

Legislative Power in the Buckeye State: The Revenge of Term Limits

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Legislatures, like most institutions that depend on the art of persuasion, thrive on the development of personal relationships. State legislative term limits restrict those personal relationships which grease the wheels of the legislative process. This change, along with the loss of institutional experience and stable leadership would, many suggested, spell doom for the legislature. It would become, according to many scholars, legislators and journalists, a stepchild to the governor, the bureaucracy, lobbyists and even its own staff.

Evidence from Ohio suggests that this has not happened in the Buckeye state. In the absence of long-term members and long-held relationships, the legislature is functioning, but it is functioning differently than it was before term limits. New relationships are being formed and re-shaped every two years, the informal lines of authority are shifting, and the legislative process is more chaotic. Nonetheless, power has not dissipated and the legislature has not ground to a halt.

This Ohio report is part of the Joint Project on Term Limits, a collaboration of the National Conference of State Legislatures, the Council of State Governments, the State Legislative Leaders Foundation and state legislative scholars from across America. It reports data from Ohio for the purpose of comparison with other states.

The Past and Present of Term Limits in Ohio

The people of Ohio passed a constitutional amendment imposing term limits on state legislators in 1992. The limits are 8 years of consecutive service in each chamber. Members are allowed to run for the other chamber or sit out four years and return to the same body. House members were first termed out of the Ohio Legislature at the November 2000 general election. Because of staggered terms in the Senate some senior members survived through 2002. As the legislature convened in January 2003 none of the 99 Representative or 33 Senators in the Ohio General Assembly had held their seat for more than 6 years.

Term limits and the term limited legislature remain relatively popular in Ohio. In November 1992 the initiative passed with 68% of the vote. A November 2001 Ohio Poll found that 62% opposed ending term limits and 59% opposed amending term limits. The Ohio Poll also shows strong approval of the legislature. In April and September of 2003, public approval of the legislature's job performance stood around 55%. However, this does represent a decline of 4 points from 2001 and 2002.

Some groups and news organizations have expressed regret for supporting the original term limits proposal. In addition some current and former legislators have openly discussed lengthening or repealing the limits. Two bills are currently before the state

legislature seeking repeal. However, an organized statewide movement has not emerged and public opinion appears to have changed very little.

There is evidence that public opinion can be swayed on the issue. A 2003 initiative in Akron sought to limit the terms of city council members to 8 years. In September, initial public opinion polling show 62 percent of residents with an opinion supported the initiative. Former Congressman Tom Sawyer and other community leaders banded together to oppose the limits. After their well organized, professional campaign opposing term limits the initiative failed with 60 percent voting against it in November. This experience suggests that term limits may be very popular before voters have given much thought to the consequences, but once voters consider the effects term limits have less support.

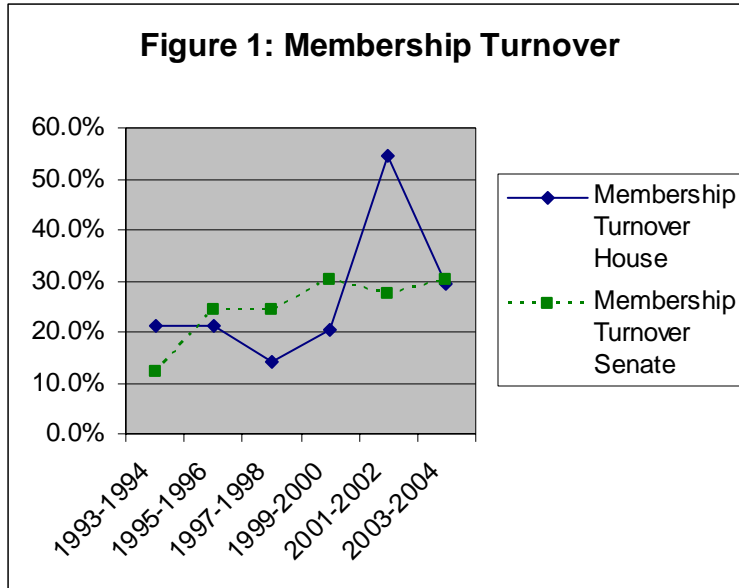
The Consequences of Term Limits

The effects of term limits in Ohio are examined specifically in three areas: Composition and representation, institutional actors, and the legislative process. Data for this analysis were developed from a variety of sources. One thousand three hundred sixty-two former members, staff, former staff, lobbyists, reporters, etc. were invited to participate in a mail survey of knowledgeable observers of the Ohio Legislature. There were 295 respondents to the survey yielding a 22% response rate. A similar knowledgeable observer mail survey was conducted nationally by the Joint Project on Term Limits. Where possible, direct comparisons are drawn with Illinois, a similarly professionalized legislature that does not have term limits. All 307 of Ohio's 2002 legislative candidates were invited to participate in a separate candidate mail survey. There were 121 respondents yielding a 40% response rate. Frequency data for both surveys are found in Appendix A. Items from both surveys were usually 5 point scales ranging from "Quite a bit more" to "Quite a bit less," with "About the same" as the middle value. Throughout this document they are reported in parentheses with the first number representing the percentage of those who agree with the statement and the second number representing those who disagreed with the majority or said "about the same." Over 50 hours of interviews were conducted with current and former members, staffers and knowledgeable observers. Documents were collected from numerous sources and many hours were spent observing committee hearings and legislative sessions. The observations below draw upon this voluminous data.

Composition, Elections & Representation

Composition

Sophomore members and long-term observers agree that it takes about one full legislative session for new members to become acclimated to the legislative process. Generally, after one year and certainly after one two-year cycle members have a good grasp of how to pass legislation and serve their district's interest in the capitol. One of the effects of term limits is to bring more freshmen members into the legislature. As Figure 1 shows about 20% of Representatives and 25% of Senators were freshmen each session prior to 2000.



Legislative term limits had a dramatic effect on the Ohio House in 2000. Over half (55%) of the House members were newcomers when the legislature convened in 2001. This created a substantial amount of chaos, as several freshmen became committee chairs. Turnover at the 2002 election remained high at near 30%. On the Senate side turnover climbed to 30% following the 1998 election. This was due in part to anticipatory effects. Because they were being termed out, some members sought other opportunities and left the Senate before their terms expired. Since the implementation of term limits, 30% turnover seems to be the new norm in both chambers. 8 year limits guarantee an average of 25% turnover. With voluntary retirements and election losses, 30% turnover is likely to continue.

The high legislative turnover leads to some moderate changes in the demographics of the legislature as shown in Table 1. Since the Republican revolution in 1994 the number of Republicans has steadily increased. There was no change immediately after term limits took effect in 2000, despite over half of the House members being new. However, Republicans made additional gains after redistricting in 2002. This would suggest the shifts were more a result of redistricting than of term limits.

Year	% Democratic	% Non-White	% Women	Ave. Age*
1993-1994	50.00%	11.36%	21.97%	48.85
1995-1996	42.42%	12.87%	24.24%	49.06
1997-1998	39.39%	14.39%	21.97%	49.37
1999-2000	39.39%	13.63%	21.21%	49.98
2001-2002	39.39%	13.63%	21.97%	47.19
2003-2004	36.36%	15.15%	20.45%	47.81

* Based on reported ages to Ohio Trucking Association (does not include ages for all members)

Representation of racial minorities has increased from 11% immediately following the passage of term limits to 15% after 2002. However, there was no change in the

percentage of minorities in the first year of term limit implementation. In fact, there was a slight decline in minority representation after the 1998 election because of termed members seeking other opportunities. The percentage of women in the Ohio legislature has varied little since the enactment of term limits. Women have been over 20% of the membership since term limits were adopted. As a result a large number of women were termed out of office in 2000. However, this did not affect their overall membership in the legislature. The average age of members increased by approximately 1 year after term limits were enacted. This may be due to some members serving out their time rather than leaving. When term limits took effect the average age declined by over two years. Of course, the elimination of long-term members would be expected to decrease the average age. A shift in the age distribution may have policy implications as baby boomers age and seniors' issues become more important.

Tables 2H & 2S indicate that similar patterns hold for both the House and the Senate. The Democrats were in the majority in the House prior to the 1994 Republican Revolution. Their numbers have declined since that time, with no effect in the first year of term limits implementation. Democrats also have declined steadily in the Senate since 1996. Minority representation is up slightly in the House. The number of women has declined steadily in the Senate but remained stable in the House. Both the House and Senate have similar patterns for average age. Average age was the only indicator that shifted substantially during the 2000 election cycle when term limits first forced members from the Ohio Legislature.

Year	% Democratic	% Non-White	% Women	Ave. Age*
1993-1994	53.54%	12.12%	23.23%	47.86
1995-1996	42.42%	13.13%	24.24%	48.00
1997-1998	39.39%	15.15%	21.21%	48.63
1999-2000	40.40%	14.14%	23.23%	49.74
2001-2002	40.40%	14.14%	25.25%	47.09
2003-2004	37.37%	16.16%	23.23%	47.64

Year	% Democratic	% Non-White	% Women	Ave. Age*
1993-1994	39.39%	9.09%	18.18%	51.81
1995-1996	42.42%	12.12%	24.24%	52.23
1997-1998	39.39%	12.12%	24.24%	51.68
1999-2000	36.36%	12.12%	15.15%	50.74
2001-2002	36.36%	12.12%	12.12%	47.52
2003-2004	33.33%	12.12%	12.12%	48.21

* Based on reported ages to Ohio Trucking Association (does not include ages for all members)

A very important shift occurred in the number of members with previous legislative experience in the other chamber. Table 3 shows that the number of senators with previous House experience climbed from 7 after the 1992 election to 25 following the 2002 election. The greatest shift occurred following the 2000 election when term limits forced 49.5% of

House members out of their chamber. Following the 1998 election 13 senators had been House members. Following the 2000 election 21 senators had House experience.

Year	House	Senate
1993-1994	1 of 99	7 of 33
1995-1996	1 of 99	9 of 33
1997-1998	0 of 99	9 of 33
1999-2000	0 of 99	13 of 33
2001-2002	3 of 99	21 of 33
2003-2004	3 of 99	25 of 33

There was a similar though much less dramatic effect in the House. Following the 1996 and 1998 elections the House had no members with Senate experience. However, the 2000 election brought 3 senators to the House.

This membership crossover suggests several potential long-term effects of term limits in Ohio. The Senate is less likely to be effected by inexperience since so many senators have previous experience. Leadership in the Senate may emerge from former House members. The relationships between the chambers may be weakened by the influx of new members, but that may be somewhat offset by the number of members crossing over. Eventually the Senate may become the stronger of the two partners in the bicameral legislative process.

Knowledgeable observers overwhelmingly agree that the kind of person seeking office under term limits is more ideological (77% to 23%) and more partisan (65% to 35%) than before term limits. A majority of knowledgeable observers also believe that these candidates are more conservative (52% to 48%) than before term limits. This may be symptomatic of current trends in Ohio politics and the acceleration of trends produced by term limits.

The legislature contains fewer citizen legislators, according to the knowledgeable observers (64% to 36%). These observers are likely referring to the fact that many new members have previous elected experience. Candidates are often county or municipal officials.

It is widely reported that the demographics of candidates running for state legislative office across the country have changed very little as a result of term limits (Caress, 2001). The previous data support that conclusion. The face of the Ohio General Assembly has changed very little as a result of term limits, even though the members may have more local experience and be more conservative.

Elections

Even before the onset of legislative term limits, legislative elections in Ohio had become increasingly a caucus-centered activity. That trend has continued and perhaps accelerated. The survey of knowledgeable observers indicates that leaders are much more focused on elections (81% to 19%) and more involved in candidate recruitment (63% to 37%) than they were 10 years ago.

Each veteran member is given a fundraising goal. These assessments vary based on the member's responsibility within the chamber. Funds are then strategically distributed to targeted races based on competitiveness. Candidates are recruited and trained, campaign professionals are hired, and cost are soaring in targeted races. The replacement of safe incumbent with open seats has accelerated the caucus activity. Knowledgeable observers find that legislators are much more aggressive at seeking campaign funds than they were 10 years ago (92% to 8%). They also claim to receive more contribution solicitations than before term limits took effect (80% to 20%).

This reflects a trend that has been growing across the country for a couple of decades in states with and without term limits (White and Shea, 2000; Morehouse and Jewel, 2003). In Illinois, a comparable legislature that does not have restricted terms, similar knowledgeable observer results were found for leadership involvement and member fundraising, so this increased activity may not be the result of term limits.

Open seats often produce primaries, and in some cases in Ohio these primaries have resulted in showdowns between competing groups, each of whom have recruited a candidate. However, because of Ohio's vacancy appointment law an increasing number of members leave their post in mid-session. This allows the caucus to appoint an incumbent and prevent the open seat challenge. For example, Senator Roy Ray resigned to take a job in university administration during his final term. The Senate Republican Caucus appointed Representative Kevin Caughlin to complete the term. The House Republican Caucus then appointed city councilman John Widowfield to complete the House term. The Republican majority in the city council then appointed a new council person. All of these candidates ran for election as incumbents in the next general election.

Knowledgeable observers believe that campaigns are more negative under term limits (80% to 20%). The increased negativity is likely the result of increased competition both in primaries and targeted general election seats.

These electoral circumstances have strengthened the hand of the majority and demoralized the minority. Democratic caucus leaders and staff express frustration at recruitment and fundraising. The minority always has trouble competing financially and in Ohio, Republicans control both legislative chambers, all three branches of government, and almost every statewide office. In addition the minority finds it difficult to recruit candidates to a term limited career. As one staffer put it, "Why would anyone want to come to Columbus if you know you can only serve 8 years and have no hope of ever being in the majority?"

All of this partisan activity has yielded very little partisan electoral change. As shown in Table 4, in the 2000 election when term limits first took effect only 8 of 99 House seats changed partisan control. And, they were an even trade of 4 from Republican to Democratic and 4 from Democratic to Republican. Following redistricting in the 2002 election more seats switched, but the net effect was for the Republicans to gain three seats. Term limits may have created some open races that facilitated change in partisan control, but the result did not benefit one party more than the other. Similar results are shown for the Senate.

Table 4: Seats Changing Parties in the Ohio Legislature								
Year	House				Senate			
	Untermmed		Termed		Untermmed		Termed	
	D to R	R to D	D to R	R to D	D to R	R to D	D to R	R to D
1994	10	0	*	*	0	1	*	*
1996	4	0	*	*	0	0	*	*
1998	0	1	*	*	2	0	*	*
2000	3	3	1	1	0	0	0	0
2002	4	0	1	2	1	0	0	0

Representation

At the congressional level junior members generally pay close attention to their districts (Hibbing, 1991). The removal of senior “safe” members would suggest that legislators would focus more on district service. Knowledgeable observers overwhelmingly agree that post-term limits members are more likely to stress local issues over statewide concerns (82% to 18%) and more likely follow their districts interest than their own conscience (64% to 36%). Candidates in 2002 also agreed that the district’s interest was more important than the whole state (54% to 46%) and they narrowly agreed that the district’s wishes were more important than their own conscience (51% to 49%).

However, knowledgeable observers indicate that district service was about the same in 2003 as it was ten years earlier. This is in contrast to Illinois, a comparable but untermmed legislature, where constituency service is reported to have increased. Term limits may have produced more delegate legislators but constituency service has not increased in Ohio.

Institutions: Leaders, Committees, Staff and Lobbyists

Leaders

Both the majority and minority leadership has been greatly affected by term limits in Ohio. Some of the effects are accelerations of previous trends. For example, the leadership has used the increasing caucus role in elections to strengthen the leaderships control over the caucus.

Ohio has had a long succession of strong majority leaders. As shown in Table 5, Vern Riffe served as Speaker from 1975-1994. In the Republican revolution of 1994 Jo Ann Davidson became Speaker. When Davidson left with the first term limited class, Larry Householder, building a loyal team among the large incoming class, became speaker with only 4 years of legislative experience. Yet, Householder used his campaign and fundraising prowess, negotiating skill and prerogatives of the Chair to effectively control the House. Majority leadership in the Senate has also been strong. Stan Aronoff served as leader from 1989 to 1996. His assistant majority leader, Dick Finan, succeeded him. And when Finan was term limited, his assistant succeeded him.

Table 5
about here

On the minority side things were very different. Several minority leaders left the legislature just before they were termed in search of other opportunities. Since the 1996 election, as term limits were approaching, both the House and Senate have had 3 minority leaders. Most of these transitions took place mid-term. This left the minority struggling internally to find its voice while the majority marched forward under strong leadership.

While turnover was high for minority leaders, the number of members entering the leadership has been stable at 9 of 18 for the legislature as a whole. As shown in Table 6, leadership turnover has declined slightly in House. It has increased slightly in the Senate.

Year	House	Senate
1993-1994	4 of 10	1 of 8
1995-1996	6 of 10	3 of 8
1997-1998	6 of 10	3 of 8
1999-2000	5 of 10	4 of 8
2001-2002	5 of 10	4 of 8
2003-2004	4 of 10	4 of 8

For obvious reasons the total amount of legislative experience has declined among leaders under term limits. Table 7 shows the average number of years a leader had served in the legislature at the beginning of the legislative session.

Year	House	Senate
1993-1994	17.5	18***
1995-1996	15.1	16.1*
1997-1998	11.5	8.5**
1999-2000	8.7	9.1*
2001-2002	4.2	10.8*
2003-2004	5.1	10.5

A few pre-term limits leaders' careers were difficult to track. Each asterisk indicates a missing case that was excluded.

The amount of legislative experience among Senate leaders is directly related to the number of leaders in the Senate who were former House members. Table 8 shows the number of leaders in each chamber who have crossed the Capitol. As that number increases in the Senate, the leadership experience levels increase, both before and after term limits. While a few senators have moved to the House (see Table 3) at this point none have joined the leadership team.

Year	House	Senate
1993-1994	0 of 10	4 of 8
1995-1996	0 of 10	4 of 8
1997-1998	0 of 10	1 of 8

1999-2000	0 of 10	2 of 8
2001-2002	0 of 10	6 of 8
2003-2004	0 of 10	8 of 8

According to knowledgeable observers in Ohio, legislative leaders are largely selected on the basis of their fundraising ability (87% to 13%), and they tend to plan their path to leadership early in their careers (84% to 16%). Something similar occurred in Michigan when term limits first took effect (Bratton-Haynie, 2001). There is no succession ladder, formal or informal in the Ohio House. Senators, have followed a more obvious succession ladder with a period of apprenticeship, but with each new class, those trends may change.

In 2000 a deal was struck between two would be House Speakers to share the responsibilities. Over the next few months one recruited enough candidates for the fall election to win the Speakership outright and the deal collapsed. As a result of this episode knowledgeable observers find that leadership selection is more contentious than because of term limits (86% to 14%). In 2004 acrimony was building in the majority caucuses of both the House and Senate until the new leader-designate emerged. Interviews indicate that battles for secondary leadership positions are heating up because potential leaders know they need to get into junior leadership early if they are to become the Speaker or President. Leadership battles often foster tension, but term limits create a battle for leadership every two years.

Interview and observation data suggest that, at least in the short-term, leadership has proven very powerful under term limits. The source of their power is primarily caucus-centered elections. Speaker Householder's efforts to recruit, train and fund candidates, both in the primaries and the general elections, yielded a large number of loyal members. In addition, Speaker Householder was willing to take disciplinary action to keep members in line. As a result the Speaker was able to develop legislation within the caucus and pass it on the floor. When members threatened to defect the issues were usually resolved in closed door caucus meetings. Rarely, but when necessary, he sought defections from the minority to build his coalition. Similar, but less dramatic, actions were taken by the Senate president.

It is difficult to say if the increased power of the leadership is directly related to term limits. Certainly, term limits created the electoral conditions that the Speaker used to his advantage, there no evidence that Speaker JoAnn Davidson would have been replaced without term limits. Other leaders are following a similar path to leadership, focusing on fundraising and elections. Some interviewees felt that new members often think independently and need considerable persuasion in caucus meetings. Knowledgeable observers agree that legislators are more independent (77% to 23%). The effect of term limits is to force leadership to work much harder at coaching the team (recruitment, training, discipline, etc.). But, Speaker Householder has proven that with considerable effort the leadership can be very powerful.

Committees

Much of the committees business has shifted to the caucus room. Members hash out their policy differences in caucus, relegating the committee process to a mere formality. This has shifted deliberation from the public committee room to the private caucus room.

Deliberation occurs in the Ohio legislature, but very little of it occurs in public. It is difficult to assess whether this situation is a result of term limits, caucus-centered campaigns or strong leadership. It is likely the result of the confluence of all three.

Overall, the number of committees has remained stable since 1995, as shown in Table 9. The Senate, with 1/3 the members of the House, has tended toward fewer sub-committees. The House has experimented with various combinations of committees and sub-committees. No trends are obvious in these early observations.

Year	House		Senate	
	Committees	Sub-Committees	Committees	Sub-Committees
1993-1994	27	5	14	3
1995-1996	20	6	12	5
1997-1998	21	9	14	4
1999-2000	18	10	13	5
2001-2002	22	6	14	3
2003-2004	21	11	14	2

Members with service in the other chamber are regularly tapped to become committee chairs. As shown in Table 10, in the Senate 11 of 14 committee chairs had House experience in 2001 and 13 of the 14 chairs had House experience in 2003. In the House all 3 of the former Senators became chairs in 2003. Clearly, there is an advantage in the committee system for members who are able to continue their legislative careers in the opposite chamber.

Year	House	Senate
1993-1994	0 of 27	2 of 14
1995-1996	0 of 20	3 of 12
1997-1998	0 of 21	5 of 14
1999-2000	0 of 18	4 of 13
2001-2002	0 of 21	11 of 14
2003-2004	3 of 21	13 of 15

A major source of chaos within the Ohio legislature since term limits has been committees. One observe notes, "It is easy to tell which chairmen know how to run a committee and which don't." Because of the influx of new members in 2000 several freshmen House members became committee chairs.

Interviews and observations suggest that committee meetings are more rancorous than before term limits. A survey of knowledgeable observers found members in committee to be: less knowledgeable about the issues (77% to 23%), less willing to compromise (56% to 44%) and less courteous to colleagues (56% to 44%).

Overall observers find committees to hold about the same amount of power as they held before term limits. But, they are the place where the naiveté of junior members sits in the spotlight.

Staff

Ohio has three distinct types of staff. First, each member of the House has one legislative aid. That single staffer is responsible for all functions of the office. Committee chairs get a second aid. Each Senator gets one administrative assistant and one legislative aid. Second, each caucus has a sizable staff. When Speaker Householder took charge of the House after the 2000 election, he significantly increased the Speaker's staff by reducing the number of staffers individual members had. Finally, the Legislative Service Commission is non-partisan staff, who oversees bill processing.

Lack of job security is the most important issue facing personal staff as a result of term limits. Rapid turnover is nothing new for legislative staff. However, under term limits staffers know that their boss will be leaving at a fixed date and the staffer needs an exit strategy. Some staffers have used term limits as a reason to leave the legislature. In many cases, the new member keeps the experienced staffer. Sometimes staffers find another member for whom to work. In 2001 when more than half of the House turned over, every staff member who wanted to stay with the House found a position.

The turnover in personal staff, like the turnover in members, has contributed to the loss of relationships. Staffers know each other and depend on those relationships to navigate the legislative process. With friends retiring, leaving for other jobs, or moving to new offices everyone begins rebuilding relationships every session.

Knowledgeable observers believe that members depend more on staff to draft legislation (61% to 39%), but the power of non-partisan staff has not changed much. Freshmen members tend to depend on their personal staff for procedural advice. This has increased their power according to some observers (56% to 44%). Members tend to depend on caucus staff for policy and political advice. As a result, according to knowledgeable observers, the power of the caucus staff has increased significantly (74% to 26%).

Lobbyists

Freshmen legislators, like ordinary citizens, tend to view lobbyists with suspicion. Most tend to overcome their fears as relationships begin to develop. However, in 2001 some House members refused meetings with all lobbyists for several months until the Speaker called and asked them to begin accepting the meetings.

The biggest problem lobbyists face under term limits is the large influx of new members. Many lobbying firms hired new staff, so they would be able to meet all of the new members and build essential relationships. The number of registered lobbyists has steadily increased since 1996 from 1138 to 1316, as shown in Table 11. Almost half of those new lobbyists came in with the 2000 term limits freshmen class.

Table 11: Number of Registered Lobbyists
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Year	Total
1993-1994	1,200
1995-1996	1,187
1997-1998	1,138
1999-2000	1,192
2001-2002	1,271
2003-2004	1,316

A survey of knowledgeable observers suggests that the influence of lobbyists has increased in Ohio over the past decade (78% to 22%). But, this increase is comparable to the increase in Illinois, suggesting that term limits may not be the reason for the increase. Lobbyists are certainly powerful in Ohio, but they must work very hard to build and maintain the relationships which are the currency of their trade. Interviews with seasoned and freshmen members, journalists and others suggest that lobbyists are working harder to maintain their influence. One longtime capitol reporter lamented that the House Education Committee used to be run by a longtime lobbyist who knew what he was doing, now the Education Committee is run by a legislator who knows little about the issues. Lobbyists have found term limits to be a challenge in Ohio.

The Legislative Process: Partisanship, Norms, Bill Processing and Power

Partisanship

The legislative process in Ohio is much more partisan and that it was before term limits, according to knowledgeable observers (81% to 19%). However, a similar situation exists in the untermmed legislature of Illinois. There is also evidence that the Ohio Senate was becoming more partisan in the 1980's, well before term limits were adopted. Ohio's partisanship likely arises from its caucus centered elections. The caucus is the central organizing body, leading to an "us versus them mentality." A second contributing factor to the staunch partisanship is the size of the Republican majority. When Republicans can keep their members together they can easily pass major legislation, including the state budget, with any Democratic input. As a result, interviews indicate that the minority party feels neglected and ignored. This situation eased a bit in 2003 when the Speaker made a special effort to involve some members of the minority party. Some observers speculate he was having trouble with his own members and needed the minority votes.

Norms

Civility has also declined in the Ohio legislature. Increased partisanship has contributed to the loss of civility, but the lack of relationships across the aisle is another important reason. Before term limits members got to know one another in committee, on the floor and at social events. These relationships grew over time. When those relationships were severed by term limits civility was affected.

A large number of freshmen enter the legislature each year. Many of these freshmen do not know anyone in Columbus except the caucus leaders and staff, who helped them get elected. They spend much of their time with caucus colleagues plotting how to defeat the other party. The relationships that would lead to civility are never developed.

Another important factor in the loss of civility is Ohio's gift law. Several observers noted that before the gift limit was lowered one or two lobbyists would take several legislators out together in a group. Usually this involved members of both parties. One result of these informal occasions was relationship building across the isle. Because of the new gift limit those occasion have shifted to a group of lobbyists taking one or two legislators to dinner.

The relationship between the House and Senate is reported to be strained by term limits, according to interviews. While the Senate has many former House members, there are so many new House members that very few have relationships with members of the Senate. House members sometimes have trouble finding Senate sponsors for their bills because they do not know anyone on that side of the capitol. When the House and Senate come in conflict it is more difficult to resolve the differences because of the lack of relationships.

Bill Processing

Table 12 indicates that the total number of bills introduced declined substantially after the 2000 election, especially in the House. This may indicate a reluctance to introduce bills on the part of the very large number of freshmen. The percentage of bills passing remained relatively stable, though the trend in the Senate is slightly upward.

Table 12: Total Number of Bills and Success Rates						
Year	House			Senate		
	# of Introduced	% Passed Committee	% Passed House	# of Introduced	% Passed Committee	% Passed Senate
1993-1994	866	NA*	16%	361	NA	23%
1995-1996	833	35%	31%	339	58%	30%
1997-1998	855	31%	26%	287	63%	33%
1999-2000	812	32%	30%	348	61%	35%
2001-2002	676	NA	29%	316	NA	37%

*Not available from session summaries.

Knowledgeable observers believe that members are more likely to introduce interest group bills than they were 10 years ago (64% to 36%). They also find members to be less knowledgeable about statewide issues (75% to 25%), less concerned about clarity and precision in legislation (73% to 27%), and less knowledgeable about the process

(81% to 19%). Finally, observers say that the legislative process is much more chaotic (87% to 13%).

Balance of Power

The balance of power in Ohio has shifted to the caucus and the leadership. The Speaker and the Senate President Pro-Temp have taken charge of the legislative process and the state capital. According to knowledgeable observers, the governor has lost power over the past 10 years (72% to 28%). They also feel the legislative party caucuses (61% to 39%) and the partisan staffs (68% to 32%) have greater power. However, interviews indicate that in Ohio personality has proven more important than institutional arrangements in determining the balance of power. Many of those interviewed believe that eventually the executive branch will dominate because it speaks with one voice and has a very large staff. The effect of term limits will be to keep the personalities in flux.

Interviews revealed concern that members were paying less attention to the actions of executive agencies. Generally, they felt that less oversight was taking place. There has been no change in the confirmation process for gubernatorial appointments. While specific records were difficult to find, one longtime observer, close to the process, said that one confirmation had been denied in his memory. Confirmations do not appear to be a matter of contention between the legislative and executive branches.

Career Paths

Following legislative service many members seek other forms of public service. To identify how these career choices may be changing as a result of term limits, the careers of every former member of the Ohio Legislature was tracked beginning with those leaving at 1998 election. Table 13 indicates why each member in the study left the legislature. Only 13% of the representatives and 5% of the senators left because they lost their reelection bid. Seventy percent of the representatives and nearly 80% of the senators left because of term limits.

Table 13: Members' Reasons for Leaving the Legislature		
	State/Chamber	
Reason Departed	Ohio House	Ohio Senate
Retired	17.7%	15.8%
Termed	69.6%	78.9%
Lost	12.7%	5.3%
Total	79	19
	100.0%	100.0%

According to Table 14, 40% of departing House members and almost half of departing senators ran for another office. Twenty percent ran for the other chamber. Fifteen percent ran for a local office, which may be a promotion if they live in large metropolitan area. About 10% of senators ran for Congress.

Table 14: Departing Legislators Running for Subsequent Elective Office

Office Sought	State/Chamber	
	Ohio House	Ohio Senate
Did not Run	60.0%	52.6%
City/County	15.0%	15.8%
State Leg	20.0%	21.1%
US Congress	3.8%	10.5%
State Wide	1.3%	0.0%
Total	80	19
	100.0%	100.0%

Table 15 indicates that running for other offices was relatively equal between termed and untermed legislators. Senators and men were a little more likely to run for office. There was little difference between majority and minority members.

Table 15: Departing Legislators Running for Subsequent Elective Office by Predictors

Untermed	42.9%
Termed	41.4%
House	40.5%
Senate	47.4%
Female	30.4%
Male	45.3%
Dem	42.5%
Rep	41.4%
n	98

While nearly 60% sought election to another office the electoral success rate of former legislators in Ohio was much lower. Only about 35% won election subsequent to the legislature, as seen in Table 16. Many of the members ran against each other for the same congressional seat or State Senate seat. As a result the election rate was low. Election rates in races that did not include other former legislators were very high.

Table 16: Legislators' Post-Legislative Careers

Post-Leg Job	State/Chamber	
	Ohio House	Ohio Senate
Deceased	3.8%	0.0%
Retired	21.3%	15.8%
Work/Business	12.5%	5.3%
Lobbying	12.5%	5.3%

Appointed	15.0%	36.8%
Elected	35.0%	36.8%
n	80	19
	100.0%	100.0%

A greater percentage of senators took appointments within the government. These were mostly members of the governor’s party. House members were more likely to become lobbyists than senators, though this was less than 13 % of representatives. Representatives also were more likely to return to the private sector or retire than senators.

Table 17 indicates that termed members were more likely than untermed members to gain appointments from the governor. And, Ohio’s women legislators were very likely to receive appointments.

Table 17: Departing Legislators in Non-Elective Political Office by Predictors	
Untermed	17.9%
Termed	36.8%
House	28.6%
Senate	42.1%
Female	39.1%
Male	28.8%
Dem	20.0%
Rep	39.3%
n	96

These data indicate that termed legislators in Ohio are more likely to take jobs in the executive branch than untermed former members. The percentage of members becoming lobbyists remains low. And, termed and untermed members are equally likely to run for another office once they leave the legislature.

Adjusting to the New World

A variety of adaptations have occurred in Ohio. Through these adaptations the legislature has been able to continue to function. However, it requires more work by everyone concerned to keep the process flowing. Overwhelmingly, knowledgeable observers claim their work with the legislature is much harder (76% to 24%).

The most important adaptation was the Speaker’s efforts to recruit and train candidates. Once his people were elected he was in firm control of the House. The use of the caucus as a forum for deliberation rather than committees was another important adaptation. New members’ reliance on caucus staff for policy advice and personal staff for process advice were significant adjustments. The hiring of additional lobbyists is another

noteworthy occurrence. Together, these actions indicate that significant adaptation has taken place and that through this adaptation the legislature has managed to function. However, many individuals and groups are working much harder to compensate for the loss of relationships and experience due to term limits.

Another major adaptation was the Speaker's new member training session conducted with presumptive members of his caucus before the November election. These sessions, some of which occurred in a retreat setting, included training in floor debates and committee work. The Legislative Service Commission also expended its new member training. It now takes place over 5 days and includes mock sessions. Generally, knowledgeable observers believe these improved training sessions were helpful (78% to 22%).

According to knowledgeable observers term limits have had a greater impact on the legislature than redistricting (67% to 33%). They also believe that term limits have created their own effect rather than simply accelerating changes that were already underway (56% to 44%). Overall, the knowledgeable observers assess term limits as very negative (85% to 15%). However, when asked if term limits should be changed only 11% of respondents said they should be abolished. A majority, 56% said term limits should be expended to 12 years and 15% said they should be kept as is. One likely explanation is that observers, though negative toward term limits, believe it is unrealistic to attempt a term limits repeal. Another potential explanation is that they believe the many of the negative effects of term limits will be ameliorated by longer maximum tenures.

Conclusion

The Ohio legislature has changed a great deal since term limits were passed in 1992. Some of the changes were related to term limits directly, others indirectly and yet others not at all. Many of the changes in Ohio are similar to those occurring on other comparable untermed states. Campaigns are getting more costly and more partisan. Leaders are taking a more active role in campaign fundraising, candidate recruitment and message development. Floor debates and discussion are becoming increasingly partisan. These changes are mirrored in other professional legislatures that do not have term limits.

Other changes can be attributed to the change in partisan control, increasingly caucus centered campaigns, personalities and ingenuity, each of which may be, at least indirectly, related to legislative term limits. The large number of open seats has provided an opportunity for leaders to coordinate caucus campaigns. To a great extent, the new "personalities and ingenuity" present in the Ohio legislature are there because of term limits. Most of the new members would have neither sought nor gained entrance into the legislature apart from the forced exodus of the senior members.

Finally, some effects are traceable directly to term limits. The loss of relationships, long associated with successful legislative activity, can be directly attributed to the rapid turnover of members who are either forced out by term limits or leave early to take advantage of a timely opportunity. The constant flow of new members, inexperienced committee chairs and revolving door leaders has created a much more chaotic and unpredictable

process. Further, the relative inexperience of many of the members has significantly increased the workload for everyone associated with the legislature.

In the end, the Ohio legislature is functioning and functioning rather well. Perhaps it is in spite of term limits. Perhaps it is because of term limits. Our guess is that it is a little of both. While making the process chaotic and unpredictable, term limits has created the opportunity for innovative and aggressive leaders like Speaker Larry Householder to make his mark and move the House to the pinnacle of power on Capitol Square. Although increased turnover has made the learning curve much more steep, that same rapid turnover has opened the door to a coordinated legislative caucus that has passed the most ambitious policy agenda in years.

Table 5: Majority and Minority Leader Turnover							
House				Senate			
Majority		Minority		Majority		Minority	
Vern Riffe-D	1975-1994	Corwin Nixon-R	1991-1992	Stanley Aronoff-R	1989 -1996	Robert Boggs	1991-1996
		Jo Ann Davidson-R	1993-1994	Richard Finan-R	1997-2002	Ben Espy	1997-2000
Jo Ann Davidson-R	1995-2000	Patrick Sweeny-D	1995-1996			Rhine McLin	2000-2000
		Ross Boggs-D	1997-1998			Leigh Herrington	2001-2002
Larry Householder-R	2001-2004	Jack Ford-D	1999-2002	Doug White-R	2003-2004	Greg DiDinato	2003-2004
		Dean DePiero	2002-2002				
		Chris Redfern-D	2003-2004				

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