

Missouri Case Study: Assessing the Impact of Term Limits

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Paper to be presented at the Life with Term Limits Conference,
University of Akron, April 29-30, 2004

Term Limits in Missouri

Overview

In 1992, Missouri voters approved a ballot measure imposing term limits on Missouri state legislators, and these limits removed a majority of Representatives and a third of Senators from the Missouri General Assembly in the 2002 election. Though some long-term Senators remain until the 2004 election, the changes brought about by the 2002 election offer an opportunity to see how a large group of newcomers are being integrated into the institutional structure of each chamber, and in turn, how they are shaping the legislature. The composition of the legislature for 2003-2004 includes a sizable class of newcomers, with 90 of 163 in the House and 13 of 34 in the Senate. As a result, members were thrust into leadership positions, especially in the House, much earlier in their careers than had previously been the pattern.

In this paper, we will examine the effects of term limits in Missouri through changes in the composition and institutional structure of the General Assembly, electoral impacts of term limits, and the institutional effects of new career dynamics caused by term limits. A variety of methods were employed to build a more complete picture of Missouri for this case study. We compiled historical data on individual legislators to analyze changes in tenure and demographics following term limits. We conducted interviews from December 2003 – April 2004 with veteran legislators, staff members and lobbyists to better understand their view of term limits. Finally, we used the results of a survey conducted in summer 2003 of legislators to see what, if any, differences there are between veteran legislators and their freshman counterparts. A detailed description of the methods used in this paper is located in Appendix A.

It is important to point out before proceeding with the analysis that we must be cautious in our interpretations of the impact of term limits because of two confounding factors. The 2002 election was affected by term limits as well as the decennial redistricting, which often results in more legislative turnover. Further, Republicans gained the majority in the Senate in 2001 and the House in 2003 so observed behavioral changes could be the result of either the large class of newcomers or the change in partisan control, and it is not possible to completely sort this out.

Background on Legislative Term Limits in Missouri

In the early 1990s Missouri, like many other states, considered term limits for state and federal legislators. Term limits supporters tapped into general discontent by describing the current situation as one where entrenched incumbents and special-interest influences enabled career politicians, not the people, to control government. By simultaneously campaigning for term limits for state and federal legislators, proponents capitalized on grievances voters expressed with both levels of government and argued that many legislators had lost touch with the home district. Richard Hardy, a political scientist at the University of Missouri, argued in 1991 that Missouri's term limits would end the undue influence of special interests, lead to more competitive elections, increase the demographic diversity of the legislature, and open the

political system up to new ideas.¹ As one proponent of term limits stated, “People don’t like elites and they look at the legislature like they are elite.”²

The term limits initiative was well financed by supporters of the change, at least in comparison to the group opposing term limits. Supporters reported spending more than \$284,000 to convince the voters to establish term limits. By contrast, the opposition spent less than \$12,000 during the election. The term limits proposition was approved by 75% of the voters while the contingent limit on federal terms was approved by 74% of voters.³

The term limits initiative was a constitutional amendment that imposed lifetime limits and allowed legislators to serve terms of no more than eight years in each chamber. The “no more” limitation had the unintended consequence of imposing even more stringent limits on those elected to fill partial terms. A senator elected in a special election held in the third year of a four-year term would be eligible for only one more term (or a total service of five years). A representative in the same situation would be eligible for election three more times (or a total service of seven years).⁴ The “no more” limitation applied to those elected after the November 1992 general election, including those elected in special elections held thereafter.

In 1999, recognizing that the implementation of term limits was about to change the face of the General Assembly, a joint committee studied the potential impact of term limits and made recommendations to enable the House and Senate to adapt to a term limited environment. The committee heard testimony from Rich Jones of the National Conference of State Legislatures and from former Speaker Bobby Hogue of Arkansas, among others, concerning the effects of term limits on legislative bodies in other states. The committee issued a majority and a minority report in January 2000 with a series of recommendations, the boldest of which called for revising the Missouri Constitution to permit 12 years of service in each chamber.⁵ None of these modest recommendations were implemented.

While nine legislators elected in special elections were limited by term limits in the 2000 election, the full effect of term limits was felt in the House in the 2002 election. The staggered

¹ Richard Hardy, “Term Limits for Legislators – Point/Counterpoint,” *Governmental Affairs Newsletter*, 25 (April 1991). John Ballard, also of the University of Missouri, argued the counter position.

² Greg Upchurch, quoted in Will Sentell, *The Kansas City Star*, August 25, 1992. Upchurch was one of the organizers of the Missouri term limits initiatives.

³ *1992 Missouri Campaign Finance Report*, Missouri Secretary of State.

⁴ The President Pro Tem of the Missouri Senate, Bill McKenna, was ineligible to run for office in 1998 for this reason. This provision was revised in 2002 to apply the limitation only to members who were elected to serve for more than one-half of a term. The proposition also applied to anyone “elected or appointed” to the General Assembly, suggesting that the drafters were unaware that legislators cannot be appointed in Missouri. This error was corrected in 2002.

The voters also approved an amendment to Article III, Section 45(a) of the Missouri Constitution that limited terms of U.S. senators and representatives to two terms (12 years) and four terms (eight years), respectively, but the provision does not apply until one-half of the states have adopted term limits. This provision has not been challenged. Another constitutional amendment approved in 1996, required that candidate’s failure to support term limits would be noted on the ballot. That provision was declared unconstitutional in *Cook v. Gralike*, 2001, 121 Sct 1029, 531 US 510, 149 L.3Ed 2d 44.

⁵ This was contained in the Minority Report of the Joint Interim Committee on Legislative Term Limits, Missouri General Assembly, January 2000. See also the Report of the Joint Interim Committee on Legislative Term Limits, January 2000.

terms of Senators spread the main effects over two elections, 2002 and 2004. In 2002, 73 of the 163 members of the Missouri House (45%) and 12 of the 34 members of the Missouri Senate (35%) were not eligible to stand for election. In total, 90 new members (55% of the total membership) were elected to the House in 2002, and 13 new members (38% of the total membership) were elected to the Senate. In 2004, 11 members of the Senate will no longer be eligible to run, and no senator serving continuously since 1992 will remain.

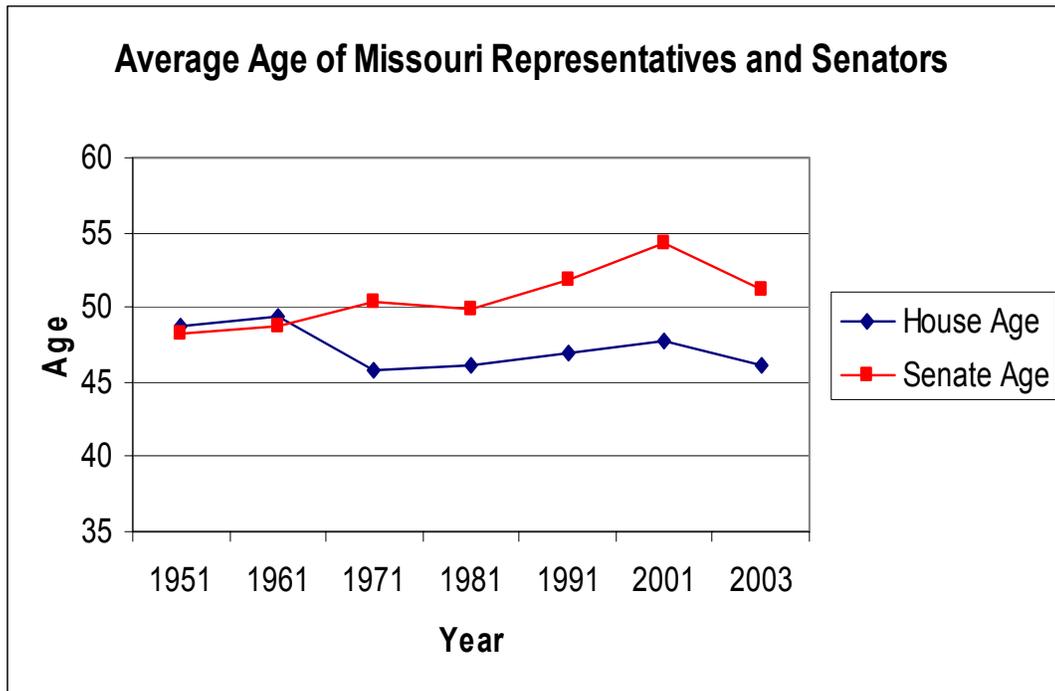
The effect of term limits on tenure was augmented in Missouri by several factors. The first year the term limits took full effect was also the first election following redistricting, which is always a year of significant turnover in the Missouri legislature. Simultaneously, Missouri was undergoing a shift in the partisan balance of the state. Both chambers of the Missouri General Assembly had been controlled by Democrats since the early 1950s, but Republicans became the majority in the Senate in 2001 and the majority in the House following the 2002 elections. The net effect of all three factors was a significantly larger turnover than is normal and the elevation of less experienced members into leadership positions in both chambers.

The Impact of Term Limits on Legislator Characteristics

Scholars have offered a variety of hypotheses about the impact of term limits on the composition of legislatures. Petracca (1991) expected that the end of “politics as usual” would result in fewer legislators with prior political experience or a legal background. Others argued that term limits would open up more seats for women (Carroll 2001), the “old, rich and the bought,” (Polsby 1991, 1521), and political ideologues (Brown, Powell, and Wilcox 1995). Despite these expectations, Carey, Niemi and Powell (1998, 2000) found no significant demographic differences between term-limited states and other states on occupation, education, income, age, ideology, race, or religious fundamentalism. They did find that women gained somewhat in term-limited states, but Carroll (2001) finds evidence that women lost ground in term-limited legislatures, especially in the lower chamber. We examined three areas of potential change in demographic composition of the legislature: age, female percent, and minority percent.

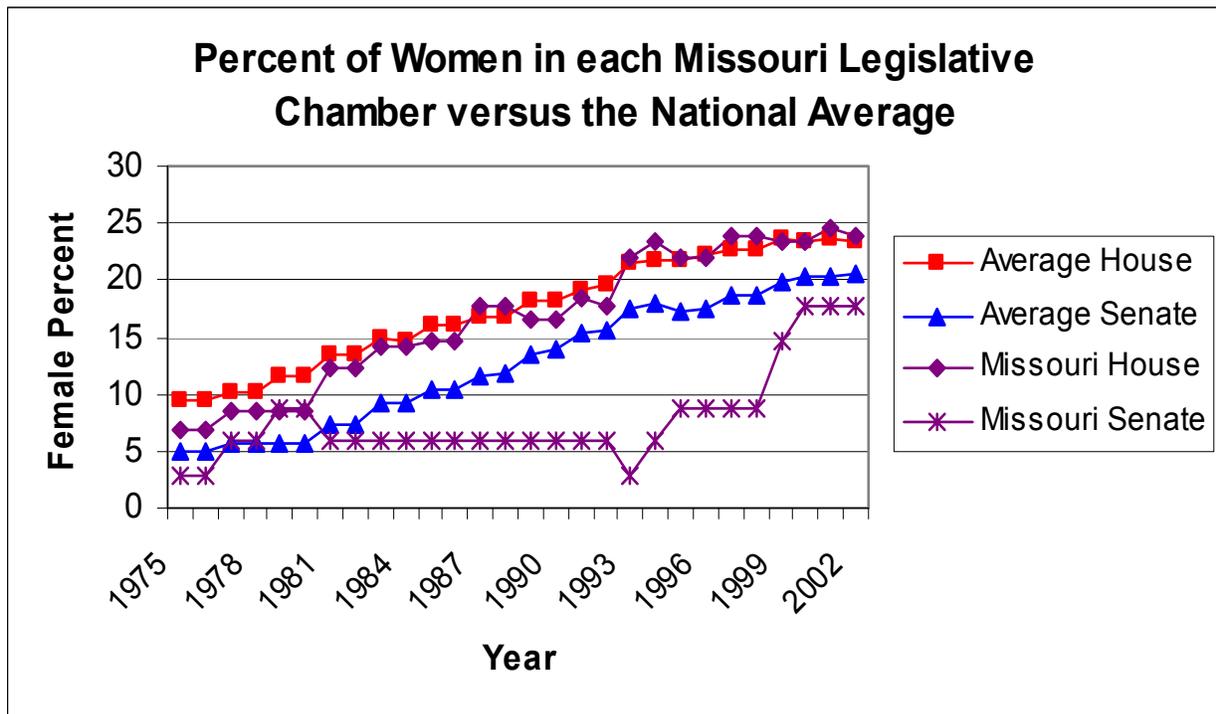
The average of age of legislators in Missouri gradually increased from 1951 to 1991, the session before the election in which term limits were passed. In the decade after term limits were passed but before the implementation forced legislators out of office, the age continued to rise as many legislators stayed in office until term limits took effect. The 2003 average age, however, has returned to the same level as the pre-term limits level in 1991, which was slightly higher than recent decades. Term limits had an immediate effect in reducing the average age in 2003, but overall it does not appear that the trend toward a higher average age of legislators has changed much because of term limits.

Figure 1: Average Age of Missouri Representatives and Senators



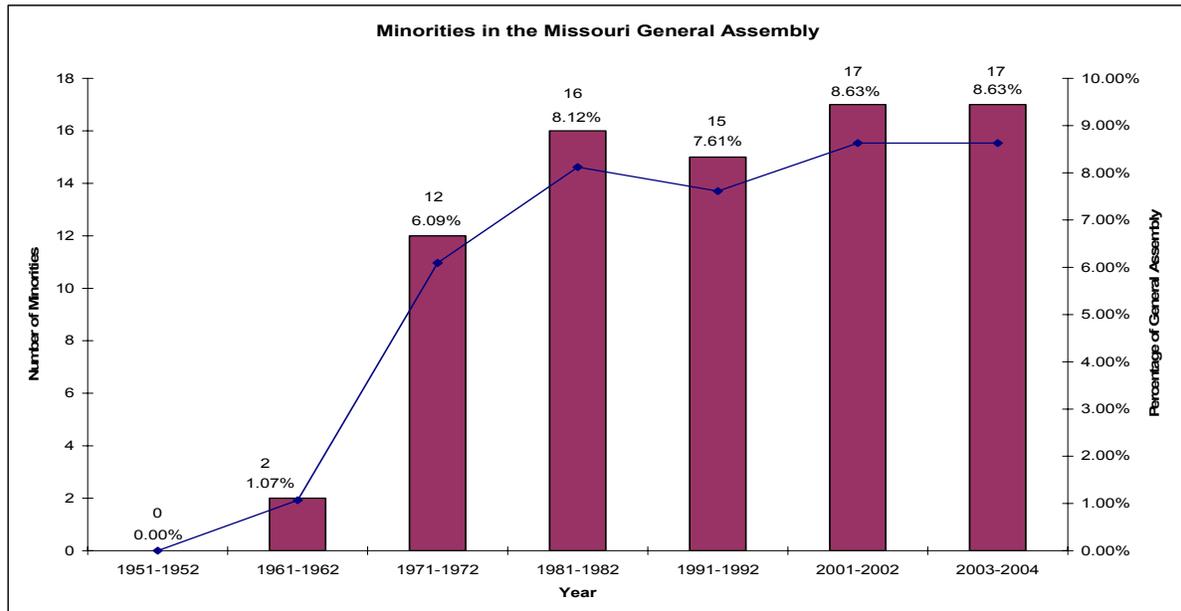
Early data indicate that women lost some ground in Missouri after the 2002 election when the number of women in the General Assembly fell from a historic high of 46 to 42. As shown in Figure 2, the percentage of women legislators in Missouri has never exceeded 25% in either chamber, and historically the House has far exceeded the Senate. The Missouri House has more closely matched the national average for lower chambers, but the Missouri Senate has significantly lagged behind the national average for most of the past two decades. It does appear, however, that term limits may have offered opportunities for some female Representatives to move into the Missouri Senate, which still falls below the Missouri House. Another important note on female representation is that the first female Speaker of the Missouri House was elected in 2003, but this situation will be short-lived because the Speaker is eligible for only one additional term and has announced she is a candidate for a state-wide office in the 2004 election. Overall, despite some improvement in the Senate, there is not much evidence that term limits dramatically changed female representation in the Missouri General Assembly.

Figure 2: Percent of Female Legislators



Missouri, like most Southern states, had very few minority legislators until after the redistricting efforts related to *Baker v. Carr*. Minority legislators (almost entirely African Americans historically in Missouri) increased in number dramatically in the 1960s and 1970s, achieving an 8% level by the early 1980s before reaching a plateau of a little over 8.6% in recent years (see figure 3). This legislator minority percent is below the state population percent of 11.3% African Americans and the overall 13.6% minority population in recent years. It does not appear that term limits have had much of an impact on minority representation considering that the percent has remained steady for the session before and after the 2002 election. There is some potential for an increase, however, in the next legislative session in a couple of districts with a majority of minority voters, but it appears that minority representation will increase substantially only when minority legislators are elected in districts with less than a majority of minority voters. Term limits may offer some potential for change in the future because of the removal of safe incumbents every few years, but overall it would be difficult to say that term limits have had any effect on minority representation in Missouri. District boundaries and the racial composition of the district are still the decisive factors for minority representation.

Figure 3: Minorities in the Missouri General Assembly



Electoral Impacts of Term Limits on the Missouri General Assembly

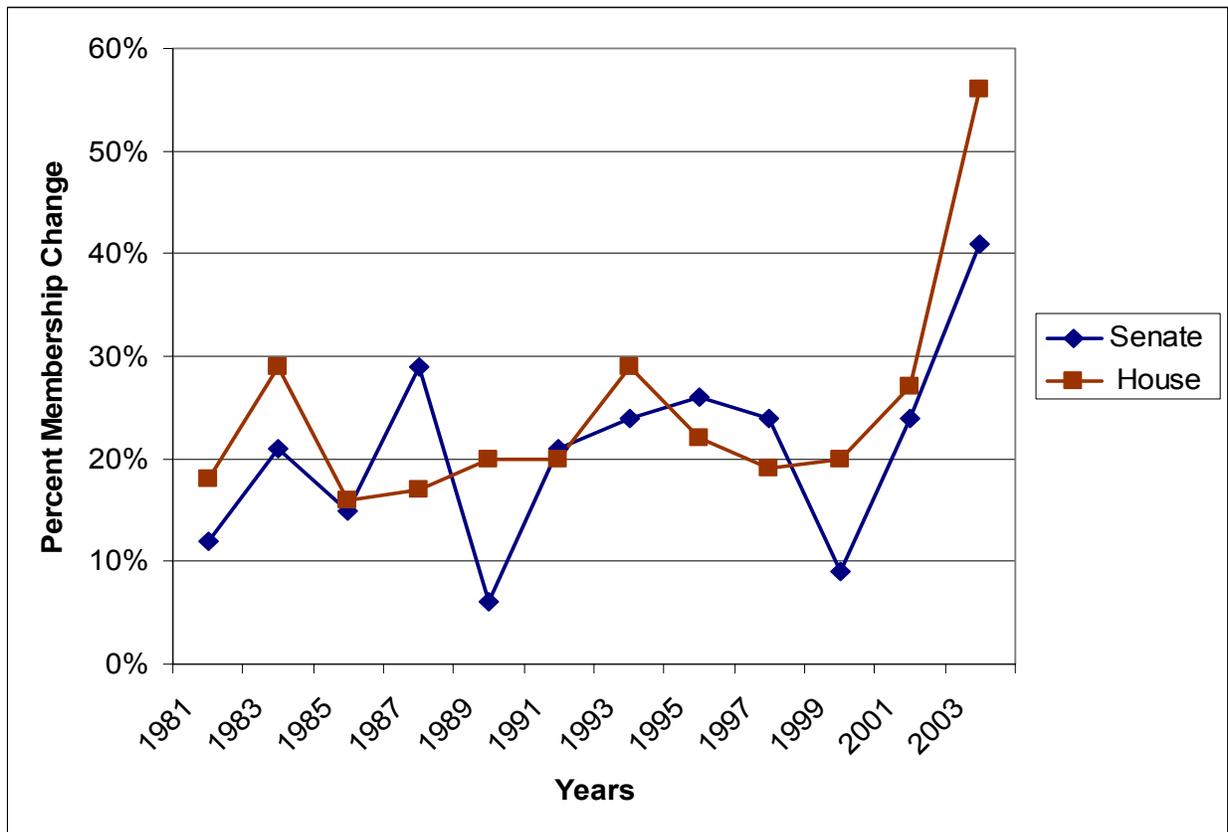
One of the basic tenets of legislative scholarship has been that ambitious legislators are driven by the reelection motive (Mayhew 1974), and term limit proponents believed that such careerism produced a number of ills for state legislatures. Careerism has been identified as a major contributor to pork barrel spending, excessive regulation, and inefficient bureaucratic practices at the federal level (Fiorina 1989), and legislative critics have argued that careerism contributes to the recruitment and retention of legislators committed to a larger, more activist government (Ehrenhalt 1991). Further, because state legislatures have increased in professionalism over the second half of the 20th century, they have become more attractive for politicians seeking a career in a single chamber (Moncrief and Thompson 1992). This trend toward careerism in state legislatures resulted in increasing levels of tenure in state legislatures and higher reelection margins for incumbents (Breau and Jewell 1992). Glazer and Wattenburg (1996) asserted that term-limited legislators would spend less time on activities devoted to reelection and more time on lawmaking.

Turnover and Average Tenure

Term limit proponents sought to put an end to such careerism in the Missouri legislature. While critics could point to some very visible long-tenured members, including the Speaker of the House, turnover for the Missouri General Assembly in the decade from 1979-1989 was 72%.⁶ As figure 4 shows, turnover from session to session was fairly steady at around 20% for much of the 1980s and 1990s until term limits took full effect.

⁶ *Book of the States, 1992-1993, Vol 29*. Lexington KY: The Council of State Governments, p 127.

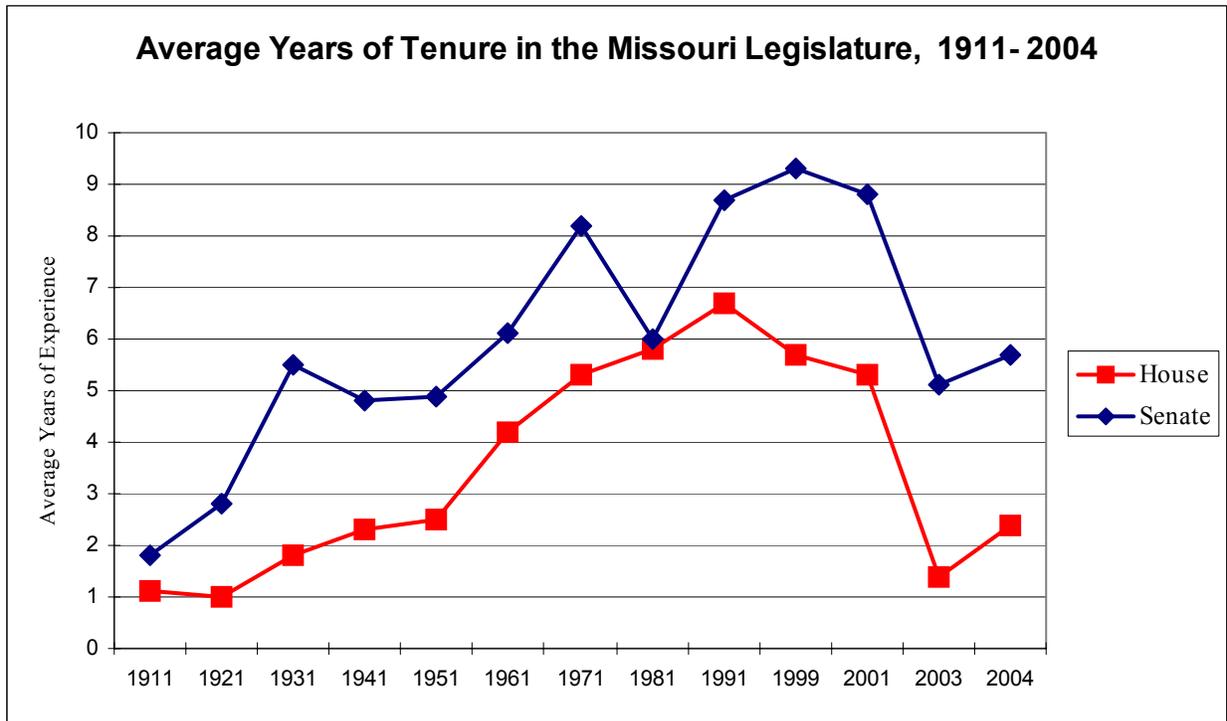
Figure 4: Percent Turnover in the Missouri General Assembly, 1981-2003



Another way of examining careerism is the average length of service for legislators. As a whole, the average was less than the eight-year maximum imposed by term limits for most years prior to the 1992 election. While the average tenure of members of the General Assembly had increased gradually throughout the 20th century (Figure 5), the average tenure of members in the Missouri House peaked at almost seven years in the 1991-1992 session.⁷ The Missouri Senate reached its highest point in the following session with average tenure reaching a little more than nine years. Because the full effects of term limits have not taken place in the Senate, the tenure average has remained slightly higher in the Senate than the House.

⁷ Tenure in the senate dropped significantly in 1976 due to two factors. First, three sitting senators were elected to higher office and another was appointed to the bench. Second, some long tenured members left in response to a 1974 initiative petition, approved by the voters, that imposed campaign expenditure limits and, more to the point, required legislators to report the names and addresses of “customers, clients and patients” who provided more than \$500 in gifts and income in a year. Several senior members cited the latter requirement in press reports at the time as the major reason for their retirement. The initiative was declared unconstitutional in Labor’s Educational and Political Club, et. al v. Danforth 561 S.W. 2d 339 (mo.banc 1978).

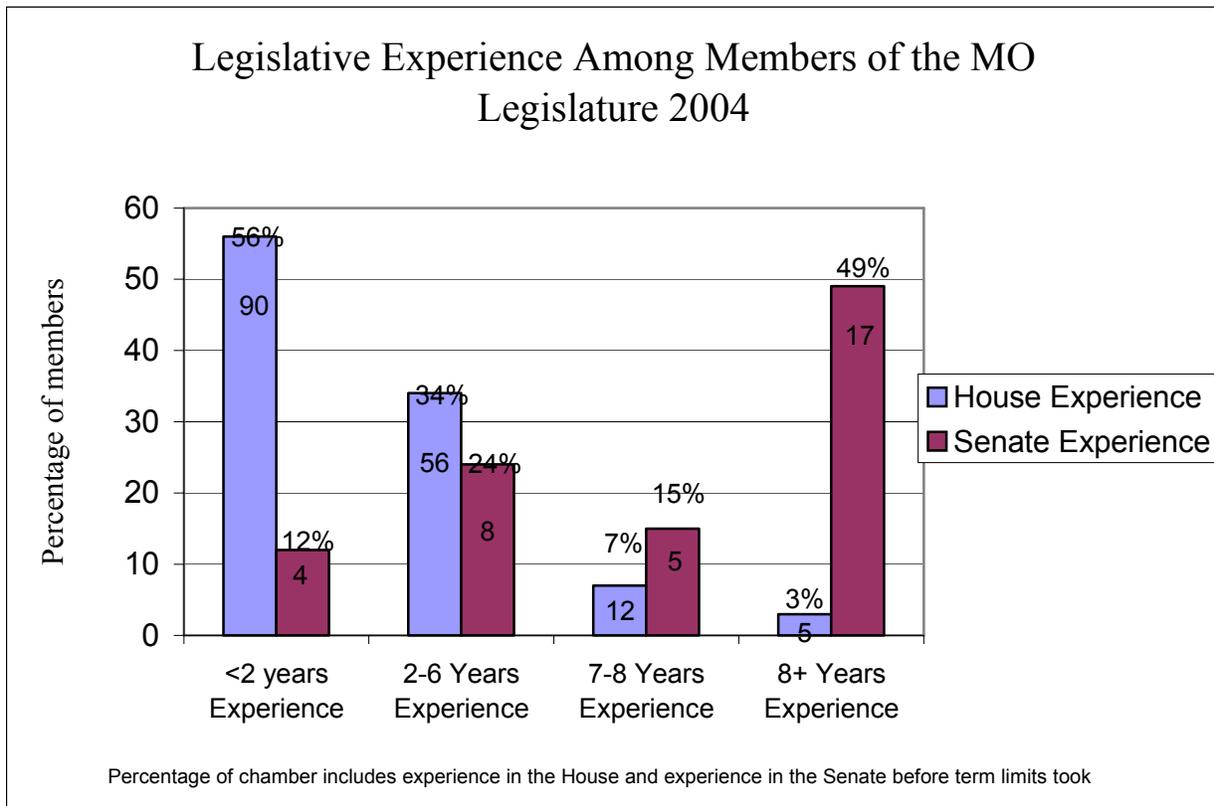
Figure 5: Average Years of Tenure in the Missouri General Assembly, 1911-2004



It is important to point out that data on the average tenure of members of the General Assembly cannot provide a full picture of legislative experience prior to term limits. The membership of the General Assembly prior to the full implementation of term limits was composed of a very large cohort with tenure of four years or less and a small cohort of members with tenure of 16 years or more. Though we do not present this data visually, the distribution is important particularly because most of the longer tenure legislators were in the leadership, a point we turn to below.

As figure 6 shows, most legislative experience (in either chamber) today resides in the Senate. Much of this experience will disappear in the 2004 election, but it is also true that as House members move from one chamber to the other they will take some experience with them. Thus far, there is a regular pattern of House members running for the Senate as either their terms expire or as a seat opens up in the Senate due to term limits, but there have been very few former Senators who run for the House. Just ten percent of the House has more than seven years of experience, but 65 percent of Senators have more than seven years of experience.

Figure 6: Legislative Experience in Either Chamber for Missouri Legislators



Leadership Tenure in the General Assembly

The most significant impact of term limits in Missouri may be its effect on leadership. During the 1980s and 1990s, the tenure of the leadership and chairs of the appropriations committees ranged from 2 to 26 years in the House and 3 to 24 years in the Senate, but the average tenure of these leaders ranged from 8.1 to 15.3 over the two decades in the House and from 7.25 to 13.5 years in the Senate (as can be seen in Figure 7). During the period from 1981 to 2001, almost every position other than minority floor leader was typically held by a legislator with more than the 8 years now allowed by term limits. Not only did leaders tend to have more than 8 years’ experience, many of them served in the same leadership position for 6 to 8 years, particularly those positions involving appropriations. The effect of term limits on tenure can be seen in the House in 2003 when average tenure was only 3.4 years. Further, only two of 11 in leadership positions had tenure of more than four years, and one person had only one year of legislative experience. The full impact of term limits on the Senate leadership has not been seen because all of the remaining Senators with long tenures will be term limited out in the 2004 election.

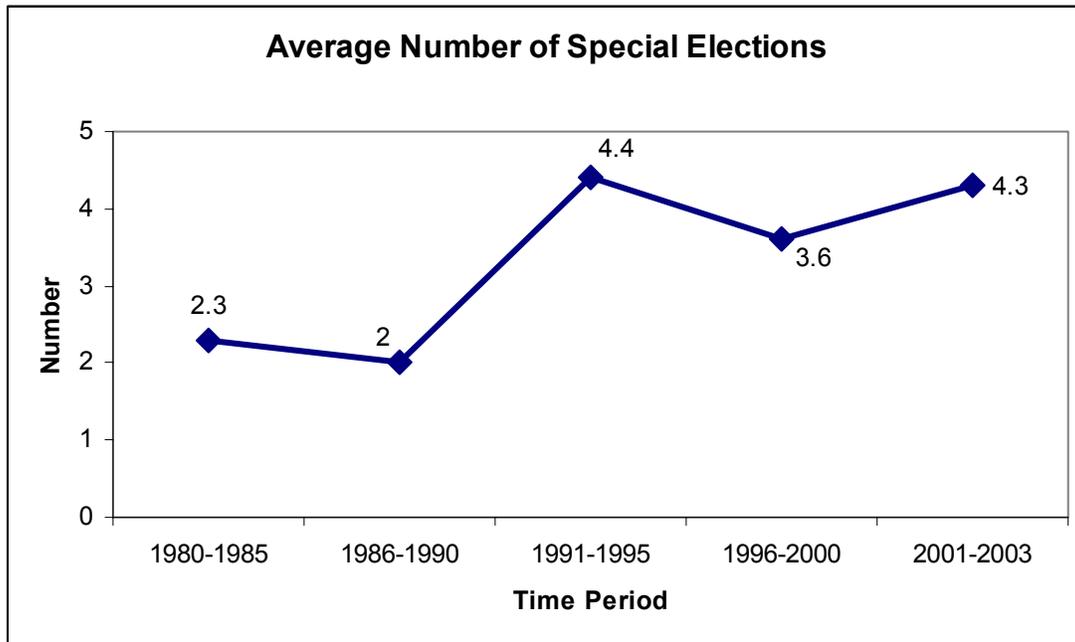
Figure 7: Leadership Tenure



Special elections

Since the passage of term limits, Missouri has seen a gradual increase in the number of special elections. As noted in Figure 8, the number of special elections held in Missouri peaked at the same time term limits were passed, but it probably had more to do with two unrelated political factors from the 1992 election. First, some sitting Senators with two years remaining in the term took higher office, and several representatives were appointed to executive positions in the newly elected Carnahan administration, the first Democratic administration after 12 years of Republican administrations. While the number of special elections has since decreased, the rate remains higher than in the years prior to term limits. In 2002, there were several special elections due to appointments to other offices and the election of some members to a higher office. Because members know that the legislative career has been attenuated, they are much more likely to jump at better opportunities even during a term than they were before term limits.

Figure 8: Average Number of Special Elections



Institutional Effects of the New Careerism

Expectations of the institutional impact of term limits vary widely. Brady and Rivers (1991) argue that term limits will increase the power of political parties because of candidate recruitment, but others believe that independent-minded citizen legislators will not value legislative perks controlled by party leaders so will not be as easy to control (Benjamin and Malbin 1992). Likewise, there are differences of opinion about the impact of interest groups in that some expect that citizen legislators will not be as beholden to campaign funds, but others expect that employment opportunities available after a short stint in the legislature will make term-limited legislators more beholden to lobbyists (Cohen and Spitzer 1996). Similarly, Will (1992) argues that independent citizen legislators will not be easy for governors to control, but Grofman and Sutherland (1996) see the loss of institutional memory and competence as detrimental to legislative independence. Carey, Niemi and Powell (1998, 2000) find in their survey of legislators that power has shifted away from majority party leaders in term-limited legislatures to governors (especially), legislative staffers (somewhat), and perhaps the media.

One clear result of term limits is a new type of career pattern. The perception of having less time in the General Assembly because of term limits changes the career focus of new legislators. As one legislator noted, “. . . there’s more people worried about their careers in the sense of where are they going next, whether it’s to a job in government, or whether it’s to run for the Senate.” Another effect of term limits is legislators leaving before term limited from office to pursue a senate seat or state-wide office. In the fall of 2004, the Speaker of the House, Catherine Hanaway, will seek election as the Secretary of State although she is eligible for another legislative term in the House. A legislative staffer explained the situation facing Speaker Hanaway as “Now if she didn’t have term limits, she would be looking at . . . do I want to be Speaker for 4 or 6 years and maybe run for something then . . .no, I’ve got to run now. I’m not

even termed out now, but 2 years from now there's nothing available except State Auditor So it moves back the decision."

The Missouri General Assembly has long been a difficult place to establish a permanent legislative career, but term limits have exacerbated the situation. In terms of legislative professionalism rankings, Missouri has been rated in the middle of the pack with a score slightly above the mean and median in the mid-1990s (King 2000). Serving as a legislator in Missouri is a time consuming position with little financial benefit.⁸ The length of the legislative session, four and one-half months, fall interim committees, special sessions, and the other duties of a legislator make full-time employment in another field very difficult.

The hardships of being a legislator combined with term limits is impacting the reasons people seek legislative office in Missouri. A legislative staffer pointed out term limits "lessens the interest of people in making a longer-term commitment to the House or the Senate, to the legislature." Perceptions about the new opportunity structure associated with legislative service may be leading to the emergence of two distinct groups of individuals seeking office. During an interview, a legislator described one of these groups as composed of "the very young ones who want to use it [elected office] as a stepping-stone in their career." Legislators falling into this group don't seem "too terribly concerned about government and government service." The second group identified by this legislator is composed of retirees in their fifties and early sixties who are looking for an opportunity to serve their community but not develop a career. This new perspective on legislative careers has an impact on a variety of behaviors that shape the institution.

Experience and Institutional Knowledge

The combined impacts of term limits, redistricting and partisan shifts resulted in a large loss of experience and knowledge in Missouri's General Assembly. The body, as a whole, has less experience and there are fewer individuals that have legislative experience to help pass knowledge to the newly elected. A legislative staff member said term limits "eliminates, just weeds out, knowledge and experience. I was talking to a House member the other day who wanted to deal with some health insurance issues, and various sort of technical matter . . . And I said to the member, if Representative . . . were still a member of the House, I'd recommend you talk to him about that issue . . . he was termed out. So he's gone, that sort of expertise."

A legislator explained that the largest difficulty with term limits in Missouri is the eight year lifetime limit. "I really think that if term limits had been set up on even a 12 year cycle, that's much more of a normal cycle of people serving. It also eliminates the problem of if someone doesn't want someone to serve for 20 or 30 or 40 years, that eliminates it, but it still gives enough time for that knowledge level to be transferred."

The Republican Party became the majority party in the House after the 2002 election but it was composed largely of new and inexperienced members. The average tenure for Republicans in the House was 1.1 years in January, 2003, and inexperienced legislators assumed

⁸ The annual salary was \$31,351 in FY 2002, and the per diem was \$76, which many legislators argue falls short of covering their food and lodging costs.

the control of committees. The lack of legislative experience was evident in committees and in floor debate as many members lacked even rudimentary knowledge of parliamentary procedure. One person described the Missouri General Assembly as “significantly weaker in the sense of real deliberation.”

More critically, the Senate, only partially affected by term limits and composed of many former long-standing members of the House, enjoyed a clear advantage over the House when knowledge of processes and programs was important. One senator indicated a lack of knowledge from new members about how and why programs are established.

They [the programs] didn't just materialize because somebody said to someone it'd be nice to have a program. It takes time to develop programs, and it takes some sort of consensus to move that way. So, suddenly, without someone there who understands those programs and the interaction of those programs, I think you'll see probably a loss of some of the accumulated assets of society that have been built up.

The senator's words were aptly illustrated by a 2003 House proposal to make a single lump-sum appropriation to each department rather than the traditional detailed appropriation to the various programs and units within each department. The appropriation would have provided departments with the same level of funding as provided in FY 01, effectively reducing the budget by about \$700 million, but each department would have had complete discretion to allocate the costs within that department. The more experienced members of the senate preferred the more traditional budgeting process for reasons articulated by the Senate Appropriations Committee chairman. “I'm not sure it's good management to say to department directors ‘here's \$50 million, you figure out where it's going to go.’”⁹

At the same time, however, the House Republican caucus was controlled by a strong Speaker who had been actively involved in funding and organizing legislative campaigns around clearly defined goals. Paradoxically, while the House lost knowledge, House leadership clearly became more powerful in relationship to the Senate, the governor and state agencies. Strengthened by a sizable majority and a large cohort of freshman in need of guidance, leadership in the House centralized its position within the policy process. As one legislator put it “They beat up on [the past Speaker] for 15 years, and in two months she made him look like a pussycat. He could never have done the things that she did in his best days.... Triple the amount of power.” The Speaker “simply did not negotiate,” which neutralized any possible advantages the Senate could have gained through more legislative experience. During one interview, the Missouri Senate was described as “pretty frustrated with the House” because the House had the ability to say “No! No, we're not going to do that.”

Learning on the Job

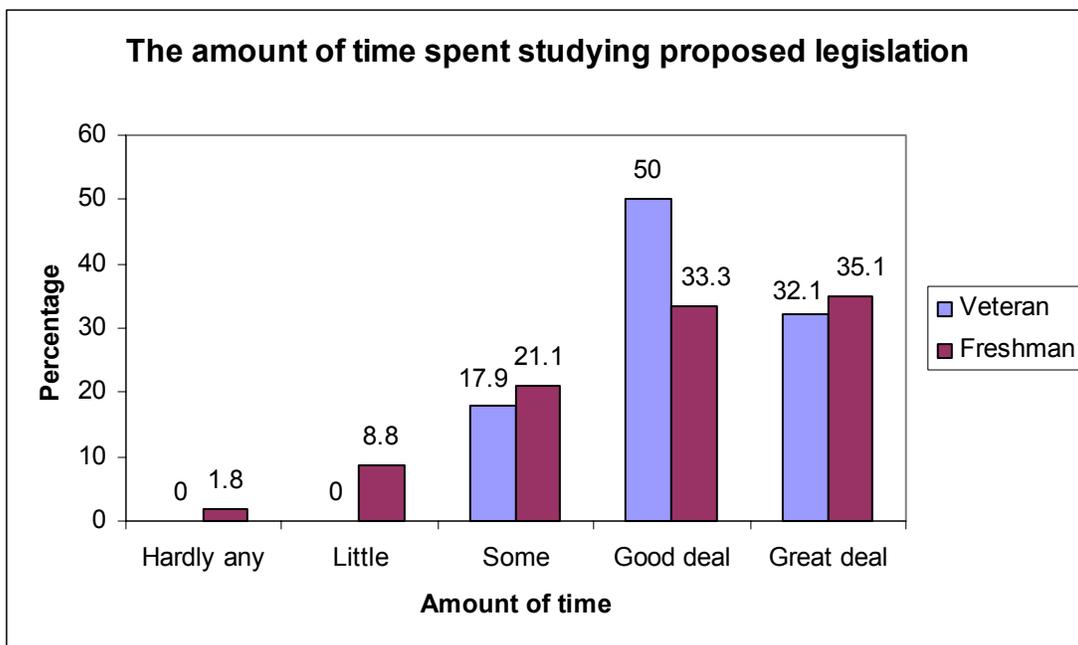
The decline of legislative experience and the impact of inexperienced legislators assuming leadership roles may have detrimental institutional effects, but there are ways that

⁹ Tim Hoover, “Budget Ax is Not Only Approach, Senator Says,” the *KC Star*, April 7, 2003. See also Kit Wagar, “Missouri impasse takes odd turn,” *KC Star*, March 13, 2003.

legislators could help overcome this situation. In this section we discuss how legislators are spending their time learning about legislation and specializing in certain policy areas. If newcomers are investing considerable time and energy in learning about legislation, then it may ameliorate some of the loss of knowledge. Indeed, a majority party staffer claims that the new legislators are “just really involved in their committee work. They are reading every bill.”

In the survey of legislators, we asked how much time they spend on studying proposed legislation. In figure 9 we compare the responses for the newcomers to all “veterans” with at least one term worth of experience. The highest category of a great deal of time has an even distribution, but otherwise it is clear that the newcomers are spending much less time than the veterans on studying legislation. About 10% of the newcomers spend almost no time studying proposed legislation.

Figure 9: The amount of time spent studying proposed legislation

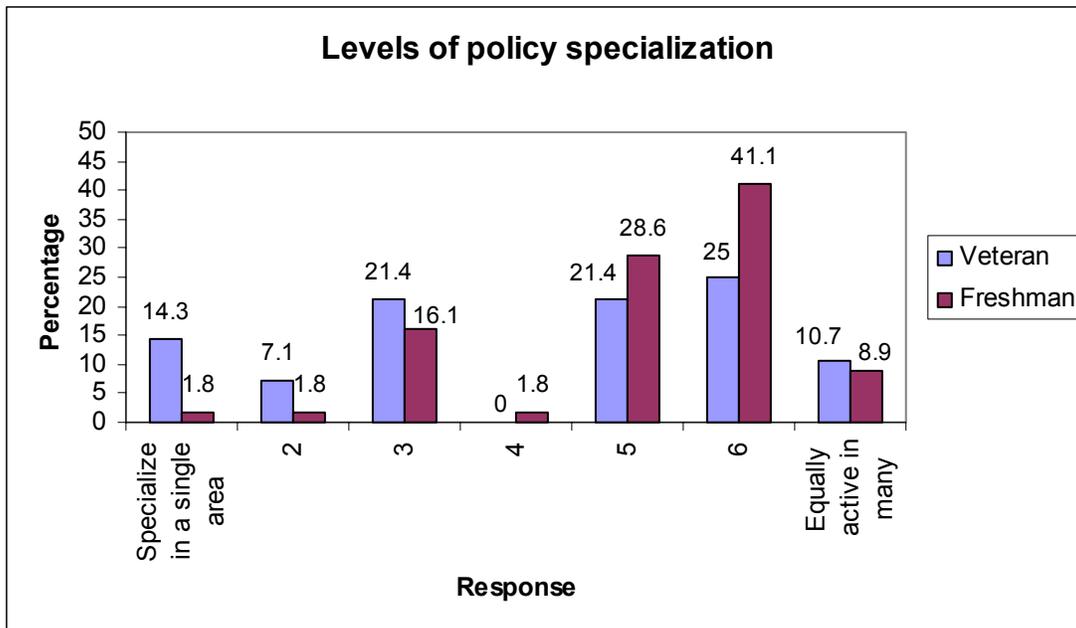


Others suggest that a major impact of term limits would be on the degree of policy specialization by legislators. Herrick, Moore, and Hibbing (1994) argue that term-limited legislators will need to specialize to be effective with so little time to enact policy, but Rosenthal (1992) argues that term limits reduce the incentive for legislators to take the time to develop policy expertise. Policy specialization could have two impacts. First, the collective group that has lost experience and knowledge could compensate for it by relying on specialists to fill the gap. Second, the individual legislator with little time to affect policy could gain power and have an impact by specializing in one area and benefiting from others deferring to the expertise.

In our survey of Missouri legislators, we asked respondents to rate their level of policy specialization. As illustrated in Figure 10, newcomers were far more likely to be on the end of the scale toward equally active in many policy areas than were the veterans. Whereas three-fourths of all newcomers were on the side of equally active, almost half of veterans were on the

side of specialization. The tradition had always been that freshmen who wanted to make an impact would begin to specialize immediately, but this does not appear to be true now.

Figure 10: Policy specialization levels for veteran and newcomer legislators



Role of Staff

If legislators have little experience, do not spend much time studying legislation, and do not specialize in a policy area, then where are they turning for help? One possibility is the legislative staff, either partisan or non-partisan. Missouri has had a non-partisan central bill-drafting staff since the 1940s and non-partisan research and appropriations staffs for both chambers since the mid 1970s. Partisan staffs began to develop in the late 1990s but have not been formally constituted.

Perceptions of changes in staff role and importance vary for partisan and nonpartisan staff, but generally insiders observe that the role of partisan staff has become more prominent in recent years. A lobbyist, with years of experience in and out of the legislature, argues “I think one of the more detrimental things that happened is the legislative [partisan] staff has become powerful, probably to the detriment of the overall process. They’ve become less experienced and more powerful.” Further, he argues “among the members’ staff there appears to me to be some folks that are really taking a much higher profile involvement in the direction, not only of their members, but the body as a whole ... the way I grew up there and was taught, was that staff people were really kind of more to be seen but not heard.”

The majority party staffers largely agree with the assessment of a more powerful role. One argues:

I think staffers have got a lot more power, which is very nerve wracking ... I think a lot of times they rely on me a lot. That could be, some people say, the downfall of term limits. Some people say that's a good thing for my job security, but I don't like that, but a lot of times they do rely on me for, like how has this bill panned out in the last years, what are the opponent and proponent sides ... They're dependent on you for knowing what's going on in the chamber. They're like what's this vote on, sometimes when they've been gone ... Like, we would have, I mean I can't give you all our secrets, but we would have a session before we go to debate and I would prepare the sponsor before we debate it on the floor. I just grill them and grill them, and just say "this what everyone is going to come at you with, and how are you going to respond?"

Clearly, partisan staff have gained the most power, but the non-partisan staff have also become more important, although in a different way. Staffers attend each committee hearing and executive session and are relied upon to help their committees with parliamentary questions, questions about the bills under consideration, and provide drafting support. Further, the newer legislators have had to ask staffers far more questions than in the past. As one nonpartisan staffer noted,

I think my judgment would be that they may use us more, the new people, than we were utilized before. Although some of the questions are "Where's the bathroom?" type questions. They're not high level ... So they were certainly reliant on us. They definitely turned to us for a lot of things, not probably very much on policy issues. I think their policy is coming from somewhere else.

The non-partisan staffers recognize the loss of institutional memory and expertise, and they recognize that this void is being filled by several actors. As one non-partisan staffer pointed out, "I just think the knowledge that's lost is going to be a big factor. And instead of reliance upon their peers to be able to provide information to senators, they're going to be relying on people outside that peer group, which is the lobbyists and the departments and staff in the senate, which is limited at best."

Lobbying Strategies

Interest groups are certainly one group who is more than willing to help legislators with the lack of expertise and knowledge. Moncrief and Thompson (2001) in their survey of state lobbyists in term-limited states find that power has shifted away from the legislature to governors, staff, and interest groups. Further, they see a loss of legislative competence, and they believe that the nature of the lobbyist's job has changed in terms of spending more time in committee hearings, communicating with legislative staff, and forming policy coalitions.

In Missouri, there is evidence of legislators relying more on the institutional knowledge of lobbyists and staff. During our interviews, several respondents noted the change in how lobbyists and staff interact with legislators, especially the new legislators. As one lobbyist noted,

I think the depth of the information that we're required to give has changed. The long term senators, they know the basics, so they would ask about, not as much about the programs but maybe more about what changes we could make in statutes or the institution that would help change the program to do things better. You'd still get the basic information. They'd want to know how many people you needed to run a program. But now it's more, "How does this program work?" It's more the, "How many people are in a program, how many people do we serve?" Things like that.

Because of term limits and the rapid rise in the leadership that is now inevitable, lobbyists have shifted lobbying strategies. As one lobbyist argued, "Now we have to reach out to meet legislators to get to know them sooner," and went on to say that "We try to meet them when they are running. We're not waiting until they win." This shift in strategy means that interest groups are more focused on elections and campaigns, and as a senior legislative leader argued,

I'm detecting, from a lot of the lobby groups, that they have decided that instead of keeping the large number of lobbyists it would take to effectively deal with a bunch of new legislators with this full education procedure ahead of them, it's easier to go ahead and put a bunch of money into a campaign and elect a few people who represent their point of view, who are on the floor and can do the education on the floor. And that is where I'm seeing some of the more, shall I say astute or more influential lobbying groups, are just saying it's just easier to elect someone than it is to have this whole flock of people up here and try to educate all of them. . . . They've always had a presence, but I think they're getting much more of wanting their person there on the floor, because what I see too is most of the legislators, if you're dealing with a banking issue, oh well this person's a banker, they know it, and it gives them some credibility.

This new power of interest groups has also played out in terms of gifts and favors to legislators. Recent newspaper articles in the state have focused on "panhandling" by legislators and the free flow of gifts and favors that let "lawmakers share in the riches."¹⁰ Lobbyists have reported spending nearly \$2.4 million from 2001 to 2003 on public officials, and the million dollars spent on gifts in 2003 was a 28 percent increase over the previous year. The usual array of free meals, alcohol, and concerts to individual legislators were reported along with trips to the Super Bowl and Kentucky Derby. Further, the *Kansas City Star* calculated that the average Missouri legislator now received more than twice as much as the average Kansas legislator. Finally, interest group expenditures for gifts to legislator groups with vague names such as the Midnight Caucus or the Blackjack Caucus were up by 53% in 2003 versus the previous year. As one legislator pointed out, "As a general rule, we get a sponsor for each meeting" who picks up the group's bar tab. "I don't even have to ask for a sponsor anymore. Lobbyists just offer."

¹⁰ This information is taken from a series of articles in the *Kansas City Star* from February 29 to March 17, 2004, and most articles were by Kit Wagar.

Concluding Remarks

Term limits in Missouri have had minimal impact on descriptive representation with the proportion of female legislators declining only slightly, the proportion of minority legislators remaining constant, and the average age of a member decreasing marginally.

This analysis indicates that term limits significantly impacted the leadership in both chambers, as expected, but has an especially important impact on the majority party in the House by removing the longer-tenured members who have typically held leadership positions. At the same time, we find no evidence to support the proposition that members elected after term limits will show a stronger interest in policy specialization or studying new legislation.

Our research found significant institutional effects. Although it is widely recognized that the Speaker of the House is more powerful than any modern predecessor, she presides over a chamber that is weakened by the loss of a large number of members with institutional, substantive and program knowledge. In addition, the “new careerism,” members’ focus on a post-legislative career, appears to have weakened commitments to the legislature and to the pursuit of programmatic objectives. We also found that legislative staff has become more important. The professional, non-partisan staff has become a source for procedural information while the newly developed partisan staff has focused on strategic partisan issues.

Perhaps our most interesting findings pertain to the ways lobbyists are adapting to term limits. They are spending more money on legislators, they are focusing attention on supporting candidates early in their campaigns, and there are hints that some groups are actively recruiting their members to serve in the legislature.

Contrary to expectations, term limits have not increased the power of the governor or of state agencies in the legislative process. One explanation is that the majority in the 2003 legislature is of a different party than the governor, and another is that “fifty some [Representatives] all figured they owed her [the Speaker]” because of her financial support and other support provided to their campaigns. Further, the fact that the new Republican majority came to office with a well developed set of priorities may have meant that members were less interested in the program and policy knowledge that resides in state agencies. This confluence of events is likely of short duration, but for the present, Missouri’s experience diverges sharply from that of other states. This situation seems unlikely to hold in the longer term, however, as new members broaden their horizons, learn their legislative roles, and grapple with the critical issues of the day.

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Appendix A: Description of methods

Survey of Legislators

In Summer 2003, the Institute of Public Policy conducted a mail survey of state legislators in Arizona, Colorado, Missouri, New Jersey, North Dakota, Pennsylvania, South Carolina, and South Dakota. The overall response rate was 42%, and it varied by state with New Jersey at the low end with 32%, followed by Pennsylvania with 34%, South Carolina with 35%, North Dakota with 47%, Missouri with 48%, Colorado with 48%, South Dakota with 52%, and Arizona with 53%. The average age of the respondents was 54 with 36% classified as freshman in the legislature. 16% described their views as liberal (extremely liberal, liberal, or slightly liberal), 23% as moderate, and 54% as conservative (extremely conservative, conservative, or slightly conservative).

Interviews

Seven interviews were conducted with individuals with both previous and current experience with the Missouri General Assembly from December 2003 to April 2004. The interviews were approximately 45 minutes in length and were based on a prepared outline specific to the job role of the person being interviewed. Of the seven interviews, two were with Senators, one was with a Representative, three were with legislative staffers, and one was with an agency lobbyist. Four interviews were conducted in the capitol of Jefferson City, two were conducted in the office of the interviewers, and the final interview was conducted by telephone. In all but one of the interviews, two team members were present. All of the interviews were taped and then transcribed for analysis.