

October 16, 2008

Please Spare us from a “Professional” Legislature

John LaPlante

During this last year I’ve noticed some people suggesting that Minnesota needs a more professional legislature. But does it?

As it turns out, political scientists and economists have compared the qualities of citizen or part-time legislatures with those of professional, career or full-time legislatures. Some of their findings should concern anyone who thinks that our state government is large enough as it is.

Researchers use three different qualities to define a “professional” legislature: annual salary, time in session and number of staff. The more a legislature has of each, the more professional it is. The term, it should be clear, refers to how much a legislature offers career employment, not necessarily how good its outcomes are.

The desirability of a professional class of lawmakers has been discussed for a long time. Some scholars trace the question back to the time of Aristotle.

In 1956, the eminent political scientist V.O. Key suggested that Republicans have a competitive advantage with part-time legislatures. His reason: People with the money and time to devote to politics tended to be Republican.

Writing in 1994 in the *American Political Science Review*, Morris P. Fiorina of Harvard University followed in that line of thinking. He tried to answer the question “Why has the Republican dominance of legislatures outside the south declined so dramatically over the last several decades?”

His argument was that a professional legislature offered Democrats a chance to improve their career status. By contrast, legislative service imposed significant opportunity costs on Republicans. Fiorina analyzed legislative pay and other actors, and concluded that the increased professionalization of legislatures (as reflected in more pay) resulted in an 8 percent legislative gain for Democrats.

The Democratic Party has a reputation for being the party of larger government, so if the professionalization of legislatures leads to more Democratic-controlled ones, does it also lead to larger government?

At the national level of late, Republicans have been very eager to grow government as well, so it's important to move beyond the change of partisan control to ask if there's anything in the institutional dynamics of a professional legislature that makes it more likely to outspend a citizen legislature. (A professional legislature will require more in salaries, but the cost of running a legislature is minimal compared with the costs of the executive branch of government.)

Do citizen legislators really spend less? Stephanie Owings of the U.S. Naval Academy and Rainald Borck and Humboldt University of Berlin asked that question in the journal *Public Finance Review*. Their answer, in short, was yes.

According to Owings and Borck, part-time legislatures, with their more-frequent turnover and less staff, depend more than professional legislators do on interest groups for ideas and research. Interest-group theory suggests that this should cause part-time legislatures to spend more than professional ones, since interest groups tend to favor more spending, not less.

But, Owings and Borck say, there are also reasons why professional legislatures might be more prone to outspend citizen legislatures. They have more time in each session to develop the skills required to pass legislation, which usually implies increased outlays. The higher pay gives legislators a financial incentive to seek re-election. The skills developed in on the job make continued service as a legislator more attractive as well. Professional legislators will then have an incentive to seek the favor of (budget-demanding) interest groups. A professional legislator will also have an incentive to pursue pork-barrel spending as a re-election tactic.

The personal dynamics in professional legislatures also favor increased spending. Professional legislatures offer more opportunities for logrolling. When legislators spend more time with each other in longer sessions and have more assurance that their vote-trading partners will be around in the next session, logrolling—and its tendency to “buy” votes pass legislation—is more likely.

In addition, the longer a legislator is in office, whether through a longer session, more terms, or both, the more opportunities that person has to learn how to produce legislation. Another factor is that time in service increases the social pressure to adapt the culture of spending.

Owings and Borck come up with a quantitative analysis that uses 10 different factors that might influence growth in government spending. These factors include population, state incomes and federal revenues, among other things.

Their analysis finds that simply having a professional legislature rather than a citizen legislature increases state spending by 12 percent. “Government spending in states with citizen legislatures is significantly lower than in states with professional legislatures,”

they conclude. “By reducing the professionalism of their legislatures, citizens, if they so wish, can effectively constrain the size of government.”

Note that the Minnesota legislature is not considered to be a “professional” one, at least in terms of compensation and time spent on that job. Since state and local government in Minnesota spend more than 10 percent of each person’s income, on average, Minnesotans ought to be thankful that they don’t yet have a “professional” legislature.