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## Out with the Old, In with the Republicans? The Partisan Push of Legislative Term Limits

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### Abstract

Legislative term limits garnered public support because they promised to drain the swamp, removing entrenched incumbents from office. There is often a partisan dimension to this appeal since “the swamp” that is to be “drained” has often been controlled by one party for a lengthy period. However, it remains unclear to what extent term limits realign partisanship within US state legislatures. Using newly available turnover data, this research evaluates how legislative partisanship shifted after the implementation of term limits in state legislatures and continued over 20 years. The initial surge effects of term limits did appear to *level the playing field* between parties. The passage of term limits reversed party majorities in state legislatures, primarily benefiting newfound Republican majorities. These findings have important implications for current understandings of legislative term limits, as more states revisit these proposals, and provide insight into party trends at the state legislative level.

**Keywords:** Republican; elections; term limits; legislative; partisanship

“Not all advocates of term limits are Republicans, but most are.”

—Nelson Polsby 1993, 102

### Introduction

In January 2021, there were four different resolutions presented to Congress to limit the number of terms that a member could serve. Each resolution was sponsored by Republican lawmakers, the most popular had more than 50 cosponsors, all of which were Republican. The push for term limits in Congress and state legislatures has been ongoing for 40 years. Although there has not been successful legislation at the federal level, there are now 16 states that limit the number of terms that a member can serve (for more information see [Table A1](#) in the Appendix).<sup>1</sup> The debate around modern term limits developed from the late

1980s into the early 1990s but always had strong public support. Although term limits are supported by voters from both parties, term limits among elected officials have uniquely partisan motivations. Term limits come from a partisan place, yet, this central motivation has received little scholarly attention.

Term limit proposals have been pushed to “drain the swamp” of long-term incumbents or to “clean up Congress” by removing career politicians. Although term limits were a response to the changes in government, there is less known about *why* term limits were the solution and not something else. This research takes a step back to evaluate one of the lesser-observed components of legislative term limits, the partisan push. Although term limits are supported by voters of both parties, the push for term limits as a solution was largely driven by Republicans. The partisan-driven solution included the forceful removal of the Democratic majorities, which greatly benefited the Republican party.

There is a great deal of existing research on legislative term limits, their supposed outcomes, and whether they are helpful or harmful. Within this body of research there are some studies that find no significant effects of partisanship on term limits or vice versa.<sup>2</sup> However, since the early 2000s there is far less research focused directly on term limits and their role in state legislatures. Most early studies had incomplete or predictive data based on legislatures without term limits. Recent research has found that there are long-term partisan differences in the careers of lawmakers.<sup>3</sup> These results warrant a second look at the long-term effects of partisanship on term limits and how those term limits further influence members of different parties. This is the first examination of political parties engaging longitudinal data to examine the effects from 1992 to 2018.

This study is an evaluation of whether the partisan push for term limits resulted in a noticeable partisan shift within the legislature. Specifically, did the Republican strategy of pursuing term limits pay off with legislative gains? The goals of this study are twofold. First is to present a historical narrative of the relationship between the Republican Party and legislative term limits. Building from the work of Karp (1995), this section outlines the motivations of the Republican Party and how term limits became their solution to gaining legislative seats. At the time, Democrats enjoyed a strong majority in Congress and many state legislatures,<sup>4</sup> whereas many term limit advocates were Republican.<sup>5</sup> This examination includes a look at the moves made by the Republican Party and how it was uniquely poised to capitalize on a proposal such as term limits.

The second goal is to understand the effects that term limits had on partisanship in state legislatures. To assess this, there are two distinct empirical analyses. First, there is an examination of the effects of term limits on partisanship over time. This analysis of all 50 states attempts to parse the national trends from those of term limits to see just how much this change may or may not have helped the Republican party. The second explores the broader partisan effect by looking at whether term limits affected the careers of Democratic and Republican lawmakers differently. These analyses reveal that, after term limits went into effect, there was an increase in the number of Republican seats in the majority of term-limited states but this was not significant. However, this trend has become more prevalent the farther states move from the date of implementation. The

partisan motivations behind the push for term limits are not without warrant—the Republican Party was underrepresented and the push to implement term limits did “drain the swamp,” only to fill it with members of the same party.

### **Current Understandings of Term Limits**

It is no secret that the public has long disliked institutions of government, even though they may like their personal representative. However, increasing unhappiness with the government reflects poorly on incumbents.<sup>6</sup> So how did incumbents become a problem? The number of incumbents increased after moves to institutionalize and professionalize state legislatures.<sup>7</sup> These changes began in the 1930s, altering state legislative membership, and continued throughout the 1980s as turnover rates declined and membership stabilized.<sup>8</sup> As a result, the number of new members in state legislatures reached an all-time low.<sup>9</sup>

The added incentives of the job (pay) and the resources (staff) that helped members to do their jobs made it more appealing for members to stay longer. Jewell and Breaux (1988) found in their examination of legislative election results from 1968 to 1986 that incumbency rates remained high and that incumbents won by increasing margins over time.<sup>10</sup> Numerous other studies have found that legislative professionalization decreases turnover rates, thus helping incumbents.<sup>11</sup> The increasing number of incumbents and their electoral security made it difficult for new candidates to pursue office.<sup>12</sup> The effects of these changes eventually stalled in the 1990s prior to the push for term limits.

Term limits quickly gained national momentum and were supported at the Republican national conventions in 1988 and 1992.<sup>13</sup> Not only was there support among Republican candidates, but members of the Republican Party, like political consultant and RNC executive Eddie Mahe, were also behind the push for term limits.<sup>14</sup> Term limit proposals saw high levels of support, especially in the states where term limits were intended for both state legislators and members of Congress.<sup>15</sup> Since this initial push, term limits have remained popular among voters from both parties.<sup>16</sup> Even though there are no term limits in place for members of Congress, their success at the state level was centered on the proposal to limit members of Congress.<sup>17</sup>

The solution to force people out of office was quite popular among the public, and proponents of term limits made many promises to voters. These promises touched on policy changes and the balance of power with the executive, but the focus here is on those individual demographic changes—namely, partisanship. Term limits promised to increase the number of women and racial minorities,<sup>18</sup> increase electoral competition,<sup>19</sup> and benefit the minority party.<sup>20</sup> The long-standing theory behind term limits was that their implementation would create a partisan shift specifically to benefit the minority party.

The logic behind term limits was twofold; limits would not only remove entrenched incumbents but also allow for greater competition with open-seat elections.<sup>21</sup> However, many of these promises were left unfulfilled, as term limits played out differently than expected. Under term limits, incumbents are more secure,<sup>22</sup> but the incumbency advantage is helping fewer people because those individuals eventually term out of office.<sup>23</sup> Early examinations of Colorado found

a lack of turnover and fewer incumbents termed out than expected.<sup>24</sup> In states with term limits, electoral challengers were rare, which supported incumbent security.<sup>25</sup> Furthermore, legislators were strategic in their actions; if an incumbent saw a potential loss they were more likely to voluntarily leave so that they exited on their own terms.<sup>26</sup>

There was a lack of evidence that partisan shifts occurred in the states as a result of term limits.<sup>27</sup> Mooney and colleagues examined the partisan differences across three states and found no clear connection between term limits and the partisan makeup of the legislature.<sup>28</sup> Furthermore, explorations of party changes within a single state found no noticeable party trends. In Colorado, there was no distinct evidence of partisan change related to term limits, Republicans (the majority at the time) continued to win elections in both chambers.<sup>29</sup> Arkansas, a Democratic state, was the only state to see a slight increase in the number of Republicans winning post-term limits.<sup>30</sup> Overall, the findings in support of what term limits promised are inconsistent at best. Most, however, are simply lacking support, as the suspected changes were left largely unfulfilled except for one to two states.

### **Historical Narrative**

The review above makes it clear that there is a lack of connection between term limits and legislative partisanship. Although these works are important and increased understandings of term limits, they focused more on immediate demographic changes. There is a lack of attention focused on the partisan motivations behind term limits and how they may change over time. Many of these explorations, however, were limited to single-state studies with fewer years of data than a single term-limited cohort.<sup>31</sup> A legislature cannot be overtaken in a single session, there are electoral and district-level factors that take time. Recent scholarship has demonstrated in other respects that the changes brought by term limits were not immediate, but this has been less explored with respect to political partisanship.

The trends of party in the states after the establishment of term limits are clear; there was no change. I propose revisiting the relationship between legislative term limits and how they can alter partisanship in the legislature. As various scholars have speculated, the true effects of term limits would take time. As moderates left the legislature, they would be replaced by more partisans, given the shortened time in office and lack of need to be collegial.<sup>32</sup> Even as term limits were still taking hold, parties were beginning to shift in Arkansas and Maine and partisanship was increasing.<sup>33</sup> In this section, I review the historical narrative of the relationship between the Republican party and legislative term limits to illustrate that, even though changes were not immediate, there is cause to revisit the question of term limits and parties.

### **A Public Problem**

Incumbency alone did not drive public support for term limits, it was the numerous scandals that really fired up advocates for change and where party started to take a notable role. Perhaps the most infamous example is the House

check-writing scandal from the early 1990s. In 1992, the House Ethics Committee reported that 300 members (current and former) had overdrawn their accounts.<sup>34</sup> Despite assurances that no laws were broken, there was public uproar. As a result of the scandal, and the public release naming those who were involved, a number of long-standing members either lost or withdrew from the election.<sup>35</sup>

At the same time, state legislatures were witnessing scandals of their own. One such example is the AZscam where seven lawmakers from Arizona were caught by an undercover agent posing as a lobbyist; these lawmakers were indicted on various charges including bribery and money laundering.<sup>36</sup> In Oklahoma, senior State Senator Gene Stipe was forced to resign after being caught in a campaign contribution scandal.<sup>37</sup> Similarly, former Speaker of the Maine House, John Martin, was implicated in a ballot tampering scandal because of his aide's role in the affair.<sup>38</sup>

The strong and long-lasting Democratic majority in Congress was met with disdain by voters of the opposite party, who were eager to find a solution. There was an idea that incumbents ought to be "punished," and this problem of incumbency was anchored by the Democratic Party.<sup>39</sup> This was compounded in professionalized legislatures, which tend to lean Democratic.<sup>40</sup> It should be no surprise then that, when Republican politicians offered up term limits as a solution, the public would support it, overwhelmingly.

To be clear, the public issue with incumbent politicians was not a rapid shift, nor was there any singular instance. Rather, the strengthening of the incumbency advantage and the scandals that occurred simply wore down the public over time. Given that incumbents continued to win reelection, despite the various scandals, many lost hope of voting people out. As Paul Jacob noted, "people realize(d) they cannot change things at the polls... that's where term limitation comes in."<sup>41</sup>

### *A Partisan Solution*

The public was disenchanted with incumbent politicians, but what could be a solution to the unhappiness, frustration, and annoyances of government? Term limits. The notion of limiting elected service was not new for the Republican Party; it is a long-held belief that there should be some sort of limitation. Term limitation, or rotation in office, has a long history in the United States, taking root during in the Articles of Confederation. Term limits were thought to be essential to good governance. In fact, term limits were directly tied to views of representation at the time.<sup>42</sup> At the state level, the idea of rotation in office has been a long-standing tradition, even if not always formalized in law or statute.<sup>43</sup> The idea of term limitation somewhat died in the early 1900s, as the trend was more toward professionalization and experience. However, post-Watergate discussions of limiting time in office began to reappear and were centered primarily on Congress.<sup>44</sup> In the 1980s the suggestion of term limits was ongoing, but discussions within Congress were stalled. A group of Republican representatives created a group called COLT (Committee on Limiting Terms), and the goal of this group was to make the push for term limits public.<sup>45</sup> Rather than pushing term limits through government, the goal became to gain public support for limiting

**Table 1.** Origins of Select Term-Limit Groups

Group	Start	Founders
Committee on Limiting Terms	1985	Rep. Bill McCollum (R-FL)
Team 290	1995	Rep. Bill McCollum (R-FL) Rep. Bob Inglis (R-SC)
Americans to Limit Congressional Terms	1989	Eddie Mahe (RNC Executive) Rep. James Coyne (R)
U.S. Term Limits	1992	Previously Americans to Limit Congressional Terms
U.S. Term Limits Council	1994	Gov. William Weld (R-MA) Gov. Joan Finney (D-KS)
Coloradans Back in Charge	1989	State Senator Terry Considine (R)

Note: All information from John David Rausch, Jr., *A Genealogy of Term Limit Groups*.

terms. There were several other groups and organizations getting their start at this time, with the goal of pushing term limits at the state and federal levels. Table 1 outlines some of the known origins of term-limit groups. Although this does not account for all term-limit organizations, it does outline some of the groups of known origins, mostly Republicans.<sup>46</sup> Many of these groups morph into other iterations of term-limit organizations over time, similar to U.S. Term Limits and Americans to Limit Congressional Terms. Most founders on this list were elected officials, only one of which was a Democrat. The push for term limits was not part of the Democratic party platform or pushed by the DNC.

In the early 1990s, there was a great deal of public and academic attention on the topic. For example, C-SPAN captured numerous panels and symposiums directly related to term limits. At such an event, hosted by the National Civic League, there was a discussion about voters and term limits as a remedy. Elaine Kamarck of the Progressive Policy Institute said, “We have been paying *Saks 5th Avenue* prices for *K-Mart* quality government ... voters are getting madder and madder and madder about it ... one of those manifestations is in term limits, another is in the anger at incumbents.”<sup>47</sup> To Kamarck’s point, voters from both parties tend to support legislative term limits without ever understanding how term limits alter partisanship and legislative service.

Kamarck’s *K-Mart* analogy, although a bit unusual, does well to capture the sentiment of voters at the time—people want more from their lawmakers. In addition, many felt that they could not oust their lawmakers at the polls. Term limits forced members from office, so they would not be initiated by members of the majority party, which would be against their self-interest. As Paul Jacob (Citizens for Congressional Reform) said, “Politicians, elected officials, have been overtaken with a career mentality. They are no longer the citizen legislators that our forefathers envisioned. They care more about their career, their pension, their pay, than they do about the problems of the country... it is a systematic problem.”<sup>48</sup>

Also occurring at the start of the 1990s, the Republican Party earned the label “permanent minority.”<sup>49</sup> This minority was due in part to structural shifts,

scarce incumbency advantages, and gerrymandered districts.<sup>50</sup> Republicans, who were in the minority in Congress for several decades, had the most to gain out of pushing such proposals on a national scale.<sup>51</sup> It was the Republican party that placed term limit proposals on their platform in 1988 and 1992.<sup>52</sup> The 1992 Party platform includes some explanation for the support of term limits.<sup>53</sup>

The Democrats have trampled the traditions of the House, rigging rules, forbidding votes on crucial amendments, denying fair apportionment of committee seats and resources. They have stacked campaign laws to benefit themselves. The Democrat Leadership of the House has been tainted with scandal and has resisted efforts to investigate scandals once disclosed. Some in their Leadership have resigned in well-earned disgrace. The Democrat Leadership of the Congress has turned the healthy competition of constitutional separation of powers into mean-spirited politics of innuendo and inquisition. Committee hearings are no longer for fact-finding; they are political sideshows. 'Advise and consent' has been replaced by 'slash and burn.' Republicans want to change all that. We reaffirm our support for a constitutional amendment to limit the number of terms House Members and Senators may serve. We want a citizens' Congress, free of bloated pensions and perpetual perks.

Were term limits the only solution to pacify unhappy constituents? No, but term limits were the solution pushed by the Republican Party out of self-interest because they had the ability to capitalize on such a proposal.

It is worth pausing for a moment to explore the other solutions that the Republican Party could have pursued. First, Republicans could have sought avenues of proportional representation. Second, campaign finance reform would have curbed careerism and new laws could have encouraged new challengers. But these alternatives were not pursued, in part, because term limits had greater public appeal. These would have reduced Republican advantages while reducing the benefits of service; therefore, they were not a plausible solution. However, after being in the minority for so long, forcing open seats would benefit the Republican Party while disadvantaging Democrats.

Given the popular discontent with politics and the political process, Republicans were ready to capitalize on major electoral changes. Some argued that "Democrats ha[d] rigged the process to perpetuate their majority,"<sup>54</sup> so it was only right for Republicans to do the same. The best way for Republicans to turn the tide was to focus on recruitment to force a change.<sup>55</sup> The question remains, why were term limits the chosen solution for the Republican Party? The answer is simply open seats. Term limits would automatically open seats held by Democrats, and Republicans were working to develop stronger candidates. Republicans were in a position to take advantage of the open seats created by term limits. Although, Democrats had a long history of strong candidates and candidate recruitment, as seen with their success in Congress.

The strengthening of the incumbency advantage (primarily Democrats) and the difficulties for (Republican) challengers led to increased unhappiness among constituents. This is when the Republican Party began to push for term limits,

meant to counter the strength brought by legislative institutionalization and professionalization and to create open seats.<sup>56</sup> Not only were members serving for longer, but the public was also becoming increasingly frustrated with government and legislatures, in particular. Again, term limits were not a new idea; they had existed under the Articles of Confederation, and they were brought back to life post-Watergate, but it was not until term limits became a tenant of the Republican party that the party saw success.

Republicans had a new strategy to focus broadly on recruitment across all levels of government. The tactic to secure an office from the bottom up positioned the Republican Party to take hold of newly vacated Democratic seats. For example, Newt Gingrich's GOPAC provided training to potential Republican candidates, starting with securing elected offices at the local level and continuing up through Congress.<sup>57</sup> Interestingly, this recruitment strategy came in the form of tapes as well as visits and marking professionals.<sup>58</sup> Yes, cassette tapes and videotapes were the Republican Party's recruitment tool from the mid-1980s through 1994. Newt Gingrich used tapes to reach potential candidates all over the United States to both encourage them to run for office and how to be a good candidate.<sup>59</sup>

In total, Gingrich spent over eight million dollars recruiting, preparing, and selecting the best possible Republican candidates.<sup>60</sup> In an interview with PBS in 2001, Newt Gingrich reflected on the Republican reforms of the 80s and 90s saying, "First of all, we tried every two years from 1978, so we had lost in '80, '82, '84, '86, '88, '90, and '92. It wasn't like we woke up one morning merrily winning. We had spent an enormous amount of energy on actually building the momentum."<sup>61</sup> Collectively, these efforts helped the Republican Party secure its first congressional majority in 40 years.<sup>62</sup>

Of course, not all supporters of term limits were Republican, and not all Republicans supported term limits but there were notable partisan trends. In the 105th (1997–1998) Congress, party support for term limits was stark: 18.5% of Democrats and 79.3% of Republicans. Not all Republicans supported term limits, but most did. The party used the expansion of professionalization and its advantages to capitalize on public support for curbing careerism. However, a greater story was developing among the elected. Notably, Republican members of Congress vowed to self-induce term limits, placed limitations on chairmanships, and advocated for term limits for all elected positions under the *Contract with America*.<sup>63</sup>

In an effort to reform and rebuild the presence of the Republican Party, Newt Gingrich's *Contract with America* in 1994 was part of an effort to regain the support of voters who were disillusioned with politics. Much of the content within the *Contract with America* originated in the recruitment tapes that Gingrich had used earlier. Of particular interest was the 10th point, which was labeled "Citizen Legislature Act," designed to limit legislative service for all members.<sup>64,65</sup> The proposal went so far as to note that this would be the first-ever congressional vote on term limits, when in fact there had been another some decades earlier.<sup>66</sup> Similar to other pushes for term limits, this was unsuccessful.

Added support for the Republican Party, such as increased leadership roles<sup>67</sup> and higher levels of interest group funding,<sup>68</sup> continued to benefit the party. Such a strategy would suggest that given Republican resources and prior



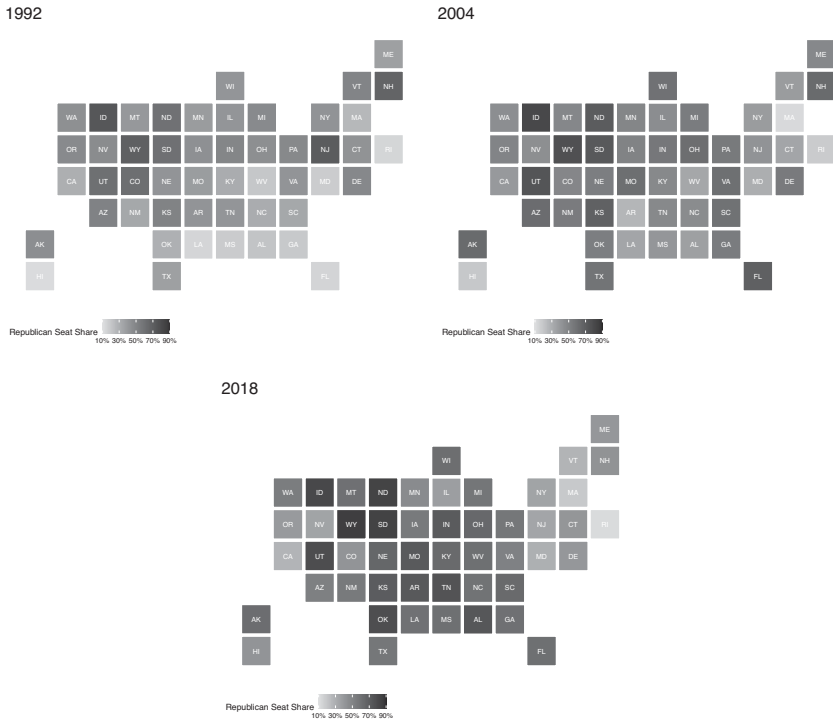
successes, the party would, over time, become stronger in those states with term limits. Put another way, the states with term limits created an opening for the Republican Party, which has strengthened with time. To be clear, the push for term limits at the federal level was unsuccessful. However, 15 of the 16 states with term limits were passed by the popular vote, not Republican lawmakers, demonstrating the importance of voter support. The push for term limits at the state level was successful and the implications merit further attention. In the next section, I explore the effects of this push and the lasting outcomes for partisanship in state legislatures.

### **Data and Research Design**

Much of the research focused on term limits and their changes has been speculative, simply because time is required to realize the effects of term limits and how they shape the legislature. Now that term limits have been in place for several decades, their long-term effects can be analyzed. To test the changes to partisanship in term-limited legislatures, I use an original data set, which contains information on the number of Republican seats in each legislative chamber for all 50 states.<sup>69</sup> This information is available for each state from 1992 to 2018, allowing for an assessment of the long-term effects of term limits on shifting partisanship in the legislature. Given the breadth of the available data, each observation is state-year. This section is composed of a descriptive overview of changes to Republican seat share in term-limited legislatures, followed by an analysis of how the effect of term limits has changed with time.

All 50 states are included in this analysis, but only 15 with legislative term limits are accounted for. The term-limited states are Arizona, Arkansas, California, Colorado, Florida, Louisiana, Maine, Michigan, Missouri, Montana, Nebraska, Nevada, Ohio, Oklahoma, and South Dakota.<sup>70</sup> For analysis, there are three distinct periods that term-limited states go through. In line with Mooney (2009), the effects of term limits vary by how long the restriction has been in place.<sup>71</sup> First, there is the pre-term-limit period: this is the period before term limits go into effect. Second, there is an early period where states are experiencing term limits for the first time. Each state with term limits had its own start (or impact) date but the average was 2002. For this analysis, the early period is classified as the years between the impact date and the first full cohort (those elected in the same year that term limits went into effect) terming out of office.

Finally, there is the point of equilibrium, which occurs when states have largely adjusted to the restriction of term limits.<sup>72</sup> The distinction with equilibrium assumes that major shifts are no longer occurring and the legislature has adjusted to term limits. For the purpose of this analysis, the equilibrium period begins after the first full cohort has left office. Using this particular method, a state like Oklahoma, with a 12-year limit would not reach equilibrium until 2016, 12 years after the impact date. Although this is an imperfect method for evaluating the different periods, this allows for separate examinations for each state rather than inputting artificial cutoff points by year that are not unique to each state and their experience with term limits.



**Figure 1.** Density of Republican seats in 1992, 2004, and 2018.

The trends across time can be seen in Figure 1. Each map illustrates the density of Republican seats in 1992, 2004, and 2018. Although these cutoff points are not representative of periods that are unique to each state, they do illustrate the aggregate variation across time. Darker shading indicates that there are more Republicans in the legislature. This distinction between periods allows for an easy comparison of legislative makeup before term limits and how they are now. The Republican seat share trends, seen in Figure 1, appear to strengthen over time. In the majority of the term-limited states, the Republican seat share was at its lowest in the early period.

Looking at the illustrations in Figure 1, there are noticeable trends. As term limits were being implemented and beginning to remove legislators, there was an increase in the percentage of Republican seats. However, from these particular maps, it is unclear whether the increase in Republican seats is unique to term-limited states or whether it was part of a nationwide trend. Alternatively, it could be that the increase in Republican seats was a national trend but was amplified in states with term limits.

Table 2 displays the average percentage of Republican seat share over time for term-limited legislatures only.<sup>73</sup> Before implementing term limits, there were many states with Republican minorities. There were eight states where Republicans made up less than 45% of the legislature, two of which were

**Table 2.** Average Percentage of Republican Seat Share across Time in Term-Limited States

State	Pre-term-limit period	Early period	Equilibrium
AR	12%	45%	
AZ	60	60	<b>65</b>
CA	41	35	
CO	58	55	44
FL	46	66	<b>65</b>
LA	27	54	
ME	42	46	45
MI	52	53	<b>55</b>
MO	44	58	<b>70</b>
MT	58	53	<b>59</b>
NE	39	60	<b>66</b>
NV	44	44	
OH	55	60	<b>61</b>
OK	36	64	<b>78</b>
SD	62	70	<b>74</b>
<i>Total</i>	45	55	62

superminorities. After implementing term limits, this shifted and only four states had a Democratic majority. In the final stage, equilibrium, all states with a Republican majority are noted in bold, some states saw an even stronger advantage for Republican lawmakers. The states without a strong history of Republicans, like Maine and Michigan, saw a minimal shift between the early period and equilibrium, suggesting that term limits had advantaged Republicans but did so by realigning the playing field. It is important to note that Colorado and California, which had a greater share of Republicans, saw a decline in Republican seats after they passed term limits.

Arizona and California deserve a bit more attention given that they defer from the other states. Arizona had a strong Republican hold in the early 1990s and still does. However, Arizona experienced public distrust with the AZscam and needed a way to counter the long-serving incumbents. California, which experienced an initial decline in the number of Republicans, had a different experience altogether. California, a primarily Democratic state is also the most professional state legislature. Although the state did have some Republican upswings during this time, there was a need to counter the level of professionalization brought by Democrat Jesse Unruh. Voters were unhappy, the Republican party was pushing a nationalized platform for term limits and, importantly, California and Arizona have direct democracy, allowing term-limit groups ballot access.

This particular examination serves as an update to Richard Powell's (2008) assessment of partisanship in term-limited states. Powell compared the percentage of Democratic lawmakers from 1990 to 2004 and found that Republicans had gained seats in term-limited states, but only minimally. To assess the effect of term limits on partisan shifts within the legislature, I focus on the percentage of Republican seat share for the entire legislature. Republicans have been adamant supporters of term limits and were also the most likely to benefit from the policy, making Republican seat share the main variable of interest. *Republican seat share* is a percentage derived from the total number of Republican members serving in the state legislature from the total number of chamber seats.

To advance current understandings of partisanship in state legislatures, this section evaluates the extent to which Republican seat share has changed across time in two different analyses. First are the changes to Republican seat share following the passage and implementation of term limits. Second, is the effect of time on term limits' ability to influence Republican seat share. This second model, and the use of an interaction term, helps to advance current understandings of the relationship between time and term limits in ways that could not previously be examined given the severe data limitations after term limits passed. These models explore how time could influence the extent to which term limits forced change.

There are two different measures of time to help capture the long-term effects of term limits. First, there are dichotomous measures indicating the three periods outlined above: pre-term-limit, early, and equilibrium periods. This method, however, is less illustrative of the influence that term limits and time have on Republican seat share. To address this interactive relationship, there is a second method of measuring time based on the impact date of term limits. This second analysis makes use of the interaction of time and term limits to evaluate the effects as states move farther from the time term limits remove members.<sup>74</sup> Each state with term limits is set at its unique date, whereas states that do not have term limits are set at 2002.<sup>75</sup>

In addition to the time component, there are several other variables included that can influence partisan seat share. First, is having a Republican governor. A successful Republican governor can help the party to secure more seats in the legislature, but a less successful governor can lead to midterm seat loss. Another factor that can influence party seat share is the level of electoral party competition, which is an updated measure using components from the Holbrook and Van Dunk Index.<sup>76</sup>

To capture characteristics that are unique to each legislature, *legislative professionalization*<sup>77</sup> and *career opportunities*<sup>78</sup> are included. Professionalization and career opportunities not only capture institutional characteristics but also serve as a measure of resources. *Legislative professionalization* is a measure of the time in session, salary, and staff support offered by each legislature. A more professional legislature (1) offers lawmakers more time to do the job, as well as greater resources to achieve their goals, a less professional legislature (0) can be more restrictive. *Career opportunities* are a measure of the advancement opportunities beyond the lower chamber of the legislature.<sup>79</sup> Last, there is a binary indicator for each of the states that have term limits.<sup>80</sup>

## Analysis

Column A in Table 3 contains the regression results of Republican seat share in state legislatures across different intervals of time related to term limits. The independent variables of interest, *pre-term-limit*, *early*, and *equilibrium*, are unique to each state with term limits.<sup>81</sup> A positive coefficient reveals an increase in Republican seat share, whereas a negative coefficient indicates a decline in the number of Republican seats. Although it appears that, during the equilibrium

**Table 3.** Regression of Republican Seat Share for All States

	Republican Seat Share	
	(A)	(B)
Pre-term-limit period	-0.078** (0.035)	
Early period (start date and 1st cohort)	0.021 (0.014)	
Equilibrium Period (2nd cohort and beyond)	0.067*** (0.021)	
Term limit	0.055 (0.040)	0.014 (0.010)
Time since impact date		0.004*** (0.001)
Term Limit × Time		0.004*** (0.001)
Republican governor	0.080*** (0.016)	0.077*** (0.008)
Party competition ( <i>Holbrook and Van Dunk</i> )	0.0001 (0.001)	0.001 (0.0001)
Legislative professionalization ( <i>Squire</i> )	-0.644*** (0.199)	-0.633*** (0.043)
Legislative career opportunities ( <i>Squire and Moncrief</i> )	0.183 (0.136)	0.178*** (0.036)
Constant	0.517*** (0.060)	0.531*** (0.016)
Standard errors by state	X	
Robust standard errors		X
Observations (state/year)	1,339	1,339
R <sup>2</sup>	0.240	0.246

\*p < 0.1;

\*\*p < 0.05;

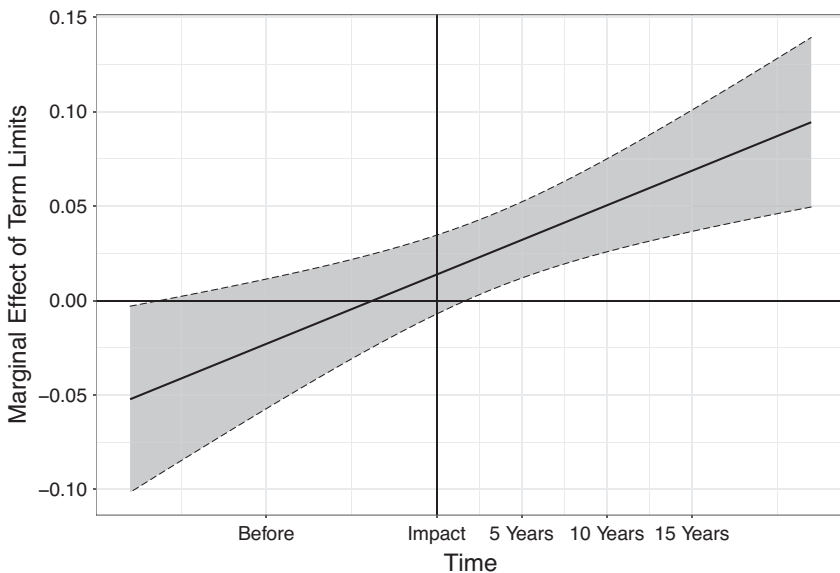
\*\*\*p < 0.01.

period, the Republican Party assumed greater control among state legislatures, there is a lack of evidence indicating term limits are driving this change. The model conveys the main variables that drive Republican seat share, but there is still no clear answer as to how term limits have altered this relationship over time.

To better understand the specific relationship between term limits and time, an interaction term is included in Table 3, column B, to parse these effects. The inclusion of the interaction term allows for a test of the influence of term limits over time rather than independently assessing the influence of term limits *and* time. The independent variable for this model is the interaction of term limits and time since the implementation of term limits or *time since impact*. Given that legislatures are malleable institutions, term limits may have different effects the longer that they have been in place.

A significant value for the interaction term indicates that the influence of one variable on the other changes and is significant, but these coefficient values are not directly interpretable. The presence of a significant interaction indicates that the effect of one variable, *term limits*, on the other, *time*, is different the longer term limits have been in place. In other words, the proportion of Republican seats is dependent on both having a term limit and how much time has passed. This is a relationship that is not revealed when simply controlling for each of the variables, which demonstrates that there is something unique about how these two variables work together.

Figure 2 illustrates the marginal effect of term limits on Republican seat share across time with 95% confidence intervals. At the impact date, Republican seat share was insignificant. As time progressed and states moved away from the initial turnover, the effect of term limits became positive and significant. However, only



**Figure 2.** Marginal effect of term limits on Republican seat share.

after 15 years has the effect of having term limits become statistically distinguishable from the initial surge effects. During the transition, there was no significant difference between the start date and having term limits for five years.

These analyses reveal a distinct relationship between term limits and the portion of seats occupied by Republican lawmakers.<sup>82</sup> The first analysis reveals a clear trend toward Republican gains, whereas the secondary analysis accounts for both time and term limits. There is support for an increase in the number of Republican lawmakers, and this appears to be prevalent in states that have legislative term limits. What is interesting about this finding is that the long-term adjusted effects of term limits present a greater share of Republican seats than the initial change post-implementation. These results may indicate that something else is at play—namely, that lasting recruitment efforts have potential effects on the careers of lawmakers.

### **Partisan Consequences**

It is clear that partisan balance matters. But how much? A difference across parties in who retires and who terms out can influence the broader partisan dynamics of the legislature.<sup>83</sup> Recent research suggests that term-limited lawmakers have different careers than those who do not face term limits,<sup>84</sup> but less is known about the partisan differences in political careers. The career trajectory is important: if one party regularly has more senior members, then they hold the upper hand. Put simply, in a legislature with little experience, those with the most hold the power. This examination of the partisan effects on term limits is meant to be preliminary. Rather than an exhaustive list of potential partisan outcomes, as there are surely many, this assessment is designed to demonstrate some of the potential avenues for further research. There are two components to understanding the substantive partisan effects of term limits. First, what are the differences between Democratic and Republican lawmakers? Second, are these differences unique to states with term limits? This section seeks to preview an answer to such questions. Using the *TLS-Careers data*, which includes a sample of 12 term-limited states and 5 non-term-limited states,<sup>85</sup> allows for a comparison of the careers of Democratic and Republican lawmakers in term-limited states.<sup>86</sup> In total, these data contain yearly observations for over 6,000 lawmakers among 17 states from 1994 to 2018.

Although there are several avenues for a member to leave office, this section seeks to examine some of the partisan differences that exist for members when they can make their own career decisions. In particular, do the partisan effects of term limits influence members to retire or seek higher office?<sup>87</sup> For this particular evaluation, each legislative chamber is examined separately. The ability to advance or the decision to retire can be shaped by where in the legislature a member serves; notably, those serving in the upper chamber have fewer advancement opportunities.<sup>88</sup> To examine this very question, **Figures 3** and **4** present the probability of a member choosing to retire or seek higher office, under a variety of circumstances.<sup>89</sup>

The probabilities presented in **Figures 3** and **4** are representative of an average-aged member (roughly 55 years old) who serves in a citizen legislature

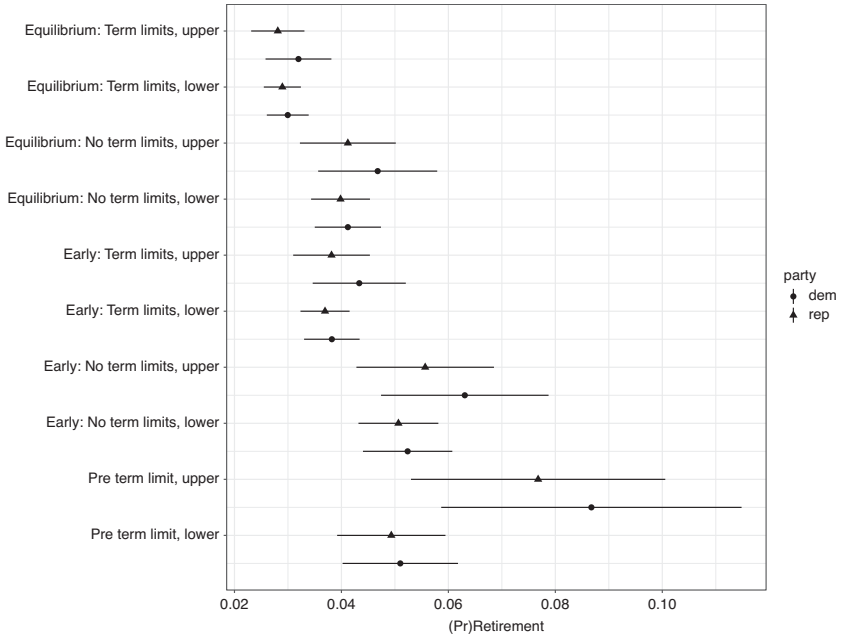


Figure 3. Probability of a member choosing to retire or seek higher office.

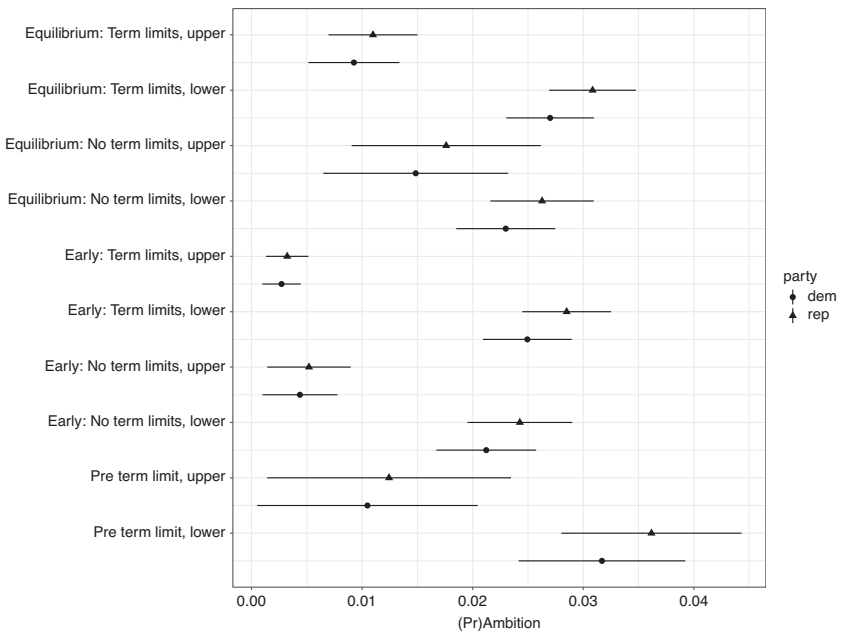


Figure 4. Probability of a member choosing to retire or seek higher office. The focus is on members who leave in pursuit of higher office



with limited career opportunities but serves in a Republican-led chamber along with a Republican governor.<sup>90</sup> There are many ways that a member may leave office, and this brief examination is designed to show whether there are partisan differences for members who retire or seek higher office. Each scenario is composed of three pieces: whether a state has term limits, in what period the member is serving, and if the member serves in the upper or lower chamber.

Starting with [Figure 3](#), there are clear differences between the states with term limits and those without. There are also noticeable differences between the pre-term-limit, early, and equilibrium periods. A few brief observations worth noting are that as term limits are implemented the probability of a member retiring decreases, regardless of party. Interestingly, states without term limits in the early period closely resemble the career patterns of states before having term limits. Similarly, as time progresses states without term limits in the equilibrium phase are much like term-limited states in the early phase. Overall, there is a decline in the number of members who are retiring from office, but this trend appears to be accelerated in term-limited legislatures.

Focusing on the members who leave office in pursuit of higher office, [Figure 4](#) presents a different story. The consistency seen in the decision to retire is not present here; rather, the decision to seek higher office appears to be highly correlated with the chamber in which a member is serving. Members who serve in the lower chamber are more likely to seek higher office, whereas those in the upper chamber are not. This is unsurprising given that there are fewer opportunities to advance for a lawmaker who is already serving in a state senate. As time goes on and states reach equilibrium, this appears to have decreased for those facing term limits, yet members from the lower chamber are still significantly more likely to seek higher office.

The percentage of Republican seat share is not wavering, as there are few differences between the parties in reasons that they leave. Rather, this increase in Republican seat share will likely be maintained due to the lack of distinction in why members choose to vacate their seats. If Republicans and Democrats are just as likely to seek higher office or just as unlikely to retire from office, the partisan dynamics are unlikely to shift.

Although the results of this particular examination do not yield any differences between the parties, there are clear substantive differences across both time and term limits. Perhaps this particular result is encouraging for those who fear long-term majorities. Even though there are strong Republican majorities in term-limited legislatures, the decisions that members make about their careers do not diverge by party. This is not to say that differences do not exist, but they do not appear to unduly affect the decision of a member to either retire or seek higher office.

## Discussion and Conclusion

James Thurber argued that “The term limit solution is a solution that is biased towards one political party and not both and the consequences of these term

limits have significant negative impact.”<sup>91</sup> Term limits were designed to generate mass turnover in state legislatures to help long-suppressed partisan minorities. In fact, when term limits passed, most states had strong Democratic majorities, as did Congress. Given that, and the Republican support for term limits, Republicans should be the primary beneficiary of legislative term limits. Although early research revealed there was not a relationship between term limits and partisan shifts, this study uncovers a significant change over time in the number of Republican seats in term-limited legislatures. Looking at the legacy of this change reveals that Democrats and Republicans have somewhat similar careers, meaning this partisan shift is unlikely to change soon.

This analysis explores the partisan dynamics of legislative term limits using original data to explore the percentage of Republican seats in all 50 states. The first part centers on the relationship between the implementation of term limits and the seats occupied by Republican lawmakers. The second part centers on assessing the relationship between term limits and the Republican Party over time. As term limits have settled in the states, so has their influence. It is necessary to account for the initial as well as the long-term effects. Some changes may have reverted to how they were before term limits, whereas others have become the new norm.

These findings present a distinct partisan reversal in the states with term limits. One explanation for the results seen here is that the district lines in term-limited states have become more partisan and the majority party continues to gain strength, which could be driving some of the significant results here. Alternatively, these results could be a microcosm of larger shifts in electoral politics. Even though there were nationalized shifts toward Republicanism in state legislatures, if anything, term limits allowed Republicans to gain seats at a faster rate than states without term limits.

Broad efforts centered on recruitment were clearly effective, and given the shift in the number of Republican-controlled seats these effects are amplified in term-limited states. Although the solution for better recruitment was a beneficial one, recruitment only works when there are more seats. The two-pronged approach of more candidates and forced open seats appears to have benefited the Republican party in the long run. To be clear, term limits alone would likely not have seen these same results, but the moves made by the Republican party prior to pursuing term limits compounded these effects.

In contrast to alternative explanations, Republicans have not only strengthened their numbers since the implementation of term limits; their careers are not entirely different from Democrats. In particular, [Table 3](#) reveals that there has been an increase in Republican seat share over time but there has been a decline in both Republican and Democratic retirements over time. This examination of the lasting effects on legislative careers is far from exhaustive and is merely meant to represent one potential form of change. There is room to extend this by looking at where members go when they seek higher office or leave. There is also the potential for gendered differences given that more women are members of the Democratic Party than the Republican Party. There are more consequences of this partisan shift to explore, knowing that this shift is strong and prevalent.

The presence of term limits is shaping legislative partisanship in the states. Term limits have benefited the Republican Party, which supported the push to restrict careers in the early 1990s. Since this initial push, three states have shifted their term limits. This begs the question, “Is the public still discontent with their politicians? Although these lasting partisan effects do not influence the career decisions of members, they are undoubtedly shaping other areas of state politics. The partisan motivations behind the implementation of term limits have greatly benefited the Republican Party, but whether these partisan motivations exist for current term limit pushes and in those few states that have changed their limits still needs to be explored.

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## Notes

<sup>1</sup> Jeffery A. Karp, “Explaining Public Support for Legislative Term Limits,” *The Public Opinion Quarterly* 59, no. 3 (1995); Kelly D. Patterson and David B. Magleby, “Poll Trends: Public Support for Congress,” *Public Opinion Quarterly* 56, no. 4 (1992), 539–51.

<sup>2</sup> Christopher Z. Mooney, “Truncated Careers in Professionalized State Legislatures,” in *Legislating without Experience: Case Studies in State Legislative Term Limits*, ed. Rick Farmer, Christopher Z. Mooney, Richard J. Powell, and John C. Green (Lexington Books, 2007), chap. 4; John A. Straayer, “Colorado Legislative Term Limits: The Worst of Both Worlds,” in *Legislating without Experience: Case Studies in State Legislative Term Limits*, chap. 6.

<sup>3</sup> Jordan Butcher, “Rethinking Retirement: Ambition in Term-limited Legislatures,” *The Journal of Legislative Studies* 27 no. 2 (2021): 285–99; Jordan Butcher, *Navigating Term Limits: The Careers of State Legislators* (Palgrave Macmillin, 2023).

<sup>4</sup> Richard J. Powell, “Minority Party Gains Under State Legislative Term Limits,” *State Politics & Policy Quarterly* 8, no. 1 (2008): 32–47.

<sup>5</sup> Nelson W. Polsby, “Some Arguments Against Congressional Term Limitations,” *Harvard Journal of Law & Public Policy* 16 (1993): 101.

<sup>6</sup> Karp, “Explaining Public Support for Legislative Term Limits”; Patterson and Magleby, “Poll Trends: Public Support for Congress.”

<sup>7</sup> Mark P. Petracca, “Restoring ‘The University in Rotation’: An Essay in Defense of Term Limitation,” in *The Politics and Law of Term Limits*, ed. Edward H. Crane and Roger Pilon (Washington, DC: Cato Institute, 1994), chap. 5.

<sup>8</sup> Peverill Squire, *The Evolution of American Legislatures: Colonies, Territories, and States, 1619–2009* (University of Michigan Press, 2012).

<sup>9</sup> Squire, *The Evolution of American Legislatures: Colonies, Territories, and States, 1619–2009*.

<sup>10</sup> Malcolm E. Jewell and David Breaux, “The Effect of Incumbency on State Legislative Elections,” *Legislative Studies Quarterly* 10, no. 4 (1988), 495–514; Joseph Cooper and William West, “Voluntary Retirement, Incumbency, and the Modern House,” *Political Science Quarterly* 96, no. 2 (1981), 279–300.

<sup>11</sup> Squire, *The Evolution of American Legislatures: Colonies, Territories, and States, 1619–2009*; Gary F. Moncrief, Richard G. Niemi, and Lynda W. Powell, “Time, Term Limits, and Turnover: Trends in Membership Stability in US State Legislatures,” *Legislative Studies Quarterly* 29, no. 3 (2004): 357–81; William D. Berry, Michael B. Berkman, and Stuart Schneiderman, “Legislative Professionalism and Incumbent Reelection: The Development of Institutional Boundaries,” *American Political Science Review* 94, no. 4 (2000): 859–74.

<sup>12</sup> Bruce E. Cain and Thad Kousser, *Adapting to Term Limits: Recent Experiences and New Directions* (San Francisco: Public Policy Institute of California, 2004).

<sup>13</sup> Patrick J. Fett and Daniel E. Ponder, “Congressional Term Limits, State Legislative Term Limits and Congressional Turnover: A Theory of Change,” *PS: Political Science & Politics* 26, no. 2 (1993): 211–16.

<sup>14</sup> Polsby, "Some Arguments Against Congressional Term Limitations."

<sup>15</sup> Karp, "Explaining Public Support for Legislative Term Limits"; Thomas E. Mann, "The Wrong Medicine: Term Limits Won't Cure What Ails Congressional Elections," *The Brookings Review* 10, no. 2 (1992): 23–25.

<sup>16</sup> Paul Jacob, "From the Voters with Care," in *The Politics and Law of Term Limits*, chap. 3 reported that between 75% and 80% of individuals polled were in support of term limits.

<sup>17</sup> The early state proposals actually included language to limit the terms of a state's congressional delegation. Since this time, the Supreme Court has declared this particular restriction unconstitutional—*U.S. Term Limits, Inc. v. Thornton* (1995)—yet most of the states that passed term limits still have them in place for their state legislators.

<sup>18</sup> Marjorie Sarbaugh-Thompson et al., *The Political and Institutional Effects of Term Limits* (New York: Springer, 2004).

<sup>19</sup> Mark Petracca and Karen Moore O'Brien, "The Experience with Municipal Term Limits in Orange County California," in *Legislative Term Limits: Public Choice Perspectives*, ed. Bernard Grofman (Kluwer Academic Publishers, 1996), 289–308; Rick Farmer & John C. Green, "Introduction: Accelerating Change with Term Limits," in *Legislating without Experience*, chap. 1.

<sup>20</sup> Gerald Benjamin and Michael J. Malbin, *Limiting Legislative Terms* (Washington, DC: CQ Press, 1992); John M. Carey, Richard G. Niemi, and Lynda W. Powell, *Term Limits in State Legislatures* (Ann Arbor: University of Michigan Press, 2000); Powell, "Minority Party Gains Under State Legislative Term Limits."

<sup>21</sup> See also Robynn Kuhlmann and Daniel C. Lewis, "Legislative Term Limits and Voter Turnout," *State Politics & Policy Quarterly* 17, no. 4 (2017): 372–92.

<sup>22</sup> Marjorie Sarbaugh-Thompson and Lyke Thompson, *Implementing Term Limits: The Case of the Michigan Legislature* (Ann Arbor: University of Michigan Press, 2017).

<sup>23</sup> Seth E. Masket and Jeffrey B. Lewis, "A Return to Normalcy? Revisiting the Effects of Term Limits on Competitiveness and Spending in California Assembly Elections," *State Politics & Policy Quarterly* 7, no. 1 (2007): 20–38.

<sup>24</sup> Straayer, "Colorado Legislative Term Limits: The Worst of Both Worlds."

<sup>25</sup> James K. Coyne and John H. Fund, *Cleaning House: America's Campaign for Term Limits* (Washington, DC: Regnery Gateway, 1992).

<sup>26</sup> Erik J. Engstrom and Nathan W. Monroe, "Testing the Basis of Incumbency Advantage: Strategic Candidates and Term Limits in the California Legislature," *State Politics & Policy Quarterly* 6, no. 1 (2006): 1–20.

<sup>27</sup> Christopher Z. Mooney, Jason Wood, and Gerald C. Wright, "Out with the Old Heads and in with the Young Turks: The Effects of Term Limits in Semi-Professionalized State Legislatures," in *Legislating without Experience*, 55–74; Straayer, "Colorado Legislative Term Limits: The Worst of Both Worlds," 99–120; Powell, "Minority Party Gains Under State Legislative Term Limits."

<sup>28</sup> Mooney, Wood, and Wright, "Out with the Old Heads and in with the Young Turks," 55–74.

<sup>29</sup> Straayer, "Colorado Legislative Term Limits: The Worst of Both Worlds," 103.

<sup>30</sup> Art English and Brian Weberg, "Term Limits in the Arkansas General Assembly: A Citizen Legislature Responds," in *Legislating without Experience*, 145–68.

<sup>31</sup> A cohort of term-limited lawmakers refers to those who enter the legislature at the same time starting their term limit clock, a cohort expires when their allotted time is up whether that be 6, 8, or 12 years.

<sup>32</sup> See Mooney, Wood, and Wright, "Out with the Old Heads and in with the Young Turks."

<sup>33</sup> Michael Smith, "It's All about the Turnover: Term Limits in Citizen Legislatures," in *Legislating without Experience*, 187–206.

<sup>34</sup> The House Bank, *Committee Names All Who Overdrew at The House Bank* (1992).

<sup>35</sup> The House Bank, *Committee Names All Who Overdrew at The House Bank* (1992).

<sup>36</sup> David R., Berman, "The Effects of Legislative Term Limits in Arizona: More Churning, More Chaos, and a Diminished Institutional Role for Legislators," in *Legislating without Experience*, 75–98.

<sup>37</sup> *Associated Press* (Washington), "Former State Senator Gene Stipe Pleads 'Guilty' in Federal Court," April 1, 2003, <https://www.newson6.com/story/5e367fa32f69d76f620936d5/former-state-senator-gene-stipe-pleads-guilty-in-federal-court>.

- <sup>38</sup> Matthew C. Moen and Kenneth T. Palmer, "Maine: The Cutting Edge of Term Limits," in *The Test of Time* (Lexington Books, 2003), 47–60.
- <sup>39</sup> Kevin Merida, "Popular Term-Limits Proposal Face Many Obstacles," *Washington Post*, December 16, 1994, <https://www.washingtonpost.com/archive/politics/1994/12/16/popular-term-limits-proposal-faces-many-obstacles/a918a5c4-9bc5-4946-b7dc-94ac19fdf147/>.
- <sup>40</sup> Alan Rosenthal, "The Legislature: Unraveling of Institutional Fabric," in *The State of the States*, ed. Carl E. Van Horn (Washington, DC: CQ Press, 1996), 134–37.
- <sup>41</sup> C-SPAN, "National Civic League Panel on Congressional Term Limits" [Video file], November 12, 1991, <https://www.c-span.org/video/?22679-1/congressional-term-limits>.
- <sup>42</sup> Jordan Butcher and Aric Dale Gooch. "The Development of Representation in American Political Institutions," *Legislative Studies Quarterly* 46, no. 4 (2020): 1059–86.
- <sup>43</sup> Butcher and Gooch, "The Development of Representation in American Political Institutions."
- <sup>44</sup> John David Rausch, Jr., "When a Popular Idea Meets Congress: The History of the Term Limit Debate in Congress," *Politics, Bureaucracy & Justice* 1, no. 1 (2009): 34–43.
- <sup>45</sup> Rausch, Jr., "When a Popular Idea Meets Congress: The History of the Term Limit Debate in Congress," 39.
- <sup>46</sup> This information comes from *A Genealogy of Term Limit Groups*, compiled by John David Rausch, Jr., last updated March 26, 2000, [https://www.wtamu.edu/~jrausch/tlgroup.htm#\\*](https://www.wtamu.edu/~jrausch/tlgroup.htm#*).
- <sup>47</sup> C-SPAN "National Civic League Panel on Congressional Term Limits."
- <sup>48</sup> C-SPAN "National Civic League Panel on Congressional Term Limits."
- <sup>49</sup> Thomas E. Mann, "The Permanent Minority Party in American Politics," *The Brookings Review* 6, no. 1 (1988): 33–38, <http://www.jstor.org/stable/20080013>.
- <sup>50</sup> Mann, "The Permanent Minority Party in American Politics," 34–43.
- <sup>51</sup> Frances E. Lee, *Insecure Majorities: Congress and the Perpetual Campaign* (Chicago: University of Chicago Press, 2016).
- <sup>52</sup> Rausch, Jr., "When a Popular Idea Meets Congress: The History of the Term Limit Debate in Congress," 34–43.
- <sup>53</sup> "Republican Party Platforms, Republican Party Platform of 1992," in *The American Presidency Project*, ed. Gerhard Peters and John T. Woolley, <https://www.presidency.ucsb.edu/node/27343>.
- <sup>54</sup> Mann, "The Permanent Minority Party in American Politics".
- <sup>55</sup> This is not to say that Democrats did not recruit; in fact they did and did it well. This is simply noting an area where the Republican Party struggled and needed to change.
- <sup>56</sup> John P. Greene, "Term Limits: A Measure of Our Ignorance," *Social Science Quarterly* 76, no. 4 (1995): 717–719.
- <sup>57</sup> Nelson W. Polsby, *How Congress Evolves: Social Bases of Institutional Change* (Oxford: Oxford University Press on Demand, 2004).
- <sup>58</sup> Steven Gillon, *GOPAC Strategy and Instructional Tapes (1986-1994)* (Washington, DC: Library of Congress, 2010).
- <sup>59</sup> Steven Gillon, *GOPAC Strategy*.
- <sup>60</sup> Steven Gillon, *GOPAC Strategy*.
- <sup>61</sup> PBS, "Commanding Heights: Interview with Newt Gingrich," Spring 2001, [https://www.pbs.org/wgbh/commandingheights/shared/miniextlo/int\\_newtingrich.html](https://www.pbs.org/wgbh/commandingheights/shared/miniextlo/int_newtingrich.html).
- <sup>62</sup> Polsby, *How Congress Evolves*, 140.
- <sup>63</sup> Polsby, *How Congress Evolves*.
- <sup>64</sup> Merida, "Popular Term-Limits Proposal Face Many Obstacles."
- <sup>65</sup> The other nine points touched on areas other than term limits.
- <sup>66</sup> Merida, "Popular Term-Limits Proposal Face Many Obstacles."
- <sup>67</sup> Rick Farmer and Thomas H. Little, "Legislative Power in the Buckeye State: The Revenge of Term Limits," in *Legislating without Experience*, 43–54.
- <sup>68</sup> Andrew B. Hall, "Partisan Effects of Legislative Term Limits," in *Legislative Studies Quarterly* 39, no.3 (2014), 407–29.
- <sup>69</sup> Nebraska is included, even though the legislature identifies as nonpartisan most members do identify with a party.

<sup>70</sup> North Dakota is excluded from the term-limit group given that they just passed term limits in 2022. California and Arkansas present unique difficulties when it comes to evaluating the long-term effects of term limits because both states have had multiple versions of term limits implemented in their legislature. The state of California was one of the very first to pass term limits, but after having them for just over a decade voters passed a new form of limit in 2012. So, just as California had reached a point where trends could be evaluated they started all over with an entirely new type of limit. Arkansas has a similar background, but as of the 2020 election is now on its third version of term limits. The changes made to these term limit laws not only altered the number of years that a member could serve but also the restrictions on a member's ability to return to the legislature.

<sup>71</sup> Christopher Z. Mooney, "Term Limits as a Boon to Legislative Scholarship: A Review," *State Politics & Policy Quarterly* 9, no. 2 (2009), 204–28.

<sup>72</sup> Mooney, "Term Limits as a Boon to Legislative Scholarship: A review."

<sup>73</sup> Recall, each state has its own "impact" date and therefore moves through the stages of term limits separately, there were either little or no observations for those states missing in the equilibrium stage.

<sup>74</sup> The impact date is the year that term limits remove lawmakers, even though they have been in effect for six years or more.

<sup>75</sup> Setting an artificial impact date for states without term limits allows the term limit trends to be parsed from national party trends. 2002 is the ideal point, given that is the average time of implementation for states with term limits.

<sup>76</sup> The Holbrook and Van Dunk index (HVD) is a nonpartisan measure of the average percentage of votes received by the winner, the average margin of victory, the percentage of uncontested seats, and the percentage of safe seats. A higher number indicates greater competition and a lower number indicates less competition. This updated measure is from Jordan Butcher, "Parties and Professionals: An Exploration of Turnover in US state legislatures," *The Journal of Legislative Studies* (2023), <https://doi.org/10.1080/13572334.2023.2225255>.

<sup>77</sup> Peverill Squire, "A Squire Index Update," *State Politics & Policy Quarterly* 17, no. 4 (2017): 361–71, doi: <https://doi.org/10.1177/1532440017713314>.

<sup>78</sup> Peverill Squire and Gary F. Moncrief, *State Legislatures Today: Politics under the Domes* (Lanham, MD: Rowman and Littlefield, 2010).

<sup>79</sup> Career opportunities are measured using the "Lower House Advancement Prospect Scores" from (Squire & Moncrief, 2010). This measure ranges from 0 (less opportunity) to 1 (greater opportunity)

<sup>80</sup> Although I acknowledge the importance of distinguishing between the four different types of term limits, the theoretical question here is about the existence of term limits on partisanship, not how different term limits alter partisanship.

<sup>81</sup> Although the data is time series panel data, given that time is the variable of interest it is not accounted for in the model selection. Including year-fixed effects in the model would lead to multicollinearity issues with the main independent variables. An alternative model of a time series regression was tested, the Hausman test revealed that the random effects model was a poor fit but a fixed effects model dropped out three control variables. Thus, the OLS regression with the time indicators is the model of best fit.

<sup>82</sup> One alternative explanation for the shift in seat share would be redistricting, which is tested using a variable to indicate new electoral maps using data from Justin Levitt's *All About Redistricting*. The redistricting data only goes back to 2000; however, the electoral map variable was insignificant in both models. See the Appendix, Table A2. A secondary explanation is that party polarization drives part of this relationship, whereas polarization is important it is endogenous to party and presents issues of multicollinearity with a number of the other explanatory variables. For those interested, such a model is presented in the Appendix, Table A3

<sup>83</sup> Carey, Niemi, and Powell, *Term limits in State Legislatures*.

<sup>84</sup> Butcher, *Navigating Term Limits: The Careers of State Legislators*.

<sup>85</sup> Butcher, *Navigating Term Limits: The Careers of State Legislators*.

<sup>86</sup> Given that so few states have met equilibrium, this analysis is limited to the 12 states that have had their term limits in place the longest, this excludes Arkansas, California, and Nevada. The five states

without term limits are New Jersey, North Dakota, Oregon, Texas, and Wyoming. These five states are similar to the term-limited states in professionalization, career opportunities, term length, and size.

<sup>87</sup> For this analysis, I focus on these three components because they are all decisions that a lawmaker is able to make for herself but can be influenced by the support of the institution and the party. Terming out of office is intentionally excluded from this examination because it is not a choice of a member and can only occur in those states with term limits.

<sup>88</sup> Butcher, *Navigating Term Limits: The Careers of State Legislators*; Todd Makse, “Bicameral Distinctiveness in American State Legislatures,” *State Politics & Policy Quarterly* 22, no. 3 (2022): 1–19.

<sup>89</sup> The logit models that the probabilities are based on can be found in the Appendix, [Table A4](#).

<sup>90</sup> Professionalization is .22 and career opportunities are .28. Each of the values selected for this particular examination are representative of the average member serving in this sample of states.

<sup>91</sup> C-SPAN, “National Civic League Panel on Congressional Term Limits.”

## Appendix

**Table A1.** An Overview of the Term-Limited States

State	Legislature	Term	Enacted	Impact	Limit	Limit
	Size*	Length*	Date	Date	Length*	Type <sup>d</sup>
Arkansas (AR) <sup>b</sup>	100/35	2/4	1992	1998/2000	12	U/C
Arizona (AZ)	60/30	2/2	1992	2000	8/8	D/C
California (CA) <sup>b</sup>	80/40	2/4	1998	1996/1998	12	U/L
Colorado (CO)	65/35	2/4	1990	1998	8/8	D/C
Florida (FL)	120/40	2/4	1992	2000	8/8	D/C
Louisiana (LA)	105/39	4/4	1995	2007	12/12	D/C
Maine (ME)	151/35	2/2	1993	1996	8/8	D/C
Michigan (MI) <sup>b</sup>	110/38	2/4	1992	1998/2002	12	U/L
Missouri (MO)	163/34	2/4	1992	2002	8/8	D/L
Montana (MT)	100/50	2/4	1992	2000	8/8	D/C
Nebraska (NE) <sup>c</sup>	49	4	2000	2006	8	U/C
Nevada (NV)	42/21	2/4	1996	2010	12	C/L
North Dakota (ND)	94/47	4/4	2022	2023 <sup>d</sup>	8/8	D/L
Ohio (OH)	99/33	2/4	1992	2000	8/8	D/C
Oklahoma (OK)	101/48	2/4	1990	2004	12	U/L
South Dakota (SD)	70/35	2/2	1992	2000	8/8	D/C

\*Numbers are Lower/Upper.

<sup>a</sup>The limit types are: D/C, Divided Consecutive; D/L, Divided Lifetime; U/C, Unified Consecutive; U/L Unified Lifetime.

<sup>b</sup>Term limit type has changed over time, most recent is noted here.

<sup>c</sup>Nebraska is a unicameral legislature and only has a Senate.

<sup>d</sup>Term limit restrictions began in 2023, but prior service is not counted.

**Table A2.** Alternative Logit Models Focused on Redistricting and Party Strength

Republican seat share	New Map <sup>a</sup>	Party Strength <sup>b</sup>
Term limit	0.058*** (0.019)	-0.018 (0.011)
Time since impact date	0.004*** (0.001)	0.000 (0.001)
Term Limit × Time	0.002 (0.002)	0.003*** (0.001)
Republican governor Party competition Legislative professionalization	0.072*** (0.011)	-0.053*** (0.006)
	-0.001*** (0.000)	-0.001*** (0.000)
	-0.695*** (0.057)	-0.213*** (0.030)
Legislative career opportunities	0.072* (0.043)	0.032 (0.026)
<b>New electoral map</b>	0.017 (0.014)	
<b>Party strength</b>		-1.056*** (0.026)
Constant	0.603*** (0.022)	1.103*** (0.015)
Observations	850	850
R <sup>2</sup>	0.277	0.800

Note: Robust standard errors in parentheses. There are fewer observations given the limited data, so these results should be taken with caution because of the lack of data during the pre-term-limit period.

\* $p < 0.1$ ;

\*\* $p < 0.05$ ,

\*\*\* $p < 0.01$ .

<sup>a</sup>Justin Levitt's *All About Redistricting* indicator for new electoral maps (2000–2018).

<sup>b</sup>Update to Ranney's Party Strength Index (2002–2018).



**Table A3.** Alternative Logit Model Focused on Party Polarization, by Chamber

Republican seat share	Lower chamber	Upper chamber
Term limit	8.511*** (1.780)	1.042* (0.585)
Time since impact date	-0.011 (0.166)	0.092** (0.043)
Term Limit × Time	0.050 (0.241)	0.161** (0.064)
Republican governor	0.384 (1.827)	2.918*** (0.467)
Party competition	0.289*** (0.096)	-0.038** (0.017)
Legislative professionalization	-21.451** (10.512)	-1.973 (3.125)
Legislative career opportunities	-149.219*** (10.379)	-16.181*** (2.188)
Constant	27.413*** (2.198)	3.325***
<b>Polarization</b>	39.832*** (3.196)	(0.602) 18.254*** (1.001)
Observations	1,128	1,134
R <sup>2</sup>	0.276	0.131

Note: Robust standard errors in parentheses. Party polarization is measured using Shor and McCarty's 2020 update of the distance between party medians.

\* $p < 0.1$ ;

\*\* $p < 0.05$ ;

\*\*\* $p < 0.01$ .

**Table A4.** Logit Models for Predicted Values

	Lower Retirement	Upper Retirement	Lower Ambition	Upper Ambition
Republican	-0.035 (0.062)	-0.133 (0.093)	0.137* (0.071)	0.173 (0.227)
Pre-term-limit period	-0.773 (1.069)	0.660*** (0.158)	-2.964*** (0.687)	-0.353 (0.413)
Early period	-0.745 (1.066)	0.316*** (0.100)	-3.375*** (0.684)	-1.232*** (0.295)
Equilibrium	-0.997 (1.066)		-3.294*** (0.684)	
Republican governor	-0.129* (0.067)	0.078 (0.105)	0.024 (0.077)	0.910*** (0.282)
Republican legislature	0.121* (0.074)	-0.159 (0.108)	0.020 (0.086)	-0.485* (0.263)
Term limit	-0.330*** (0.068)	-0.396*** (0.103)	0.165* (0.087)	-0.478* (0.272)
Legislative professionalization	-2.066*** (0.396)	-2.267*** (0.608)	-1.330*** (0.427)	2.014 (1.411)
Legislative career opportunities	1.017*** (0.290)	1.335*** (0.394)	3.163*** (0.340)	1.787* (0.942)
Legislator age	0.013*** (0.003)	0.021*** (0.004)	-0.001 (0.003)	-0.017 (0.010)
Constant	-2.632** (1.084)	-3.924*** (0.327)	-1.064 (0.714)	-4.661*** (0.716)
Observations	29,366	11,818	29,491	11,85

Note: Standard errors in parentheses. Equilibrium is excluded from the second model due to collinearity.

\* $p < 0.1$ ;

\*\* $p < 0.05$ ;

\*\*\* $p < 0.01$ .

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