

Cities in American Federalism: Evidence on State-Local Government Conflict from a Survey of Mayors

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Abstract

Previous scholarship on American federalism has largely focused on the national government's increasingly conflictual relationship with the states. While some studies have explored the rise of mandates at the state level, there has been comparatively less attention on state-local relationships. Using a new survey of mayors, we explore variations in local government attitudes towards their state governments. We find some evidence that, regardless of partisanship, mayors in more conservative states are unhappy about state funding and—especially—regulations. More strikingly, we also uncover a partisan mismatch in which Democratic mayors provide especially negative ratings of their state's funding and—even more strongly—regulations. These findings have important implications for state-local relations as cities continue to become more Democratic and Republicans increasingly dominate state-level contests.

In a climate of rising partisan polarization at the state and federal levels (McCarty et al. 2006; Abramowitz 2010; Shor and McCarty 2011), cities are increasingly tackling pressing economic and environmental challenges. In some states, cities' move towards policy innovation has been accompanied by increased state-local conflict, as ideologically opposed state governments push against local policies with which they disagree. Alabama and Oklahoma, for example, have banned cities from providing paid sick leave for workers, while Texas prevents its local governments from pursuing a whole host of policies surrounding issues like gun control and the environment (Dewan 2015). We know relatively little, however, about these contentious state-local relationships, and about the extent to which partisan polarization affects them.

Indeed, previous research has focused primarily on federal-state conflict. This work emphasizes the evolution of state-federal relations from cooperative to conflictual (Elazar 1962; Cho and Wright 2001; Conlan 2006; Kincaid 1990, 2008, 2012). Much of this scholarship highlights an increasingly frosty state-national relationship attributable to reductions in federal funding and increases in federal regulations. While some scholars in this field briefly mention local government and/or imply that findings about state-federal relations may apply to local government, cities and their leaders remain largely absent from this literature.

The evidence we do have on local governments suggests that they are experiencing similar conflict with the federal and—especially—state levels. A large body of scholarship has documented the increasing fiscal abandonment of cities by the state and federal level (Eisinger 1998; Dreier et al. 2004) and suggests that they are largely unable to influence the legislative process (Dreier et al. 2004; Weir et al. 2005; Gamm and Kousser 2013). Moreover, their relationship with state government may be especially conflictual because of policy overlap (Peterson 1995; Frug and Barron 2008). This research, however, generally understudies *variations* in state-local relationships (and how rising partisan polarization might drive these variations).

To further explore the relationship between partisanship and state-local relationships, we

analyze data from a novel survey of mayors. Because virtually all interviews were conducted in person or over the phone, we are able to provide a mix of qualitative and quantitative evidence. We find that mayors are unhappy with funding and *especially* regulations from state governments—consistent with previous scholarship suggesting a conflictual state-local relationship. We also reveal that these conflictual relationships vary depending upon the partisanship of the state government and the mayor. Mayors in conservative states are generally somewhat less happy with funding and (again especially) regulations from their states regardless of mayoral partisanship. Most consistently (and perhaps unsurprisingly), however, Democratic mayors in conservative states were particularly displeased with their treatment by their state governments. Given cities' disproportionately Democratic political elites (Gerber and Hopkins 2011) and voting populations (Badger et al. 2016), these findings suggest that cities in red states may struggle to implement innovative progressive policies. In a context of increasingly prominent state-local conflict, these findings suggest that sharper ideological divides between city and state elites heighten intergovernmental tensions.

CONFLICTUAL FEDERALISM

In his seminal work, Elazar (1962) notes that “virtually all the activities of government in the nineteenth-century United States were cooperative endeavors, shared in much the same manners as governmental programs are in the twentieth century” (1). Prior to the 1970s, warm state-federal relations were largely based on generous federal aid (Cho and Wright 2001; Conlan 2006). Elazar, however, saw the potential for a new, cooler era in American federal relations with government regulation—rather than (or attached to) federal aid—more likely to characterize American federalism.

Kincaid's (1990, 2008) research confirms that this rise in federal regulation augured a shift in state-federal relations in the 1970s. Specifically, this work highlights movement away from the cooperative federalism that characterized earlier decades toward a more conflict-

ual relationship between the powerful federal government and the involuntarily compliant states. Perhaps most saliently, conflictual federalism includes a shift in federal aid distribution. Rather than focusing on places, federal support is increasingly centered on persons or groups (Conlan 2006; Kincaid 2008). Moreover, funding increasingly features accompanying regulations that condition its use. Finally, congressional earmarking has become a mainstay of federal aid.

In addition to these changes in federal aid, scholars have also observed a marked rise in the preemption of state powers. A disproportionate share of federal laws claiming functions that were previously left to the states have been passed in recent years, leading to heightened federal regulation of the state (Zimmerman 2005; Conlan 2006). Researchers have also highlighted mandates as an important component of conflictual federalism. A mandate is “a direct order from the federal government requiring state and local governments to execute a federal policy” (Kincaid 2008, 15). If violated, the federal government can institute civil or criminal penalties on state and local officials. A wealth of scholarship confirms that these trends have spurred increasingly frosty state-federal relations (Cho and Wright 2001; Kincaid 1990, 2008, 2012; Posner 2007; Pickerill and Bowling 2014).

The same incentives and capacity to exert influence over lower levels of government exist—and may even be greater—at the state level. Indeed, as creatures of the state, local governments’ powers stem from their state governments (Frug 1980). This relationship does not include the same vertical separation of powers protections that the Constitution affords the states to (at least somewhat) ensure their sovereignty from Washington. Perhaps even more so than the federal government, then, states have the ability to limit policy innovation from local government (Frug and Barron 2008), and have increasingly employed the same sorts of mandates that have engendered state hostility towards the federal government (Berke and French 1993; Shaffer 1995; Norton 2005). In addition to possessing greater capacity to impinge upon the legal powers of cities, state government functions are more likely to overlap with cities’ relative to the national government (Peterson 1995). This overlap may make it

less clear which entity should optimally perform a particular governing task and generate competition between the two levels of government over ownership of particular functions. Finally, in many instances, urban-rural divides may provide natural factions that pit state governments against the cities underneath them, and/or political homogeneity may make it easier for a faction at the state level to set aside urban interests (Gamm and Kousser 2013). Thus, state-local conflict may, in fact, be even greater than that between states and the federal government.

Indeed, the recent proliferation of state preemption laws mentioned in the opening of this article underscores the potential for tensions between state and local government over regulations writ large. While there have been, to date, no systematic studies quantifying the frequency of state preemption, recent academic and journalistic evidence highlight the wide array of policy arenas these preemption laws cover. State preemptions of local government powers are typically a state response to a local government initiative at odds with the state's ideological preferences. For example, cities across the country have adopted higher minimum wages—in some cases as high as \$15 per hour. While many states have allowed these laws to stand, others have immediately (often preemptively) moved to prevent local governments from adopting local wage ordinances. Madison, WI, Birmingham, AL, and St. Louis, MO's efforts to raise their minimum wage were followed by state legislative efforts to preclude local governments from passing such legislation (Schragger 2016, 149)

States have similarly moved to block local government autonomy in the environmental realm. After the city of Denton, TX passed a fracking ban, the state legislature in Texas immediately responded with a preemption law prohibiting local regulation of fracking (Greenblatt 2016). Prior to his election, Republican governor Greg Abbott complained that local environmental laws generally were harmful to Texas: "Texas is being Californianized and you may not even be noticing it. It's being done at the city level with bag bans, fracking bans, tree-cutting bans. We're forming a patchwork quilt of bans and rules and regulations that is eroding the Texas model" (Tilove 2015).

Finally, these state-local battles have also been fought over social policy. Perhaps most notably, after the Charlotte City Council passed legislation that extended civil-rights protections to its lesbian, gay, bisexual, and transgender (LGBT) community, the state legislature in North Carolina met in a special session to block local governments from adopting anti-discrimination protections for LGBT people (the law also prevents cities from setting their own minimum wages) (Greenblatt 2016). States have similarly waged battles with cities over gun laws; in Arizona, for example, one law punishes local governments—like Tucson—that have kept gun regulations in place that contradict preempting state law with the removal of local public officials and penalties up to \$50,000 (Greenblatt 2016).

All of the examples provided above—and indeed, the overwhelming majority of those featured in media and academic coverage over the past five years—feature Republican states preempting progressive legislation. This is not to suggest that Republican states are the only ones limiting cities; in 2008, Democrats in California banned cities from requiring restaurants to include nutritional information on their menus (Dewan 2015). But, recent Republican dominance at the state level—Republicans have gained over 900 seats in state legislative contests since 2010 (Cillizza 2015) and currently control thirty-three of the state’s fifty governor’s seats (Mishak and Wieder 2016)—means that Republican states have greater opportunity to pass such legislation. Moreover, as we outline further below, there may be partisan incentives that would render Republican governments particularly inclined to limit local government autonomy.

RISING PARTISAN POLARIZATION AND STATE-LOCAL RELATIONSHIPS

We know relatively little about whether there are variations in the extent to which states and local governments experience conflict. While some evidence suggests that differences in state regulatory environments might allow for greater local policy innovation (Frug and

Barron 2008), there has been comparatively little analysis of how ideological differences might generate variations in state-local partnerships. The rise of national partisan polarization and its capacity to obstruct policy implementation has been well-documented (McCarty et al. 2006; Abramowitz 2010). What's more, we know that increasing partisan polarization has trickled down to the state level (Shor and McCarty 2011) and generated federal-state conflict when the partisan alignments of the two units of government do not match (Kincaid 2012; Pickerill and Bowling 2014). Although we have little longitudinal evidence on whether local governments have become increasingly polarized, recent evidence strongly suggests that political elites' (de Benedictis-Kessner and Warshaw 2016; Einstein and Glick 2016) and the mass public's (Tausanovitch and Warshaw 2014; Einstein and Kogan 2016) preferences on local issues are sharply—and, to many urban politics observers, surprisingly—split along the same lines as national partisan debates. These lines of scholarship lead us to expect more hostile state-local relationships when there is a partisan mismatch between state and local officials.

Moreover, we are also attentive to the possibility of a *general conservative effect*—irrespective of partisan mismatch. While Democratic presidential administrations (notably President Clinton) have certainly helped to promulgate relatively uncooperative intergovernmental relationships, rising Republican power at both the state and federal level is associated with declines in cooperative federalism as Republicans have become increasingly inclined to trade deference to lower levels of government for the implementation their preferred social and economic vision via preemption and mandates (Conlan 2006). Indeed, Cole et al.'s (2001) surveys of scholars and practitioners find that the two most significant intergovernmental events since 1980 were Republicans' 1994 takeover of Congress and capture of thirty governorships. Given continued rising conservative power at the state level (Hertel-Fernandez and Skocpol 2016; Hertel-Fernandez et al. *in press*), it seems reasonable to expect—at least in conservative states—uncooperative state-local federalism, regardless of the partisanship of the local official.¹ The recent rise of preemption laws in conservative

states designed to limit the ability of cities to pass left-leaning legislation—and the fact that the conservative American Legislative Exchange Council has drafted model preemption bills for state lawmakers—(Dewan 2015; Hertel-Fernandez and Skocpol 2016; Rapoport 2016) provides preliminary empirical confirmation of this prediction.

SURVEY OF MAYORS

To evaluate the relationship between partisanship and state-local conflict, we use evidence from the 2015 Menino Survey of Mayors, which included questions about other levels of government. The survey's target population was medium and large cities (100,000+ residents). In close collaboration with Boston University's Initiative on Cities and the US Conference of Mayors (USCM), we reached out to all 288 mayors of U.S. cities over 100,000 people. Before the 2015 summer USCM meetings, we contacted each attending mayor (by email with phone follow up). We invited each of these mayors to set up an in-person interview at the conference or to set up a phone call at a more convenient time. The USCM sent its own email about the survey to all members and made an announcement at the first day's lunch session. All conference interviews were conducted in person directly with the mayor. After the conference we contacted the rest of the target population mayors in similar ways leading to a number of phone interviews (and a few electronic completions) throughout the summer.

Overall, eighty-nine mayors participated. Since most of our data were collected in person on the phone, we know it comes directly from mayors rather than from staff. Sixty-three responding mayors belonged to our target population (288 cities over 100,000) which translates to a 22 percent response rate from large/medium size city mayors. The remaining responses are from mayors of smaller cities replying to USCM outreach. We opted to include these responses from the non-target population in our analyses for two reasons. First, recruiting elite samples is extremely challenging, making us reluctant to throw away data. Second, and more importantly, although these mayors lead somewhat smaller cities, their participation

in a national conference that skews toward larger cities implies that they see self identify as leaders of policymaking cities rather than smaller towns, and are thus more likely to have thought about and/or been affected by their relationship with state and federal government.

Using a combination of demographic data from the U.S. Census' American Community Survey,² data on Democratic vote share (Einstein and Kogan 2016), and information on state legal context (Hoene and Pagano 2015), we show in Table 1 that participating cities look a lot like the wider universe of American cities. The third column summarizes the target population (all cities over 100,000). The other columns allow us to compare these traits to the total sample and the sample excluding the smaller city mayors. Racial and economic variables nearly perfectly match the national distribution. Geographic ones do as well. (The proportion in the Midwest, Northeast, South, and West are 18 percent, 12 percent, 35 percent, and 35 percent respectively vs. 17 percent, 9 percent, 35 percent, and 40 percent nationally.) The sample skews a little toward larger cities. This means that we still have good representation while, at the margins, we are capturing data from the types of places that the urban politics literature tends to focus on. Additional data on political (Einstein and Kogan 2016) and state legal context (Hoene and Pagano 2015) reveals that our cities are largely representative on those dimensions as well (a somewhat higher proportion of our cities are located in states with potentially binding property tax limits). Representativeness in terms of state legal context is especially important, since a number of our analyses center on mayors' attitudes concerning their autonomy from their state governments.

[Insert Table 1 about here.]

Importantly, while our survey includes a module on federalism that we use in this paper, it also addresses a wide range of topics including infrastructure, policing, inequality, and public-private partnerships. Thus, there is no reason to expect respondents to have opted in because of a particular interest in federalism. Mayors were simply invited to a survey about city policy and leadership, not a survey about their state governments or any specific topic that may have attracted those with abnormally strong views.

The survey included multiple closed- and open-ended questions designed to assess mayors' attitudes towards state and federal government funding and regulations. While our primary interest is in mayors' attitudes towards their state governments, we use the questions about the federal government as a helpful check. For example, we should not expect a partisan mismatch between a mayor and her state government to affect her attitudes towards federal government funding/regulations. To learn about mayors' perceptions of financial support from higher levels of government, we asked: "Compared to an average city, how much financial support do you expect your city to receive from other governments in the next year." For both the state and federal government, they could then offer responses ranging from "much less than average (1)" to "well above average (5)." To assess mayors' views on regulations of their cities, we asked: "Compared to an average city, how much do you expect laws and regulations (existing and new) from other governments to limit your city's policy making autonomy and flexibility?" As with the previous question, for both the state and federal government, mayors could then provide responses ranging from "more restrictive than average (1)" to "less restrictive than average (5)."

Note that both of these questions ask mayors to rate their experiences with federalism "compared to an average city." Without that phrasing, we feared—particularly on the question about finances—that we would be more likely to hear uniformly negative evaluations of federalism from mayors. By priming mayors to consider their cities' positions relative their peers', we hoped to elicit more nuanced assessments that reflect their actual experiences with their state and federal governments relative to the plausible baseline of an average city rather than an idealized notion of funding and autonomy levels.

In addition to these closed-ended questions, we also included open-ended questions that assess the state and federal policies that mayors find especially problematic. We asked: "In your role as mayor, what one state (federal) law would you most like to see repealed or changed?" Because the vast majority of our surveys were conducted in person or over the phone, we were able to elicit elaborations on both sets of questions that allow us to provide

more qualitative evidence surrounding the cross-tabulations presented below.

In using a survey to measure local assessments of the state and federal government, we provide one measure of intergovernmental relations. There are, of course, a number of other ways to measure these relationships; we seek here to provide one operationalization. Cho and Wright (2001) outline the value of conducting these kinds of surveys when describing their own analysis of state administrator attitudes in a similar context: “The extent of national influence perceived by state administrators is one operational indicator of intergovernmental relationships. Whether their perceptions of intergovernmental relations correctly reflect reality is another question. What these agency heads see and how they act in response to their perceptions of the intergovernmental world is, in fact, one dimension of reality” (63). Our research follows a growing literature that surveys elites to uncover important information about relationships between political actors and local policymaking agendas (Cho and Wright 2001; Gerber et al. 2013; Gerber 2013; Einstein and Glick 2016).

RESULTS

We begin by providing a descriptive overview of mayors’ attitudes towards their state and federal governments. This brief summary serves to both confirm the literature’s expectations that we should observe greater local hostility towards state government, and (in the case of our open-ended questions) provide greater elaboration on the policy arenas that comprise this state-local conflict. We then move towards testing our key predictions concerning partisanship’s impact on mayors’ relationships with their state governments.

Figure 1 displays mayors’ responses to the two closed-ended questions about state/federal financial support and restrictions. Over half of mayors believe that they are receiving less financial support than the average city from both the state and federal levels. A slightly higher share rate their financial support from their state government as “less” or “much less.”

[Insert Figure 1 about here.]

Mayors differ to a greater extent in their ratings of regulations from state and federal government. Roughly half of mayors believe that they have “less” or “much less” autonomy from their state government relative to an average city. By comparison, only one quarter of mayors feel the same about the federal government. The differences become especially striking when we compare the proportion of mayors who believe they receive “much less” autonomy—the most extreme position they could adopt. While almost one-third of mayors believe they are receiving “much less” autonomy from their state government, under 5 percent believed the same of the federal government.³ These differences in mayors’ evaluations of state vs. federal government financing, and, especially regulations, are statistically significant, and hold when we run statistical models including a variety of controls (models can be found in Table 4 in the supplementary appendix).

While we do not have longitudinal data to more rigorously assess this argument, qualitative statements from mayors suggest that this negativity towards states may be part of an adverse trend. One mayor of a medium-sized city described hostile city-state relations as “accelerating [in] the last five years.” Another mayor of a large city similarly cited a five-year timeline, though he suggested an even steeper trend: “I think that the legislature of [state redacted] would abolish cities if they could, and that’s....a 180-degree change from the policies of five years ago. This was probably one of the more progressive states in terms of support for local government authority.” A mayor of a small city did not cite a specific timeline for increasing state impingement on local autonomy, but agreed with his peers that such regulations did appear to be worsening: “The general assembly can set aside home rule. They increasingly do that. We’re descending slowly down a slope of average (referring to our scale) because the general assembly screws around with home rule more often than not.”

Turning to the open-ended questions about the federal and state policies mayors would like to see changed confirms: (1) restrictive regulatory policies on the part of both the federal and state governments, and (2) *greater* restriction on the part of the state government.

Starting at the federal level, a significant portion of mayors were especially concerned about mandates. Fourteen mayors specifically cited U.S. Environmental Protection Agency rules as being “unfunded mandates” with a disproportionate impact on urban areas. Given that most mayors are Democrats, many of these complaints about the EPA come from those who are likely ideologically inclined to support its goals. Interestingly, however, many mayors also cited laws that they would like to become stronger and/or more standardized at the federal level—in contrast with much of the research on state-federal conflict. The next most frequently cited laws, in order, were gun laws (seven mentions), immigration laws (seven mentions), and marijuana legislation (six mentions). In all cases, mayors wanted more left-leaning and/or standardized policies at the federal level. To ameliorate the consequences of patchwork state-level policies and achieve more liberal policy goals, mayors were, in some cases, willing to endorse *stronger* federal policy. While Kincaid (2008) found that state and local administrators often advocate for stronger standards in their policy fields, our research suggests that the same may be true for *elected* officials, and that support for stronger federal standards may stretch across multiple policies rather than single issues.

In contrast, the state regulations that mayors wanted repealed were almost uniformly restrictions on local autonomy and/or capacity to generate revenue. Nineteen mayors wanted to repeal or change laws relating to local revenue options. Eight mayors hoped to change the distribution of revenues and another eight wanted to address limitations on local autonomy. Six mayors mentioned restrictions on pension programs as being problematic. The only frequently cited policy where mayors wanted to see *greater* state regulation was gun control, which received five mentions (though in some places even gun control is an issue where states are blocking cities). This greater negativity towards state regulation manifests not only in the types of laws that were top mayoral considerations, but also in the ease with which mayors were able to provide a law to change when asked. Ten mayors were unable to proffer a single federal law that they wanted to see repealed or changed when asked. In contrast, only two mayors similarly struggled when asked about state regulations. Many implied they

had a much longer list to provide than the survey asked for.

Taken in concert, these results confirm previous scholarly findings, and, in doing so, help bolster the validity of our survey instrument. Indeed, the fact that mayors are rating higher levels of government in ways that are so strikingly consistent with well-documented prior research suggests that we are tapping into real local preferences on state (and federal) governments.

PARTISANSHIP AND STATE-LOCAL RELATIONSHIPS

In this section, we present qualitative and quantitative evidence on how state party control and state-local partisan mismatch shape relationships between different units of government. We begin, however, by describing the number of Democratic and Republican mayors in Democratic and Republican states to illustrate that we are not basing inferences about, say, Republican mayors in Democratic states on one mayor. We might worry about this particularly in the case of Republican mayors given their relative paucity in city government. Table 2 illustrates that, while the number of Republican mayors is indeed small across all three forms of state government—Republican, Democratic, and divided—they are remarkably evenly distributed and sufficient in size to be able to make at least cautious assertions about the behavior of Republican mayors in different forms of state government. This is important, as it allows us to distinguish between the general conservatism and partisan mismatch stories; Democratic mayors rating Republican state governments poorly would be consistent with both predictions.

The qualitative evidence provides preliminary support for both the partisan mismatch and general conservatism predictions. One big city Democrat in a conservative state argued, “They’ve declared war on local governments in [state redacted], the state legislature has.” Another Democratic mayor of a medium-sized city in a conservative state observed that

her state was very ideological: “There’s a political rhetoric at the expense of reasonable and rational policymaking.” A different medium-sized city mayor in a conservative state expressed dismay at the seeming ideological inconsistencies of the Tea Party movement and its perceived attacks on local government: “We’re experiencing the....same kind of Tea Party response, which is just totally counterintuitive in my mind. A party that supposedly is opposed to big government....”

Interestingly, one Republican mayor was also highly critical of his right-leaning state legislature and governor: “Our state is nuts....I’d say they’re all on the same board as me, but they’re nuts.” This evidence at least suggests a particular frustration with conservative states that may be less about a partisan *mismatch*, and more about a general conservative push against local autonomy. As one medium-sized city mayor in a conservative state put it: “We’ve learned that regulation of shopping carts [is] a matter of statewide concern.”

Using the two closed-ended questions about support and autonomy, and focusing on the responses about state government, we can further evaluate what role (if any) partisan matching and partisanship more generally play. Figure 2 begins to unpack these relationships. The top of the figure reports the percentage of mayors that choose the lowest option (“much less than average”) for support and autonomy from their state governments. Longer bars indicate more mayors expressing strong dissatisfaction. The graphs report these percentages across a variety of city types. They start by plotting the overall rate, and then split the sample by mayoral partisanship, state party control, and both in combination. The bottom half of the figure does the same tabulations, but reports the percentage that selected either of the negative options (“much less” or “less.”). While there are often downsides to focusing on extreme responses, in this case, we believe doing so is the right approach for substantive reasons. Those willing to take the most extreme position—in this case selecting “much less”—are indicating meaningful frustration with higher levels of government, rather than routine disappointment. However, to ensure robustness, we report and discuss both categories: extreme negativity and all negative responses.

[Insert Figure 2 about here.]

The “State Party Control” sections of the plots on the left (funding) side of Figure 2 illustrate that mayors in Republican states are more likely to rate their financial support as “less” or “much less” than an average city compared to their peers in Democratic states or states with divided governments. The results surrounding local autonomy on the right side of the figure are even more stark. Mayors in Republican states were more than thirty percentage points more likely to select the extreme “much less” category when asked to rate their autonomy. The differences are smaller when looking at the “less” or “much less” results combined in the bottom right figure, but the pattern remains the same. Ultimately, mayors are highly frustrated with limitations on their autonomy from Republican state governments. However, because the majority of mayors are Democrats, this fact alone does not tell us if the issue is Republican state governments in general or mismatches between state and local partisanship.

The bottom two sections on each of the plots in Figure 2 focus on partisan mismatch and allow us to check whether the partisan differences are a consequence of mismatch—with Democratic mayors particularly unhappy with Republican states—or whether Republican states are generally infringing upon the autonomy of local governments, regardless of the partisan and ideological leanings of cities. The “City-State Party Alignment” section breaks out the responses for three categories of mayor: (1) mayors whose partisanship is not aligned with their states’; (2) mayors whose partisanship is aligned with their states’, and; (3) mayors whose states have divided government (in any way). All four plots point to the importance of partisan alignment. Mayors whose partisanship does not align with their states’ were over thirty percentage points more likely to rate financial support from their state as “much less” relative to an average city than their counterparts whose partisanship aligns with their states’. Mayors whose states have divided governments fall somewhere in the middle. The story is similar with regard to state regulations. Mayors whose partisanship does not align with their states’ were twenty percentage points more likely to say that they had “much less”

autonomy compared to their peers with matched partisanship or divided state governments.⁴ The differences are almost as large when using the more lenient measure of any negative (less or much less) response variable.

To further hone in on the extent to which partisan mismatch versus partisan control of state government helps to explain mayoral frustration with state government, we turn to bottom section of each of the plots “Mayor and State Partisanship” which removes mayors under divided state government from our analysis and breaks out the four remaining partisan permutations: Democratic mayors in Democratic states; Republican mayors in Republican states; Democratic mayors in Republican states, and Republican mayors in Democratic states. Responses to the fiscal question suggest that partisan alignment at a minimum predicts extreme dissatisfaction with financial support. Over one-third of Democratic mayors in Republican states, and nearly one half of Republican mayors in Democratic states believed that they received “much less” than the average city in state financial support. In contrast, *no* Democratic mayors in Democratic states rated their state financial support negatively, and only 15 percent of Republican mayors in Republican states described their financial support as “much less” than the average city. When we incorporate those mayors who responded “less,” partisan alignment is not quite as predictive: in fact, among Republican mayors, a higher proportion of those in *Republican* states rated their financial support as “less” or “much less” than their counterparts in Democrat-controlled states. In other words, while partisan alignment predicts extreme dissatisfaction with financial support, it does not appear especially predictive of overall negative ratings of financial support from higher levels of government.

Conversely, responses to the question on state regulations suggest that a combination of conservative state leanings and partisan mismatch are predictive of dissatisfaction with regulations from state governments. While *no* Democrats in Democratic states responded that they have “much less” local autonomy, 50 percent of mayors in Republican states—regardless of political party—select this category, indicating strong frustration with Republican state

governments. One-third of Republican mayors in Democratic states selected the “much less” category, too, revealing that partisan mismatch, irrespective of which party controls which government, also helps explain extreme unhappiness with state regulations. When we take into account the proportion of mayors who believed that they had “less” autonomy than average, the story is fairly similar. Once again, Democratic mayors in Democratic states appeared to be happiest with their state governments, with only one-third selecting the “less” category. Over sixty percent of Republican and Democratic mayors in Republican states opted for one of the two negative response options as did seventy five percent of Republican mayors in Democratic states. In sum, partisan mismatch is most consistently associated with negative responses, especially about autonomy. At the same time, Republican control of state government also tends to induce frustration over preemption among both Democratic and Republican city leaders.

To supplement these cross-tabulations, we estimated regression models to explain the variations in views about state level support and autonomy restrictions. Table 3 illustrates the main effects of mayoral partisanship, state leanings, and the interaction between the two.⁵ Unlike in the plots above, which focus on negative and very negative views, the dependent variable in these models is the full five-point scale of the mayors’ assessments of higher levels of government. The results provide limited evidence of a state partisan effect. While the main effect of Republican state government—which in these models represents the effect of Republican states on Republican mayors—is negative for both the state financial support and state restrictions dependent variables, the coefficient estimates fall well short of statistical significance. Confidence bands are wide because of the relatively low number of Republican mayors in our sample (reflecting the comparatively low number of Republican mayors nationwide); we thus take these results to be tentative at best.

[Insert Table 3 about here.]

In contrast, we find fairly strong evidence in support of a partisan mismatch story. Democratic mayors in Republican states are somewhat more likely to rate their state financial

support poorly and significantly more likely to provide negative ratings of their autonomy from state government. All else equal, Democratic mayors rate their restrictions from their state government almost a full point lower (on a five-point scale). Conversely, Democrats in states with unified Democratic control rate their state government restrictions over a full point higher, all else equal. Finally, we note that state-level partisan leanings do not shape mayoral attitudes towards federal financial support and restrictions. This lack of impact on views of the federal government is consistent with the predictions and provides a helpful check on the results.

CONCLUSION

Many scholars who lament the health of America's federalism point to policy innovation at the state and local level as bright spots (Conlan 2006; Shipan and Volden 2008; Pickerill and Bowling 2014). Much of this activism, real or aspirational, takes place at the city level. Our results reveal that rising partisan polarization spurs states to obfuscate urban innovation. In keeping with widespread media reports of state preemption laws targeting left-leaning cities, Democratic mayors in Republican states, of which there are many, were much more unhappy with restrictions from their state government.

These findings suggest that rising Republican dominance in state-level elections may foment increasingly antagonistic relationships between state and city governments. This is problematic, because it challenges one of the central purported benefits of federalism; when different levels of government have different opinions, values, and priorities, federalism can help to effectively divide policy responsibilities such that jurisdictional preferences and needs are adequately represented. Our partisan mismatch results mean that the places that most want—and potentially need—to pursue policies different from those at the state level are unable to do so. Moreover, the recent election of Republican Donald Trump—and the strongly anti-urban bent of his core supporters (Badger et al. 2016; Cramer 2016)—means

that many local governments may soon feel as if they are doing battle on two fronts: state and federal.

More generally, our findings confirm that state governments—and vertical federalism—pose a significant constraint on urban policy innovation (Schragger 2016). Moreover, our evidence suggests that regulations, rather than a lack of financial support, compose the most important dimension of contemporary state-local conflict. Mayors were far more likely—by a margin of fifteen percentage points—to select the “much less” category when they were asked about autonomy from their state government as opposed to financial support. Moreover, partisan effects were consistently stronger in the autonomy models than in the financial support models. This suggests that dissatisfaction with Republican state governments—especially among Democratic mayors—is more a consequence of perceived state legal overreach than financial stinginess. Of course cities would like more money, but for many this is a secondary concern. Indeed, a potential next question is how much, if any, financial support cities would trade for fewer regulatory restrictions. Going forward, scholars of state-local relationships should continue to focus on the emergence of these new state regulations of cities and unpack how and when states choose to engage in preemption.

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Notes

¹While conservative organizations like ALEC have combatted more liberal organizations like PLAN for influence of state-level legislation (Kincaid 2008), recent evidence contends that conservatives have been far more successful at promulgating state-level legislation (Hertel-Fernandez and Skocpol 2016).

²All ACS data are 2012 5-year estimates.

³Some of this may be a function of question wording since all cities are subject to the same federal limitations and thus respondents may gravitate towards the middle category (which may be the “correct” answer most of the time). On the other hand, at least some mayors did deviate from the middle based on the interactions between policy goals they hoped to accomplish and the federal laws that affected all cities. Moreover, the fact that all cities face the same federal regulations is a positive feature of the design that allows for a common baseline. The lower ratings for state government capture the mayors’ frustration (whether based in reality or mere perception) that they are more commonly blocked by the states than the federal government.

⁴While our experience suggests that the responses to these questions were thoughtful and that the direct interpretation of the findings is the correct one, we do note that cannot refute the possibility that in some cases broader negative feelings about rivals in state government drive negative responses to these specific queries.

⁵While we present a limited set of controls in the main text to avoid potential model over-saturation, in Table 5 (located in the appendix), we present models with additional institutional controls: city institutional form (strong mayor vs. council manager) and state legal context. None of our key results change in magnitude, though our marginally significant interaction term loses statistical significance due to wider standard errors.

Table 1: 2015 Survey of Mayors Sample

	Participated	All U.S. Cities Over 100,000	Participating Cities Over 100,000
Population			
Population	293,617	298,885	395,544
Population Density	4,152	4,224	4,338
Race			
% White	54.1%	48.7%	50.1%
% Black	15.7%	16.8%	15.6%
% Hispanic	20.2%	24.2%	23.3%
Socioeconomic			
Median Household Income	\$52,272	\$52,898	\$50,620
% Poverty	18.3%	17.8%	18.7%
% Unemployed	6.8%	6.8%	6.8%
Median House Price	\$251,548	\$232,755	\$231,178
Political			
% Dem	64.4%	62.2%	65.8%
State Legal Context			
% No TELs	6.7%	9.7	6.3%
% Less binding property tax limit	16.8%	19.3%	17.5%
% Potentially binding property tax limit	49.4%	35.9%	44.4%
% Binding property tax limit and general limit	27.0%	35.2%	31.2%
Number of Responses	89	288	63

Data are from 2012 American Community Survey, Einstein and Kogan (2016), and Hoene and Pagano (2015).

Figure 1: Assessments of state and federal government: financial support and limitations on local autonomy

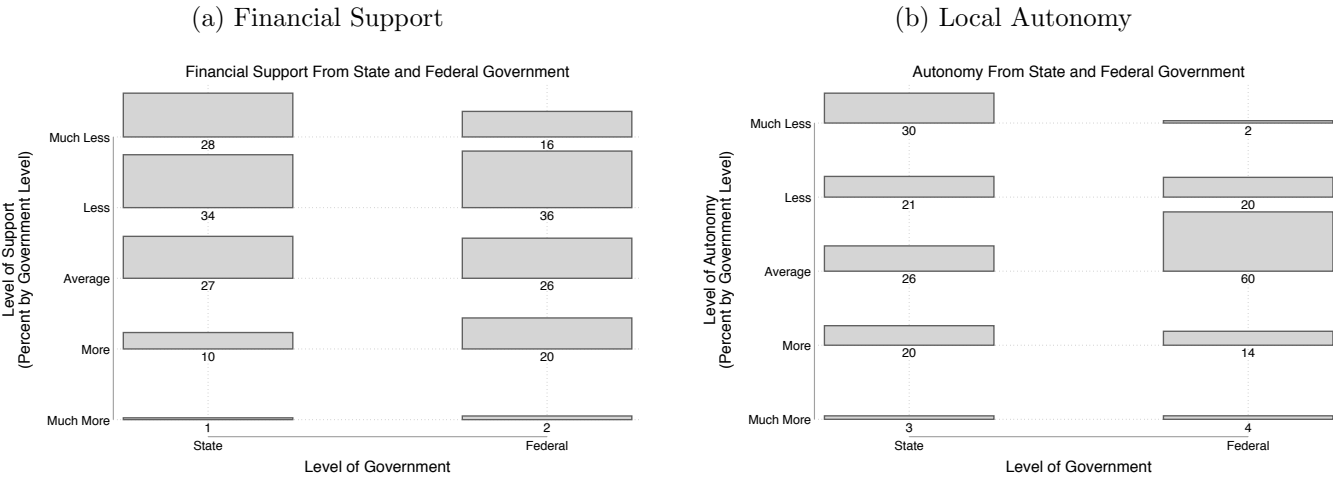
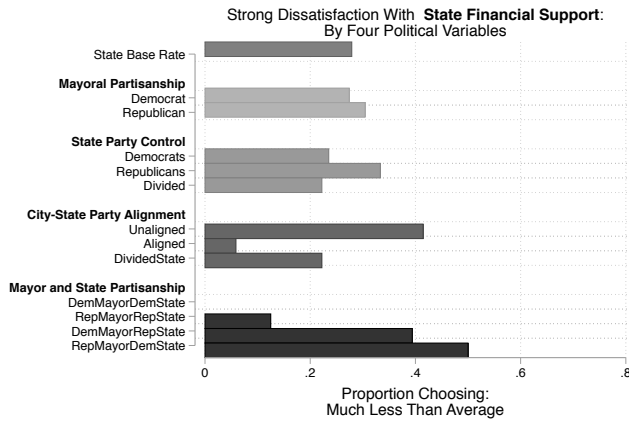
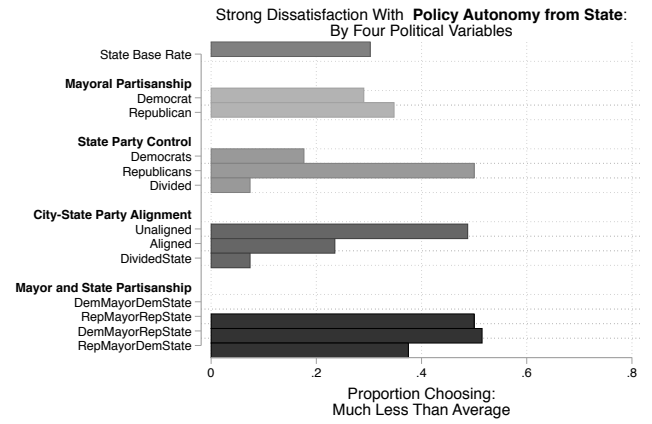


Figure 2: Percent indicating “very low” or any “low” support (autonomy) from state government across pertinent traits

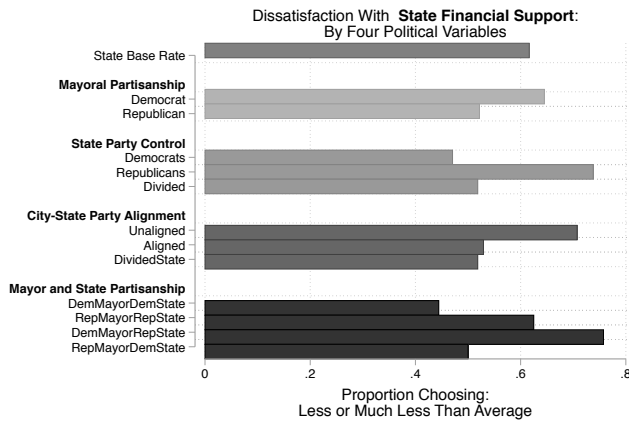
(a) Financial Support: Very Low



(b) Local Autonomy: Very Low



(c) Financial Support: Low or Very Low



(d) Local Autonomy: Low or Very Low

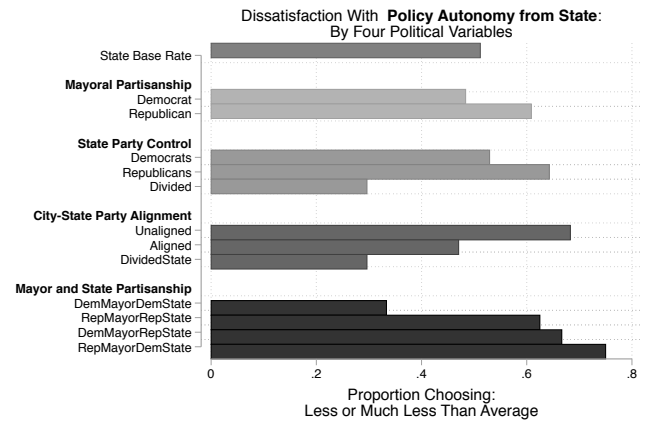


Table 2: Number of Democratic and Republican Mayors by Control of State Government

	Democrat Mayors	Republican Mayors	Total Mayors
Democrat State Government	10	8	18
Republican State Government	33	8	41
Divided	22	7	29

This table does not include one mayor for whom we could not obtain partisan identification, so it displays 88 instead of 89 observations.

Table 3: Assessments of state support and restrictions by party of mayor and state party control with control variables.

VARIABLES	(1) Financial Support	(2) Autonomy Restrictions
Poverty Rate	0.51 (1.84)	-1.20 (1.71)
Population Logged	-0.03 (0.12)	0.12 (0.12)
Democrat Mayor	0.26 (0.24)	1.04*** (0.37)
Republican State	-0.01 (0.33)	-0.24 (0.48)
Democrat Mayor in Republican State	-0.60 (0.46)	-0.92* (0.55)
Constant	2.60* (1.37)	0.95 (1.38)
Observations	85	85
R-squared	0.07	0.20

Robust standard errors in parentheses

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

Low scores indicate more negative (less money, more restriction) responses. State party indicators are relative to Democratic control. OLS coefficients with standard errors clustered at the state level.

References

- Abramowitz, A. 2010. *The Disappearing Center: Engaged Citizens, Polarization, and American Democracy*. New Haven, CT: Yale University Press.
- Badger, E., Q. Bui, and A. Pearce 2016. The election highlighted a growing rural-urban split. *New York Times*. November 16. http://www.nytimes.com/2016/11/12/upshot/this-election-highlighted-a-growing-rural-urban-split.html?_r=0/. Accessed on January 4, 2017.
- Berke, P. R. and S. P. French 1993. The influence of state planning mandates on local plan quality. *Journal of Planning Education and Research* 13(4): 237–250.
- Cho, C.-L. and D. S. Wright 2001. Managing carrots and sticks: Changes in state administrators' perceptions of cooperative and coercive federalism during the 1990s. *Publius: The Journal of Federalism* 31(2): 57–80.
- Cillizza, C. 2015. Republicans have gained more than 900 state legislative seats since 2010. *Washington Post*. January 14. https://www.washingtonpost.com/news/the-fix/wp/2015/01/14/republicans-have-gained-more-than-900-state-legislative-seats-since-2010/?utm_term=.ba2bf40d7d25. Accessed on January 4, 2017.
- Cole, R. L., C. W. Stenberg, and C. S. Weissert 2001. Reversing directions: A ranking and comparison of key u.s. intergovernmental events, 1960-1980 and 1980-1995. *Publius: The Journal of Federalism* 31(2): 57–80.
- Conlan, T. 2006. From cooperative to opportunistic federalism: Reflections on the half-century anniversary of the commission on intergovernmental relations. *Public Administration Review* 66(5): 663–676.
- Cramer, K. 2016. *The Politics of Resentment*. Chicago: University of Chicago Press.

- de Benedictis-Kessner, J. and C. Warshaw 2016. Mayoral partisanship and municipal fiscal policy. *Journal of Politics* 78(4): 1124–1138.
- Dewan, S. 2015. States are blocking local regulations, often at industry's behest. *New York Times*. February 23. Available at http://www.nytimes.com/2015/02/24/us/govern-yourself-state-lawmakers-tell-cities-but-not-too-much.html?_r=0. Accessed March 16, 2016.
- Dreier, P., J. H. Mollenkopf, and T. Swanstrom 2004. *Place Matters: Metropolitcs for the Twenty-First Century*. Lawrence, KS: Univ Press of Kansas.
- Einstein, K. L. and D. M. Glick 2016. Mayors, partisanship, and redistribution: Evidence directly from U.S. mayors. *Urban Affairs Review*. Published online.
- Einstein, K. L. and V. Kogan 2016. Pushing the city limits: Policy responsiveness in municipal government. *Urban Affairs Review* 52(1): 33–65.
- Eisinger, P. 1998. City politics in an era of federal devolution. *Urban Affairs Review* 33(3): 308–325.
- Elazar, D. J. 1962. *The American Partnership: Intergovernmental Cooperation in the United States*. University of Chicago Press.
- Frug, G. E. 1980. The city as a legal concept. *Harvard Law Review* 93(6): 1057.
- Frug, G. E. and D. J. Barron 2008. *City Bound: How States Stifle Urban Innovation*. Ithaca, NY: Cornell University Press.
- Gamm, G. and T. Kousser 2013. No strength in numbers: The failure of big-city bills in american state legislatures, 1880-2000. *American Political Science Review* 107(4): 663–678.
- Gerber, E. R. 2013. Partisanship and local climate policy. *Cityscape* 15(1): 107–124.

- Gerber, E. R., A. D. Henry, and M. Lubell 2013. Political homophily and collaboration in regional planning networks. *American Journal of Political Science* 57(3): 598–610.
- Gerber, E. R. and D. J. Hopkins 2011. When mayors matter: Estimating the impact of mayoral partisanship on city policy. *American Journal of Political Science* 55(2): 326–339.
- Greenblatt, A. 2016. Beyond North Carolina’s LGBT battle: States’ war on cities. *Governing*. March 25. <http://www.governing.com/topics/politics/gov-states-cities-preemption-laws.html>. Accessed on January 13, 2017.
- Hertel-Fernandez, A. and T. Skocpol 2016. How the right trounced liberals in the states. *Democracy: Journal of Ideas* 39(4).
- Hertel-Fernandez, A., T. Skocpol, and D. Lynch Forthcoming. Business associations, conservative networks, and the ongoing republican war over medicaid expansion. *Journal of Health Politics, Policy, and Law*.
- Hoene, C. and M. A. Pagano 2015. Cities and state fiscal structure. National League of Cities Research Report Series.
- Kincaid, J. 1990. From cooperative to coercive federalism. *The Annals of the American Academy of Political and Social Science* 509(1): 139–152.
- Kincaid, J. 2008. Contemporary U.S. federalism: Coercive change with cooperative continuity. *REAF* 6: 10–36.
- Kincaid, J. 2012. State-federal relations: Revolt against coercive federalism. *The Council of State Governments: THE Book of the States 2012*: 39–50.
- McCarty, N., K. T. Poole, and H. Rosenthal 2006. *Polarized America: The Dance of Ideology and Unequal Riches*. Cambridge, MA: MIT Press.

- Mishak, M. J. and B. Wieder 2016. Republicans dominate in governors' races. *Time*. November 9. <http://time.com/4563881/governors-republican-2016/>. Accessed on January 4, 2017.
- Norton, R. K. 2005. Local commitment to state-mandated planning on coastal North Carolina. *Journal of Planning Education and Research* 25(2): 149–171.
- Peterson, P. E. 1995. *The Price of Federalism*. Washington, D.C.: Brookings Institution Press.
- Pickerill, J. M. and C. J. Bowling 2014. Polarized parties, politics, and policies: Fragmented federalism in 2013-2014. *Publius: The Journal of Federalism* 44(3): 369–398.
- Posner, P. 2007. The politics of coercive federalism in the bush era. *Publius: The Journal of Federalism* 37(3): 390–412.
- Rapoport, A. 2016. 'preemption' is major obstacle across the country as progressive laws like fracking bans passed in liberal cities are immediately crushed by right-wing state legislatures. *American Prospect*. September 2. <http://www.alternet.org/activism/blue-cities-red-states>. Accessed on January 13, 2017.
- Schragger, R. 2016. *City Power: Urban Governance in a Global Age*. New York: Oxford University Press.
- Shaffer, R. M. M. 1995. Unfunded state mandates and local governments. *University of Cincinnati Law Review* 64(Spring): 1057–1088.
- Shipan, C. R. and C. Volden 2008. The mechanisms of policy diffusion. *American Journal of Political Science* 52(4): 840–857.
- Shor, B. and N. McCarty 2011. The ideological mapping of American legislatures. *American Political Science Review* 105(3): 530–551.

- Tausanovitch, C. and C. Warshaw 2014. Representation in municipal government. *American Political Science Review* 108: 605–641.
- Tilove, J. 2015. Gov-elect Abbott: End local bans on bags, fracking, tree-cutting. *American-Statesman*. January 8. <http://www.mystatesman.com/news/state--regional/gov-elect-abbott-end-local-bans-bags-fracking-tree-cutting/2RH1Jzy2jPMBIEHACPluyH/>. Accessed on January 13, 2017.
- Weir, M., H. Wolman, and T. Swanstrom 2005. The calculus of coalitions: Cities, suburbs, and the metropolitan agenda. *Urban Affairs Review* 40(6): 730–760.
- Zimmerman, J. F. 2005. The nature and political significance of preemption. *PS: Political Science* 38(3): 359–62.

APPENDIX

Table 4: Assessments of state and federal financial support and limits on local autonomy

VARIABLES	(1) Support	(2) Restrictions
Federal	0.33** (0.15)	0.52*** (0.15)
Poverty Rate	2.53 (1.51)	-0.73 (1.03)
Population Logged	0.06 (0.09)	0.15* (0.08)
Democrat	0.06 (0.20)	0.56*** (0.17)
Republican State	-0.38** (0.18)	-0.52** (0.22)
Divided State	-0.14 (0.17)	0.16 (0.23)
Constant	1.27 (1.05)	0.60 (0.89)
Observations	170	169
R-squared	0.07	0.19

Robust standard errors in parentheses

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

Low scores indicate more negative (less money, more restriction) responses. State party indicators are relative to Democratic control.

Table 5: Assessments of state support and restrictions by party of mayor and state party control with additional institutional control variables.

VARIABLES	(1) Support_	(2) Restrictions_
Poverty Rate	-0.25 (2.34)	-1.49 (1.86)
Population Logged	-0.06 (0.11)	0.10 (0.13)
Democrat Mayor	0.19 (0.25)	1.03*** (0.38)
Republican State	0.03 (0.32)	-0.20 (0.50)
Democratic Mayor in Republican State	-0.45 (0.53)	-0.87 (0.58)
State Legal Context	0.14 (0.15)	0.09 (0.19)
StrongMayor	0.36 (0.28)	0.14 (0.31)
Constant	2.54* (1.37)	0.83 (1.43)
Observations	85	85
R-squared	0.10	0.21

Robust standard errors in parentheses

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$

Low scores indicate more negative (less money, more restriction) responses. State party indicators are relative to Democratic control. OLS coefficients with standard errors clustered at the state level.