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Term Limits & Tenure in the Missouri
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Term Limits & Tenure in the Missouri General Assembly 2007

David C. Valentine¹

INTRODUCTION

The legislative environment has changed dramatically since the early 20th century, when members of the General Assembly met in biennial sessions, concerned themselves with the newly developed juvenile court system for metropolitan areas, civil and criminal procedures, and the funding of the state's "eleemosynary institutions" (charity institutions such as the Fulton State Hospital). These were issues that the typical legislator, whether a businessman, lawyer, or farmer, had encountered in his private life and in prior public service.

All new members bring valuable knowledge to the legislative process but, unlike the early 20th century, few arrive today with the substantive knowledge necessary for optimum decision making. The policy landscape is much more complicated today, with many new departments, both state and federal, supporting a myriad of programs, many with federal funding and federal rules and regulations. Legislators must struggle with the complexities of a \$21 billion budget, a substantial proportion of which is federal funds with strings, stipulations, and restrictions. They must resolve issues pertaining to child support enforcement and air quality, just to take two examples from arenas with extensive federal involvement. Term limits can impact legislative decision-making because it increases the number of inexperienced members, making it more difficult for the chambers of the General Assembly to independently evaluate budgetary and other legislative proposals.

The following report examines tenure and turnover in the Missouri General Assembly from just before term limits took effect through the election of 2006. The 2002 election was the first since the decennial redistricting, and the first in which a large number of members were involuntarily retired due to the requirements of the constitutional amendment limiting terms of office for members of the General Assembly. The election turned out to be important for another reason — Republicans gained a majority in the House for the first time since 1954 and Republicans gained control of both chambers for the first time since 1947.

The 2004 election forced the retirement of a number of senior senators, several of whom had served from the 1960s and the 1970s. This analysis looks at the immediate impact of term limits on tenure in the General Assembly, not on the full range of potential effects. The report examines how term limits have affected tenure, reviews the immediate impact of term limits on both chambers, and assesses some of the implications of term limits on the relative balance of power between the House and Senate.

BACKGROUND

In November 1992, Missouri voters approved a constitutional amendment setting term limits for members of the Missouri House and Senate who were elected after that date (see *Article III, Section 8* of the Constitution of Missouri).² Missouri was one of 19 states to adopt term limits between 1990 and 1996. Missouri's amendment term-limited a total of nine members by 2000, including the President Pro Tem of the Senate.³

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²Until 2002, the critical part of the amendment read, "No one shall be elected or appointed to serve more than eight years total in any one house of the General Assembly nor more than sixteen years total ...". The drafters of the amendment were not aware that the Missouri Constitution does not authorize the appointment of members of the General Assembly. This error was corrected in 2002.

³Senator Bill McKenna of Jefferson County.

Term limits significantly affected both chambers in 2002 and, because of staggered terms, removed the remainder of long-serving senators in 2004. With these forced retirements, no member of the Senate in 2005 had had more than six years' experience in the chamber.⁴ Only three members had six years' experience at the beginning of the session in 2007 (see FIGURES 3 & 4).

TERM LIMITS & AVERAGE TENURE

TABLE 1. *Missouri Senate Average Years of Tenure, 2001 – 2007*

	2001	2003	2004	2005	2007
Average Republican Tenure	4	3.1	4.5	2.3	3.3
Average Democratic Tenure	12.4	7.9	8.1	1.9	2.1
Average Tenure in Missouri Senate	8.8	5.1	5.7	1.9	2.7

TABLE 2. *Missouri House Average Years of Tenure, 2001 – 2007*

	2001	2003	2004	2005	2007
Average Republican Tenure	5.5	1.1	2.1	2.2	3.2
Average Democratic Tenure	5.8	1.8	2.7	2.5	3.1
Average Tenure in Missouri House	5.7	1.4	2.4	2.3	3.1

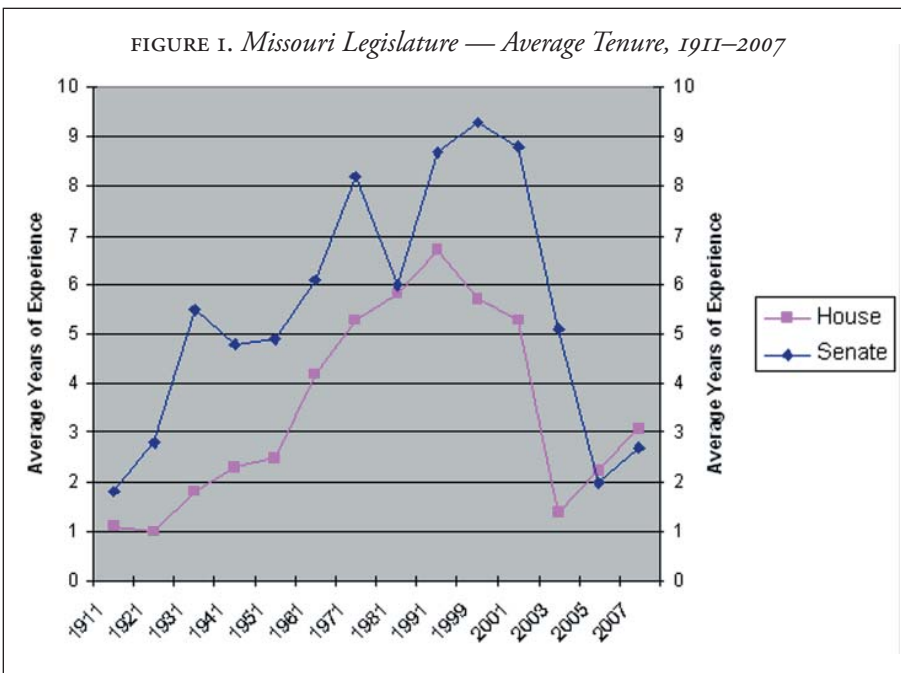
FIGURE 1 presents the average tenure of members of the House and Senate for each decade since 1911. That tenure increased steadily throughout the 20th century from a low of less than two years at the beginning of the century to a high of over 9 years for the Senate at the end of the century. The average tenure in the House in January 2005 was 2.3 years, a decrease of about 3 years from the average of 2001. Average tenure in the House increased slightly in 2007 to 3.1 years, an average which is likely to represent the “new normal” for the House. The average tenure of the Senate was 1.9 years in 2005, a decrease of almost 7 years from that of 2001, and 2.7 in 2007. Tenure in the Senate will probably

reach its zenith in 2009. The average tenure of members has not been this low for either chamber since the beginning of the 20th Century. TABLES 1 and 2 show the dramatic decline in experience in the House and Senate in 2001–2007. TABLE 1 presents average tenure in the House, by party, for the years 2001–2007. The year 2001 represents the last year before term limits took full effect, although there were some forced retirements and others retired that year in advance of term limits.

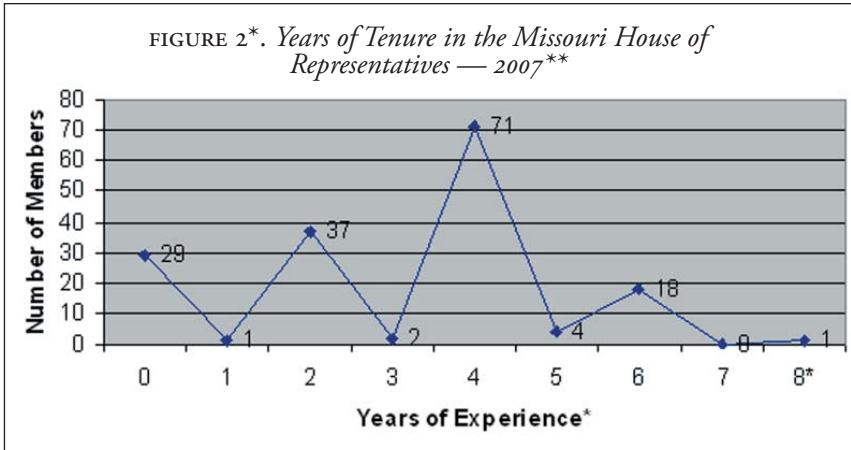
These data do not prove that term limits have rendered the House and Senate less effective in the years following the 2002 election than it was in previous years but they are suggestive. Certainly, they suggest the need for significantly improved training in parliamentary process and the need for policy education concerning the broad policy areas where the state is very active (e.g., Medicaid, education funding, economic development, environmental protection, etc.).

IMPACT OF TERM LIMITS IN 2003 & FOLLOWING

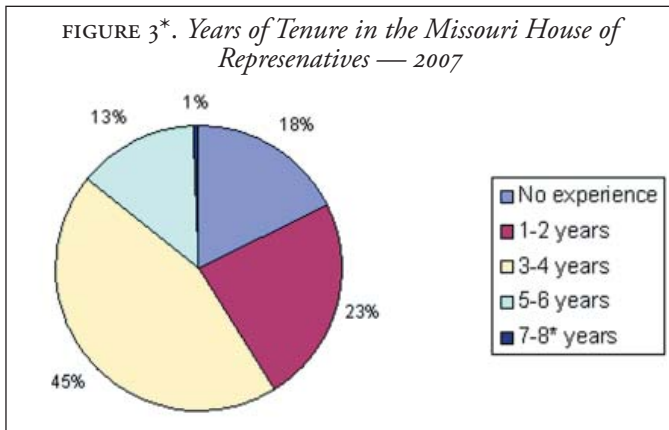
In 2002, 75 members of the House and 12 members of the Senate were not eligible for re-election due to term limits. Normal turnover, including retirement and electoral defeat, pushed the number of members not returning to 91 in the House, although the number in the Senate remained the same (12).



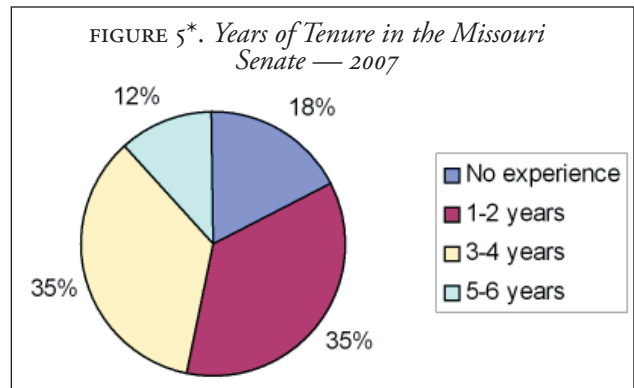
⁴The analysis applies to members as of the first day of session and does not reflect changes that occurred thereafter. For example, in 2005, the two most senior Senators, Steelman and Stoll, had resigned, leaving the Senate with no member who had served more than four years in the chamber.



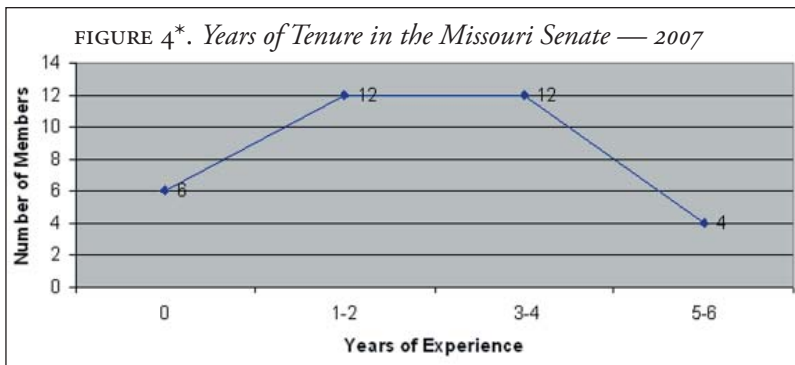
*Data for 2005 do not include additional service of 5 members who served before term limits took effect.
 **As of January 3, 2007.



*As of January 3, 2007.



*As of January 3, 2007.



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The effects of term limits on legislative tenure are shown in FIGURES 2 through 5. Ninety-one new members, or 56% of the entire House, assumed office in January 2003, and only 8% of those elected in 2002 had as much as 6 years' experience in the immediately preceding general assemblies. The sheer number of new members, and the large numerical imbalance between the new and the experienced, presents

challenges to the leaders of both parties. Fortunately, it is not likely that there will be an equally large turnover in the future, not even in 2010, when the 2003 freshmen will be term-limited. Even before term limits were adopted, most members served less than 8 years, in part due to normal electoral choices but also due to the personal choices of the legislators. These factors will be in play throughout the decade, and will significantly reduce the proportion of the "Class of 03" that remains in office in 2009 and subject to term limits. In fact, turnover in 2005 in the House was 24%, and less than 20% in 2007, both of which are near normal for the pre-term limited House (see FIGURES 2 and 3).

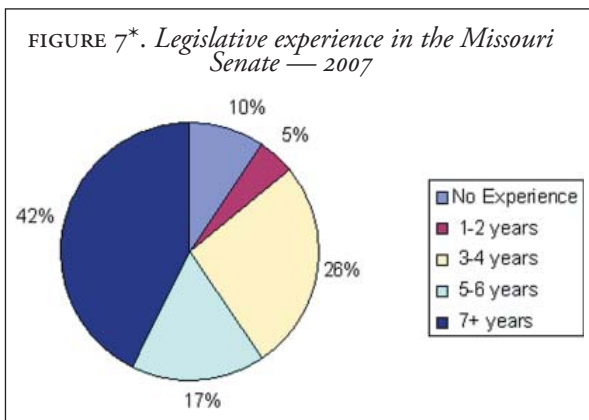
The Senate fared better in 2002, in part because its staggered terms mean that the impact of term limits is spread over two elections. Term limits applied to the one-half of the Senate elected in 1994 and the balance after their election or re-election in 1996. Those elected in 1994 and re-elected in 1998 were term limited in 2002, while those elected in 1996 and re-elected in 2000 were term limited in 2004. Twelve new members (35%) were elected to the Senate in 2002, but in sharp contrast to the House, this inexperience was balanced by the presence of the seven members (20%) who had more than eight years' experience. The situation was considerably different by January 2005, when only two members had served more than six years, because seven senators serving in the 92nd General Assembly (2003-2004) were re-elected in 1996 and these members, with a combined tenure of 130 years, were term-limited in 2004.



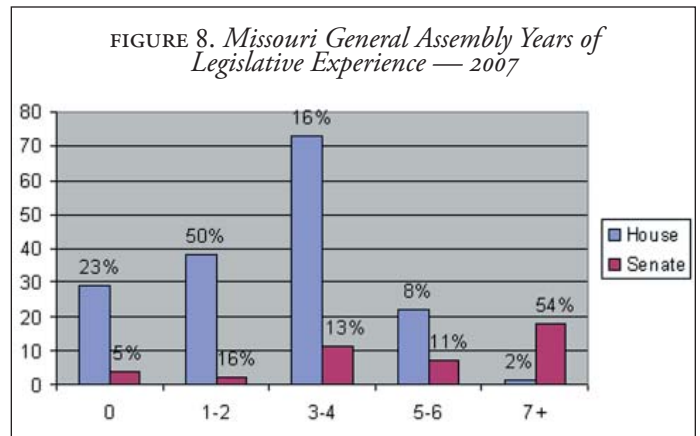
*Data for 2005 do not include additional service of 5 members who served before term limits took effect.
 **As of January 3, 2007.

the members of the Senate had more than seven years legislative (combined House and Senate) experience. While not fully aware of the traditions and processes of the Senate, the newly elected Senate members with prior House experience were far more knowledgeable about state government, lawmaking, and the legislative process than were the new members of the House.

The impact of term limits on the House as compared to the Senate can be seen in FIGURE 8.



*As of January 3, 2007.



Although the proportion of members with no experience was similar, the Senate has substantially more members with significant legislative experience.

We can examine the tenure data from FIGURE 9 in another way, which will directly show the experience disparity between the House and Senate. TABLE 3 presents the percentage of each House that had served two years or less and the percentage that had served seven years or more since 2003. Several trends are evident. First, the disparity between the House and Senate with two years' experience or less is huge, even in 2007, after the initial wave of term limits had passed. Second, around half of the members of the Senate have had at least seven years of experience, but virtually none of the members of the House have that much experience. Finally, these trends are likely to continue into the future even as the term-limits induced turnover smoothes out.

TERM LIMITS & LEGISLATIVE POWER

FIGURES 2 through 5 examine the impact of term limits but do not consider the mitigating effects of legislative experience gained in the other chamber of the General Assembly. By 2007, only one member of the House had served in the pre-term limits era. In contrast, most members of the Senate were first elected to the House, and only 3 of the 12 new members elected to the Senate in 2002, two of the 11 elected in 2004, and two of the five elected in 2006 did not have prior legislative experience (FIGURES 7 and 8). At the beginning of each biennial session in 2003, 2005 and 2007, at least 50% of

TABLE 3. Legislative experience, 2003–2007*

	two years or less (%)			seven years or more (%)		
	2003	2005	2007	2003	2005	2007
House	79%	73	41	3%	2	1
Senate	18%	22	15	53%	56	42

*Includes all legislative experience

CONCLUSION

This report provides evidence about the magnitude of membership turnover that has resulted from term limits. It does not present evidence about the consequences of that change for the House and Senate as institutions, the changing roles of lobbyists and state agencies in the policy-making process, nor the impact of the change upon the policy-making process. The available evidence, however, suggests that developments in Missouri are very similar to those in other term limited states.⁵

Suggested Citation

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⁵For a recent study of term limited states, see S. Drage Bowser, K. Chi and T. Little, *Coping with Term Limits: a Practical Guide*, published in 2007 by the National Conference of State Legislators.