

Law Makers and Legislatures Section 5

5. How State Legislatures Compare with Congress

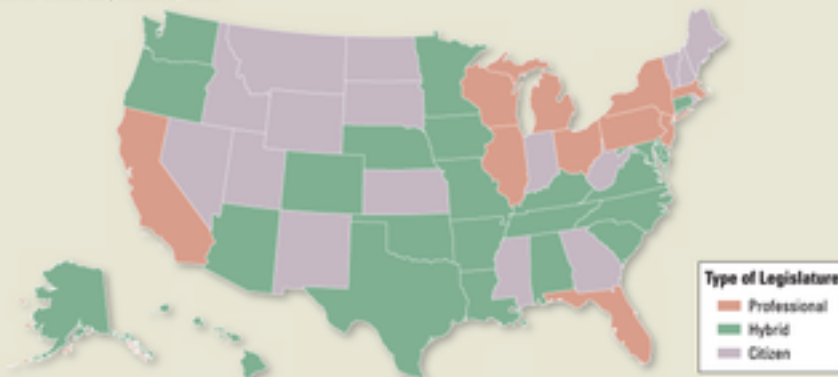
State legislatures have much in common with the U.S. Congress. Like Congress, they make laws and represent the voters in each state. With the exception of Nebraska, all states have bicameral legislatures, made up of an upper and a lower house. These houses are organized along party lines and do much of their business through committees, just like Congress. Nevertheless, state legislatures differ from Congress in a number of ways.

State Legislatures

State legislatures are divided into three types, based primarily on how much time legislators spend on the job. State legislatures meet at the state capitol in chambers like the one shown here.



Types of State Legislature, 2008



Legislature Statistics, 2008

Type of Legislature	Time Spent on Legislative Activity	Average Salary	Average Staff Size
Professional	80%	\$68,599	9
Hybrid	70%	\$35,326	3
Citizen	54%	\$15,984	1

Source: National Conference of State Legislatures, www.ncsl.org

Shorter Sessions, Smaller Staff, and Lower Pay

In general, state legislators meet for less time, have smaller staffs, and receive lower salaries than members of Congress. State legislatures can be divided into three types: citizen, professional, and hybrid. These types are based mainly on the amount of time their members spend on the job.

Citizen legislatures. In citizen legislatures, members spend about half of their time as lawmakers. Citizen legislatures are commonly found in states with small populations.

Professional legislatures. As the name suggests, these are legislatures whose members are full-time lawmakers. Professional legislatures are more common in states with larger populations.

Hybrid legislatures. These legislatures fall between the previous two types. Their members spend about two-thirds of their time on legislative business.

Of these three types, professional legislatures are the most like Congress. Even so, the workload of lawmakers in professional legislatures pales in comparison with that of members of Congress. Most sessions of Congress run from January into December. Members of Congress spend well more than 300 days a year performing legislative duties. State legislators, even professional ones, work much less. For instance, in New York, legislators meet several times a week from January into June. For the rest of the year, they are "on call," coming together only when necessary.

Staff size is another difference. Professional state legislators average around 9 staff assistants each, compared with 16 in the House and 40 in the Senate. Citizen legislators may have just one assistant.

Compensation is also much lower at the state level. In 2012, members of Congress earned \$174,000 annually. Among the states, California paid the highest legislative salary that year, at a little more than \$95,000. But most states paid far less. New Hampshire offered the lowest salary, paying its lawmakers just \$100 per year. As a result, most state legislators must have other means of support. As one Massachusetts state senator put it, "No one goes into politics to get rich."

Turnover and Term Limits

Another key difference between many state legislatures and Congress is the presence of term limits. Unlike Congress, where legislators may serve an unlimited number of terms, many states limit the number of years legislators can remain in office.

The idea of imposing term limits on state officials goes back to the early days of the nation. In 1776, the constitution of Delaware set term limits for the state's governor. Many other states followed that practice.

The movement to limit state legislators' time in office came much later. As of 2012, voters in 15 states had imposed term limits of various kinds on their lawmakers. For example, in Arizona, lawmakers are limited to 8 years in each house of the legislature. In Nevada, the limit is 12 years. As a result of term limits, a total of 380 legislators in 14 states were prevented from running for reelection in 2010.

Advocates of term limits say that turnover in a legislature is beneficial. It eliminates career politicians who, they argue, lose touch with their constituency. New faces, they say, bring new ideas. In Michigan, for instance, about half of the lawmakers elected in 2010 were newcomers. Without term limits, most of them would have had a tough time getting elected.

Critics of term limits argue that such limits are undemocratic. By preventing some incumbents from running for reelection, term limits restrict the choices available to voters. They also remove experienced lawmakers from office, which may reduce a legislature's effectiveness. For example, in 2012, Missouri's state legislature experienced a high turnover of lawmakers. Many of these lawmakers were "termed out," including the speaker of the House and others who held leadership positions.

Opponents of term limits claim that such a loss of experience can devastate a legislature. Supporters argue that new legislators bring new energy to government and are more responsive to the will of the people.

Chapter Summary

Congress is the legislative branch of the national government. Its structure and powers are largely defined by the Constitution. As with all legislatures in a representative democracy, Congress is responsible for making laws and serving the people's needs.

Legislators and constituents Most legislators seek to represent the interests of their constituents while also relying on their own independent judgment. In Congress, two senators represent every state. The number of representatives depends on a state's population.

Organization of Congress The House and the Senate are organized by political parties. Much of the work of turning a bill into law takes place in standing committees and subcommittees. Members of Congress rely on staff to help with their lawmaking and constituent duties.

Powers of Congress The Constitution gives Congress specific powers, which, over time, have been stretched under the Elastic Clause. In addition, members of Congress use their office to help constituents solve problems involving federal government agencies.

State legislators As a rule, state legislators spend less time on the job, receive lower pay, and have fewer staff than their counterparts in Congress. Unlike members of Congress, some state legislators are subject to term limits.