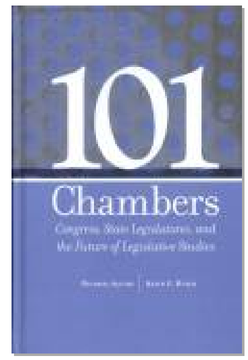
3. Institutional Characteristics



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Institutional Characteristics

In chapter 1 we established that American legislatures germinated from the same seeds. In chapter 2 we examined questions of constitutional design, to begin exploring how over time American legislatures came to look so different from each other. We continue that exploration in this chapter. More specifically, we look at the basic components of legislative professionalization: the time demands of service, the financial incentives offered to legislators, and the staff resources and facilities given them. We observe how relatively small differences among American legislatures at the beginning of the nineteenth century became major dissimilarities by the end of the twentieth century.

The U.S. Congress became fully professionalized only around the start of the twentieth century. When the process started at the national-level legislature, institutional development in the states lagged well behind. Rumblings for reforms to allow state legislatures to better respond to the increased demands being placed on them first surfaced in any significant way only in midcentury.[1] These pressures led to the legislative professionalization revolution of the 1960s and 1970s, when Jesse Unruh (1965), the Citizens Conference on State Legislatures (1971) and others (see Herzberg and Rosenthal 1971) pushed state legislatures to become more like the U.S. Congress. By the start of the 1980s, most of the significant professionalization reforms had been put in place, and as evidenced by the election of Ronald Reagan as president, support for investing in improved and expanded government institutions was coming to an end (Brace and Ward 1999; Rosenthal 1996; 1998). By the close of the century, serious questions were being raised about whether state legislatures were experiencing a process of deprofessionalization. Thus, while the U.S. Congress became progressively more professionalized during the course of the twentieth century, the process at the state level was much more varied, not only in degree of development, but also in direction.

Limitations on Sessions

The U.S. Constitution (Article 1, section 4) requires that, "The Congress shall assemble at least once in every Year," and the House and Senate have always done so. The experience at the state level, however, is very different. Initially, state legislatures were seen as a vital check on gubernatorial power and were therefore required to meet annually. In addition, annual sessions were thought to enhance representation (Keefe and Ogul 2001, 71; Zeller 1954, 89). But over the course of the nineteenth century, attitudes toward state legislatures changed, and annual sessions were replaced with biennial sessions. As Bryce observed (1906, 337; see also Luce 1924, 129–30), "the experience of bad legislation and over-legislation . . . led to fewer as well as shorter sittings." Reinsch (1907, 132) offered a similar rationale for the introduction of session limits:

> The principle of those who favor such restriction of legislative activity is that with less frequent legislative sessions, the more important matters will occupy the attention of the legislators, and individual members will recognize the futility of advancing pet schemes of a merely personal or local nature.

At the time Bryce and Reinsch wrote, only seven states still had annual sessions; the rest met biennially, except for Alabama, which met only quadrennially.[2]

The trend over the course of the twentieth century was a return to annual sessions. As table 3–1 reveals, 19 states had annual sessions by 1960. The number continued to escalate over the next four decades, in part as a response to increased demands but also because of the professionalization revolution of the 1960s and 1970s. By 2004, 44 state legislatures met annually, leaving six states with biennial sessions.[3] Thus the trend toward meeting each year was widespread, but it was not universal. It also was not irreversible. Montana's 1972 constitution established annual sessions, but the voters passed a referendum two years later returning the legislature to biennial sessions. The voters reaffirmed their decision again in 1982 and 1988 (Rosenthal 1996, 192).[4]

TABLE 3–1 Annual and Biennial Legislative Sessions in the States, 1960 and 2004

Year	Annual Sessions	Biennial Sessions
1960	19	31
2004	44	6

Sources: *The Book of the States 1960–61,* pages 40–41, and *The Book of the States, 2003 Edition,* pages 109–12.

Even as most states have moved to meeting annually, session lengths continue to be limited in most states. As of 2004, only twelve states do not place any limit on the length of the regular legislative session.[5] In 28 states constitutional provisions establish the limits. The Wyoming Constitution (Article 3, Section 6), for example, limits the legislature to 40 legislative days in odd numbered years and 20 legislative days in even numbered years.[6] Session length limits in Alabama, Indiana, Maine, and South Carolina are imposed by statute. Chamber rules limit the number of days in session in Arizona, California, and Massachusetts. Finally, indirect limits on legislator compensation, such as cutoff dates for per diem or mileage reimbursement, are used in three states—Iowa, New Hampshire, and Tennessee. In Iowa, for example, state legislators can no longer collect their per diem after 110 calendar days in session in odd-numbered years, or 100 calendar days in even-numbered years.[7] Indirect restrictions are, of course, the easiest to violate. Similarly, chamber rules can be rewritten, albeit with some effort, as can statutes. (The latter, however, involve the governor while the former do not.) Constitutional limitations are the hardest to breach.

One other scheduling variant deserves some mention. During the first half of the twentieth century state legislatures in California (1911–1959), New Mexico (1941–1947), and West Virginia (1921–1929) employed split or bifurcated sessions (Donnelly 1947, 95–96; Driscoll 1986, 63–64; Faust 1928; Zeller 1954, 4, 92).[8] These sessions were structured so that the legislature met for a first session, took a mandated recess, and then reconvened for a second session. The first session, for example, lasted 30 days in California and 15 days in West Virginia, during which time legislation could be introduced and assigned to committees. But only "emergency" measures could be passed during the first session and only on super majority votes. After the initial session, a constitutional recess was called, of not less than 30 days in California and around 48 days in West Virginia. During the mandated recess legislators were supposed to return to their constituencies and gather input about the proposed bills from voters, interest groups, and others. In theory, the recess was intended to allow members a chance to step back and think about the legislative proposals before them (White 1927). Most legislatures at the time operated on such abbreviated schedules that little time was available to become well versed on the nuances of many bills. When reconvened, the legislature then considered the bills introduced in the first session. In both California and West Virginia, for example, only bills supported by three-fourths of the members could be introduced in the second session. Assessments of the success of the split session were mixed (for con opinions see Barclay 1931; Donnelly 1947, 96; and Faust 1928; for a pro opinion see West 1923), and ultimately all three legislatures returned to more conventional schedules.

Arguments in favor of longer sessions give us some insight into the potential differences session length makes. In promoting longer sessions, Zeller (1954, 93) observed,

> Limiting sessions intensifies all evils associated with legislative halls. Taking advantage of the short time for deliberation, a strong minority may thwart the interest of the majority through delaying tactics. Bills piled up at the end of a session are rushed through without adequate consideration. This tendency to defer action on bills until the closing days does not create a situation suitable for debate and deliberation. Certainly it would be impossible to say that legislation or the quality of legislators has been improved by limiting the sessions.

Thus, session lengths are linked to bargaining and legislative strategies, to the ability of legislative minorities to exercise a veto, and ultimately to policy outcomes. Variations in session lengths allow us to rigorously test to see what, if any, differences they really make.

Pay and Pensions

The U.S. Constitution requires that members of Congress be paid (Article 1, section 6). But it leaves the amount to Congress to decide. Members of Congress earned a per diem until 1856, except for the controversial annual salary they voted for themselves in 1816 and then rescinded because of public scorn in the next Congress (Bianco, Spence, and Wilkerson 1996). Once annual salaries were adopted, for many years they tended not to change very often. Pay, for example, was set at $5,000 from 1873 through 1907. This time period is of particular interest to note because, of course, it was during this time that members of the House began to increase the length of their service (Epstein, Brady, Kawato, and O'Halloran 1997, 973–74; Brady, Buckley, and Rivers 1999, 497–98). Thus, it is questionable that pay led to careerism. In the modern Congress there is evidence that voluntary departures are related to the level of pay (Hibbing 1982), although, again, increased career lengths may not be (Parker 1992, 78–79; Witmer 1964, 528).

In contrast to the findings on Congress, there is a strong, negative cross-sectional relationship between pay and turnover in state legislatures (Rosenthal 1974; Squire 1988a). The relationship between member pay and turnover over time within legislatures is less clear, with studies of the state legislatures in California (Squire 1992a, 1036–1037) and New York (Stonecash 1993, 310) suggesting that pay increases lag behind increased member tenure rates. Member pay varies across the states in several ways. First, how member pay gets set differs.[9] Currently, constitutions in New Hampshire and Texas set specific salary figures.[10] The Rhode Island Constitution as amended in the mid-1990s sets member pay at $10,000 annually in 1995, but then provides for an automatic yearly cost of living adjustment tied to inflation.[11] In 1998 Massachusetts voters amended their constitution to link legislative salaries starting in 2001 to the change in the median household income in the state as determined by the governor.[12] Legislators set their own pay in 27 states.[13] Compensation commissions alone set pay in eight states, in conjunction with the legislature in another seven states, and in conjunction with state constitutional provisions in one state. Compensation commissions, constitutional provisions, and legislative input are all used in three states. Pay mechanisms matter. Legislators who control their own salary are paid much higher wages than are legislators whose pay is set through the state constitution (McCormick and Tollison 1978).

Second, how much legislators earn, of course, varies over time. Members of colonial assemblies were, for the most part, compensated for their services, in large part because initially there were too few members of the wealthy landed class in the colonies who could afford to serve without some form of remuneration (Luce 1924, 521). Who should finance legislative representatives was a difficult issue; in some colonies the constituency was to pay, while in others the colony covered the cost (Luce 1924, 522). What members were to be paid also varied. Initially, the burgesses in Virginia were paid in tobacco by their counties (Miller 1907, 96). Later they were paid eight or nine shillings out of the colonial treasury (Luce 1924, 525). Assembly members in Rhode Island initially received no pay, but after finding it hard to get members to attend, a credit of three shillings a day that would be offset against their taxes owed was instituted in 1666 (Luce 1924, 523). In Pennsylvania in 1683 members were paid three shillings a day if they attended, but if they "willingly" failed to attend they were fined five shillings (Young 1968, 158).[14] Not all assemblies paid their members. In Georgia (Corey 1929, 117) and South Carolina (Luce 1924, 525) members received no compensation at all, while in New Jersey they received a per diem of six shillings, which one estimate suggests covered only about half of their actual living expenses (Purvis 1986, 42).

The notion of a salary for legislative service was still somewhat suspect at the time of the newly established state legislatures during the Revolution. The Pennsylvania constitution of 1776, for example, observed in section 36:

> As every freeman to preserve his independence, (if without a sufficient estate) ought to have some profession, calling, trade or farm, whereby he may honestly subsist, there can be no necessity for, nor use in establishing offices of profit, the usual effects of which are dependence and servility unbecoming freemen, in the possessors and expectants; faction, contention, corruption, and disorder among the people. But if any man is called into public service; to the prejudice of his-private affairs, he has a right to a reasonable compensation: And whenever an office, through increase of fees or otherwise, becomes so profitable as to occasion many to apply for it, the profits ought to be lessened by the legislature.

The original state constitutions generally held that legislative salaries should be drawn from the state treasuries, but failed to state what sum ought to be given.

TABLE 3–2 American Legislative Pay on Annual Basis in 1910[a]

Legislature	Salary in 1910	1910 Salary in 2003 Dollars[b]
U.S. Congress	$7,500	$139,242
NY	$1,500	$27,848
MA, PA	$750	$13,924
OH	$600	$11,152
CA, IL, NJ, WI	$500	$9,283
MS	$400	$7,426
IA	$275	$5,106
CO	$270	$5,013
NV	$240	$4,456
MD, MN	$225	$4,177
GA, NE	$200	$3,713
AR, FL, IN, MT	$180	$3,342
MO	$175	$3,249
SC	$160	$2,971
CT, DE, ID, KY, LA, ME, NM, ND, RI, SD, TN, TX, WA	$150	$2,785
MI	$125	$2,321
AZ, NC, OK, UT, VA, WV	$120	$2,228
NH, WY	$100	$1,857

Sources: State legislative data were calculated from the *Official Manual of Kentucky,* 1910, page 147. In addition, Driscoll (1986, 79), Bryce (1906, 336), and legislative staff in several states were consulted. Data on the U.S. Congress were taken from Fisher (1980, 40–41).

[a] Pay includes salary or per diem only.

[b] Current dollars calculated using the inflation calculator on the Bureau of Labor Statistics Web page. The calculator calculated the value of the dollar in 1913 (the first year for which the Bureau figured the Consumer Price Index) as of 2003.

Specific salary figures only began to be incorporated into state constitutions at the end of the eighteenth century, starting with the admission of Kentucky and Tennessee into the Union.

Once the notion of a salary was accepted, the amounts still varied considerably across states and over time. In California, for example, legislators originally earned a $16 per diem, a sum Bancroft (1888, 311) notes was "no inducement, as they could make thrice as much elsewhere."[15] The Constitution of 1879 reduced that sum to a per diem of no more than $8. A constitutional amendment in 1908 provided legislators a salary of $1,000 biennially. Subsequent amendments in 1924, 1949, and 1954 increased member pay to monthly salaries of $100, $300, and $500 respectively. The $6,000 annual salary paid California state legislators in 1954 generally compared favorably to those offered to their counterparts in other states, less than the $7,500 given legislators in New York, but more than the $5,000 salaries for Illinois legislators, or $3,000 salaries for Pennsylvania legislators. But the pay for California state legislators paled in compar-

TABLE 3–3 American Legislative Pay on Annual Basis in 2003

Legislature	Annual Salary	Legislature	Annual Salary
U.S. Congress	**$154,700**	LA	$16,800
CA	$99,000	TN	$16,500
NY	$79,500	GA	$16,200
MI	$77,400	*KY*	$16,135
PA	$64,638	ID	$15,646
IL	$55,788	OR	$15,396
OH	$53,707	WV	$15,000
MA	$53,380	NC	$13,951
NJ	$49,000	AR	$13,751
WI	$45,569	*VT*	$12,864
OK	$38,400	NE	$12,000
DE	$34,800	IN	$11,600
WA	$33,556	RI	$11,236
HI	$32,000	SC	$10,400
MO	$31,561	MS	$10,000
MD	$31,509	ME	$9,555
MN	$31,140	*KS*	$8,426
CO	$30,000	TX	$7,200
AL	$28,350	*NM*	$6,525
CT	$28,000	SD	$6,000
FL	$27,900	*ND*	$4,813
AK	$24,012	*UT*	$4,500
AZ	$24,000	*NV*	$3,900
IA	$20,758	*MT*	$3,456
VA Senate	$18,000	*WY*	$2,875
VA House of Delegates	$17,640	NH	$100

Sources: Calculated from data in National Conference of State Legislatures, "2003 State Legislator Compensation." States in italics pay per diem, not annual salaries. Annual salary in per diem states is estimated using number of days in session for the previous year.

ison to salaries for other elected officials in the state. City council members in Los Angeles, for example, earned $12,000 annually, and Los Angeles County Supervisors received $18,000 a year (Cloner and Gable 1959, 723). A voter approved constitutional amendment in 1966 gave California legislators an immediate pay increase to $16,000, and, more importantly, the power to determine their own raises. Members of the legislature used that power to make themselves among the best paid state legislators in the country. The voters, however, took that power away in 1990, creating a California Citizens Compensation Commission to set salaries for many state offices, among them the state legislature.[16] The Compensation Commission, however, continued to treat legislators well and the legislature maintained its place atop the salary rankings.

Finally, member pay varies across the states and between Congress and the states. A gap between what members of Congress get paid and what state legislators make has long existed, as table 3–2 demonstrates. In 1910, members of Congress received $7,500 annually, or the equivalent of over $139,000 in 2003 dollars. The highest paid state legislature at that time—New York—lagged far behind. But New York legislators were much better paid than any of the counterparts in the rest of the states.

In 2003, members of Congress received $154,700 annually, far more than any state legislator, as table 3–3 shows. Legislators in 40 states are paid an annual salary, with those in California earning the most at $99,000 year and those in New Hampshire earning the least at $100 a year. Legislators in nine states are paid daily wages, ranging from $76.80 a day in Montana to $166.34 a day in Kentucky. A weekly salary is paid to Vermont legislators. Legislators in New Mexico are only paid a per diem. Overall, the current mean legislative pay for state legislators is roughly $25,400; the median is $16,800. Beyond New Mexico, however, all but six states supplement their salaries with per diems, ostensibly to cover daily expenses.[17] Thus, in most states, legislators actually pocket more money than their listed salaries. The accounting challenges in trying to calculate how much more money is pocketed are, however, considerable. Some per diems are calculated by legislative days, others by calendar days, a few by month. Some are vouchered while others are unvouchered. In many states, legislators representing districts closer to the capital get lower per diems than do those living farther away.

Retirement benefits represent a second and often ignored financial incentive offered to legislators. They are, of course, an added inducement for long-term service. Members of Congress were first given a pension plan only in 1946, as part of the Legislative Reorganization Act of that year (Fisher 1980, 43; Hibbing 1982, 1025–1026). No state legislature had a pension plan in 1946, but after Congress established one, a number of them followed suit. By 1954, 16 states extended retirement benefits to their legislators (Zeller 1954, 80). Currently, 40 states offer state legislators retirement plans.[18] The trend toward providing them is not absolute and not necessarily popular with the public. California voters took away their state legislators' pension plan in 1990, and legislators in Rhode Island had to give up their pension system as part of a deal to get voter support to dramatically increase their salaries in the mid-1990s.[19]

Over time, members of Congress have made their pension plan very generous (Hibbing 1982, 1025–1026). The level of retirement benefits varies across the states. After twelve years of service in the Idaho state legislature, a retiree would receive $305 monthly, collectable starting at age 65. After twelve years of service in the Texas state legislature, a retiree would receive $2,288.25 monthly, collectable at age 50, or after only eight years of service at age 60. Legislative pensions in Texas are of particular note because they are far more generous than the annual salary of $7,200 would suggest. The reason pensions are so much higher is because they are tied to the salaries of district court judges, not to legislative salaries. Looking only at state legislative pay in Texas without taking pension benefits into account might easily mislead a scholar investigating the nature of legislative careers in that state.

Remuneration levels are clearly important in explaining how legislative careers unfold. Not surprisingly, where pay is higher, careers are longer, and where pay is lower, careers are shorter. This simple observation is more important than it might initially seem, however, because legislative careers are linked to legislative organization (Polsby 1968; Price 1975; Squire 1988b; 1992a).

Staff and Facilities

Staff and facilities are linked to the ability of legislators to do their job. As Malbin (1980, 5) observed, “Congress needs staffs . . . to help it evaluate the flood of material from the outside and perhaps even come up with ideas of its own.” With the creation of staffs comes the need for facilities in which to house and make use of them. Staff and facilities have changed over time for Congress and for most state legislatures. Even with changes, however, there is still substantial variation between Congress and the states, and among the states.

Extensive staffing is a relatively recent development in American legislatures. Congressional committees began hiring part-time staffs in the 1840s. Money for the first full-time staff was appropriated in 1856, but only for the House Ways and Means Committee and the Senate Finance Committee. All committees had full-time staff by the end of the nineteenth century (Fox and Hammond 1977, 15; Malbin 1980, 11; Rogers 1941, 3). Personal staff for members other than committee chairs was first allowed in the Senate in 1885 and in the House in 1893 (Fox and Hammond 1977, 15). Prior to that, members either did the work themselves or hired assistants with their own money. Even after staff became accepted, funds for personal and committee staffs were in short supply until after the Legislative Reorganization Act of 1946 (Davidson 1990, 367–69; Malbin 1980, 9–14). From 1947 to the mid-1980s staff numbers exploded in both the House and Senate. Since then, the number of staffers has declined a bit (Ornstein, Mann, and Malbin 2000, 131–132). Even with the recent cutbacks, however, members of Congress still enjoy unparalleled support from committee and personal staffs, as well as institutional staff support from the Congressional Research Service and the Government Accountability Office.

Members of the House and the Senate had no office space until 1908 and 1909 respectively, when the first House and Senate office buildings were opened. Until that time members used their desks, rented private offices, or maneuvered to borrow space in committee rooms. Now, members have office suites—albeit cramped—to house their burgeoning personal staff. Congressional offices in the home state or district also appear to be a relatively recent innovation. Evidence suggests that they first appeared in the early 1940s, and every member had at least one by the 1970s (Macartney 1987, 102.)

Thus, over time it developed that (Salisbury and Shepsle 1981, 559) "each member of Congress has come to operate as the head of an enterprise," with offices and employees. But have state legislators come to head similar sorts of enterprises? Like Congress, state legislatures started with little in the way of staff. In California, for example (Driscoll 1986, 125), "In 1850, legislative staff consisted of a parliamentarian, a recorder of minutes, a chaplain, a sergeant of arms, and an occasional supernumerary. This level of support remained relatively unchanged for almost 70 years." Other states offered similarly meager staff resources. In New York (Gunn 1980, 284), "In 1852 the senate employed only 15 people in addition to its members, and the assembly employed only 36. Almost all of these performed routine clerical and housekeeping chores and had no discernible impact on public policy." Campbell (1980, 45) found that, "The 1887 Wisconsin Assembly listed only 50 employees, including just 5 committee clerks. . . . In the early nineties Illinois representatives hired 101 people, 22 of whom clerked for committees at three dollars a day."

Around the beginning of the twentieth century state legislatures began to develop institutional staff resources. The New York State Library in 1890 and the Massachusetts State Library in 1892 first provided legislators with informational assistance. The establishment of the Wisconsin Legislative Reference Bureau in 1901 supplied legislators additional sorts of expertise (McCarthy 1911). By 1913, 23 states had a legislative reference bureau of some sort (Cleland 1914; Freund, Lapp, and Updyke 1913, 271); by 1930, 42 states had such services (Jones 1952, 443). The U.S. Congress actually followed the lead of the states in providing centralized research assistance by establishing the Legislative Reference Service in 1914. (The organization was renamed the Congressional Research Service in 1970.) Within a few decades state legislatures were well provided for with centralized staff for research and bill drafting (Crane and Watts 1968, 67–76; Perkins 1946, 515–17; Zeller 1954, 142–50). The provision of other sorts of staff resources, however, lagged. By the early 1950s (Zeller 1954, 156–59),

> About one fourth of the states provide[d] special research or technical assistance to serve the committees during the sessions. . . . most states provide[d] clerical and secretarial assistance for their standing committees. . . . The provision of secretarial

TABLE 3–4 State Legislative Staff Compared to Congressional Staff in the 1990s

State Legislature	State Legislative Staff as a Percentage of Congressional Staff	State Legislature	State Legislative Staff as a Percentage of Congressional Staff
CA	66.92	GA	9.67
NY	56.86	AL	9.10
FL	41.79	SC	8.92
TX	41.14	OK	8.57
NJ	38.82	NC	8.40
PA	32.86	MO	8.18
HI	30.04	WV	8.17
MI	28.21	DE	8.14
NV	23.93	CO	8.00
AK	20.77	IA	7.51
AZ	19.38	KS	6.77
WA	18.88	IN	6.69
IL	18.37	UT	6.66
VA	18.09	TN	6.60
OR	16.55	MT	4.70
WI	16.11	RI	4.68
NE	15.70	ID	4.54
KY	13.00	WY	4.27
MN	12.87	ND	3.60
OH	12.87	MS	3.18
MD	12.06	ME	2.98
MA	12.03	SD	2.75
LA	11.20	NM	2.58
AR	10.39	NH	1.15
CT	10.25	VT	0.99

Source: Data on state legislative staff taken from National Conference of State Legislatures, "Size of State Legislative Staff: 1979, 1988 and 1996, Total Staff during Session" (June 1996). Data on Congressional staff taken from Ornstein, Mann, and Malbin (2000, 129–31).

> and stenographic assistance to the individual member of the legislature [was], on the whole, less adequate. Fewer than twenty of the states assume[d] the responsibility for providing the individual legislators with needed assistance in adequate quantity.

In 1957, for example, the Washington state legislature had one permanent employee who worked full-time, the chief clerk of the House. One staff member remembers that at the end of the legislative session (Seeberger 1997, 150), "they turned out the lights, locked the doors, and went home." Legislative facilities in the states were poor as well. No state gave individual offices to all of its legislators. In 36 states not even shared office space was provided (Zeller 1954, 159).

The professionalization revolution of the 1960s and 1970s produced dramatic changes in staff and facilities in most, but not all, state legislatures (Rosenthal 1981, 206–7). By the end of the 1990s, almost every state legislative chamber provided professional and clerical staff to committees. Roughly half of the states provided members with year-round personal staff, but fewer than ten provided district staff and offices.[20] Many state legislators are still without individual offices. Overall, some states, such as California, Florida, New York, and Texas, operate with staff and facilities comparable to those of Congress, as table 3–4 reveals. Many others states provide remarkably little in the way of assistance.

Thus, the role staff and facilities play in the legislative experience varies dramatically across the states. When Hilda Solis moved from the California state Senate to the U.S. House following the 2000 elections, for example, she (Merl 2000) "decided to keep the same field offices, in El Monte and East Los Angeles, to provide continuity to her constituents." Her counterparts in Wyoming would not enjoy such advantages (Citizen's Guide to the Wyoming Legislature 2001):

> legislators in Wyoming do not have individual staff. . . . staff services for Wyoming legislators are provided by a small permanent central staff agency . . . and by temporary session staff. Office accommodations are similarly austere. Except for a few officers of the House and Senate, members of the legislature are not provided offices in the Capitol nor do they maintain full-time offices in their districts. While in session, the "office" of a typical Wyoming legislator consists of the legislator's desk on the floor of the House or Senate and one or two file cabinet drawers in a committee meeting room.

There have been occasional comparisons between how members of Congress and state legislators employ their staffs (Monroe, 2001) and how much contact is initiated with constituents (Jewell 1982, 169–71). Differences in casework conducted by state legislators and their offices have been shown to vary by institution and resource level (Freeman and Richardson 1994; 1996), but state legislators who successfully provide constituent services are rewarded by voters in the same way members of Congress are (Serra and Pinney 2001). Legislative scholars, however, have failed to take full advantage of the range of informational resources employed across the states. If informational needs drive legislative organization (Krehbiel, 1991), scholars have a great opportunity to test this theory across the range of informational resources provided legislators. Do informational theories that work in the Congressional setting work in other legislatures that are like Congress in terms of staff and facilities? Do they work in legislatures that look little like Congress in terms of staff and facilities? If information and expertise resides only in legislators without reference to institutional information resources, there may be little difference across legislatures. If, however, staff and facilities influence expertise levels, then there should be differences. Taking important and innovative theories such as Krehbiel's that are couched in general terms but developed with Congress in mind and tested with congressional data, and examining them in light of differing informational resources across legislative bodies, is the best way to rigorously test them.

Professionalization in American Legislatures

Institutional characteristics of the sort we have examined in this chapter comprise the attributes American scholars typically associate with the concept of legislative professionalization (Citizen's Conference on State Legislatures 1971; Grumm 1971; Rosenthal 1998, 54–55; Squire 1988a; 1992a; 1992b; 1997; 2000). Legislatures deemed professional meet in unlimited sessions, provide superior staff resources and facilities, and pay members well enough to allow them to pursue service as their vocation. Thus, a professionalized body shares the attributes that the U.S. Congress has enjoyed since the early twentieth century. But, it is important to note that a professionalized body does not have to be a career body, one where members want and expect to serve for many years. Even when all professionalization standards are met, members might of their own volition opt to serve for only short periods of time. The California Assembly, for example, has long been considered a paragon of legislative professionalization, yet it was described as a "springboard legislature" even before term limits because its members often left quickly to seek higher office (Squire 1988a; 1988b; 1992a).[21]

Over the last three decades a number of measures of legislative professionalization have been developed (Berry, Berkman and Schneiderman 2000; Bowman and Kearney 1988; Carey, Niemi and Powell 2000, 694–97; Citizens Conference on State Legislatures 1971; Grumm 1971; King 2000; Moncrief 1988; Morehouse 1983; Squire 1992b; 2000). In general, such indices are composed of three main components (Squire 1988, 69–70; 1992b, 70–71): level of member remuneration, staff support and facilities, and the time demands of service. Squire's (1992b; 2000) measure, which is the most commonly employed, uses an index of Congress's member pay, average days in session, and mean staff per member as a baseline against which to compare an index composed of those same attributes of other legislative bodies. In essence, this measure shows how closely a state legislature approximates the professional characteristics of the Congress, with 1 representing perfect resemblance, and 0 no resemblance (Squire 1992b; 2000).

TABLE 3–5 Legislative Professionalization in the American States Compared to Congress in the Late 1990s.

Rank	Legislature	Professionalization Score	Rank	Legislature	Professionalization Score
	U.S. Congress	**1.000**			
1.	CA	0.571	26.	DE	0.151
2.	MI	0.516	27.	VA	0.150
3.	NY	0.515	28.	NC	0.149
4.	WI	0.459	29.	LA	0.144
5.	MA	0.332	30.	SC	0.135
6.	NJ	0.320	31.	MS	0.127
7.	OH	0.315	32.	TN	0.117
8.	PA	0.283	33.	VT	0.117
9.	HI	0.252	34.	WV	0.116
10.	FL	0.249	35.	RI	0.113
11.	IL	0.236	36.	ID	0.110
12.	AK	0.232	37.	KS	0.109
13.	TX	0.215	38.	GA	0.107
14.	WA	0.198	39.	IN	0.106
15.	MO	0.198	40.	AR	0.104
16.	MD	0.189	41.	ME	0.098
17.	OK	0.188	42.	KY	0.087
18.	AZ	0.185	43.	MT	0.073
19.	MN	0.179	44.	UT	0.067
20.	CT	0.178	45.	AL	0.067
21.	CO	0.172	46.	SD	0.065
22.	NE	0.172	47.	ND	0.058
23.	NV	0.171	48.	WY	0.057
24.	OR	0.152	49.	NM	0.053
25.	IA	0.164	50.	NH	0.034

Source: Scores taken from Squire (2000).

But despite some differences in the details—other measures use legislative expenditures or legislative operating budgets as a substitute for staffing data—all the major professionalization measures produce remarkably consistent state rankings (Berkman 1991, 675; Maestas 2003, 448; Mooney 1994). And the results produced by the quantitative measures square quite nicely with qualitative assessments of professionalization in the states (e.g., Rosenthal 1993, 116–17; Kurtz 1992, 2).[22]

All measures of American legislative professionalization show that over recent decades most state legislatures are *professionalizing* (King 2000; Mooney 1995; Squire 1992; 2000). But it is hard to argue that more than a handful of them are *professionalized.* Data from one recent study (Squire 2000), presented in table 3–5, reveal that three legislatures are clearly far more professionalized than the other 47: California, New York, and Michigan. Each of these bodies pays well, meets in unlimited sessions, and provides ample staff. Only these states could be argued to be comparable to Congress. A few other legislatures, such as Massachusetts, New Jersey, Ohio, Pennsylvania, and Wisconsin are substantially professionalized. Most state legislatures, however, are not close to being professionalized. Indeed, some legislatures, particularly New Hampshire, New Mexico, North Dakota, South Dakota, and Wyoming, are deficient across the board.

The Coming of Legislative Professionalization

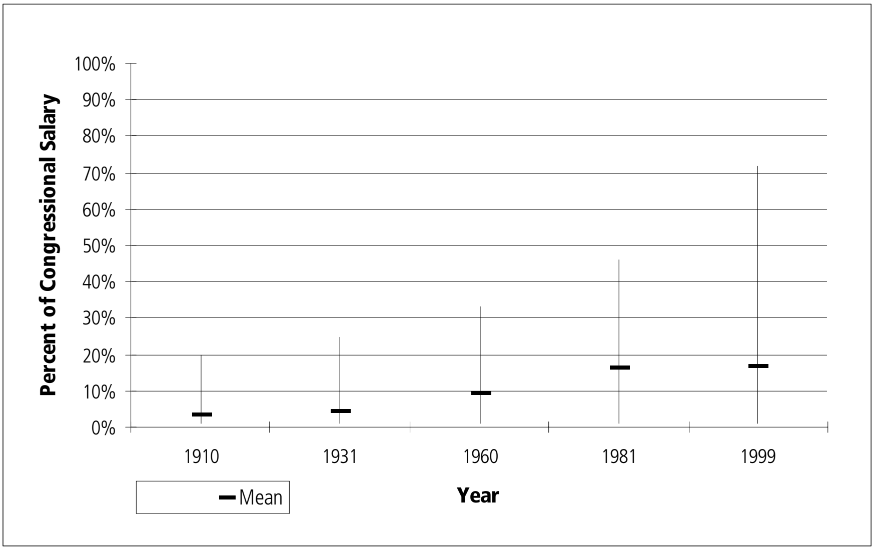
What has been the course of professionalization of American legislatures across the twentieth century? In this section we explore American legislative professionalization by examining how state legislatures compared to Congress at five points in time: around 1910, 1930, 1960, 1980, and 1999. The professionalization of Congress occurred roughly in the first decade of the twentieth century. As noted earlier in this chapter, congressional pay was set at $5,000 from 1873 until 1907, at which point it was raised to $7,500. From that point on, salary adjustments (almost always increases) occurred with much greater frequency. In session length, the Congress was only becoming a year-round institution in 1910 (Galloway 1961, 122). The Sixty-first Congress, for example, was in session from March 15, 1909 to August 5, 1909, again from December 6, 1909 to June 25, 1910, and then finally from December 5, 1910 to March 3, 1911. Over that two-year period it met 435 days, or an average of 217 days a year, a substantial figure although far less than the 280 days or more spent in session toward the end of the century.[23] Finally, again as noted above, staff and facilities were becoming widely available to members of both houses around this time. Thus around 1910 seems to be a good point at which to begin to assess American legislative professionalization if the U.S. Congress is the baseline to be used.[24]

The next snapshot is around 1931, after the boom years of the 1920s and at the beginning of the Great Depression, a point at which the traditional notions of federalism had not yet been altered and Congress and state legislatures each still pursued their long-held responsibilities. Thus, from 1910 to 1931, there is no significant pressure on state legislatures for organizational change. But rumblings for reform to allow state legislatures to better respond to increased demands on them surfaced by 1960 (Teaford 2002, 163–69). These pressures led to the legislative professionalization revolution, which occurred between the early 1960s and the late 1970s. By 1981, most of the significant professionalization reforms had been put in place, and as evidenced by the election of Ronald Reagan as president, support for investing in improved and expanded government institutions was coming to an end (Brace and Ward 1999; Rosenthal 1996; 1998). The final snapshot year, 1999, is appropriate not simply because it closed the century, but also because by that time term limits had taken root in many state legislatures and questions about whether state legislatures were experiencing a process of deprofessionalization had been raised.

Member Pay in Comparison

If Congress professionalized around 1910, what was the status of state legislatures in comparison? The range and mean of annual state legislative salaries as a percentage of the annual congressional salary at five points in time across the twentieth century are shown in figure 3–1.[25] As table 3–2 revealed, state legislative salaries lagged far behind the $7,500 paid to members of Congress in 1910. The highest state legislative salary was $1,500 for New York state legislators; the lowest was $50 in Alabama. The mean salary across state legislatures was just under $250, slightly over 3 percent of the congressional salary.

FIGURE 3–1 Range and Mean of State Legislative Salaries Compared to Congress, 1910–99

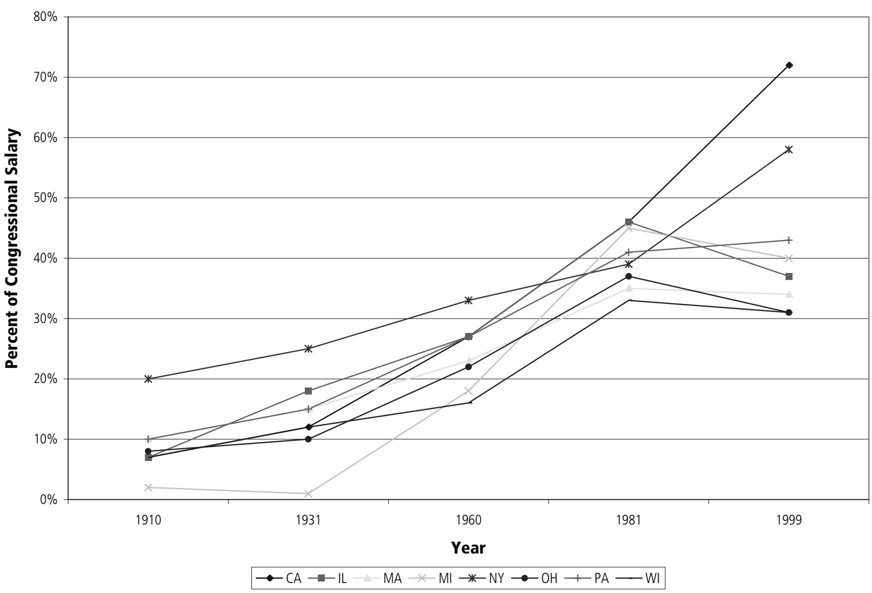


Sources: Data from *The Official Manual of Kentucky,* 1910, p. 147; Schumacker (1931, p. 10); *The Book of the States;* and the Dirksen Congressional Center's CongressLink Web page.

State legislatures made scant progress in closing the gap with Congress over the next 20 years. In 1931, the range and mean of state legislative salaries had barely budged compared to Congress. The mean salary was up to $453, but that still represented only 4.5 percent of congressional pay. More progress was recorded over the next thirty years. In 1960, the median salary was a bit over $2,150, or 9.6 percent of what members of Congress were paid. A similar jump was registered from 1960 to 1981. In the latter year, state legislators earned an average $9,808, or 16.1 percent of the congressional salary. But progress for most state legislators stopped at that point. Although the range of state legislative salaries increased, meaning that some state legislatures continued to close the gap with Congress, most simply treaded water. The 1999 mean salary of $20,398 was only 16.6 percent of congressional pay.

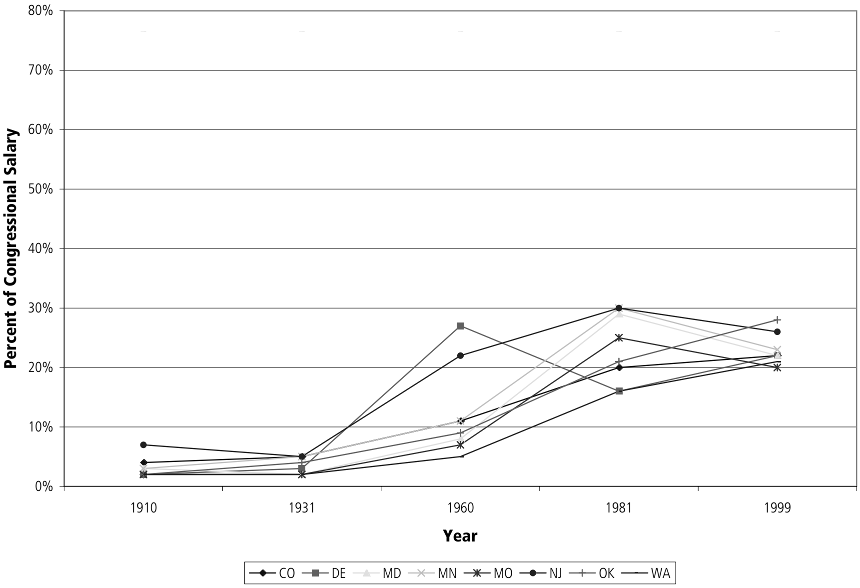
In figures 3–2 and 3–3, we disaggregate state legislative salaries by looking at the over-time progress of the 16 bodies deemed among the most professionalized in 1999 (Squire 2000). (There is little reason to look at the change over time among the lowest ranking institutions because they hover at the very bottom throughout. Legislative salaries in New Hampshire, for example, were set at $200 biennially by a constitutional amendment in 1889; that sum has not been changed

FIGURE 3–2 Salaries in Most Professional States Compared to Congress, 1910–99



Sources: Data from *The Official Manual of Kentucky,* 1910, p. 147; Schumacker (1931, p. 10); *The Book of the States;* and the Dirksen Congressional Center's CongressLink Web page.

FIGURE 3–3 Salaries in Professionalizing States Compared to Congress, 1910–99



Sources: Data from *The Official Manual of Kentucky,* 1910, p. 147; Schumacker (1931, p. 10); *The Book of the States;* and the Dirksen Congressional Center's CongressLink Web page.

since.) The eight most professionalized state legislatures, shown in figure 3–2, evidence the same basic trends. The salary compared to Congress of almost all of the legislatures improved between 1910 and 1931, and then improved at an even greater rate over the next 30 years. But, as we would expect, the period of greatest progress was during the professionalization revolution between 1960 and 1981. After 1981, however, more states lost ground than gained compared to Congress.

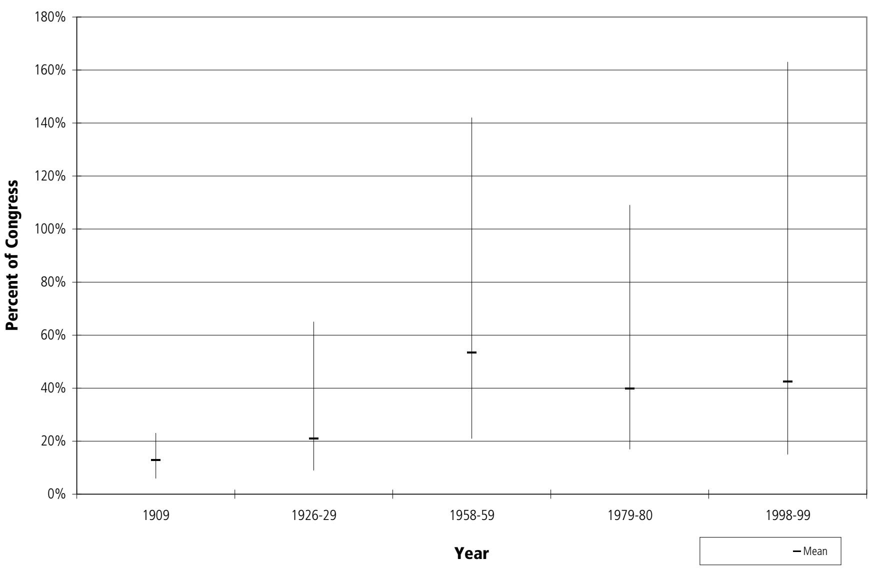
The eight professionalizing legislatures in 1999 evidence slightly different patterns. The relative standing of these states compared to Congress changed little between 1910 and 1931. All of them, however, closed the gap a bit over the next thirty years, Delaware and New Jersey in particularly impressive fashion. As with the most professionalized state legislatures, the professionalizing legislatures all gained the most ground during the professionalization revolution, save for Delaware, which fell behind. After 1981, about half the professionalizing states continued to make progress compared to Congress, while the other half failed to do so.

Overall, state legislative salary patterns over the twentieth century reveal the same general pattern, whether examined in the aggregate or individually with the 16 most professionalized legislatures. The great difference found between the states and Congress in 1910 was still present in 1931. State legislative salaries closed the gap a little with the congressional salaries between 1931 and 1960, and even more ground was gained during the professionalization revolution of the 1960s and 1970s. After 1981, however, overall progress essentially stopped, although a few states continued to close the disparity. Overall, however, the mean state legislative salary still lags far behind what members of Congress get paid.

Time Demands in Comparison

What about the number of days in session? Legislative salary and the time demands of service are typically thought of as linked, with legislators serving more days in session receiving more money in return. The relationship between congressional and state legislative time demands over the twentieth century are, however, very different from those for member pay. As figure 3–4 reveals, in 1909, virtually no state legislature met for very long compared to Congress.[26] The mean number of days in session for state legislatures was 28, compared to 210 days for Congress. That relationship began to change over the next two decades. By 1926 to 1929, the mean percentage of days in session compared to Congress

FIGURE 3–4 Range and Mean of State Legislative Days in Session Compared to Congress, 1909–99



Sources: Data collected by authors from Christensen (1931, p. 6); *The Book of the States; Congressional Quarterly* (1993, pp. 483–87); and Ornstein, Mann, and Malbin (2000, pp. 154–57).

increased, and the range across state legislatures grew substantially. The biggest change, however, occurred between 1930 and 1960. By 1958 and 1959 a few state legislatures were meeting for many days more than the U.S. Congress, although most were meeting for only half as many days.[27] Since 1960, even during the height of the professionalization revolution, the mean number of days in session has declined, while the range has fluctuated.

Why are the patterns for days in service so different from those for member pay? As discussed above, the fundamental rules governing how long American legislatures can meet in session differ across American legislatures. Congress is free to meet every year for as long as deemed necessary, while most state legislatures face substantial constraints. Many states moved to annual meetings through the first half of the twentieth century, thereby increasing their number of days in session. That trend, however, slowed over the second half of the century. Moreover, session limits were still imposed on many state legislatures. In Congress, the number of days in session increased substantially over the first seven decades before trailing off slightly. Thus, while Congress clearly became a full-time institution year-in and year-out, most state legislatures still met for far fewer days and not necessarily every year.

Professionalization and Population

Our examination of legislative pay and the number of days in legislative session over the course of the twentieth century documents the trend toward the professionalization of state legislatures. The average state legislature became more like Congress; a few legislatures made particularly impressive strides. But, which legislatures tended to close the gap with Congress and which continued to lag?

Studies of state legislative professionalization trends since the 1960s by Mooney (1995) and King (2000) reach very similar conclusions on this question. The one variable that is consistently associated with legislative professionalization is state population. That population is so critical to professionalization makes sense. From an economics perspective, the membership sizes of American legislatures do not vary much (Stigler 1976), even taking into account the current range from 60 legislators in Alaska, to 424 in New Hampshire, and 535 in Congress. The important relationship for our discussion here is between the number of legislators and the size of the population that finances them. It is very easy to understand how 35 million Californians can more easily finance their 120 member state legislature at a generous level than 500,000 Wyomians can support their 90 legislators. Large populations generate more income that can be used to finance the legislature, and the costs are spread across more people. So the critical variable then is not really population, but rather the wealth they generate. A small but poor state, for example, will not be able to support its legislature at the same level as a similarly small but much wealthier state can. But the very high correlation between state wealth and state population renders them essentially the same in statistical analyses. Consequently, in our analyses we use measures of total state income when they are available, and state population when they are not. We would expect state wealth to positively influence the level of legislative professionalization across the twentieth century.

Other theories can be advanced to explain a state's willingness to subsidize a more professionalized legislature. State partisanship, for example, seems like a plausible challenger. Over the course of the twentieth century, Democrats generally were more supportive of increasing the power of governmental institutions than were Republicans. Such support may translate into backing for increased legislative professionalization. We test this idea by measuring Democratic voting strength as represented by the average state vote for the Democratic presidential candidate in the previous two elections rather than by using the percentage of state legislative seats held by the Democrats. We do this because we think the presidential vote is a better control for public sentiment for national Democratic party ideals than the percentage of state legislative seats would be. We would not, for example, expect Democratic state legislators in the South for much of the twentieth century to believe in the same things or to manifest the same behavior as their party counterparts in state legislatures in the rest of the country. And we also would not expect Democratic state legislators in more rural Western states to behave just like Democratic state legislators in the urban Northeast. Using support for the party's presidential candidate gives us a more consistent measure across the country at each point in time.[28] In 1910 we might not expect any relationship between support for the Democratic party and professionalization level because at that point in time the Democrats had not yet articulated a program intended to grow government power. But, at each subsequent time period support for professionalization should increase with Democratic party voting strength.

State political culture also might influence professionalization. One might, for example, use Elazar's (1984) typology to argue that traditionalistic states ought to prefer citizen legislatures because of their strong sense of *noblesse oblige,* while the tolerance of individualistic states for professional politicians would lead them to support professional legislatures. Where moralistic states would fall between the professionalized and citizen legislature ends of the dimension is, however, not clear. On the one hand, a major argument advanced by professionalization supporters in the 1960s was that increasing member pay would allow more people from modest financial circumstance to run for office (e.g., Unruh 1965), a value consistent with the moralistic culture's emphasis on participation. On the other hand, Elazar observes (1984, 117) that in the moralistic culture there is a "general rejection of the notion that the field of politics is a legitimate realm for private enrichment." Using this typology raises other concerns as well. As Elazar notes, most states are blends of all three cultures. In addition, employing his measure of culture over time requires rather heroic assumptions about its stability. Keeping these potential limitations in mind, we coded dummy variables for individualistic and traditionalistic states, including those states in each category that were predominately of that cultural strain. Moralistic states were the excluded category. Our hypotheses are straightforward: individualistic states should be positively associated with professionalization levels while traditionalistic states should be negatively associated with professionalization levels. Given how these cultures become less pronounced in the states over time, we might anticipate that their effects are more powerful earlier in the twentieth century than later.

We also employ a simple dummy variable for the South, measured as the eleven states of the Confederacy. This is, in most important respects, an alternative measure of political culture. Indeed, it overlaps substantially with the traditionalistic states in Elazar's (1984) typology. All of the former states of the Confederacy are deemed traditionalistic, but other border and a few southwestern states are as well. This variable will also pick up any residue of the "South is different" argument for reasons other than political culture (Fiorina 1997, 156–57). The expectation for this variable is the same as for the Elazar measure; the South should be less supportive of professionalization than is the North. But, again, these differences may disappear later in the century as American politics become more nationalized.[29]

Finally, several scholars argue that citizen demands, rather than political culture, drive the adoption of state policies. Generally speaking, where state populations are more diverse along social, racial, and economic dimensions, greater policy demands are made on government. In turn, these increased demands might produce greater support for legislative professionalization. Thus, where appropriate data are available we explore whether Sullivan's diversity index (1973; Morgan and Wilson 1990) and Hero and Tolbert's (1996) ethnic and racial diversity measures are associated with level of legislative professionalization.

We test our state wealth theory against its competitors using two different sets of OLS regression equations to assess the effect of each approach on salary and number of days in session compared to Congress at each of our five points in time. In both sets the equations are run separately for each period rather than in a pooled time series model to allow for the real possibility that particular variables influence professionalization level in different ways at different points in time (Pindyck and Rubinfeld 1991, 223). The first set of equations for pay and session length is static, assessing the influence of the independent variables at each time point. The second set of equations for each is more dynamic, assessing the influence of the change in state wealth and other variables on the change in professionalization level in each of the last four time periods.

The results of the static equations explaining legislative pay in each time period presented in table 3–6 are clear and consistent. In every equation at each point in time, state wealth is both statistically and substantively of overwhelming

TABLE 3–6 Explaining State Legislative Pay Compared to Congress, 1910–99

	1910 I	1910 II	1931 I	1931 II	1960 I	1960 II	1960 III	1981 I	1981 II	1981 III	1981 IV	1999 I	1999 II
Total State Income in Billions[a]	.002***	.001***	.218***	.220***	.065***	.061***	.055***	.015***	.014***	.014***	.015***	.006***	.006***
	(.0001)	(.0001)	(.019)	(.021)	(.007)	(.007)	(.008)	(.002)	(.002)	(.002)	(.003)	(.001)	(.001)
Democratic Party Support	.027	.030	.034	.025	.094	-.006	.001	.637*	.586*	.006*	.0058	.632**	.658**
	(.031)	(.030)	(.038)	(.037)	(.127)	(.129)	(.001)	(.258)	(.262)	(.003)	(.0030)	(.186)	(.213)
South	-2.579*		-1.371		-4.198			-6.217*				-12.024***	
	(1.268)		(1.502)		(2.234)			(2.888)				(2.478)	
Individualistic Culture		.204		-.024		3.717			2.369				-.293
		(.786)		(1.031)		(1.852)			(3.049)				(2.948)
Traditionalistic Culture		-2.585*		-.148		-.491			-4.701				-8.359**
		(1.281)		(1.424)		(2.274)			(2.922)				(2.829)
Sullivan Diversity Index							.428**			.178			
							(.164)			(.420)			
Ethnic Diversity											.117		
											(.234)		
Minority Diversity											.074		
											(.099)		
Constant	-.066	-.063	.539	1.422	1.017	3.677	-.190	17.240	-15.345	-.266	-.157	-18.286	-18.804*
	(1.193)	(1.085)	(1.349)	(1.189)	(5.140)	(4.983)	(.106)	(10.775)	(10.893)	(.189)	(.123)	(8.071)	(9.057)
N	45	45	48	48	48	48	48	48	48	48	48	48	48
Adjusted R^2	.67	.68	.75	.74	.65	.66	.68	.61	.60	.57	.56	.77	.71

[a] State population is substituted for total state income in the 1910 equations because of a lack of data.

*$p < 0.05$, two-tailed test; **$p < 0.01$, two-tailed test; ***$p < 0.001$, two-tailed test.

importance in explaining legislative salary in comparison to Congress.[30] In stark contrast, the effects of the other variables are inconsistent over time. The shifting parameters over time validate our decision to examine each period separately.

Although in each equation state wealth is statistically significant, the size of the state wealth coefficients decline over time. This is only because total state incomes grew dramatically, from a mean of $1.3 billion in 1931 to a mean of $160 billion in 1999. The dependent variable, however, is always measured as a percentage. Thus the effects of state wealth are consistently large. Indeed, they actually increase over time. The difference between the wealthiest state and the poorest state in 1909 was almost 22 percentage points. By 1999 that gap had increased to over 50 percentage points. Thus, the larger the state income level, the more money paid to state legislators relative to congressional pay.

Democratic party support matters only in the post-professionalization revolution time period. In both 1981 and 1999, increased support for Democrats is associated with higher levels of state legislative pay compared to Congress. The difference between the most Democratic and least Democratic states in these two years translates into about a 16 percentage point difference in salary. In earlier eras, the relationship, although almost always in the expected direction, is substantively much weaker and always far from achieving statistical significance.[31]

The effect of political culture is, at best, inconsistent over time. The coefficients for the individualistic states occasionally take the wrong sign. More importantly, they are always substantively small and statistically insignificant. The coefficients for the traditionalistic states behave in a more consistent and expected fashion. They always take the anticipated negative sign, but they are only statistically significant in two of the five time periods, while coming close in a third. Even when the coefficient is statistically significant, its impact is impressive only in the 1999 equation, when traditionalistic states are over 8 percentage points lower in their pay compared to Congress than are the nontraditionalistic states. Not surprisingly, the coefficient for the South dummy variable behaves in virtually the same way as the traditionalistic dummy variable. Its biggest impact also appears in 1999, when southern states lag their nonsouthern counterparts by over 12 percentage points compared to Congress.

The policy demand variables exert limited influence at best. The Sullivan diversity index is statistically significant in 1960, suggesting that demands for increased legislative capacity in the time period prior to the professionalization revolution were driven in part by greater social and economic diversity. In the 1981 equations, however, the Sullivan diversity index and the measures of ethnic and racial diversity fail, both statistically and substantively.

Equations explaining the change in legislative professionalization level between time periods are given in table 3–7. We lag the previous time period's salary percentage for each state in each equation. Looking at the change between time periods and using the lagged salary variables constitutes a more stringent

TABLE 3–7 Explaining Change in State Legislative Pay Compared to Congress, 1910–99

	1931 I	1931 II	1960 I	1960 II	1960 III	1981 I	1981 II	1981 III	1981 IV	1981 V	1999 I	1999 II
Lagged Salary Percentage from Previous Time Period	26.391	31.552*	-23.841	-28.057	-27.451	-11.617	-4.694	3.909	-5.585	5.509	-36.608***	-30.123**
	(13.642)	(14.068)	(20.645)	(20.027)	(19.602)	(19.688)	(20.268)	(19.443)	(20.058)	(19.927)	(8.426)	(9.764)
State Income Increase from Previous Period in Billions[a]	.0007	.0006	.444***	.414**	.362**	.077*	.067*	.080*	.069*	.077*	.046***	.039***
	(.0005)	(.0006)	(.123)	(.116)	(.116)	(.030)	(.029)	(.031)	(.030)	(.032)	(.008)	(.009)
Democratic Vote	-.014	-.038	.007	.019	.106	.415	.466	.306	.323	.414	.119	.114
	(.034)	(.034)	(.078)	(.120)	(.106)	(.257)	(.250)	(.243)	(.250)	(.256)	(.164)	(.189)
Democratic Vote Change from Previous Period	.060	.068	.068	.069	.035	-.182	-.300	.115	-.063	-.138	.385	.398
	(.058)	(.057)	(.122)	(.069)	(.055)	(.192)	(.195)	(.182)	(.195)	(.194)	(.249)	(.288)
South	.436		-2.994			-4.290					-7.704***	
	(1.382)		(2.954)			(3.465)					(1.870)	
Individualistic Culture		.003		3.263			-2.684					-1.832
		(.792)		(1.787)			(2.778)					(2.092)
Traditionalistic Culture		1.563		.857			-6.893*					-4.570*
		(1.563)		(2.619)			(3.294)					(2.145)
Sullivan Diversity Index					32.195*			-60.044				
					(15.618)			(44.665)				
Change in Diversity Index from 1960									-15.701			
									(56.821)			
Ethnic Diversity										-20.503		
										(20.536)		
Minority Diversity										-11.106		
										(10.521)		
Constant	.493	1.086	.724	2.663	-15.069	-12.422	5.565**	17.314	-9.309	-10.488	-2.925	-2.687
	(1.217)	(1.106)	(4.787)	(4.547)	(9.716)	(10.328)	(1.975)	(22.127)	(10.178)	(10.212)	(6.657)	(7.591)
N	45	45	48	48	48	48	48	48	48	48	48	48
Adjusted R^2	.29	.24	.29	.32	.34	.16	.21	.18	.14	.17	.43	.26

[a] Change in state population is substituted for change in state income in the 1931 equations because of a lack of appropriate data.

$*p < 0.05$, two-tailed test; $**p < 0.01$, two-tailed test; $***p < 0.001$, two-tailed test.

test of our theory. The independent variable of greatest theoretical interest to us in these equations is the increase in state wealth from the preceding time period. The coefficients for increase in state wealth are large and statistically significant in each of the equations for 1960, 1981, and 1999, failing only in the 1931 equations where they still take the predicted sign. As in table 3–6, the effect of the change in wealth coefficients increases over time. The difference between the largest and smallest increases in 1960 was a bit over 20 percentage points of salary compared to Congress. The difference in 1999 was around 45 percentage points.

Little support for the competing theories is found in table 3–7. Neither Democratic party support nor the change in support for the party matters at any point in time. Political culture is influential only on the margins and, contrary to what we might expect, only in the most recent time periods. Traditionalistic states lag the other states in the 1981 and 1999 equations by between 4 and 7 percentage points. Similarly, states in the South trailed the rest of the country by about 8 points in 1999. The citizen demand variables are again relatively weak. Statistically, the Sullivan diversity index performs well in the 1960 equation, but the difference between the least diverse and most diverse states is less than 8 percentage points. In the 1981 equations, the Sullivan diversity index, the change in the diversity index between 1981 and 1999, and the ethnic and racial diversity measures all take the incorrect signs and fall far short of reaching statistical significance.

The results presented in tables 3–6 and 3–7 demonstrate that state wealth exerts a powerful effect on legislative pay over time. But does wealth also influence legislative session length? The relationships are different, as table 3–8 shows. None of the independent variables comes close to exerting a statistically significant effect on session length through 1960, save for the Sullivan diversity index. But substantively, the effect of that variable is trivial; the difference in session length between the least diverse and most diverse states is only half of one day. It is only in the post-professionalization revolution era that any consistent effects are seen. In both 1981 and 1999, a positive relationship between state wealth and session length develops. But its effect also is substantively trifling. Partisanship, political culture and the other citizen demand variables all fail to register any impact at all.

The results for equations examining the change in session length from one time period to the next are presented in table 3–9. At first glance table 3–9 appears to tell the same story as table 3–8. There is, however, a very important difference between the results reported in the two tables. The statistically significant coefficients in table 3–9 produce much bigger effects than they did in table 3–8. Again, the Sullivan diversity index is statistically significant in the 1960 equation but this time the change in days in session as compared to Congress between the least diverse states and the most diverse states is large: 50 percentage points,

TABLE 3–8 Explaining State Legislative Days in Session Compared to Congress, 1910–99

	1910 I	1910 II	1931 I	1931 II	1960 I	1960 II	1960 III	1981 I	1981 II	1981 III	1981 IV	1999 I	1999 II
Total State Income in Billions[a]	.000006 (.000006)	.000007 (.000007)	.005 (.007)	.003 (.001)	.008 (.005)	.005 (.005)	.002 (.005)	.002*** (.0005)	.002** (.0006)	.001** (.0004)	.002** (.0004)	.0005* (.0002)	.0005* (.0002)
Democratic Party Support	-.0004 (.001)	.0001 (.001)	.0008 (.001)	.0008 (.001)	-.006 (.008)	-.006 (.008)	.0003 (.008)	.004 (.006)	.004 (.006)	.003 (.006)	-.001 (.006)	.006 (.006)	.007 (.007)
South	-.007 (.034)		-.067 (.055)		-.100 (.149)			-.113 (.062)				-.142 (.085)	
Individualistic Culture		-.007 (.022)		.010 (.037)		.195 (.123)			-.004 (.066)				-.027 (.091)
Traditionalistic Culture		-.033 (.034)		-.065 (.051)		-.048 (.148)			-.103 (.063)				-.157 (.087)
Sullivan Diversity Index							2.338* (1.084)			.838 (.879)			
Ethnic Diversity											.821 (.476)		
Minority Diversity											-.208 (.201)		
Constant	.137*** (.031)	.123*** (.029)	.187*** (.049)	.193*** (.042)	.772* (.340)	.726* (.326)	-.488 (.698)	.151 (.230)	.175 (.235)	-.206 (.395)	.299 (.250)	.127 (.277)	.123 (.278)
N	34	34	47	47	47	47	47	48	48	48	48	48	48
Adjusted R^2	.00	.00	.00	.01	.06	.10	.14	.29	.27	.25	.29	.14	.14

[a] State population is substituted for total state income in the 1910 equations because of a lack of appropriate data.

*$p < 0.05$, two-tailed test; **$p < 0.01$, two-tailed test; ***$p < 0.001$, two-tailed test.

TABLE 3–9 Explaining Change in State Legislative Days in Session Compared to Congress, 1910–99

	1931 I	1931 II	1960 I	1960 II	1960 III	1981 I	1981 II	1981 III	1981 IV	1981 V	1999 I	1999 II
Lagged Days	76.709**	73.211**	41.821	32.996	35.713	-87.849***	-87.873***	-87.068***	-88.018***	-91.295***	-30.766	-31.817
in Session Percentage	(27.143)	(28.935)	(53.229)	(53.146)	(49.834)	(8.677)	(9.154)	(9.131)	(8.949)	(9.541)	(17.888)	(18.125)
State Income Increase	.0001	.0001	.857	.550	.199	.190**	.183**	.188*	.186**	.196**	.018	.017
from Previous Period in Billions[a]	(.002)	(.002)	(.567)	(.580)	(.618)	(.055)	(.056)	(.069)	(.056)	(.071)	(.030)	(.030)
Democratic Party	.236	.164	-.680	-.816	-.134	.354	.361	.146	.177	-.091	.607	.624
Support	(.130)	(.135)	(.846)	(.844)	(.730)	(.640)	(.657)	(.629)	(.630)	(.668)	(.670)	(.688)
Democratic Vote	-.347	-.265	-.364	-.184	-.328	-.072	-.085	.336	.161	.154	-1.301	-1.197
Change from Previous Period	(.242)	(.246)	(.528)	(.473)	(.372)	(.505)	(.528)	(.482)	(.506)	(.507)	(1.081)	(1.113)
South	-8.537		-10.926			-10.529					-3.942	
	(5.173)		(20.176)			(8.536)					(7.934)	
Individualistic		-.073		18.360			-1.861					-1.816
Culture		(3.161)		(12.401)			(7.210)					(7.998)
Traditionalistic		-5.148		-.217			-10.043					-5.556
Culture		(5.573)		(18.526)			(8.802)					(8.226)
Sullivan					220.004*			-2.789				
Diversity Index					(104.618)			(117.254)				
Change in									-74.391			
Diversity Index									(141.322)			
Ethnic										62.425		
Diversity										(55.098)		
Minority										-11.361		
Diversity										(27.771)		
Constant	-10.161	-7.171*	53.581	55.177	-62.793	11.956	13.486	19.530	18.823	26.941	-10.205	-9.155
	(6.121)	(5.921)	(33.649)	(31.942)	(65.800	(26.211)	(26.463)	(56.747)	(26.097)	(27.084)	(27.951)	(28.507)
N	34	34	46	46	46	47	47	47	47	47	48	48
Adjusted R^2	.17	.09	.01	.05	.11	.70	.69	.69	.69	.69	.00	.00

a State population is substituted for total state income in the 1931 equations because of a lack of appropriate data.

$^*p < 0$ .05, two-tailed test; $^{**}p < 0.01$, two-tailed test; $^{***}p < 0.001$, two-tailed test.

suggesting that societal pressures building in the period leading up to 1960 motivated the most diverse states to increase the number of days the legislature met. But the diversity index, the change in the index, and the other citizen demand variables, as well as the political culture and partisanship variables, all fail in the 1981 and 1999 equations.

Change in state wealth is both statistically and substantively significant only in the 1981 equations. The difference between the states with the greatest increase in wealth and the least increase in wealth is around 51 percentage points in 1981. Although the coefficients in the equations for the other years always take the correct sign, none achieves statistical significance. Thus, during the period of the professionalization revolution, the wealthiest states were the ones that pushed the hardest to have their legislatures become more like Congress.

The Consequences of Professionalization for Legislators and Legislative Institutions

Why should professionalization be of interest to legislative scholars? Professionalization has been found to impact an extensive web of relationships involving legislators and the organizations in which they serve. Professionalization, for example, alters the relationship between the representative and the represented. Legislators in more professionalized legislatures have more contact with their constituents (Squire 1993) and are more attentive to their concerns (Maestas 2003) than are their counterparts in less professionalized legislatures. At the same time, legislators enjoy increasing electoral isolation from political tides as professionalization levels rise (Berry, Berkman, and Schneiderman 2000). And the relationship between interest groups and legislators is mediated by professionalization (Berkman 2001).

A related and important question is whether legislative professionalization attenuates or enhances the linkage between public opinion and public policy. One argument has been that professionalization of state legislatures insulates members from their constituencies, resulting in legislative policies that are less representative of the interests of individual districts and or the interests of the state (Luttbeg 1992; Weber 1999). Maestas (2000), however, has shown that states with more professional legislatures and with more opportunities for members to progress to higher office have greater aggregate public opinion–policy congruence. This is the case even after controlling for the effects of electoral competition and other variables that might influence policy decisions.

The internal organizational arrangements of legislatures also have been linked to professionalization. As legislatures become more professionalized, for example, committee systems change more frequently (Freeman and Hedlund 1993), and power becomes less centralized in the hands of legislative leaders (Squire

1988a; 1988b; 1992a). Leadership styles are associated with legislative professionalization, with less collaborative approaches being found in more professionalized chambers (C. Rosenthal 1998). And career paths to the speakership are not as defined in more professionalized chambers as they are in less professionalized chambers (Freeman 1995).

Finally, there is a clear relationship between professionalization and legislative output. Legislative efficiency—the percentage of bills passed and the number of bills enacted per legislative day—is positively related to professionalization level (Squire 1998). The independence of legislative decision making from executive influence rises with professionalization (Thompson 1986). The propensity to reform government personnel practices increases with legislative professionalization (Kellough and Selden 2003), as does the willingness to adopt increasingly complex and technical policies (Ka and Teske 2002). And there is evidence that per capita government spending increases with the level of legislative professionalization (Owings and Borck 2000).[32]

The level of professionalization also appears to impact how legislators decide to design legislation covering the same policy issue. For example, why do different legislatures delegate different levels of authority to bureaucratic agencies? The literature on legislative–bureaucratic relations is extensive and has come to be dominated by the principal–agent framework from economics. After reviewing the theoretical work in this area, Huber and Shipan (2002, 40) contend that, "There exists a bias, then, in our theories of delegation, one that emphasizes explanatory factors that vary within polities—and particularly within the U.S. Congress—at the expense of explanatory factors that vary across polities." They suggest that the broader political environment in which legislators find themselves affects the strategies they use for controlling bureaucracies, arguing that where such environmental features do not vary, as in studies of the U.S. Congress, these aspects cannot become part of any theory of delegation. Huber and Shipan posit legislative professionalism as one potential factor that would affect the willingness of legislators to exercise control over the bureaucracy. Their findings are particularly instructive. They show that in the least professional legislatures—in their case measured by lower compensation levels, fewer staff, and fewer committees—there is relatively little difference in the degree of direction given to bureaucrats in legislatures with unified party control versus those in legislatures with divided party control. Legislators in legislatures with divided party control, however, are more likely to write laws that give bureaucrats less direction in implementing policies than are legislators in legislatures with unified party control, and this difference increases with the level of legislative professionalism (Huber and Shipan 2002, 159).

Overall, it seems clear that the cumulative effects of professionalization on a particular legislature can be profound. Rosenthal (1986, 135–36), for example, observes of New Jersey that,

> During the late 1960s and 1970s the legislature increased its capacity markedly and developed as a political institution. Standing committees became significant in the process, specialization began to be taken seriously, the legislative workload grew heavier, and more time and energy were devoted by members to their tasks. As important as anything else in the development of the legislature and its enhanced capacity was the expansion in the size and competence of its professional staff. . . . As a result, the legislature today insists on sharing not only in the credit for state policy, but also in its formulation.

The research questions raised by looking at professionalization both dynamically and comparatively are intriguing. Certainly, tracing the effects of reform on legislative organization and behavior in particular bodies is of interest. But thinking of professionalization in state legislatures as an attempt to emulate the development of the U.S. Congress suggests another research agenda. Consider this question: should legislative organizations that develop like one house of Congress come to operate in the same way as that chamber? Should rules, procedures, and structures develop to look the same? If professionalization leads to legislative chambers coming to look alike, then there is a strong argument to be made that professionalization is a path-dependent phenomenon. But if legislatures develop or maintain different organizational schemes and procedures as they professionalize—and a cursory look at American legislatures would suggest that this is the case—that observation creates a challenge for theories developed to explain the evolution of one chamber of Congress. The limitations of theories that work only to explain the result of evolution found, say, in the U.S. House will be exposed and scholars will be set on a hunt for variables, hypotheses and theories that can better account for the wider range of outcomes found in American legislatures.

Conclusion

Over the course of the twentieth century, nearly all state legislatures became more like the U.S. Congress, albeit most of them only marginally so. At the beginning of the twentieth century, the vast majority of state legislatures were very similar to each other in terms of pay and days in session. Over the next 90 years, substantial differences emerged. A few states became well-paid, full-time bodies much like Congress. Most states improved their lot relative to Congress, at least a little bit. But some failed to make up any ground at all.

We argued that the explanation for the growing disparity across the states is rooted in a simple explanation. State wealth—effectively the same thing as state population—made the biggest and most consistent difference. The relationship between state wealth and member pay over time, as revealed in tables 3–6 and

3–7, is straightforward and unambiguous. There has always been a very strong, positive relationship between member pay and state wealth. Indeed, the correlation between *state population in 1910 and legislative salary in 1999* is 0.638 ($p >$ 0.01). Thus, the professionalization revolution did nothing to alter that basic association.

The reforms of the 1960s and 1970s did, however, link legislative session length with state wealth. By the last part of the twentieth century legislatures in wealthier states were meeting for more days than their poorer state counterparts. But that relationship is highly constrained by the various session length and meeting limits still imposed on many state legislatures today.

The evidence in support of competing theories to explain legislative professionalization is, at best, very weak and inconsistent. Support for the Democratic party manifested only an effect on member pay, and that only in the post-reform period. Similarly, there is mixed evidence suggesting that southern or traditionalistic states were more reluctant to pay their state legislators more than were other states, the most notable effect only surfacing in the most recent time period. Other than the Sullivan diversity index in the 1960 equation, none of the political culture or citizen demand variables influenced the move to longer state legislative sessions.

Finally, our findings point to the important effects that the professionalization revolution had on state legislatures between 1960 and 1981. Although some professionalization characteristics were already present by the time Jesse Unruh and the Citizens Conference rallied state legislatures to become more like Congress in the 1960s, their efforts did make a difference. But our data also reveal how the professionalization fervor dissipated by 1981. Indeed, many state legislatures lagged as far behind Congress in 1999 as they had in 1960. Thus, by the end of the twentieth century only a few state legislatures had professionalized to the extent that they were in any way akin to the U.S. Congress.

Unfortunately, the scholarly study of professionalization and its consequences is almost exclusively focused on state legislatures and not on Congress (Price 1975 being the notable exception). Exploring the differences in institutional attributes across legislatures gives us greater leverage on answering important questions about the organizational evolution of legislatures. An exclusive focus on the evolution of a single legislature, even one as important as the U.S. House, may well lead us astray if we fall into the trap of thinking its evolutionary path tells us very much about the evolutionary path of legislative bodies in general (e.g., Hibbing 1999).