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Institutional Effects of Term Limits In Missouri¹

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Missouri adopted term limits in 1992 but the limits did not take full effect until 2003 in the House and will take full effect in the Senate in 2005. Missouri's limit is a lifetime limit of eight years in each chamber, for a total of sixteen years. Initially the limit applied to partial terms for those elected in a special election but the amendment was revised in 2002 to exclude from the circulation service of less than one-half a term (i.e. one year in the House or two years in the Senate).³ The amendment can be found in article III, section 8 of the Missouri Constitution. In January 2003, no member of the House had served more than six consecutive years and in January 2005, no member of the Senate will have served more than six consecutive years.⁴

Those who have written about term limits do not agree about the probable effects and researchers have found that the effects of term limits vary significantly from state to state (see attached bibliography). This report draws on legislative data compiled by the Missouri Secretary of State, a legislative survey, and interviews to examine the impact of term limits on legislative leaders, new member learning and specialization, the role of legislative staff, and evolving lobbying strategies.

¹ This report is part of a larger project on term limits. Contact the author for the complete study or see Richardson, Lilliard; Assessing the Impact of Term Limits in *Missouri State and Local Government Review* (2005) 37; 177-192.

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³ Until 2002, the Amendment applied to anyone "elected or appointed to the General Assembly", suggesting that the drafters were unaware that legislators cannot be appointed in Missouri.

⁴ In fact only two sitting Senators have six years experience. One was elected State Treasurer and the other has announced that he will resign in January. When these two Senators leave, no Senator will have more than four years experience.

Legislative Leadership

Prior to the implementation of term limits, legislative leaders were, on average, drawn from members with between eight and fourteen years of legislative experience. The eight year term limit forces potential leaders to move more quickly if they want to be legislative leaders. In fact, the average tenure of the 2003 leaders in the House was less than four years, or between four and 10 years less than their immediate predecessors. One cannot assume, of course, that a leader with only four years' experience is inherently inferior to one with nine years' experience, but it is unlikely that the term-limited leader will have the breadth of knowledge about issues, government and governing that he or she would have gained in several more years of service. Of course, the term-limited leader may adopt compensating strategies, including learning strategies and staffing strategies, designed to overcome the consequences of inexperience.

Learning and Policy Specialization

Term limits significantly reduces the time that legislators have to learn the fundamentals of government, the policy issues under discussion, and the formal and informal rules of the legislature. In the past, new legislators might attempt to meet the demands of their legislative roles both by spending time studying legislation and by specializing in one or a few policy areas. Policy specialization, in particular, has long been a principal avenue used to rise within the legislature, in Missouri and elsewhere. Survey responses by Missouri legislators elected after term limits suggest that many were not spending a significant amount of time studying legislation and were not developing areas of policy specialization, at least when compared to veteran members.⁵ While about one-third of the freshmen reported spending a great deal of time studying legislation, less than 4% reported specializing in one or two policy areas. These findings suggest that legislative effectiveness could be improved with an early emphasis on specialization.

Staff Role

Interviews with legislators, lobbyists and legislative staff provided insights into the role of staff following term limits. Most of the individuals interviewed recognized that both the non-partisan staff and the emerging partisan staff have more important roles than they held prior to term limits. Their roles, however, differ with the partisan and non-partisan staff filling different niches left vacant by term limits. The non-partisan staff provides committee support and assistance in the chamber. The staff knowledge of process is now critical in a chamber where turnover is high and tenure is low, making the non-partisan staff the locus of institutional memory for the legislature. The partisan staff fills a different niche. Members of the partisan staff are more likely to be involved in larger strategic issues of importance to the party and to be involved in developing and implementing the direction that their members will take on those issues when they arise in the legislature.

Lobbyists

A dramatic change in the General Assembly, such as that produced by term limits, will have significant effects on the ability of lobbyists to present their case to members. Not surprisingly, lobbyists are spending more money on behalf of legislators as they struggle to introduce

⁵ Veterans were legislators with two or more years of experience.

themselves and their issues to new members. In addition, lobbyists are making contact with candidates, rather than waiting until they are elected, and there are indications that some groups are actively recruiting their own members to run for elective office. The latter trend is just emerging, but it certainly makes sense to promote the election of individuals with knowledge about a particular issue who will then serve as the expert on the chamber floor. Finally, within the legislature itself, lobbyists frequently find themselves providing basic government information to members before they can talk about the issues or programs of interest to them.

Conclusion

We found that the roles of lobbyists and legislative staff have changed in response to the larger number of inexperienced members. We did not find that term limits had shifted the balance of power away from the General Assembly and toward the Governor and state agencies. This finding may reflect the adversarial relationship between legislative leaders and the Governor that existed in 2003 and 2004. It may also be a reflection of the philosophy and orientation of the Republican majority, especially in the House. Although our measures are indirect and preliminary, we did not find evidence suggesting that new members have invested more heavily in learning about the issues that come before the legislature.

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