One of the enduring issues in representative institutions is the rate of turnover among elected officials. For at least 70 years now, political scientists have been interested in measuring state legislative turnover. What we know about state legislative turnover, historically, is that the rates were quite high in many states at least until after the “reapportionment revolution” of the 1960s. For example, at mid-century, the average turnover per electoral cycle was 45 percent in state houses and 40 percent in state senates. This situation led many observers to worry that the legislatures were lagging far behind the executive and judicial branches of state government in their ability to operate as an equal partner in policy-making. As one observer put it, “Whether the legislature will be strong enough to perform [its] functions depends in no small measure upon whether capable candidates will seek places in the legislature and stay there long enough to make a contribution.”

Turnover is largely a product of two things: voluntary retirements from the institution and electoral defeat. Retirement is the primary cause; many people found the legislative job to be unsatisfying. In response to this situation, an effort to improve and “modernize” legislatures began in the early 1970s. Some of these reforms were intended to expand the capacity of legislatures (increased staff support, longer sessions); others were designed specifically as incentives to attract good potential legislators (e.g. increased salaries and improved working conditions). These reforms did make legislatures both more adept and more attractive.

In part because of these reforms, turnover rates began to decline in state legislatures. By the end of the 1980s, the average turnover per electoral cycle had been cut almost in half from the rates of 20 years previously (see Figure 1). In some states, like California, the turnover rates had dipped to around 15 percent, and observers began to worry about institutional stagnation.

By 1990, the term limit movement was underway. One of the principle arguments made by those favoring term limits is that they would “get rid of career legislators” and, implicitly, increase turnover. Has this in fact happened? The short answer is “yes.” The fuller answer is that term limits have generally increased turnover, but the extent of that increase depends on several factors, including the previous (historic) rate of turnover (which varied greatly from one state to another) and the nature of the term limit law in a particular state. For example, California, Arkansas and Michigan imposed a six-year term limit on their lower chambers. Oklahoma’s law, which went into effect in 2004, imposes a 12-year limit. It should be obvious that a six year term limit should produce substantially more turnover than a 12 year limit.

Figure 2 displays the difference in house turnover rates between term-limited and non-term-limited states over time between 1982 and 2002. The early pattern, prior to the implementation of term limits, shows relatively high turnover in the redistricting years of 1982 and 1992, with significantly less turnover in the intervening electoral cycles. A similar pattern is evident for state senates (Figure 3). Significantly, this pattern repeats itself in both chambers for non-term-limited states between 1992 and 2002. But the pattern for term-limited states is different after the limits set in.

Figure 1: Decennial Averages of Turnover (All states combined)

The important trend to note here is the difference in the height of the bars between term-limited and non-term-limited states. Prior to the passage of term limits, we see that the difference between the two bars is very small and basically random; in some years the states that eventually adopt term limits have slightly higher turnover than the other states, in some years the pattern is reversed. But beginning around 1994, and accelerating thereafter (as term limits “kicked in” in more and more states), we see a growing disparity between the heights of the bars. Simply put, term-limited states begin to experience increased turnover, while non-term-limited states do not. In fact, turnover continues to decline in non-term-limited states until the redistricting year of 2002. The differences between the average house turnover in term-limited and non-term-limited states is quite dramatic: almost 8 percent in 1996, 12.5 percent in 1998, 18 percent in 2000 and over 10 percent in 2002.

The same pattern is evident, although not quite as dramatically, for senates (see Figure 3). The real disparity between term limited and non-term limited senates does not begin to show up until 1998, mainly because some states have six-year limits in the house but eight-year limits in the senate, and because in most states only half the senate is up for election (and thus subject to being termed out) in any election. The differences in senate turnover averages between term limited and non-term limited states is 5 percent, 12.5 percent and 8.5 percent in 1998, 2000 and 2002, respectively.

These figures show clear evidence that turnover did increase in term-limited states. But these figures are averages of all term-limited states, and consequently they mask substantial variation in the patterns of specific states. For example, the effect on turnover in the Colorado House has been quite modest because, historically, Colorado already had relatively high turnover rates—around 30 percent in most years. Since the passage of an eight-year term limit in 1990 in Colorado, the turnover rate has averaged about 33 percent—hardly a dramatic difference.

On the other hand, the California Assembly has witnessed a substantial and sustained increase in turnover rates. In 1990 California voters imposed a six-year limit on Assembly members. In the decade prior to passage, turnover in the Assembly was quite low—averaging 16 percent. But since passage, the turnover has averaged around 40 percent in each electoral cycle.

The effect of term limits on turnover, then, appears to be closely tied to at least two factors: (1) the historical turnover pattern prior to the implementation of term limits and (2) the specifics of the term limit law—whether it is a six, eight- or 12-year limit.

We are only now beginning to see states with 12 year term limits go “online,” Oklahoma being the first of these states in 2004. After the initial hit, when perhaps 40 percent of the chamber is turned out, we may expect to see turnover rates drop back down to more traditional rates in these states—around 20-25 percent. This is merely speculation at this point, however, as we must wait figures from several additional electoral cycles before we can assess the trends in these states.

It is also important to note that even in states, like Colorado, in which the turnover rate does not substantially change after the implementation of term limits, there are likely to be other effects. Even in states with a history of relatively high turnover before term limits, there was usually a cadre of legislators who stayed in the institution for an

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reform the current law to expand term limits to allow more service time in the Legislature. The fault lines in term limits are recognized by most everyone familiar with the process. Legislators, staff, interest groups and academics agree that some changes would be good. However, term limit legislation in Michigan was a citizen-initiated constitutional amendment and any change also would have to be citizen-initiated. At this time, I don’t think many citizens would put reforming term limits high on their list. In the meanwhile, Michigan will continue to make the best of an interesting, but flawed, term limit requirement.

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California, over $30 million in Florida, and over $10 million in Colorado. To put these numbers in perspective, the presidential campaigns of George Bush and John Kerry were expected to spend in the vicinity of $300 million to $350 million. Despite concerns about the role of money in ballot proposition campaigns, however, it remains the case that money can’t buy you law. Gambling interests spent upwards of $100 million on two initiatives in California yet only managed 16 percent and 24 percent of the votes in favor. Money allows groups to make proposals but does not determine the final outcome.6

Endnotes
1 This article uses referendums instead of the Oxford English Dictionary and common practice.
4 Ibid.
5 Waters.

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extended period of time. And most often, these were the individuals who held the important committee and leadership posts. These were the people who possessed the “institutional memory” and experience that allowed the chamber to function even while many of the legislative seats turned over from one session to another. Under term limits, all legislative seats, including those occupied by leadership, are subject to mandatory turnover.

Endnotes
1 The data reported in this article were collected by Gary Moncrief, Richard Niemi and Lynda Powell with assistance from National Science Foundation grant SES-0212310 and the Smith-Richardson Foundation in support of the Joint Project on Term Limits. For a more detailed analysis of turnover and term limits, see Moncrief, Niemi and Powell, “Time, Term Limits and Turnover: Trends in Membership Stability in U.S. State Legislatures,” Legislative Studies Quarterly volume 29, 357-81.
3 While measuring turnover may seem like a simple procedure, there are in fact several different ways that this can be done, and the way that it is measured has not been consistently applied. Often, turnover is measured in the following manner: compare the list of members of the legislature just before election day with the list of members just after the election. This yields a figure based on (a) those legislators who declined to run again and (b) those who ran but lost. What it does not capture, however, is those people who left office during their term. This is potentially an important component of turnover, especially in term-limited states. If a legislator knows she is precluded from serving again because of a term limit law, she may be more likely to leave office early to take an administrative position or to run for another office. Turnover of this type is best captured by comparing the legislative roster immediately after one election to the roster immediately after the next election. This is the method we use here.

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