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Full- or Part-Time Legislature: Which is Better?

By Karl Kurtz

That’s a question I get all the time when I speak to groups, both inside and outside of state capitols, about American legislatures. A recent magazine article featuring my categorization of legislatures as "professionalized," "hybrid" and "citizen" has generated several recent inquiries about which type of legislature is better.

I have an answer to this question, but first a few words about terminology. "Full-" and "part-time" are the common phrases that most people use to differentiate the operations of state legislatures. Political scientists have a fancier term, "professionalization," which measures not only the amount of time that legislators spend on the job but also the compensation of legislators and the number of staff working for the legislature. Professionalization is the concept that I have used to create the categories of legislatures.

The concept of legislative professionalization is designed to measure the capacity of legislatures and legislators to make policy decisions. Capacity, though, does not necessarily mean performance. A legislature with high capacity can perform poorly (Congress being an example), while legislatures with low capacity can perform at high levels.

It’s also important to note that the policy-making capacity of a legislature (professionalization) is only one value among others that legislators and voters may set store by when they make decisions about the resources that they provide to their state legislature. One value that might conflict with increasing the capacity of legislatures might be public views about the appropriate scale and cost of state government. A second might be a desire to be governed by citizen legislators who spend most of their lives living and working in their local communities. Like the legendary Roman leader Cincinnatus, who left his farm to fight a war but returned to the plow when the war was over, citizen legislators go to the capitol to legislate for a few months but then return to their home towns.

All of this leads to my answer to the question: Neither one is necessarily better. I believe that the principal goal should be to have a legislature that is an independent and coequal branch of government, able effectively to represent the views of constituents, pass laws, and balance the power of the executive. Different legislatures with different levels of professionalization can accomplish these goals. Each state needs to choose the level of resources (compensation, time and staff) that allows them to meet these goals, within the context of their state’s culture, size, complexity and values.
about government.

I will say, though, that the larger population states that are more socially complex and have necessarily large executive branches are more likely to need greater capacity in order for their legislature to be an independent and coequal branch of government. In other words, to represent its fairly homogenous population of half a million people effectively, Wyoming may not need California’s full-time legislators, who are paid close to $100,000 a year and have a staff of more than 2,000 to help govern a state of 38 million people. But Wyoming’s citizen legislature, which meets two months of the year, pays its members $12,000 and has a staff of about 40, would find it hard effectively to balance the power of the executive in a state as large and complex as California.

And indeed, that is the path that most states have taken in building the capacity of their legislatures. With only a very few exceptions the states that have the most professionalized legislatures have the largest populations, and the citizen legislatures are in the smallest population states. The hybrid legislatures are in-between, mostly in the medium population states.

Building on a table that appears in Peverill Squire and Gary Moncrief, State Legislatures Today: Politics Under the Domes, here is a summary of the implications of the two extreme levels of professionalization, incorporating some values other than policymaking capacity. The middle column of this table is adapted from Squire and Moncrief’s book; the right column is my summary of qualities associated with citizen legislatures (click to enlarge).

<table>
<thead>
<tr>
<th>Professionalization Component</th>
<th>Professionalized Legislature*</th>
<th>Citizen Legislature</th>
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| Compensation and benefits     | • Increased incentive to serve, leading to longer tenure and more experience  
                              • Increased ability to focus on legislative activities  
                              • Attracts better qualified members | • Members spend more time in their community, not the capi  
                              • Costs less to maintain legislati  
                              • Attracts members who wish to commit to public service while maintaining other careers  
                              • More turnover means less experience but more new ideas |
| Time demands of service       | • Reduced opportunities to pursue other employment and increased need for higher salary to compensate for lost income  
                              • Increased opportunity to master legislative skills  
                              • More time for policy development and deliberation | • Increased opportunity to pursue other employment and less need to compensate for lost income  
                              • Need to manage time in session effectively  
                              • Makes interim between session available for study of issues and legislative oversight |
| Staff and resources           | • Increased ability of members to influence policymaking process  
                              • Increased job satisfaction  
                              • Enhanced reelection prospects | • Primary reliance on central, nonpartisan staff  
                              • Staffing is more efficient and cost-effective  
                              • Requires members to conduct their own constituent service and correspondence  
                              • Reduced incumbency advantage in elections  
                              • No need for year-round offices in capitol |

*Adapted from Peverill Squire and Gary Moncrief, State Legislatures Today: Politics Under the Domes, 76.

Many political scientists have studied the concept of professionalization. Squire and Moncrief provide a useful inventory of findings from the political science literature comparing more professionalized legislatures to less professionalized (citizen) legislatures. In more professionalized legislatures:
- The rates of membership turnover are lower.
- Members pay more attention to their constituents and are more representative of their constituents’ views.
- A higher percentage of bills introduced are passed and the number of bills enacted per session day is higher.
- There is a greater tendency to enact government personnel practice reforms, more complex and technical regulatory policies and income tax systems, anti-smoking measures, and more economic enterprise zones.
- There are fewer citizen initiatives because the legislature is better able to resolve policy disputes among interest groups. (Footnotes showing the sources of these findings are in the book.)

Finally, for legislative junkies who want to know more about the methods used to produce the categories of legislatures (I know you’re out there because you send me e-mails): There are various measures of professionalization (mine are somewhat different from those of other scholars), but almost all analysts use a method pioneered by the leading scholar on the subject, University of Missouri Prof. Peverill Squire. The "Squire index" defines Congress as the most professionalized of all legislatures in the United States and converts each state's score on compensation, time on the job and staffing into a ratio of Congress' score on the same measures. For example, in the 2011-12 biennium, the annual salary of members of Congress was $174,000. A state that pays its legislators $35,000 would score 0.23 (35,000/174,000) on the compensation portion of the index. This ratio would then be averaged with the ratios for the other two measures to produce a total score for the legislature.

See also "Full and Part-Time Legislatures."

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First decide if you actually need a domiciled legislature. I think a full time model is needed, however I would certainly consider options to regional representation rather than county domicile. The problem with district representation, is the complication's resulting with environmental legislation, and or overlay agricultural districts conservation legislation. Bad mixture of urban, versus rural districts.

Posted by: James Kester | February 15, 2013 at 07:22 AM

Florida is a part-time legislation despite what the chart above states.

Posted by: Joshua | February 25, 2013 at 02:29 PM

The comments to this entry are closed.