

## *Fired? Or Firing Up? How Term Limits Affect Career Politicians*

Eric Heberlig and Suzanne Leland

Customarily professional legislators are thought to behave more strategically than other legislators in their quest for higher office (Canon 1990; Jacobson and Kernell 1983). The implementation of term limits upsets all the traditional career parameters by restructuring the incentives to remain in political office. For this reason, we posit the following questions: how much difference does a legislature's level of professionalism make in how members respond to term limits? How do term limits affect legislators' responsiveness to available opportunities and willingness to take risks to continue their careers? We use a comparative case study approach and pooled cross-sectional data to analyze individual career decisions of legislators in seven states with varying levels of professionalism and term limit laws from 1992-2002. Using multinomial logit, we find that decisions to seek other offices in response to term limits are highly contingent on a state's level of professionalization.

One of the defining features of state legislatures in the late-20th century was the increased level of professionalization. While there is marked variation in the level of professionalization among different states, most are more professional today than they were a generation ago (Hamm and Moncrief 2004). In many states where the level of professionalism has grown substantially, state legislators concomitantly have become more career-oriented. Professional legislators now serve for several terms and devote considerable time to their constituents. And as they garner more experience and skill, they increase their likelihood of seeking re-election or moving to higher office (Morehouse and Jewell 2004). One counter-trend to the professionalization of state legislatures has been the adoption of term limits in 15 states (as of 2006). Those who advocate term limitations view this reform as the appropriate elixir to cure the disease of careerism (Moncrief and Thompson 1992; Beyle and Jones 1994; Carey 1996; Farmer, Rausch, and Green 2003). If professionalized legislatures do indeed attract more career-oriented politicians than amateur legislatures, than we would expect the impact of term limits to be more pronounced in such states.

---

We thank Christopher Mooney, Jerome Maddox, David Rausch, Rick Farmer, Richard Powell and the reviewers for their helpful comments. We are grateful for the research assistance of Chris Gonyar, Michael Staley, Robin Trotter, Huli Hao, Sarah Measamer, Kristy Leath, and Jeanette Leland. Earlier versions of this paper were presented at the Midwest Political Science Association in 2003 and at the "Life with Term Limits" conference in Akron, Ohio, in 2004.

ERIC HEBERLIG is an associate professor of political science at the University of North Carolina, Charlotte. SUZANNE LELAND is an associate professor of political science at the University of North Carolina, Charlotte.

*The American Review of Politics*, Vol. 28, Spring, 2007: 57-77

©2007 The American Review of Politics

If we then assume that legislators in professionalized states are more career-oriented, how would they respond differently to the time-certain end of their careers? Would they merely accept being fired? Or would term limits just encourage them to seek higher office sooner than they would without term limits? Ambition theory suggests that they will be more likely than other legislators to seek out other offices in order to continue their careers. Yet, at the same time, the most professional legislators traditionally have been thought to be the most strategic and most risk averse about seeking other offices. That is, they wait until a low risk opportunity for advancement is available in order to avoid risking their current position (Jacobson and Kernell 1983). Term limits constrain all state legislators' abilities to choose the most opportune time to advance. For this reason, we examine how term limits interact with open seat opportunities and professionalism in shaping legislators' career choices.

To study these questions, we employ a comparative case study design. We select states based on levels of professionalization and the presence of term limits, with a pooled cross-sectional analysis of individual legislators' career decisions. This design enables us to test a number of hypotheses on the effects of legislators' individual characteristics, the availability of opportunities, and the institutional environments in the states (term limits and professionalization) on their decisions to retire, seek reelection, or seek another office. We measure legislators' decisions over a decade, 1992-2002, to account for varying electoral conditions as well as the implementation of term limits. This design, we believe, allows us to assess just how much difference professionalism and term limits make on the career decisions of state legislators.

### **Career Patterns in State Legislatures**

Much of the research on political careers builds on Schlesinger's seminal *Political Ambition* (1966). Schlesinger posited that political careers are shaped by the individual politician's ambition and the opportunity structures of available offices. Schlesinger classified three levels of ambition: *discrete ambition*, wherein the legislator seeks to fulfill his or her duty in that office for a short period of time before returning to private life; *static ambition*, in which the legislator seeks to retain his or her current office for extended periods of time; and *progressive ambition*, when the legislator seeks higher office.

Since the time of Schlesinger's study, state legislatures have professionalized by providing greater incentives for members to make legislating a fulltime career (e.g., Rosenthal 1998). Jewell and Breaux (1988), for example, find that the number of state legislators seeking reelection and the

percentage of those incumbents who win reelection increased prior to 1970, and then stabilized. Similarly, Squire (1988) found that pay and advancement prospects were the most important variables in explaining membership stability within state houses. As legislatures professionalized, one could infer that membership turnover would remain low. Term limits certainly undermine this relationship especially in professional legislatures, as they were intended to do (Moncrief and Thompson 1992; Opheim 1994; Farmer, Rausch, and Green 2003).

Term limits change the calculations of state legislators in several ways (Powell 2000; Carey, Niemi, and Powell 2000; Maddox 2004). Now legislators with static ambition must make a difficult choice between abruptly ending their careers and running for another office. They also can no longer rely on seniority to amass power and status in their respective institution. Those with progressive ambition are now faced with a modified opportunity structure: there may be a state senate seat open; however, other term limited legislators may also be eyeing those very same seats (Francis and Kenney 1997). Additionally, term limits have not changed much for other offices, such as state-wide, judicial or federal, which may mean that legislators may have to take greater risks in challenging an incumbent or leave before they are term limited in order to take advantage of an open seat opportunity.

As the literature on political careerism demonstrates (see Hibbing 1999 and Moncrief 1999 for reviews), career decisions are complex and are driven by an array of interrelated variables at both the individual and contextual levels. Following Schlesinger (1966), we examine the effects of the legislators' individual characteristics and the opportunity structure to evaluate the ways in which term limits channel political ambition. We seek to capture the richness of those decisions by combining the major individual-level variables that have been explored in earlier studies—particularly with regard to congressional careers—with the variation of institutional contexts in the states. In particular, this study examines the decisions of legislators across states with a variety of levels of professionalization.

### **Professionalism and Ambition**

Professional legislatures traditionally have been inhabited by career-oriented members who fulfill their career goals merely by displaying static ambition, running consistently for reelection, and building seniority within their institution (Squire 1992). In fact, Berkman and Eisenstein (1999) find that candidates without political experience, rather than legislators, are more likely to run for Congress in states with professionalized legislatures. Presumably, professional legislators are unwilling to run for Congress because the value of their current positions makes them unwilling to surrender the

post for a chance of winning a congressional seat. Term limits disrupt these career patterns. Amateur legislatures, by contrast, have traditionally been occupied by individuals who have other careers and who seek to serve in government for relatively limited periods of time. Thus, it is easy to hypothesize that term limits would have a more pronounced effect on the career decisions of legislators in professional states (Opheim 1994; Cain 1996). To continue their careers, they must now display signs of progressive ambition and seek office elsewhere. The intervention of term limits allows us to assess how much difference exists between professional, semi-professional, and amateur legislatures in careerist-orientations, orientations which are indicated here by legislators' decisions to seek other offices. Since the enactment of term limits was aimed at disrupting exactly the careerism patterns that were particularly found in professional legislatures, it is critical that we examine the ways in which a legislatures' level of professionalization could interact with term limits to affect their careers (Meinke and Hasecke 2003; Moncrief, Niemi, and Powell 2004).

Similarly, to understand whether legislators are likely to retire or seek other offices in the face of impending limits, it is critical to assess the opportunities available to them. Facing an open seat opportunity versus facing an incumbent creates very different likelihoods that a state legislator will run for another office (Berkman 1994; Maisel and Stone 1997). Open seat opportunities increase the probability of victory and thus the likelihood of running. Facing an incumbent makes such a venture very risky, particularly for the most professional who must surrender his or her current position in order to focus on the campaign.

The availability of open seat opportunities is also likely to affect the timing of critical decision points in an individual legislator's career. Legislators in term limited states are likely to take advantage of opportunities as they become available, anticipating the need to leave before term limits force them to retire (Francis and Kenny 1997; Powell 2000; Moncrief, Niemi, and Powell 2004). Career-oriented, professional politicians traditionally have been more strategic and sensitive to timing in their career calculus than other less career oriented candidates in order to maximize their chances of success and minimize risk (Berkman 1994; Canon 1990; Jacobson and Kernell 1983).

Maestas et al. (2006) note that the literature has been unable to untangle the relationship between professionalism, careerism and ambition because we have been unable to make distinctions between whether professional legislatures are more likely to attract more ambitious, career-oriented individuals to seek office or whether the more professionalized legislatures train their occupants to take advantage of opportunities more successfully than less professionalized legislatures. Their evidence supports the latter

interpretation. This finding is particularly important in setting up our hypotheses because it suggests that term limits should be most likely to affect professional legislators' decision to seek another office when opportunities arise.

In sum, we expect that the availability of opportunities, the level of professionalization, term limits, and individual characteristics (such as age) will all shape legislators' career decisions. We also expect, however, that professional legislators will be the most responsive to the imposition of term limits: they will be less likely to retire in states without limitations, and more likely to seek other offices in states that have them. We also expect that professional legislators will be more responsive than other legislators to the availability of open seat opportunities.

## **Research Design**

### **Selection of Cases**

We use a comparative case study design of seven states in order to test the effect of professionalism on state legislators' career patterns (King, Keohane, and Verba 1994). The states were chosen to provide variation on the critical structural variables of interest: the state's level of professionalization during our period of study, according to the National Conference of State Legislatures (NCSL 2006), and the presence of term limits.<sup>1</sup> To select states of comparable levels of professionalism, we chose companion states, one control (without term limits), one experimental (with term limits). Companion states were all located within the same professionalization classification (similar salaries, similar session lengths, similar levels of staff, and similar term lengths), similar demographic and economic characteristics, and had similar turnover rates of individual legislators prior to the enactment of term limits in the experimental case. The selection of states also was dependent on the availability of individual level data on the legislators, and for the experimental states, term limits had to be adopted and implemented earlier enough in the 1990s in order to view the effects. The states are listed in Table 1.

Maine was one of the first states to implement term limitations on their state representatives in 1996. Maine has been classified as an amateur legislature compared to most states. The second amateur legislature, Vermont's, has not enacted term limitations. The third state is Arkansas, a semi-professional legislature that enacted term-limits in 1998 for the House and 2000 for the Senate. North Carolina, also a semi-professional state, was selected as a control case without term limits. Oklahoma is a semi-professional state that was chosen to help gauge the anticipatory effects of term limits.

**Table 1. Case Selection of State Legislatures and the Year of Term-Limit Impact**

Type of State Legislature	Term-Limited	No Term Limits
Professional	Ohio (2000)	Pennsylvania
Semi-Professional	Arkansas (1998 House, 2000 Senate) Oklahoma (2004)	North Carolina
Amateur	Maine (1996)	Vermont

Oklahoma passed its term limits law in 1990, but those limits did not take effect until 2004 after our data was collected. The remaining two states selected are Ohio and Pennsylvania that have professional legislatures. Ohio has term limits; Pennsylvania does not.

We follow legislators' careers from 1992 through 2002 election cycles to produce a pooled cross-sectional database. We use this extended time period to allow legislators' careers to develop. It captures career development in term-limited states before the limits took effect. It allows for variations of institutional contexts of the states and the electoral contexts of open seat opportunities and two cycles of redistricting. We believe that tracking the career patterns in a term-limited versus a similar non-term limited states over time will serve as a good comparative case study.

## Data

We gathered information on legislators' career decisions from the web sites of the Boards of Elections in each state, including primaries, for states' legislative, congressional, statewide, or local offices, Nexis, and [www.newsbank.com](http://www.newsbank.com). We also gathered data on whether they received appointments in state executive or judicial branches from Nexis, [www.newsbank.com](http://www.newsbank.com), State Blue Books, and *The State Yellow Book*. Information on each legislator's past years of service, ages, races, and genders was gathered from their on-line biographies and from state Blue Books and government directories (Council of State Governments 1995-2002; State Yellow Book 1992-2002). Information on party and committee leadership positions was obtained from the same directories. Information on legislators who died in office was obtained from Nexis, [www.newsbank.com](http://www.newsbank.com), and [www.politicalgraveyard.com](http://www.politicalgraveyard.com). Data on state legislative districts was obtained from Barone, Lilley, and DeFranco (1998) and state Secretaries of State.

## Dependent Variables

We analyze the individual legislator's career decision for the 1992-2002 election cycles. Each legislator faces the choice of whether to run for reelection, seek another office, or retire in each election cycle.<sup>2</sup> To maximize our ability to capture legislators' efforts to continue their careers, we defined "seeking other offices" broadly and included local government, judicial, and executive branch posts as well as positions that traditionally define "progressive ambition" such as state-wide or federal offices.<sup>3</sup> Those who ran in primaries for another office but were defeated are included. Legislators who died in office are excluded from the analysis during the election cycle in which they passed away.

We estimate two different models of career decisions, since legislators who have reached their maximum length of service face a different set of options (retire or seek another office) than legislators who have not reached a legal limitation. We estimate the decision of term limited legislators with logit. Other legislators are making a choice between several unranked options in the same election cycle (seek reelection, retire, seek another office). Therefore, we estimate the equation using multinomial logit as Kiewiet and Zeng (1993) have done for congressional career decisions. We also estimate with robust standard errors to address any cluster effects in the error terms due to the fact that we have multiple observations of many cases: legislators make the decision to run or retire in each session in which they serve.

## Independent Variables and Hypotheses

The imposition of term limits obviously affects career choices. After all, in term-limited states, one's service in a particular office is automatically censored at an arbitrary point (from the point of view of an individual's career development). One must make the decision whether to continue a political career elsewhere or to return to civilian life. Knowing this, legislators in term limit states, who have not yet reached the limit, will make career decisions strategically with the impending deadlines in mind. We measure whether the *state* has passed *term limits* to set the member's career clock "ticking" to gauge the anticipatory effects of term limits (1 = term-limit state; 0 = non-term-limited state).<sup>4</sup> Members are likely to seek other offices as opportunities arise even if they have not reached their maximum length of service, as they must soon relinquish their current position anyway.

Career decisions are driven by other factors besides tenure and term limits and these deserve attention. *Tenure* is measured as the number of years a member has served to account for the varying lengths of terms across states and institutions. *Age* is likely to affect retirement and advancement

decisions.<sup>5</sup> Reaching a mature age increases the probability that a person will retire, regardless of profession. Younger legislators, however, may be more willing to seek another office in order to continue their political careers (Carey, Niemi, and Powell 2000; Gaddie 2004). A legislator's share of institutional power is likely to affect career decisions. Legislators may serve as *party or committee leaders* giving them influence over the institutional agenda and resources (Jewell and Whicker 1994).<sup>6</sup> Serving in the *majority party* also may facilitate the achievement of one's policy goals. In non-term limited legislatures such as the U.S. Congress, members who have such powers are likely to seek to retain them and will delay retirement (Hall and Van Houweling 1995; Kiewiet and Zeng 1994; Theriault 1998).<sup>7</sup> We also control for the legislator's *gender* (female = 1), and *race* (racial minority = 1), and whether he or she serves in the state *House* or *Senate* (Senate = 1; House = 0).<sup>8</sup> Legislators who are involved in a *scandal* should be more likely to retire and less likely to seek another office (Groseclose and Krehbiel 1994; Hall and Van Houweling 1995).<sup>9</sup>

Legislators' decisions are also constrained by the *opportunity structure* in their states (Berkman 1994; Kiewiet and Zeng 1994; Schlesinger 1966). A member in a safe seat may be less likely to leave it, particularly to risk it to attain another office. This is measured by a legislators' share of the *vote* in the previous election. Legislators in *multimember districts* traditionally have higher rates of turnover (Cox and Morgenstern 1995; Moncrief, Niemi, and Powell 2004) and thus may be more likely to retire. Those representing multi-member districts may be less likely to seek other offices as they do not have a field clear of competitive challengers. In fact, their competitors for office share the same credentials and constituencies making advancement more difficult than for legislators in single member districts. Those whose districts have been significantly redrawn in the decennial *redistricting* are more likely to retire or seek other offices as their ability to win reelection is diminished given a significantly new constituency or competition with another incumbent.<sup>10</sup>

The availability of an *open seat* in the state senate, U.S. House of Representatives or a state-wide office is likely to increase the probability that a legislator will seek another office as open seats provide the best chance for an ambitious politician to advance (Jacobson and Kernell 1983).<sup>11</sup> We measure the number of statewide offices, including U.S. Senator and state-level offices, which did not have an incumbent running in each election cycle in each state.

Professionalized legislatures have a variety of additional resources, responsibilities, and higher salaries that make service more rewarding than amateur legislatures. This is particularly true for career-oriented legislators (Cain 1996; Moncrief and Thompson 1992; Squire 1992). Amateur legis-



latures, on the other hand, are not attractive to careerists, even as stepping stones, due to their lack of power. Thus we account for the legislature's level of professionalization with two dummy variables for professional (professional = 1; other = 0) and semi-professional (semi-professional = 1; other = 0) legislatures, with amateur legislatures excluded as the baseline category.

## **Findings**

The descriptive data on departing legislators in each of the states from 1992 to 2002 are presented in Table 2. Maine has the highest rates of retirement, 18.2 percent, which is not surprising given that it is an amateur legislature with term limits. It also had high retirement rates prior to the implementation of term limits. Vermont, the other amateur legislature, and Arkansas, a semi-professional term-limited legislature, both exhibit higher retirement rates. Oklahoma exhibits the lowest rates of retirement, 4.8 percent, despite the looming implementation of term limits in 2004. The proportion of legislators who sought another office varied from 5.1 percent in Pennsylvania (professional and non-term limited) to 20.8 percent in post-term limit Arkansas (semi-professional). The proportion seeking another office exceeded the proportion retiring from politics in several states in which term limits were implemented or impending (Arkansas, Oklahoma, Ohio) and the proportion seeking other offices increased after the implementation of term limits in Ohio and Arkansas (they did not in Maine, the amateur state). The probability of losing a reelection bid varied from 10.1 percent in North Carolina to a low of 1.8 percent in Pennsylvania (where legislators were almost as likely to die in office as be defeated!) with the amateur states tending to have higher rates of defeat. The proportion of legislators who were defeated declined by about half once term limits were implemented in Ohio and Arkansas (Maine again shows little difference). Presumably, quality challengers in term-limited states are willing to wait a few years until they know the seat will open, rather than running a more risky campaign against an incumbent.

Term limits have clear consequences for seeking other offices. Take Congress, for example.<sup>12</sup> In term limited states, 9.3 percent of legislators sought office without an open congressional seat compared to 4.2 percent of legislators in non-term limited states (Chi-square = 44.3,  $p < .01$ ). When a seat in the U.S. House was open, however, 26.1 percent of legislators in term limited states sought office compared to 9.8 percent of legislators in non-term limited states (Chi-square = 45.3,  $p < .01$ ). Legislators seeking elective offices in term-limited states also are more successful, winning 48 percent of their campaigns compared to a 42 percent success rate in non-term limited states (Chi-square = 8.75,  $p < .01$ ).

**Table 2. State Legislatures' Career Outcomes, 1992-2002**

	Retired	Sought Another Office	Defeated	Died
Arkansas (Pre-TL)	9.0% (36)	6.5% (26)	5.2% (21)	0.7% (3)
Arkansas (Post-TL)	16.4% (66)	20.8% (84)	2.0% (8)	0.5% (2)
Maine (Pre-TL)	14.3% (53)	6.2% (23)	7.5% (28)	0
Maine (Post-TL)	18.2% (136)	6.3% (47)	7.6% (57)	0.7% (5)
North Carolina	8.9% (94)	5.1% (54)	10.1% (106)	1.0% (11)
Ohio (Pre-TL)	7.2% (40)	10.0% (55)	4.2% (23)	0.4% (2)
Ohio (Post-TL)	9.9% (40)	12.3% (32)	2.7% (11)	0.2% (1)
Oklahoma	4.8% (50)	9.2% (47)	3.5% (36)	0.3% (3)
Pennsylvania	5.6% (87)	5.1% (80)	1.8% (28)	0.7% (11)
Vermont	11.8% (130)	7.5% (83)	7.4% (82)	0.1% (1)

We now attempt to sort out the various influences of professionalism, term limits, opportunities, and individual legislator characteristics on career choices. The results of our multinomial logit equation are presented in Table 3. The decision to run for reelection is the baseline category to which seeking another office and retiring are compared. We first examine the decision to retire, in the middle columns of Table 3.

The results conform closely to our expectations. Members from term-limited states who still are eligible to run for reelection are more likely to retire. Presumably, the value of continuing in office is reduced in a term-limited legislature when compared to other career opportunities. Legislators who have longer tenures, who are chronologically older, or who have been implicated in a scandal are more likely to retire. Minority legislators are less likely to retire.

Opportunity structures also affect the probability of retirement. As expected, members of professional and semi-professional legislatures are significantly less likely to retire than those in amateur legislatures. Amateurs have always been considered the least career-oriented. Legislators whose districts were substantially redrawn in the redistricting processes of 1992 and 2002 were more likely to retire. Interestingly, House members are significantly more likely to retire when a state senate seat is open, but are significantly less likely to retire when larger numbers of statewide offices are open.<sup>13</sup>

Many of the same forces that drive decisions to retire also drive decisions to seek other offices, as shown in the right hand column of Table 3.

**Table 3. Legislators' Decisions to Seek Another Office, Retire, or Run for Reelection (multinomial logit)**

Variable	Retired		Another Office	
	Coefficient	Robust SE	Coefficient	Robust SE
<i>Anticipated Term limits</i>				
Term Limited State	.586***	.133	.316**	.162
<i>Individual Career Status</i>				
Tenure	.044***	.007	.052***	.010
Age	.031***	.005	-.052***	.006
Party Leader	-.405*	.195	.275	.181
Committee Leader	.082	.114	.295**	.136
Majority Party	.101	.099	-.182	.114
Female	-.133	.113	.282*	.148
Racial Minority	-.620**	.237	.197	.208
Senate	.037	.121	.321**	.142
Scandal	2.40***	.531	-31.3***	.419
<i>Opportunity Structure</i>				
Multi-member district	.047	.137	-.299	.211
Previous Vote	.001	.002	.001	.002
Redistricted	1.26***	.228	1.54***	.273
Open State Senate	.342**	.119	1.15***	.136
Open Congress	.064	.161	.575***	.146
Open Statewide Offices	-.064**	.028	.157***	.034
Professional Legislature	-.728***	.131	-.076	.163
Semi-professional Legislature	-1.41***	.183	.108	.172
Constant	-4.26***	.345	-1.36***	.352
N=6800	-2*Log Likelihood = 6064			
Pseudo R <sup>2</sup> = .09	Model X <sup>2</sup> = 7867 (p < .01)			
Note: *p < .10; **p < .05; ***p < .01				

Importantly, there is evidence of an anticipation effect as legislators from term limited states are significantly more likely to seek another office. They run because their hold on their current office will end shortly regardless. Legislators who have higher levels of tenure are more likely to seek other offices, suggesting that legislative experience is necessary to convince voters or the governor of one's suitability for another office. In contrast to retirement decisions, however, younger legislators are more likely to seek other offices. They have many years to benefit from their new position, or further advancements beyond that, before reaching traditional ages of retirement. Committee leaders are also more likely to seek another office. These results suggest that state legislators who are ambitious for advancement within the

institution are also ambitious for advancement to other offices and that state legislative leadership positions are not sufficiently valuable for members to stay to keep them. Female legislators are more likely to seek another office at a marginal level of significance, suggesting that they see voters as receptive to the advancement of politically experienced women.

The availability of opportunities shape legislators' office seeking behavior. In particular, legislators are significantly more likely to seek other offices when opportunities in the state senate, Congress, or statewide offices present themselves. However, there is not a significant difference in office-seeking behavior between the legislatures with different levels of professionalism once other characteristics of the individual legislator and the opportunity structure are controlled. This superficially suggests that support is lacking for the common assumption that professional legislators are more ambitious. We will explore this result further below.

Table 4 presents the results of the decision to seek another office or retire for term limited legislators who are precluded from seeking reelection. The logit model is estimated with the same independent variables as the multinomial logit model, except the term limit, scandal and multimember district variables are excluded. None of the term limited states in this study have multimember districts and no scandal-ridden, term-limited legislator sought another office.

Term limited legislators' decisions to seek higher office show both critical similarities and differences with their colleagues. Party leaders are more likely to seek another office, suggesting that the ambition that drove them to a leadership position continues to motivate their political involvement. Committee leaders and senators were more likely to seek higher office prior to the onset of term limits, but once term limits hit, those remaining are more likely to retire. Similar to other legislators, term limited legislators are more likely to seek another office when presented with open seat opportunities, particularly for the state senate and state-wide office. Officials in professional legislatures are also more likely to seek office, at a level of significance, consistent with expectations that professional legislators are more career-oriented than their colleagues in semi-professional and amateur legislatures.

These findings show the clear influence of term limits, and the anticipation of term limits, on legislators' career decisions. Term limits reshape, rather than end, the political careers of some legislators. The results also demonstrate that that retirement and choices to run for other offices also are shaped by many other variables as well. Neither of these conclusions is surprising. The key question is how the presence of term limits interacts with the other key variables affecting career decisions to reshape political career paths. The probabilities were calculated with CLARIFY (Tomz, Wittenberg, and King 2003) with all variables, except those discussed, set at their means.

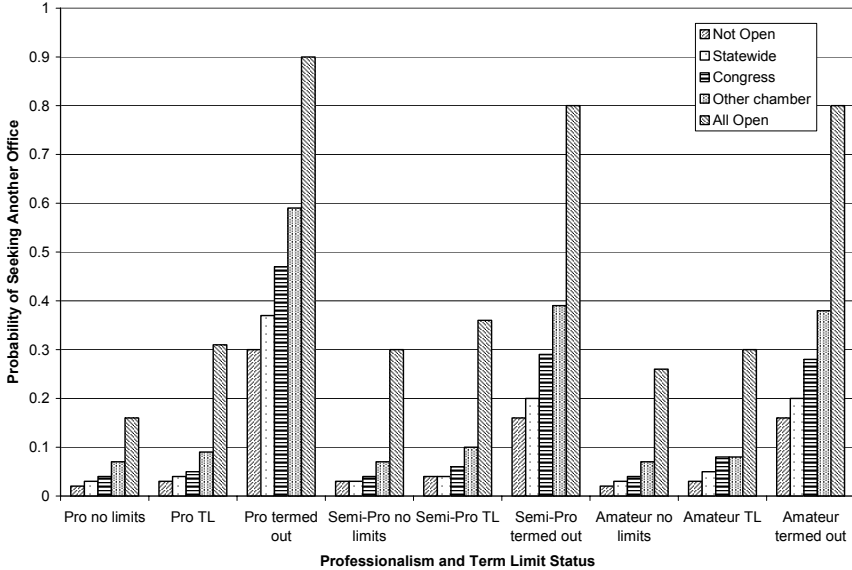
**Table 4. Seeking Office by Term Limited Legislators (logit)**

Variable	Coefficient	Robust SE	Sig
<i>Individual Career Status</i>			
Tenure	-.032	.023	.14
Age	-.001	.018	.96
Party Leader	.949	.500	.06
Committee Leader	-.646	.348	.06
Majority party	.165	.388	.67
Female	-.070	.354	.84
Racial Minority	-.141	.468	.76
Senate	-.924	.335	.01
<i>Opportunity Structure</i>			
Vote	.001	.006	.89
Redistricted	1.34	1.05	.20
Open State Senate	1.22	.308	.00
Open Congress	.711	.522	.17
Open Statewide Offices	.309	.131	.02
Professional legislature	.879	.482	.07
Semi-professional legislature	.050	.464	.91
Constant	-1.07	1.05	.31
N=309	-2*Log Likelihood = 342		
Pseudo R <sup>2</sup> = .15	Model X <sup>2</sup> = 46.6 (p < .01)		

### Non-term Limited States

We examine the interaction between the legislature's level of professionalism, the availability of open seats, and term limits in shaping the opportunity structure for ambitious legislators. Our multinomial logit model found little difference in office-seeking behavior between members of more versus less professional legislatures. The estimated probabilities of seeking another office, presented in Figure 1, illustrate this result. Legislators in professional, semi-professional, and amateur legislatures have equal probabilities of seeking another office when the legislature is not term limited. They are highly unlikely to seek another office when open seats are unavailable (average .03 for all three types of legislatures)—a situation of high cost and high risk to obtain another position, nor are they much more likely to take high-cost, high risk opportunities to run for an open state-wide office or an open congressional seat (average .04 probability). Non-term limited legislators are slightly more likely to take advantage of an open seat opportunity for the other chamber of the state legislature (average .08 probability)—where presumably overlapping territory and a smaller field of politically

**Figure 1. Probabilities of Office Seeking by Professionalism, Open Seat Opportunities, and Term Limits**



experienced competitors would give them a reasonable probability of victory. Only when all seats are open simultaneously are legislators in non-term limited states somewhat likely to risk their current seat by seeking another office. But, as when few opportunities are available, the differences between the different types of legislatures (in terms of professionalism) are minimal: professional, semi-professional, and amateur legislators respond alike to open seat possibilities. Thus, we see limited evidence of strategic progressive ambition in non-term limited legislatures. For the most part, legislators continue their careers in the same institution rather than risking a shot at an open seat elsewhere in government.

### Term Limited States

Legislators in term limited states who have the option of seeking reelection behave much like legislators in non-term limited states: they are unlikely to seek another office without open seat opportunities (average .03 probability) and they react tentatively when open seats are available (.03 probability of running for an open state-wide office, .05 probability of running for an open congressional seat, and .09 probability of running for an open seat in the other chamber of the state legislature). These estimates

provide little evidence of legislators “anticipating” impeding term limits and jumping at open seat opportunities that give them the highest probability of continuing their elective careers. As in non-term limited legislatures, there are no meaningful differences in these probabilities between professional, semi-professional, and amateur legislatures. Only when maximum opportunities are available in all seats simultaneously do legislators in term limited states start to behave differently than their non-term limited colleagues. Under these circumstances, the probability of seeking another office increases by a small amount (average .24 probability in non-term limited states versus .32 probability in term limited states) and legislators in professional and semi-professional legislatures display more ambition to stay in office (.36 probability) than amateur legislators (.30 probability).

Only in their final term do term limited legislators more openly display ambition to continue their careers and display careerist ambitions consistent with the legislature in which they serve. At this point, they do not have the luxury of waiting strategically for a “better” time to seek office and can no longer continue their careers through reelection to their existing office. When no open seats are available, term limited legislators are more likely to seek another office than when they had the option of seeking reelection. Additionally, professional legislators are more likely than semi-professional or amateur legislators (.30, .16, .16 probabilities, respectively) to seek an opportunity to continue their government careers.<sup>14</sup> As the cost and risk of attaining another elective office decreases, legislators respond accordingly: they are least likely to seek an open seat-wide office, most likely to seek an open seat in the other chamber, with the probability of seeking an open congressional seat in between. For each type of open seat opportunity, professional legislators are most likely to run to preserve their careers: .37 probability of running for an open statewide office (versus .20 for semi-professional and amateurs), .47 probability of running for an open congressional seat (versus .39 for semi-professional and .38 for amateurs), and a .59 probability of running for an open seat in the other state legislative chamber (versus .39 for semi-professional and .38 for amateurs). When all opportunities are open, term-limited legislators are extremely likely to attempt to continue their careers: professional legislators have a .90 probability of seeking another office while semi-professionals and amateurs have a .80 probability.

These probabilities make it clear that the presence of term limits, the professionalism of the legislature, and the availability of opportunities interact in powerful ways to shape state legislator’s career trajectories. Term limits end the careers of some legislators and spur others to continue their careers in other offices—particularly legislators in professional states and when open seats lower the cost of continuing one’s political career.

These results also demonstrate the risk adverse nature of most political careers. Even when open seats are available, the probability of seeking another office is quite low unless the perfect political storm miraculously opens up all opportunities simultaneously. Professional legislators, who are traditionally thought to be more ambitious and more career-oriented, are as content as their colleagues in other amateur legislatures to continue their careers through reelection and build seniority rather than seeking another office. Legislators in term limited states exhibit the same behavior: they are unlikely to take advantage of open seats even though they know that they cannot continue their career in their current position. Yet they continue to hold these positions as long as they can rather than giving them up for a shot at another office.

### **Conclusions**

Term limits have their intended effect—they clearly increase the probability of retirement. They do indeed disrupt political careers. Our study makes an important contribution to understanding how this disruption occurs. Term limits primarily disrupt the careers of legislators in professional legislatures. Such legislators are most likely to seek to continue their political careers by seeking another office once term limited. Career-orientated legislators are also more likely than other legislators to behave strategically by taking advantage of open seat opportunities. But our comparison to non-term limited legislatures is instructive. Professional legislators are not always more ambitious. In non-term limited legislatures, their careerism manifests itself largely through continuing in the same office and lower probabilities of retirement, not through a greater likelihood of seeking higher office. In fact, they are no more likely than other legislators to take advantage of lower risk, open seat opportunities than semi-professional and amateur legislators. Professional legislators are more ambitious only when they have to be—when they can't continue their careers otherwise and they have essentially been “fired.” This corresponds to Maestas et al.'s (2006) finding that professional legislators are significantly more likely to run for Congress than other state legislators when the chances of winning are high.

The effect of term limits occurs for some legislators even before the legal requirement takes effect, therefore ending some political careers prematurely. But more importantly, we find that ambitious, career-oriented politicians in professional state legislators behave more strategically than amateur politicians. Professional state legislators are more likely to seek out a way to continue their careers by seeking other offices than amateur legislators. Our evidence demonstrates that term-limited legislators are more likely to run for office, sometimes even before their terms have ended.



Term-limited professional legislators are also more likely to seek office even when open seat opportunities are few or none.<sup>15</sup> These findings indicate that professional legislators are more likely to respond and adapt to institutional and electoral incentive structures in more predictable ways than amateur politicians. These findings are also consistent with the survey results of Carey, Niemi, and Powell (2000) and the analysis of turnover in state legislatures by Moncrief, Niemi, and Powell (2004).

Professional politicians are more likely to respond to the constraints and opportunities available to them than amateur legislators because they have more at stake. Professional politicians are more likely to seek other offices when there are barriers to continuing their careers in the same office. They are more likely to seek other offices when the costs of doing so are lowest—for example, when open seats are available. Moreover, institutional structures provide constraints and opportunities. It remains to be seen whether term limits will change the attractiveness of state legislative office to ambitious politicians and make it less likely that career-oriented politicians will seek such offices in the future.

It is clear that the effect of term limits is contingent upon the political environment in which they take effect. Individual legislators have differently likelihoods of retiring or seeking other offices depending not only on their own ambitions but also upon the institutional and electoral environments they inhabit. Term limits are more likely to end careers in amateur states, legislatures in which few members made careers of politics prior to term limits, and are less likely to end careerism in the most career-oriented states. In these professional states, term limits seem to reshape careers, even “fire them up” to seek higher office, just as much as ending them. And, by opening seats in state senates, term limits provide some house members additional open seat opportunities. This certainly encourages legislators to continue their careers as opposed to ending them.

## NOTES

<sup>1</sup>Carey et al. (2000) categorize these seven states in the same way, though they use a different methodology.

<sup>2</sup>When no information was available on a legislator’s reasons for leaving, we coded the event as a retirement because a retirement is not especially newsworthy. The substantive and statistical results presented below do not change when the legislators whose post-legislative career is “unknown” are excluded. Legislators who were defeated in primaries when seeking reelection were counted as running for reelection.

<sup>3</sup>Legislators in our data set sought the following offices: other chamber in the state legislature 142, U.S. House of Representatives 48, state-wide office 69, local office 17, appointed position 37. Of those seeking elective office, 123 won (44%).

<sup>4</sup>Oklahoma enacted term limits in 1990, but they did not take effect until 2004. Our data is from 1992-2002, so Oklahoma legislators are coded throughout this period as serving in a term limited state. None, however, are coded as reaching their limit.

<sup>5</sup>Missing tenure and age information on Ohio legislators who served in the 1993-94 session was completed with data from the Ohio Legislative Research Project (Patterson 1993). Gary King's AMELIA method was used to fill in missing data on legislators whose ages are not available (King et al. 2001).

<sup>6</sup>Officers of both parties are included, including at the committee level with chairs and ranking minority members. Vice-chairs and subcommittee chairs were not included. Party leaders of any type were included not only top elected floor leaders. Maine and Vermont allow members of either party to chair committees.

<sup>7</sup>We also tried party identification and third party membership as measures of party power. These results do not differ from those presented here.

<sup>8</sup>Representatives and Senators may have somewhat different career paths. We estimated the model separately for each and found that the results are very similar in both substance and statistical significance.

<sup>9</sup>Involvement in a scandal was coded based on Nexis, Newsbank, and other web news sources.

<sup>10</sup>A legislator was coded as being redistricted if two incumbents were drawn into the same district, if Nexis reported that the district had been substantially redrawn or, in Pennsylvania, if the district number was moved elsewhere in the state. Districts that surround one that was eliminated also were coded as being substantially affected since the constituents they represented changed dramatically.

<sup>11</sup>Legislators who represented state districts that overlapped with the open state senate districts or open congressional district were coded as having an open seat opportunity. Districts were coded by visual inspection of the maps and the legislator's address. In some states, such as Ohio, state house districts are nested within state senate districts.

<sup>12</sup>The proportion of state House members running for State Senate seats is extremely similar to those presented for the U.S. House, in each category of term limits and open seat availability.

<sup>13</sup>We can speculate that House members who are closed out of advancement by another ambitious candidate see their "window of opportunity" passing and retire rather than wait for an uncertain period for another window to open. Senators who are retiring are not coded as having an open senate seat opportunity, so it is not their retirement that is creating the relationship.

<sup>14</sup>Receiving appointed positions—the least risky means of obtaining another office—plays a large role in the difference. For example, the proportion of legislators obtaining appointments (term limited versus non-term limited state) is: Ohio 2.4% versus 0.01% in Pennsylvania; Arkansas 1.9%, Oklahoma 1.1% versus 0.5% in North Carolina; Maine 0.1% versus Vermont 0.1%.

<sup>15</sup>We speculate that this pattern may be even more prominent than our data demonstrates because this study does not address the possibility that termed legislators retire if no open seats are available, than wait an election cycle or two until their chances improve, and then run again. We found this strategic behavior occurring in our review of election records and news reports.

## REFERENCES

- Barone, Michael, William Lilley, and Laurence De Franco. 1998. *State Legislative Elections: Voting Patterns and Demographics*. Washington, DC: CQ Press.
- Berkman, Michael B. 1994. State Legislators in Congress: Strategic Politicians, Professional Legislatures, and the Party Nexus. *American Journal of Political Science* 38:1025-1055.
- Berkman, Michael B., and James Eisenstein. 1999. State Legislators as Congressional Candidates: The Effects of Prior Experience on Legislative Recruitment and Fundraising. *Political Research Quarterly* 52:481-498.
- Beyle, Thad, and Richard Jones. 1994. Term Limits in the States. *The Book of States 1994-1995*. Washington, DC: The Council of State Governments.
- Cain, Bruce E. 1996. The Varying Impact of Legislative Term Limits. In *Legislative Term Limits: Public Choice Perspectives*, ed. Bernard Grofman. Boston: Kluwer.
- Canon, David T. 1990. *Actors, Athletes, and Astronauts: Political Amateurs in the United States Congress*. Chicago: University of Chicago Press.
- Carey, John M. 1996. *Term Limits and Representation*. New York: Cambridge University Press.
- Carey, John M., Richard Niemi, and Lynda Powell. 2000. *Term Limits in the State Legislatures*. Ann Arbor: University of Michigan Press.
- Council of State Governments. 1992-2002. *The Book of States*. Lexington, KY: Council of State Governments.
- Council of State Governments. 1995-2002. *CSG State Directory I & II*. Lexington, KY: Council of State Governments.
- Cox, Gary, and Scott Morgenstern. 1995. The Incumbency Advantage in Multimember Districts: Evidence from the States. *Legislative Studies Quarterly* 20:329-349.
- Farmer, Rick, John D. Rausch Jr., and John C. Green. 2003. Introduction: Clues from Term Limits at Two. In *The Test of Time: Coping with Legislative Term Limits*. Lexington Books.
- Francis, Wayne, and Lawrence Kenney. 1997. Equilibrium Projections of the Consequences of Term Limits upon Expected Tenure, Institutional Turnout, and Membership Experience. *Journal of Politics* 59:240-252.
- Gaddie, Ronald Keith. 2004. *Born to Run: Origins of the Political Career*. Lanham, MD: Rowman and Littlefield.
- Groseclose, Timothy and Keith Krehbiel. 1994. Golden Parachutes, Rubber Checks and Strategic Retirements from the 102nd House. *American Journal of Political Science* 38:75-99.
- Hall, Richard L., and Robert P. Van Houweling. 1995. Avarice and Ambition in Congress: Representatives' Decisions to Run or Retire from the U.S. House. *American Political Science Review* 89:121-136.
- Hamm, Keith E., and Gary F. Moncrief. 2004. Legislative Politics in the States. In *Politics in the American States: A Comparative Analysis*. 8th ed., eds. Virginia Gray and Russel Hanson. Washington, DC: CQ Press.
- Hibbing, John R. 1999. Legislative Careers: Why and How We Should Study Them. *Legislative Studies Quarterly* 14:149-171.
- Jacobson, Gary C., and Samuel Kernell. 1983. *Strategy and Choice in Congressional Elections*, 2nd ed. New Haven, CT: Yale University.
- Kiewiet, D. Roderick, and Langche Zeng. 1993. An Analysis of Congressional Career Decisions, 1947-1986. *American Political Science Review* 87:928-941.

- King, Gary, James Honaker, Anne Joseph, and Kenneth Scheve. 2001. Analyzing Incomplete Political Science Data: An Alternative Algorithm for Multiple Imputation. *American Political Science Review* 95:49-70.
- King, Gary, Robert O. Keohane, and Sidney Verba. 1994. *Designing Social Inquiry: Scientific Inference in Qualitative Research*. Princeton, NJ: Princeton University Press.
- Jacobson, Gary A., and Samuel Kernell. 1983. *Strategy and Choice in Congressional Elections*, 2nd ed. New Haven, CT: Yale University Press.
- Jewell, Malcolm E., and David Breaux. 1988. The Effect of Incumbency on State Legislative Elections. *Legislative Studies Quarterly* 13:495-514.
- Jewell, Malcolm E., and Marcia Lynn Whicker. 1994. *Legislative Leadership in the American States*. Ann Arbor: University of Michigan Press.
- Maddox, Jerome. 2004. Term Limits and Career Choice in U.S. State Legislatures. Paper presented at the Life with Term Limits Conference. Akron, OH: The Ray C. Bliss Institute of Applied Politics.
- Maestas, Cherie, Sarah Fulton, Sandy Maisel, and Walter Stone. 2006. When to Risk It? Institutions, Ambitions, and the Decision to Run for the U.S. House. *American Political Science Review*. 100:195-208.
- Maisel, Sandy L., and Walter J. Stone. 1997. Determinants of Candidate Emergence in U.S. House Elections: An Exploratory Study. *Legislative Studies Quarterly* 22:79-96.
- Meinke, Scott R., and Edward B. Hasecke. 2003. Term Limits, Professionalization, and Partisan Control. *Journal of Politics* 65:898-908.
- Moncrief, Gary F. 1999. Recruitment and Retention in U.S. Legislatures. *Legislative Studies Quarterly* 14:173-208.
- Moncrief, Gary F., Richard G. Niemi, and Lynda W. Powell. 2004. Time, Term Limits, and Turnover: Trends in Membership Stability in U.S. State Legislatures. *Legislative Studies Quarterly* 29:357-381.
- Moncrief, Gary F., and Joel A. Thompson. 1992. *Changing Patterns in State Legislative Careers*. Ann Arbor: The University of Michigan Press.
- Morehouse, Sarah and Malcom Jewell. 2004. States as Laboratories: A Reprise. *Annual Review of Political Science* 7:177-203.
- National Conference of State Legislators. 2006. The Term Limited States. <http://www.ncsl.org/programs/legman/about/states.htm>.
- National Conference of State Legislators. 2006. Full and Part-time Legislatures. [http://www.ncsl.org/programs/press/2004/backgroundunder\\_fullandpart.htm](http://www.ncsl.org/programs/press/2004/backgroundunder_fullandpart.htm).
- Opheim, Cynthia. 1994. The Effect of U.S. State Legislative Term Limits Revisited. *Legislative Studies Quarterly* 19(1):49-58.
- Patterson, Samuel C. 1993. *Ohio Legislative Research Project*. The Ohio State University.
- Powell, Richard. 2000. The Impact of Term Limits on Candidacy Decisions of State Legislators in U.S. House Elections. *Legislative Studies Quarterly* 25(4):645-661.
- Rosenthal, Alan. 1998. *The Decline of Representative Democracy*. Washington, DC: CQ.
- Schlesinger, Joseph A. 1966. *Ambition and Politics: Political Careers in the United States*. Chicago: Rand McNally.
- Squire, Perevill. 1988. Career Opportunities and Membership Stability in Legislatures. *Legislative Studies Quarterly* 13(1):65-82.
- Squire, Perevill. 1992. The Theory of Legislative Institutionalization and the California Assembly. *Journal of Politics* 54:1026-1054.
- State Yellow Book. 1992-2002. *State Yellow Book*. Monroe Leadership Directories.

- Theriault, Sean. 1998. Moving Up or Moving Out: Career Ceilings and Congressional Retirement. *Legislative Studies Quarterly* 22:419-433.
- Tomz, Michael, Jason Wittenberg, and Gary King. 2003. CLARIFY: Software for Interpreting and Presenting Statistical Results, 2.1. Available at: <http://gking.harvard.edu>.