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Political Research Quarterly 2008; 61; 574 originally published online Jun 16, 2008;

DOI: 10.1177/1065912908314200

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<http://prq.sagepub.com/cgi/content/abstract/61/4/574>

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Why Do Governors Issue Vetoes?

The Impact of Individual and Institutional Influences

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Studies of presidential veto use advance two competing theoretical perspectives: the “president-centered” approach and the “presidency-centered” approach. We assess the applicability of these approaches to gubernatorial veto activity. Our analysis of forty-eight states between 1971 and 2002 provides strong support for the institutional perspective and less support for the individual perspective. The governor’s formal powers, the partisan alignment of the legislature, and the electoral cycle all contribute to veto activity. The results suggest that conflict between the legislature and the governor is a product of systematic forces and that governors who face similar institutional constraints will behave in similar ways.

Keywords: *legislative-executive relations; state politics; governors; vetoes; divided government; formal powers; electoral cycle*

The American political system distributes institutional authority to a wide array of actors. At the national level, nothing better illustrates this complex interaction than the relationship between Congress and the president. Each institution possesses prerogatives that infringe on the primary domain of the other and can foster conflict. The presidential veto power is a good example. Use of the veto is an especially important instance of direct conflict between the legislature and the chief executive and therefore ranks among the most potent powers that the chief executive has at his or her disposal. Examining the root causes of veto activity provides scholars with a deeper understanding of interbranch conflict in the American political system and sheds light on questions of institutional design, power, and decision-making authority.

Presidential vetoes have received considerable scholarly attention. In attempting to explain why presidents veto legislation, political scientists advance two contrasting theoretical approaches. The first is the “president-centered” approach, which stresses the importance of “individual behavior as an influence on veto behavior” (Gilmour 2002, 199). The president-centered approach highlights the personality traits and veto strategies of individual presidents as key precipitating factors. The second theoretical perspective is the “presidency-centered” approach, which emphasizes the “institutional structures and societal conditions that constrain presidential

behavior” (Shields and Huang 1997, 436). This approach emphasizes factors such as minority party opposition and the electoral cycle. Recent studies of presidential vetoes (Gilmour 2002) and of presidential behavior more generally (Hager and Sullivan 1994) provide empirical support for both the president- and presidency-centered perspectives.

This article assesses the applicability of these competing perspectives in the context of the fifty American states, examining the impact of individual and institutional factors on governors’ veto activity. By examining gubernatorial veto use, this article assesses the external validity of existing research on presidential veto behavior. The fifty states represent an ideal venue in which to analyze political phenomena, including the relationship between the legislature and the executive branch, because they possess broadly similar political structures and cultures as well as significant variation across a range of politically relevant attributes.

Analyzing gubernatorial veto use possesses two additional analytical advantages. First, presidential research

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Authors’ Note: The authors wish to thank Kim Quaille Hill, Thad Kousser, and three anonymous reviewers for their constructive comments on an earlier version of this article.

is somewhat constrained because of the fact that only forty-three individuals have held this office. As a result, making generalized claims about executive branch behavior can become a hazardous endeavor. Turning to the state level provides more data on which to stake general claims about veto activity. Because fifty governors hold office at a single time, we can treat national forces, technological developments, and other secular trends as constant while analyzing the factors that affect veto use. Studying the presidency over time requires an assumption that the causal relationships in force in the late nineteenth and early twentieth century remain in force one hundred years later, while studying gubernatorial vetoes makes such an assumption unnecessary.

Second, examining gubernatorial veto use permits a more nuanced assessment of the institutional (i.e., presidency-centered) explanation of executive veto use. Governors' institutional powers vary considerably across the states along a number of dimensions, including their veto powers (Beyle 2004). In fact, early studies of the gubernatorial veto emphasized this institutional variation (Fairlie 1917; Prescott 1950), which allows us to assess whether structural constraints affect veto use. As we describe in more detail, our analysis of gubernatorial veto use allows us to examine new institutional hypotheses about the relationship between the legislative and executive branches.

We use an event count model to examine the individual and institutional sources of gubernatorial veto activity. Our analysis of forty-eight states between 1971 and 2002 provides especially strong empirical support for the institutional perspective. The formal powers of the governor, the partisan alignment of the state legislature, and the electoral cycle all contribute to use of this prerogative.

Individual and Institutional Influences on Use of the Veto

A major objective of existing research on veto activity is to "untangle individual and institutional influences . . . in order to understand their relative contributions to the observed behavior" of the executive (Gilmour 2002, 199). The relative contributions of these two sets of factors illuminate the broader relationship between the legislature and the executive branch. If individual influences dominate, such a pattern suggests that veto use is best explained by factors specific to the time, bill, constituents, or personalities involved. But if institutional influences dominate, such a pattern suggests that presidents or governors in similar situations will behave in similar ways. Scholars

disagree about the relative significance of individual and institutional forces, with some privileging the former (Herzik and Wiggins 1989) and others privileging the latter (Shields and Huang 1997). This section introduces specific individual and institutional variables that may affect veto activity. Descriptive statistics for these variables are provided in the appendix.

Individual Influences

The president-centered perspective posits that individual influences affect the president's propensity to veto. It emphasizes the unique points of view that executives bring to their posts. The general flexibility or inflexibility of the executive potentially affects veto activity as does the executive's view of his or her role as active or passive. For example, some executives might view veto use as a way to assert control over the legislature while others might view veto use as a sign of executive weakness. The logic of this approach also applies to the relationship between governors and state legislatures. For example, Herzik and Wiggins (1989, 855) attribute veto use to specific circumstances in a state, the bill at issue, and the personalities involved in the conflict. Their conclusion that veto activity is "state specific rather than cross-sectionally based" resonates with the president-centered approach. In this article, we examine five hypotheses that attribute veto use to the personal traits and resources that the governor brings to office independent of the institutional perquisites of his or her post.

First, we examine whether Democratic governors have a greater propensity to veto legislation. The partisanship hypothesis has sparked a heated debate amongst presidency scholars. Lee (1975) finds that, all else equal, Democratic presidents are likely to issue significantly more vetoes than their Republican counterparts and speculates that Democrats may be more inclined to believe that executives should provide forceful legislative leadership. Other scholars have criticized the partisanship hypothesis on theoretical and empirical grounds (Hoff 1991; Ringelstein 1985). For example, Copeland (1983) attributes the large number of vetoes under Democrats to the outlier presidencies of Grover Cleveland and Franklin D. Roosevelt. His finding reveals an advantage of examining the partisan hypothesis at the state level. Our analysis incorporates a larger number of actors and is therefore less likely to be affected by extreme outliers, enabling us to have greater confidence in any inferences we draw. It includes a dichotomous independent variable indicating whether the governor is a Democrat.¹

Second, we examine the impact of the governor's electoral mandate. Specifically, we hypothesize that veto activity will be negatively related to the percentage of the popular vote that the governor received in the previous election because legislators may be more willing to challenge an executive who won a close election. The electoral mandate hypothesis builds on a common line of inquiry in the presidential veto literature. Many analyses posit that presidents who can draw on a reservoir of public support will be more effective in persuading Congress and that Congress will be more accommodating of such a president (Rohde and Simon 1985; Hoff 1991; Woolley 1991; Shields and Huang 1995, 1997). Similarly, governors might be better able to convince state legislators to modify a bill if they are perceived as popular, and they might therefore resort to the veto less frequently.² Our analysis includes the percentage of the vote received by the sitting governor in the previous election.³

Third, we examine the impact of legislative experience. Former legislators may be more sympathetic to legislative prerogatives and may consequently issue fewer vetoes once they become governor. Governors who were exposed to vetoes as a state legislator or a member of Congress may recall the frustration that such vetoes caused and use their veto pen reluctantly. In addition, governors who previously served in the state legislature may issue fewer vetoes because they are better able to steer their priorities through the policymaking process. They may have cultivated friends and allies who will support them (Beyle 2004, 206). Our analysis therefore includes two dichotomous independent variables, one indicating whether the governor previously served in the state legislature and one indicating whether he or she was previously a member of Congress.⁴ We posit that veto activity will be negatively related to both forms of legislative experience.

Fourth, we examine the impact of the governor's gender. Women make up an increasing percentage of state legislators, and many scholars have examined the impact of this shift. The influx of female state legislators has been linked to changes in legislative agendas, operations, and policy outputs (e.g., Thomas and Welch 1991; Saint-Germain 1989). In a similar vein, the presence of a female governor may affect the frequency of conflict between the state legislature and the executive branch. Such conflicts may be due either to differences in policy priorities or to systematic differences across genders in terms of gubernatorial personality. Although we do not have a clear expectation about the direction of its impact, our analysis

includes a dichotomous independent variable indicating whether the governor is a woman.

Finally, we examine the impact of gubernatorial experience. As they spend more time in their posts, governors may gain a better understanding of what to expect and what is expected of them. Furthermore, they may cultivate allies who will support their policy priorities. Governors with more experience may therefore be better able to enact their legislative agendas and, as a result, issue fewer vetoes. To assess this hypothesis, our analysis includes the number of years that the governor has been in office prior to the current legislative session.⁵

Institutional Influences

The institutional perspective attributes veto use to factors that lie beyond the control of the chief executive. Institutional structures constrain executive behavior in ways that are not affected by election results or the partisanship or gender of the person holding the office. They affect the relationship between the governor and the state legislature by shaping both the tendency of the legislature to provoke a veto and the executive's propensity to veto. In this article, we examine three broad hypotheses about institutional influences on veto activity.

Formal Powers

We posit that governors with greater formal powers will issue more vetoes. The state level is an especially appropriate environment in which to examine this hypothesis empirically. While presidential veto powers are largely constant across administrations, there has been a general trend toward stronger veto power at the state level (Prescott 1950; Bowman and Kearney 1986). Gubernatorial veto powers continue to vary across states, however, allowing us to assess the formal powers hypothesis in a compelling way.

We examine the impact of four constitutional provisions that affect the strength of the governor's veto power.⁶ The first two provisions affect the likelihood of a veto override. When executives and legislatures disagree, executives may be more willing to issue vetoes if they think that an override is unlikely. The first provision is the percentage of legislators who must vote to override a veto. The more stringent this requirement is, the more difficult it is for the legislature to override a veto. As a result, we expect a positive relationship between the override percentage and veto activity. The second provision is the "absolute veto," an especially powerful form of the pocket veto

that makes a legislative override impossible. When the legislature passes a bill at the end of a session and the governor issues an absolute veto after the session has ended, the state legislature cannot meet to override it. There is no possibility of a legislative response. We posit that the absolute veto increases the governor's propensity to veto since it gives the executive the "final word" on a bill. Our empirical analysis includes a dichotomous variable indicating whether the governor possesses this authority.⁷

The third and fourth institutional provisions relate to the length of time governors have to consider legislation. State legislatures pass a large number of bills, many of them at the conclusion of a legislative session. Facing severe time constraints, the executive branch may find it difficult to process the information contained in the legislation. Extending the time frame that the governor has to consider legislation helps to address this problem of incomplete information. Governors who possess more time to consider bills may be better able to identify objectionable legislation and may therefore issue more vetoes than their colleagues who possess less time. We therefore consider the number of days within a session and after a session ends that the governor has to consider legislation. We expect the relationship between these variables and veto activity to be positive.

Partisan Composition of the State Legislature

Building on existing research, we posit that the partisan composition of the state legislature affects veto activity. We examine three specific relationships. First, we assess the relationship between veto activity and "simple divided government" (Bowling and Ferguson 2001), the condition that exists when both chambers of the state legislature are controlled by the same political party but the governor does not belong to that party. This alignment may increase the legislature's willingness to challenge the executive, therefore increasing veto activity. Several presidential studies provide empirical support for the simple divided government hypothesis (Clarke 1998; Lee 1975; Copeland 1983).⁸

Second, we examine the impact of a "divided legislature," a form of divided government that exists when two different political parties control the two chambers of the legislature. This partisan alignment does not seem likely to affect veto use because one chamber will be controlled by the party of the governor and may share the governor's policy preferences or at least be more willing to accommodate those

preferences. A split legislature may therefore moderate the legislature's willingness to challenge the governor.

Third, we examine the relationship between veto activity and a specific form of "simple divided government." Sometimes a governor faces a state legislature in which the opposing party possesses a veto-proof majority in both chambers. While this partisan alignment may increase the tendency of the legislature to provoke a veto, governors in this situation may be less willing to issue a veto given the increased likelihood of an override. As a result, the relationship between this partisan alignment and veto activity is uncertain. This is an important empirical question, however, because governors were opposed by veto-proof majorities of the other party almost ten percent of the time between 1971 and 2002. To examine these three relationships, our empirical analysis incorporates dichotomous independent variables that indicate whether "simple divided government," a "divided legislature," or a veto-proof majority existed in a state in a particular biennium.⁹

Electoral Cycle

Our third institutional hypothesis is that the electoral cycle affects veto activity. Several studies conclude presidential veto activity increases in an election year (Shields and Huang 1995, 1997; Rohde and Simon 1985; Woolley 1991; Lee 1975; Hoff 1991). Legislatures and executives must respond to different constituencies to win reelection, giving legislators an incentive to address parochial concerns that might conflict with executive preferences. We expect a gubernatorial election year to produce heightened executive attention to legislative matters, thereby enhancing the likelihood of executive-legislative conflict (Rohde and Simon 1985, 403). Our empirical analysis incorporates a dichotomous variable indicating whether the governor is up for reelection, and we expect this variable to be positively related to veto activity.

The electoral cycle might also affect veto activity through the operation of gubernatorial and legislative term limits. Building on Axelrod's (1984) observations about the evolution of cooperation, both legislators and governors may be less inclined to cooperate with elected officials with whom they will not serve in future sessions. The presence of "lame-duck" governors in the last biennium before their terms expire may increase inter-branch conflict and cause the governor to issue more vetoes. Similarly, we expect legislative term limits to produce greater conflict between the two branches. Our empirical analysis includes a dichotomous variable that indicates whether a governor is a lame

duck (Congressional Quarterly 1998; Council of State Governments, Various Years) and a variable that measures the percentage of legislators facing term limits at the end of the biennium (National Conference of State Legislatures 2004).¹⁰ We expect both variables to have a positive effect on veto activity.

Other Influences

Our analysis also includes three control variables unrelated to the individual and institutional perspectives. First, we include a count of the number of bills presented to the governor during the biennium. There is an obvious connection between veto activity and the number of bills passed by the legislature (Hoff 1991; Woolley 1991; Copeland 1983), and this control variable allows us to account for other factors, such as annual or longer sessions, that cause legislatures to pass more bills. Second, we account for the impact of the economy, which several studies describe as an important influence on veto activity (Hoff 1991; Shields and Huang 1995, 1997; Rohde and Simon 1985). When economic conditions are bad, politics becomes more of a “zero-sum” game where actors must fight over scarce resources and legislators and executives might seek to shift blame for the economy onto the other branch. We expect more veto activity during economic downturns, and our analysis therefore includes the percentage change in real state per capita disposable income between the previous biennium and the current one.¹¹ We expect a negative relationship between this variable and gubernatorial veto activity.

Third, we control for the existence of the line-item veto. The line-item veto gives governors the power to veto particular items in an agency budget without rejecting the entire bill. Governors in forty-three states currently possess this power. Our empirical analysis incorporates a dichotomous independent variable indicating whether this option exists. Even though the line item veto is an important formal power of the governor, we are reluctant to assign theoretical importance to this variable because of the inconsistent way in which line item vetoes are reported (Herzick and Wiggins 1989, 859).

Data and Method

To test the hypotheses outlined in the previous section, we examine gubernatorial veto activity between

1971 and 2002.¹² The number of vetoes per biennium is our dependent variable. The biennium is our unit of analysis because some legislatures meet every other year and, in states where the legislature meets annually, bills are often held over until the next year.¹³ Data on the number of vetoes per biennium were obtained from the *Book of the States* (Council of State Governments, various years), state-specific sources, and by contacting state legislative libraries to address gaps in these data. Even after this process, we still had missing values for thirty-two of the 769 biennia. To avoid the biases introduced by listwise deletion (King et al. 2001), we used the Amelia program to impute these missing data (Honaker et al. 2001).¹⁴

Our dependent variable is measured as a count. Previous studies treat the proportion of bills vetoed by the governor as their dependent variable (Wiggins 1980; Herzick and Wiggins 1989), but there is a significant problem with this approach. Many bills that state legislatures pass are not the basis of conflict and are therefore not the object of possible vetoes. Using a proportion as the dependent variable assumes that this percentage is constant across states and across time. Our strategy of using the number of vetoes issued as the dependent variable does not make this restrictive assumption and therefore addresses this potential weakness of existing research on gubernatorial veto activity.¹⁵

We use an event count model to examine veto activity across states and over time. This approach, which has been used to examine presidential veto activity (Shields and Huang 1995, 1997), is appropriate because the dependent variable cannot have a value that is less than zero, can only take on whole values, and is non-normally distributed. The statistical significance of the r - and s -parameters reported at the bottom of table 1 suggest that the dependent variable is overdispersed (i.e., its mean and variance are not equal), necessitating the use of negative binomial regression analysis (Wang et al. 1993, 980; STATA Corporation 2003, 144). To address the pooled time-series cross-sectional nature of the data, we use random-effects negative binomial regression analysis, which can account for the fact that the dependent variable may be dispersed differently across different states (Davenport 2005; STATA Corporation 2003, 144).¹⁶ The next section describes the results of our analysis.

Results

Our model performs well overall. STATA does not report a goodness-of-fit statistic for random-effects

Table 1
Determinants of Gubernatorial Veto Activity, 1971-2002

Variable	Coefficient	Standard Error
Democratic governor (+)	0.0490	0.0544
Electoral mandate (-)	-0.0042	0.0035
Former state legislator (-)	-0.1245*	0.0528
Former member of Congress (-)	-0.0608	0.0818
Years in office (-)	-0.0063	0.0084
Female governor	-0.0320	0.1464
Institutional influences		
Formal Powers		
Percentage of legislators necessary for override (+)	0.0367*	0.0103
Absolute veto (+)	0.1601	0.1044
Days within session governor has to veto (+)	0.0027	0.0056
Days after session governor has to veto (+)	0.0073	0.0051
Partisan Composition		
Simple divided government (+)	0.4918*	0.0647
Divided legislature	0.0764	0.0734
Veto-proof opposition	-0.0570	0.1043
Electoral Cycle		
Governor up for reelection (+)	-0.0825	0.0493
"Lame duck" governor (+)	0.1866*	0.0811
Percentage of legislators facing term limits (+)	0.0058	0.0049
Other Influences		
Number of bills presented to the governor (+)	0.0006*	0.0001
Percentage change in real state disposable income (-)	-0.0225*	0.0075
Line-Item veto (+)	0.3167*	0.1604
Constant		
Pseudo <i>R</i> -Squared	0.569	—
r-Parameter	2.6193*	0.5704
s-Parameter	23.0790*	5.9390

Note: The dependent variable is the number of vetoes cast in a state in a two-year period. Expected direction in parentheses. All tests of statistical significance are two-tailed. Likelihood-ratio test vs. pooled: Chi-squared (01) = 453.077, $p < 0.000$. Number of Observations = 769.
 * $p < .05$

negative binomial regression (Davenport 2005). Accordingly, we develop a goodness-of-fit measure by regressing the observed count of vetoes (not including imputed vetoes) on the predicted count of vetoes. Table 1 displays our results and indicates that the pseudo *R*-squared of the model is .569, which suggests a reasonably good fit. In addition, there is no evidence of problematic multicollinearity.¹⁷

Table 1 suggests that individual influences have a limited impact on gubernatorial veto activity. All else equal, governors who previously served as state legislators issue significantly fewer vetoes than governors without such experience. This relationship may exist either because former legislators are more sympathetic to legislative prerogatives or because they have friends and allies who are willing to support

their initiatives. Although their impact is in the expected direction, none of the other individual influences included in our model attains conventional levels of statistical significance. These results provide limited empirical support for the individual (i.e., "president-centered") perspective. They suggest that partisan affiliation, the electoral mandate, congressional experience, years in office, and gender do not have a significant impact on gubernatorial veto activity.¹⁸

What is the substantive impact of state legislative experience on gubernatorial veto activity? The coefficients produced by random-effects negative binomial regression are not easily interpretable because the impact of an independent variable is contingent on the values of the other independent variables. To

Figure 1
Impact of Legislative Experience and
Lame-Duck Status on Veto Activity

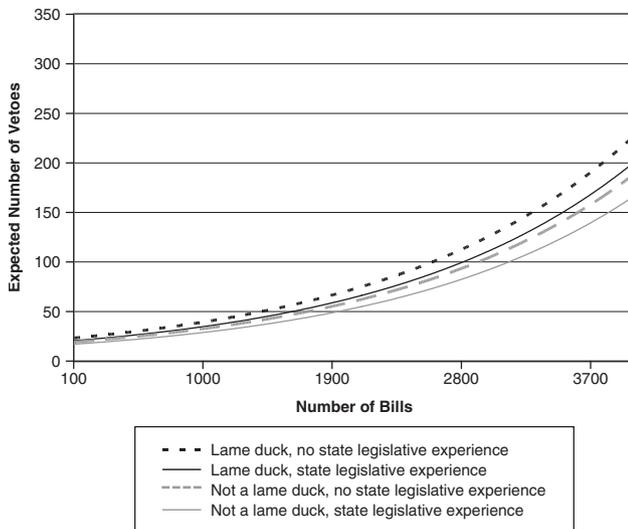
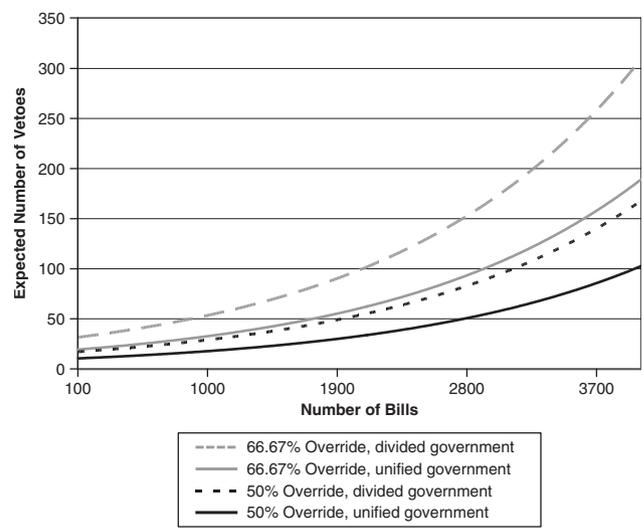


Figure 2
Impact of Override Requirements and Divided
Government on Veto Activity



assess the magnitude of the effects in table 1, we set all dummy variables, “Percentage of Legislators Necessary for Override,” and “Percentage of Legislators Facing Term Limits” at their modes and all other continuous variables at their medians. We then manipulate the value of the variables that attained conventional levels of statistical significance, given varying numbers of bills presented to the governor. When the legislature presents the median number of bills to the governor (727) and the governor is not a “lame duck,” a governor with legislative experience issues three fewer vetoes than a governor without such experience.¹⁹ Figure 1 displays this relationship graphically and illustrates that the magnitude of this effect does not vary substantially as the number of bills presented to the governor changes.²⁰ Comparing the two black lines or the two gray lines in figure 1 suggests that the substantive effect of state legislative experience is quite small. In sum, our analysis provides limited empirical support for the individual perspective.

Table 1 provides empirical support for all three institutional hypotheses. Veto activity seems to increase when governors possess more extensive formal powers. All four of the provisions we examine are associated with greater use of the veto prerogative, though only one of them attains conventional levels of statistical significance.²¹ All else equal, governors issue more vetoes when an override requires a higher percentage of state legislators. This finding suggests that a governor will have a greater propensity

to veto legislation when he or she is confident that the veto will not be overridden. Our analysis therefore suggests that the formal powers of the governor have a significant effect on the number of vetoes that the governor issues.

Figure 2 showcases the substantive impact of veto override requirements on veto activity.²² It suggests that these requirements have a pronounced effect on the number of vetoes that the governor issues. Under conditions of unified government (i.e., comparing the two solid lines), a state with a two-thirds veto override requirement can expect thirteen more vetoes than a state with a 50 percent requirement when the legislature presents the median number of bills to the governor. The impact of this shift is even stronger (twenty-one vetoes) under conditions of divided government (i.e., comparing the two dashed lines). Further, the effect of override requirements increases as the number of bills presented to the governor grows. When the legislature presents 1,142 bills to the governor (i.e., at the 75th percentile), moving from a state with a 50 percent override requirement to a state with a two-thirds override requirement increases the number of vetoes issued by twenty-seven under conditions of unified government. The substantive impact of veto override requirements, in short, is quite large.

Our analysis also suggests that the partisan composition of the state legislature affects veto activity. Governors who confront two legislative chambers controlled by the opposing party, all else equal, issue

more vetoes compared to a situation of unified government. Simple divided government seems to increase the propensity of governors to use their veto powers, and it might also increase the tendency of the legislature to challenge the governor. As expected, a divided legislature does not significantly affect veto activity, perhaps because governors' fellow partisans are willing to accommodate gubernatorial preferences. Finally, governors tend to issue fewer vetoes when the opposing party holds veto-proof majorities in both chambers, but this relationship does not attain conventional levels of statistical significance.

Figure 2 displays the large substantive impact of simple divided government. When the legislature presents the median number of bills to the governor and there is a two-thirds override requirement, a shift from unified government to divided government (i.e., comparing the two gray lines) is associated with eighteen additional vetoes. The impact of divided government increases as the number of bills presented to the governor grows. When the legislature presents 1,142 bills to the governor (i.e., at the 75th percentile), a shift from unified government to divided government is associated with twenty-two additional vetoes. Considering that the average governor issues 44.6 vetoes each biennium, this is a substantial impact.

The electoral cycle also appears to affect veto activity. The results in table 1 suggest that a lame-duck governor, all else equal, issues statistically significantly more vetoes than a governor who does not face a term limit. A possible explanation of this pattern is that elected officials are more likely to cooperate, and thereby avoid the need for a veto, when they expect to work with the same individuals in the future. Figure 1 suggests, however, that the substantive impact of lame-duck status is limited. When the legislature presents the median number of bills to a governor who lacks state legislative experience, a lame-duck governor will issue six more vetoes than a governor who is not a lame duck. The magnitude of this effect does not change very much as the number of bills presented to the governor varies.

Our other measures of the electoral cycle do not have a significant effect on veto activity. There is a positive (but not statistically significant) relationship between the percentage of state legislators facing term limits and the number of vetoes issued. Finally, it seems that gubernatorial elections do not significantly affect veto activity.²³ While presidential elections are associated with increased veto activity (Shields and

Huang 1995, 1997; Rohde and Simon 1985; Woolley 1991; Lee 1975; Hoff 1991), governors facing a reelection campaign do not issue more vetoes. We do not want to read too much into this result, but it might suggest that governors seeking reelection moderate their veto activity because they wish to have concrete accomplishments to present to the voters or because they want to avoid the politically damaging appearance of overly partisan behavior.

All three control variables perform as expected and attain conventional levels of statistical significance. There is a positive relationship between the number of bills presented to the governor and the number of vetoes that he or she issues. The availability of the line-item veto also increases veto activity. Of the three control variables included in our analysis, the most theoretically compelling relationship is that between veto activity and the economy. It is negative, perhaps because the legislature, in an attempt at blame avoidance, is more inclined to challenge the governor when the economy is struggling. Legislators might be less inclined to challenge the governor when the economy is performing well.²⁴

Conclusion

The veto is an instance of direct conflict between the legislature and the executive that sheds light on the broader relationship between the two branches. The preceding analysis builds on existing research at the presidential level to compare the relative merits of individual and institutional explanations of veto activity. It suggests that individual forces do not have a major impact. Governors who previously served as state legislators issue significantly fewer vetoes than governors who are not former legislators, but the substantive impact of legislative experience is actually quite small. Furthermore, none of the other five individual factors we examined attained conventional levels of statistical significance.

In contrast, our analysis suggests that institutional forces strongly influence the relationship between the two branches. Governors with greater formal powers issue more vetoes than do their colleagues with more restricted authority. Increasing the number of legislators required to override a gubernatorial veto causes a statistically significant, and substantively meaningful, increase in veto activity. The partisan composition of the state legislature also increases veto activity. The existence of simple divided government, a situation

where the same party controls both houses of the legislature but the governor is not a member of that party, leads governors to issue significantly more vetoes. Finally, the electoral cycle affects veto activity. "Lame-duck" governors issue significantly more vetoes than governors who are eligible for reelection, though the substantive impact of lame-duck status is not as pronounced as that of other institutional factors. In sum, our results suggest that governors who operate under similar institutional constraints behave similarly, at least in terms of using their veto power.

The preceding analysis suggests several avenues for future research on governors' veto activity. First, scholars should continue to probe the impact of individual influences at the state level. Although we did not find much empirical support for our hypotheses, other research approaches, such as cross-sectional analyses of the impact of gubernatorial personality

(Ferguson and Barth 2002), may prove more fruitful.²⁵ A second avenue for future research is to distinguish among the types of vetoes issued by governors. Studies of presidential vetoes often classify them based on their content or significance (Rohde and Simon 1985; Woolley 1991; Watson 1988; Ringelstein 1985). Do our findings apply to major and minor legislation and to bills that address specific policies? Third, and more generally, this article demonstrates the usefulness of treating the states as laboratories in which to examine hypotheses about legislative-executive relations. The states represent a promising venue in which to evaluate claims that are based on the relationship between the president and Congress. Turning to the state level facilitates the development of new hypotheses about executive branch behavior, and it also provides more data on which to stake general claims about veto activity.

Appendix Descriptive Statistics

Variable	Minimum	Maximum	Mean	Standard Deviation
Number of vetoes	0	711	44.62	80.93
Individual influences				
Democratic governor	0	1	56.58	0.49
Electoral mandate	26.50	100	63.87	8.53
Former state legislator	0	1	0.46	0.50
Former member of congress	0	1	0.11	0.32
Years in office	0	14.5	3.66	3.03
Female governor	0	1	0.04	0.19
Formal Powers				
Percentage of legislators necessary for override	50	66.67	63.87	5.65
Absolute veto	0	1	0.40	0.49
Days within session governor has to veto	3	60	8.84	9.16
Days after session governor has to veto	0	60	17.48	12.56
Partisan Composition				
Simple divided government	0	1	0.32	0.46
Divided legislature	0	1	0.21	0.41
Veto-proof opposition	0	1	0.09	0.28
Electoral Cycle				
Governor up for reelection	0	1	0.32	0.46
"Lame duck" governor	0	1	0.12	0.33
Percentage of legislators facing term limits	0	45.98	0.89	4.75
Other Influences				
Number of bills presented to the governor	112	3,949	902.21	588.64
Percentage change in real state disposable income	-11.95	24.07	3.04	2.88
Line-item veto	0	1	0.88	0.33

Notes

1. Our dataset will be available at www.klarnerpolitics.com on January 1, 2009. We assign fractions for midyear changes in the governor's party, following Klarner (2003).

2. Gilmour (2002, 207) characterizes presidential popularity as an institutional variable "because it is largely . . . beyond the control of the president." We treat the electoral mandate as an individual influence because it depends on the occupant of the office. Our decision resonates with the literature on gubernatorial authority that describes the electoral mandate as a "personal power" (Beyle 2004, 205-8).

3. These data are from Congressional Quarterly (1998), the *Book of the States* (Council of State Governments, various years), and numerous state-specific sources. We account for changes in the party of the governor when no election has taken place by using the percent of the vote the opposing party received in the previous election.

4. "Former State Legislator" indicates whether a governor served in the state legislature within eleven years of their initial election to the governorship (Council of State Governments, *Supplement I*, various years). "Former Member of Congress" indicates whether a governor served in the U.S. Congress at any time prior to their initial election. The congressional data are available at the U.S. House Web site, <http://bioguide.congress.gov/biosearch/biosearch.asp> (accessed May 23, 2007).

5. These data are from Moore, Preimesberger, and Tarr (2001), with updates from the *Book of the States* (Council of State Governments, various years).

6. Governors' formal powers were determined by examining the *Book of the States* (Council of State Governments, various years). If these formal powers changed over time, we also consulted numerous state-specific sources, such as state constitutions, to verify that the *Book of the States* was not in error; sometimes it was.

7. In some states, the governor can issue pocket vetoes but the legislature can override them in special sessions. Thus, the "pocket veto" is distinct from the "absolute veto."

8. Woolley (1991, 298) concludes that divided government reduces the number of major vetoes issued. Since we do not distinguish between major and minor vetoes, we cannot evaluate this particular claim.

9. All partisan balance data are from Klarner (2003).

10. Our term limits measure is an average of both legislative chambers.

11. Disposable per capita income is from <http://www.bea.doc.gov/bea/regional/spi/> (accessed December 3, 2004). State cost of living is from an updated version of the dataset in Berry, Fording, and Hansen (2000).

12. Five states possess electoral cycles that do not map neatly onto this time period, largely because elections occur in odd-numbered years. We analyze the years 1970 through 2002 for Kentucky and the years 1970 through 2001 for Louisiana, Mississippi, New Jersey, and Virginia. Our empirical analysis examines veto activity in forty-eight states. It does not include Nebraska because of its nonpartisan, unicameral legislature or North Carolina because its governor lacked the veto power until recently.

13. Our universe of cases consists of 769 biennia because it incorporates sixteen biennia for forty-eight states, plus an extra one-year "biennium" for Kentucky; that state switched from odd- to even-year state legislative sessions during the period under study.

14. We also impute data for two of the independent variables mentioned in the previous section. In thirty-three cases, we

impute the number of bills presented to the governor. We impute percent change in real state disposable income for Alaska and Hawaii because of the missing cost-of-living indicator for those states; we use "change in state disposable income" as our predictor variable for this imputation. The results presented in the next section do not change if we estimate our models without the imputed data. The statistical significance of our individual and institutional variables do not change, although one of our control variables ("line-item veto") does not achieve conventional levels of statistical significance when we use listwise deletion.

15. As described in the previous section, we include the total number of bills presented to the governor to control for legislative output.

16. We use the "xtnbreg" command of STATA 8. The likelihood ratio test under Table 1 indicates that random-effects negative binomial regression analysis is appropriate for our analysis.

17. Regressing each independent variable on all other independent variables reveals no instances of problematic multicollinearity; none of the *R*-squareds is greater than 0.61 (Greene 2000).

18. Individual executives might react differently to similar institutional circumstances. We examine several models containing interaction terms to test this hypothesis. The interactions that we examine (gubernatorial partisanship, partisan composition of the legislature, and gender) do not affect our results or attain conventional levels of statistical significance.

19. The substantive impact of state legislative experience increases to four vetoes when the governor is a lame duck. It is worth noting that the average number of vetoes issued by a governor in a single biennium is 44.6.

20. For purposes of exposition, figure 1 presumes that simple divided government does not exist and that a two-thirds vote of the legislature is required for a veto override.

21. Two additional provisions—the existence of the absolute veto and the number of days after a session ends that the governor has to consider a bill—are marginally statistically significant ($p < .10$) when we use a one-tailed test of statistical significance. "Days after session" attains conventional levels of statistical significance in a "reduced model" that includes only those variables that are at least marginally significant in the full model.

22. For purposes of exposition, figure 2 presumes that the governor is neither a former state legislator nor a lame duck.

23. "Reelection" has a marginally significant ($p < .10$, two-tailed test) negative effect on veto activity.

24. We examine eight additional independent variables to assess their impact and the robustness of our findings: (1) whether the governor has until the next legislative session to consider a veto, (2) whether the governor has the pocket veto, (3) whether the governor has the amendatory veto, (4) whether the governor has the "blue pencil" (i.e., the ability to decrease line items), (5) the number of legislative seats, (6) the presence of nonmajor party governors, (7) whether there are "power sharing" arrangements in the legislature where neither party is a majority of a chamber, and (8) the proportion of legislative seats up for election at the end of a biennium. When each of these variables is added to our model individually, only the presence of a nonmajor-party governor has a marginally significant ($p < .10$) positive effect on veto activity. The other variables do not attain conventional levels of statistical significance or affect our results. When these variables are examined simultaneously in a comprehensive model, "absolute veto" and "reelection" have a marginally statistically significant effect ($p < .10$, two-tailed test) on veto activity,

and the control variable "line-item veto" barely misses conventional levels of statistical significance. These results, which suggest the robustness of our findings, are not shown to conserve space.

25. We thank Margaret Ferguson and Jay Barth for generously sharing their gubernatorial personality data for 1993–1994. These data allow us to perform a tentative test of the personality hypothesis. Ferguson and Barth (2002) assess the impact of gubernatorial personality on legislative success by including a measure of "affiliation/intimacy" and an interaction term between "power" and "achievement." We include these two variables in a cross-sectional analysis of our veto activity data; neither term attains conventional levels of statistical significance. The results of our cross-sectional analysis resonate with our finding that individual influences have a limited effect on veto activity.

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