

Legislative reform

BY KEON S. CHI

By the end of April, a majority of state legislatures will have completed their annual or biennial sessions. Thus, it is a good time to reflect on the structures and functions of our lawmaking bodies across the states.

Until four decades ago, state legislatures were known as “19th century organizations” not capable of addressing 20th century problems. The legislative reform movement began in the wake of reapportionment in the 1960s. Since then, state legislatures have undergone a steady transformation to face new challenges. As political scientist Gary Moncrief of Boise State University said at a meeting of Western state legislators, “The old statehouse ain’t what it used to be.” This phrase may be appropriate to describe institutional changes in most, if not all, states.

For state legislatures as a whole, however, the organizational structures and institutional procedures remain as diverse and complex as ever. Some are highly professional legislative bodies with full-time legislators and year-round sessions, others are citizen legislatures made up of part-time lawmakers, and still others are hybrid legislatures with characteristics of both. Therefore, it is difficult to generalize changes or improvements states have made over the years without using a standard criteria.

One way to examine institutional changes in the varied state legislatures is to apply the criteria and assumptions used by a citizen group called the Citizens Conference on State Legislatures. In 1973, CCSL ranked the 50 state legislatures in five areas: “Functional, Accountable, Informed, Independent and Representative.” In determining FAIR, the group looked at nine categories: staffing, compensation, sessions, committees, facilities, leadership, rules and procedures, size of the legislature and ethics.

In six out of the nine categories, compared to situations 30 years ago, state lawmakers in most states now have more professional staff services, including several agencies to support both houses and staff members for constituent relations or committee work employed by individual legislators. In a few states, single, centralized agencies perform legislative staffing and service functions.

Other improvements include higher legislative salaries, improved legislative facilities, and furnished and equipped individual offices. Moreover, nearly every state has and enforces ethics laws for legislators and lobbyists. All but

seven states now hold annual sessions, instead of biennial sessions. More special sessions are held at the request of governors and legislators. State legislatures are now more active during the interim period between regular sessions, when standing committees often meet. As a result, the legislative workload has been expanded. Legislators introduce more bills and enact more laws than in previous decades.

However, states have not adopted proposed reforms in at least three areas. For example, CCSL assumed that a good legislature has a manageable number of committees and each member is assigned a reasonable number of them. In the past three decades, the number of standing committees in most states has increased. A noticeable trend is the increasing number of joint committees, to more than 20 in some states.

As for leadership, the number of legislative leadership positions has increased. At the same time, there has been a perceived decline in the authority of legislative leaders. This has been attributed to the leadership selection method, campaign finance

reform and, more recently, legislative term limits.

Finally, the size of the legislature in most states remains the same as 30 years ago. CCSL assumed that a good legislature is one where each house is “manageable in size to encourage full participation by its members.” In the past four decades, Connecticut, Illinois, Massachusetts, Ohio and Vermont are among the few that have reduced the size of their legislative chambers. Currently, the Minnesota Legislature is considering a constitutional amendment to switch to a unicameral legislature, patterned after Nebraska.

What is a good legislature? This is the question both legislators and researchers ask constantly. Alan Rosenthal, a professor with the Eagleton Institute of Politics at Rutgers University and a renowned expert on state legislatures, suggests evaluating a legislature’s performance in three core functions: balancing power, representing constituents and making laws.

Recently, he has selected several legislatures, including Ohio, Colorado, Minnesota and North Dakota, as “good legislatures” for an in-depth analysis.

While it is interesting to evaluate individual state legislatures, it is important to consider how the public and media perceive state lawmakers’ workings. Indeed, it is a timely matter for state legislators to earn voters’ confidence and trust.



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