S. 2 D. 1	30	15	6
Idaho	(21)	(21)	Yes	County or District	Same	30	Yes	2
Illinois	25	21	Yes	State 5 District 2	Same	30	5	5
Indiana	25	21	Yes	State 2 District 1	Same	30	5	5
Iowa	25	21	Yes	District 1 State District	Same	30	2	2
Kansas	(21)	(21)	(Yes)	60 days County or District	Electors	—	—	—
Kentucky	30	24	Yes	State 6 District 1	S. 2 D. 1	30	—	6
Louisiana	25	(21)	(Yes)	State 5 District 2	Same	30	10	10

¹ Where information is enclosed by parentheses, as (21) or (Yes), it is a direct inference from the word "electors" but not an explicit qualification in the Constitution.

TABLE 38. CONSTITUTIONAL QUALIFICATIONS FOR STATE LEGISLATORS¹ AND GOVERNORS—Continued

State	Legislators					Governors			
	Age		U.S. Citizen-ship	Length of State Residence		Other	Age	U.S. Citizen-ship natural born	State Citizen-ship or Residence
	Senate	House		Senate	House				
Maine	25	21	Yes for 5 yrs.	State District	3 Same		30	5	5
Maryland	25	21	Yes	State District	3 Same		30	(Yes)	10
Massachusetts	—	—	—	State District	3 Same		(21)	—	7
Michigan	(21)	(21)	Yes	State District	D. 1	Electors	30	5	2
Minnesota	—	—	—	State District	Same	Each house shall be the judge of the election returns & eligibility of its own members	25	Yes	1
Mississippi	25	21	Yes	District	2 S. 4 D. 2		30	20	5
Missouri	30	24	Yes	County or District	Same 1	S—Qualified voters for 3 yrs. R—Qualified voters for 2 yrs.	30	15	10
Montana	24	21	Yes	District	Same		30	Yes	2
Nebraska	(21)	(21)	(Yes)	District	12 mos.	1 year in District.	30	5	5
Nevada	(21)	(21)	(Yes)	District	Same	Electors	25	(Yes)	2
New Hampshire	30	—	—	Resident of State 7 yrs.	S. 2 C. or D.	Electors	30	—	7
New Jersey	30	21	Yes	State District	4 S. 2 D. 1		30	20	7
New Mexico	25	21	—	State	—		30	Yes	5
New York	—	—	Yes	State District	5 D. 1		30	Yes	5

TABLE 38. CONSTITUTIONAL QUALIFICATIONS FOR STATE LEGISLATORS¹ AND GOVERNORS—Continued

State	Legislators				Governors				
	Age		Length of State Residence		U.S. Citizenship	Other	Age	U.S. Citizenship	State Citizen-ship or Residence
	Senate	House	Senate	House					
N. Carolina	25	—	State 2 District 1	D. 1	Yes	—	30	5	2
N. Dakota	25	21	State 2	Same	(Yes)	Electors	30	Yes	5
Ohio	25	21	—	—	(Yes)	Electors	31	—	(10)
Oklahoma	21	(21)	County or District 1	Same	Yes	Electors	30	Yes	3
Pennsylvania	25	21	State 4 District 1	Same	Yes	—	30	Yes	7
Rhode Island	—	—	—	—	—	Each house shall be the judge of the electors & qualifications of its members	—	—	—
S. Carolina	25	21	—	—	(Yes)	Electors	30	5	5
S. Dakota	25	25	State 2 State 3	Same	Yes	Electors	30	Yes	2
Tennessee	30	21	District 1	Same	Yes	—	30	Yes	7
Texas	26	21	State 5 District 1 (last year)	S. 2 D. 1 (last year)	Yes	Electors	30	Yes	5
Utah	25	25	State 3 District 1	Same	Yes	Electors	30	(Yes)	5
Vermont	30	—	—	S. 2 Town 1	—	Senators must be freemen from county	—	—	4
Virginia	(21)	(21)	District	Same	(Yes)	Electors	30	10	5
Washington	(21)	(21)	—	—	(Yes)	Electors	(21)	Yes	(1)
W. Virginia	—	—	District 1	Same	—	—	30	(Yes)	5
Wisconsin	(21)	(21)	State 1 District 1	Same	(Yes)	Electors	(21)	(Yes)	(1)
Wyoming	25	21	District 1	Same	Yes	—	30	Yes	5

Party caucus

The party caucus, where it is found, is primarily an instrument that nominates the candidates of the party for legislative office. Where it exists, then, and is active, it is the root of legislative organization. A little more than two-thirds of the States have majority party caucuses; in a third of these States the caucuses are of little importance. In one-third of the States, there is no majority party caucus at all. Slightly more than half of the States have minority party caucuses.

The presiding officer

Every State legislative body has a presiding officer. In the house this officer is invariably termed the speaker; he is always a majority-party member who is elected by the other members. His position is extremely powerful, more so than that of the Speaker in the national House of Representatives. The outstanding difference between the State speakers and the national Speaker is that in almost all States the speaker names the members of the standing committees; furthermore, in many of these States the speaker chooses the standing committee chairmen. Another major power of many speakers is the unrestricted authority of assigning bills to committees. Finally, the speaker exercises the same general powers as those of the national Speaker, such as the control of parliamentary debate and the appointment of members to special and conference committees.

The various State senates have different presiding officers. In thirty-eight States there is an elected executive officer, the Lieutenant Governor, who corresponds to the Vice President of the United States; in each of these States save Massachusetts he is the presiding officer of the senate. In Massachusetts and the remaining ten States the senate elects one of its own number as president. Moreover, in every State but nine—most of the nine being among those with a president of the senate—the senate also chooses one of its members as president *pro tempore*. In many of the State senates, including almost half of those with a Lieutenant Governor, the presiding officer names the members of committees. In most States the presiding officer of the senate also refers bills to committees. In most, but not all, of the States with a Lieutenant Governor, he is empowered to vote in case of a tie vote among the senators. Senate presiding officers enjoy other powers typical of their posts, such as managing floor procedure and choosing members for special and conference committees.

Legislative and party officers

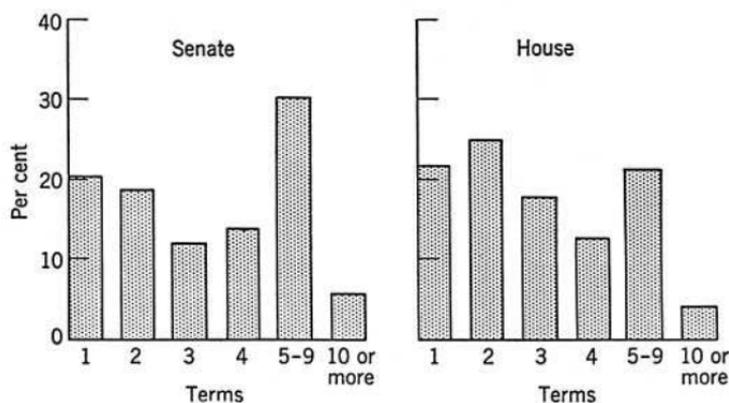
Like Congress, State legislatures have a host of legislative and party officers. Typical legislative officers include sergeants-at-arms, doorkeepers, chaplains, and an array of clerks. Many of these officers have little to do; it is argued in defense of their posts that they are essential to the maintenance of party government, since their incumbents can devote most of their time to working for their political party. Most State legislatures do not have the formidable and cohesive structure of party officers and instruments that

the national House of Representatives has. Certain party officers, notably floor leaders, exist in somewhat more than half the States; such party organizations as steering or policy committees and committees on committees are relatively uncommon. In many State legislatures the standing committees are not predominating party devices, and in less than half the States are the rules committees significant. Where these officers and agencies are important, they occupy approximately the same roles that they do in the national House of Representatives.

The committee system

Standing committees of State legislatures, like those of Congress, are bodies into which the legislature subdivides itself for the purpose of studying bills and of determining their importance. Members of standing committees are chosen in a variety of ways; they are most often appointed by the presiding officer of the legislative body concerned. Among State legislatures there are ten in which the minority party appears to have no representation on standing committees—eight one-party States and two non-partisan States. In three other States—Oregon, South Dakota, and Tennessee—the minority party is not assured representation; in each of these three States one major party has exceptional power.

Seniority is not nearly so significant in State legislatures as in Congress for deciding the choice of committee chairmen; in fact, as the graph in Figure 128 reveals, many State committee chairmen are serving their first terms. (This graph, based on a questionnaire, is applicable to only forty-five States; the respondents in Arizona, Idaho, and Ohio answered little more than that all committee chairmen had had prior legislative experience.) The available data for the States show that in State legislatures having a high proportion of experienced members a large percentage of committee chairmen are apt to be experienced; for instance, in 1950 in the California senate all six of the members who had served ten or more terms were committee chairmen. By contrast, in the same year all fourteen chairmen in the Alabama house were in their first term, in spite of the fact that forty-five members of that body were in their second, third, or fourth term. Factors apart



Belle Zeller, "State Legislatures" (N.Y. Crowell, 1954), pp. 68-69

Figure 128. Experience of Standing Committee Chairmen in State Legislatures.

from seniority that may be conclusive in the selection of committee chairmen include the friendship of the presiding officer, status in the party, the influence of pressure groups, and the support of the executive branch. At the same time, State committee chairmen are apt to lack the dominance over their committees enjoyed by congressional committee chairmen; the guiding force may instead be a union of the majority party members in the committee or even of the group that controls the whole legislative body.

The number of committees shows wide differences from one State to another. Senate committees range from seven in New Mexico to forty-six in Mississippi; house committees range from eight in South Carolina to sixty-four in Missouri. The number of committees in any State legislature does not seem to have any particular connection with either the size of the legislative body or the amount of business that the body conducts. In three States—Maine, Massachusetts, and Connecticut—the number of committees has been substantially reduced and the legislative process simplified by the establishment of joint standing committees for the consideration of almost all bills and resolutions. These joint committees make it possible to have a single hearing for a bill and to send a single report to each house on a bill.

Technical services for legislators

In most State legislatures today there are a number of technical services available to the members. These services involve chiefly either research on matters concerning which the legislator may wish to propose a law, or assistance in drafting the text of a proposed law itself. Almost all of the States now have a legislative reference service which has as its primary functions the supplying of information to legislators and the comparing of laws in other States on some subject for which the legislature of the given State may be planning bills. A number of States provide legislators with bill-drafting services. Although many bills are drawn up by attorneys in private employment, legislators more and more are relying upon bill-drafting offices. These offices may be either set up by the legislatures as distinct agencies, or connected with some other group such as the legislative reference service or the office of the State attorney general. Other types of staff and research facilities, which the national government provides, but many States do not, are staff personnel for legislative committees and office space for individual legislators.

Legislative planning

Legislative planning is concerned with the drafting of a series of proposed laws which, in the opinion of one group of legislators, the State legislature would, in the coming session, find it especially desirable to consider and, if possible, to enact. Legislative planning may be carried out either by a more or less temporary body such as an interim committee or by a permanent agency such as a legislative council.

Interim Committees: Interim committees are bipartisan agencies created by a legislature out of its own membership to study proposed laws during

the period between sessions—the interim—so as to assist the legislature in planning its activities for the coming session. The interim committee is a temporary body designed to handle one field of possible legislation. Ordinarily it does not have any professional research assistance or staff. In its functioning the committee is to analyze the circumstances that appear to call for legislation; examine various means for coping with these circumstances through the enactment of statutes; and finally submit a report of its findings to the entire legislature sometime before the opening of the next session, or at the very outset of the next session. Although the reports that they finally provide for the legislators are sometimes unskillfully prepared and poorly distributed, these committees do make an important contribution to the planning of legislation.

Legislative Councils: Legislative councils, like interim committees, are bipartisan groups established by State legislatures (except in Missouri, where the council is created by the constitution) to plan the lawmaking activities for the coming session. However, a legislative council is a far more intricate and comprehensive apparatus than an interim committee. Save in the case of Nebraska, it includes members from both houses. In a number of States certain members of the legislature—the speaker, for example—are ex officio members of the council. Apart from those who hold their positions ex officio, members of these councils are usually named by the presiding officers of the two legislative houses; however, in Kentucky the Governor is a member, and in Arkansas the Governor may name one member. The councils of Nebraska, Oklahoma, and South Dakota include all members of the legislature.

The legislative council is in a sense a permanent “super-interim” committee. Its primary function is to draft a legislative program for the coming session. In one or more States it has such additional functions as striving to improve the efficiency of the administrative branch of the government and to improve the relations between State and local authorities. The means given to the councils for carrying out their primary function vary from State to State. In some States the council has only advisory powers; in other States it may introduce legislation in its own name. One trait common to all legislative councils is a large research staff. Councils in many States rely upon interim committees and upon the State legislative reference service to furnish them with information about particular subjects. In some States the councils have the power to subpoena witnesses.

PROCEDURE

The lawmaking procedure in State legislatures is much like that in Congress. It includes the introduction of a bill into one house; its study by a committee; its discussion on the floor and its passage; its transmission to the second house; its discussion, study, and passage there; and finally, if need be, its revision so that it is approved by each house in identical form. As in Congress, this whole procedure is hedged about with a set of rules. However, certain phases of legislative procedure in at least some States are not

the same as they are in Congress. The following discussion is designed to single out only two features in which considerable deviations from federal practice may be noted.

Rules

Every State legislature proceeds according to rules much like those of Congress. However, State legislatures differ from the national House of Representatives in that in almost all States the rules committee in each house is quite weak. It does propose amendments to the standing rules of the house. Yet, in a majority of States the calendars on which bills are placed after being reported out of committee are rather strictly adhered to, so that the calendars time the arrival of bills on the floor. Since perhaps the chief function of the Rules Committee in the national House is to schedule the debating of proposed legislation, and since in most States the calendar or calendars relieve the rules committee of this power, it is evident that most State rules committees are relatively unimportant. In a few States, by contrast, the rules committees do play a major role in the timing of legislative discussion; here they are significant agencies. In most States the rules committees are appointed by the presiding officer, at least in the house; indeed, the speaker is sometimes chairman of the house rules committee. Hence the committee tends to be subservient to the speaker.

Sources of bills

Bills that come before State legislatures, like those that appear before Congress, may have any of several sources. Every legislator, of course, is empowered to introduce a bill into his house; moreover, no one but a legislator may directly submit a bill. Individual members of legislatures, standing committees, interim committees, and legislative councils supply many bills. An even more important source is government agencies at the national, State, and local level. The judiciary, too, because its organization and proceedings are regulated if not created by the legislature, is another major source. Finally, many private individuals and organizations present bills for consideration. Table 39 shows the sources for bills submitted to the New York State legislature in 1941.

The figures on these proposals for which source information was available are especially instructive when they are reduced to percentages. Of the 1,641 proposals, 884, or fifty-three per cent, were enacted into law. Bills proposed by administrative bodies amounted to a minority, or forty-six per cent, of the total proposed; yet the total of those proposed by administrative bodies that were enacted into law made up a majority, or fifty-six per cent, of all laws enacted. In other words, sixty-five per cent of the administrative proposals became law. It is true that seventy per cent of the proposals stemming from legislative sources—119 out of 169—were enacted. However, these enactments totaled only thirteen per cent of all bills passed. The degree of influence that pressure groups have on State legislatures is partly visible in the fact that only twenty-seven per cent of the bills sponsored by formal private groups were passed. Of course, it must not be forgotten that

the principal task of many pressure groups is not the enactment of laws but their prevention. It is also true that many administrative agencies work closely with private organizations, and that they often consult with these organizations when they are drafting a bill. Therefore pressure groups have had and do have a strong influence indirectly upon proposals submitted to the legislatures. In any case, it is evident that in the New York State legislature in 1941, administrative agencies were the source of more than half the bills passed. Two other notable facts are that local government agencies supplied nearly as many proposals for laws as State departments did, and

TABLE 39. SOURCES OF BILLS BEFORE THE LEGISLATURE OF NEW YORK STATE, 1941¹

Sources	Number of Proposals Introduced	Number of Proposals Enacted
Administrative		
Federal agencies	14	4
State departments	376	240
Independent commissions	8	6
Local government agencies	348	241
State and local officials	23	11
Total	769	502
Judicial		
Courts and court officials	56	28
State judicial council	32	19
Total	88	47
Legislative		
Law revision commission	51	44
Temporary legislative committees and commissioners	87	47
Legislators	31	28
Total	169	119
Governmental employee associations	97	28
Non-governmental		
Organizations	395	110
Individuals or unorganized groups	123	78
Total	518	188
Total of proposals on which information is available	1,641	884
Proposals on which source information is lacking	1,199	71
Grand total	2,840	955

¹ Scott, Elizabeth McK., and Belle Zeller, "State Agencies and Lawmaking," *Public Administration Review* 2 (1942), 205-220, quoted in Lane W. Lancaster and A. C. Breckenridge, *Readings in American State Government* (New York: Rinehart & Co., Inc., 1950), p. 116.

that a higher proportion of the local proposals were enacted than of the departmental proposals.

QUESTIONS AND PROBLEMS

1. What do you think may be the reasons why unicameralism is found in only one State?
2. Describe the size of the legislature of your home State and how and when it meets. Does your home State follow a common or an unusual pattern in these practices?
3. What are the legal qualifications, terms, and salaries of the legislators of your home State? To what extent are these typical of those found in the other States?
4. Describe the differences in the organization of State legislatures and Congress.
5. Describe the sources of bills introduced into the New York legislature in 1941.
6. Compare the formal legislative procedure in the State legislatures and Congress.