

Once Reformed, Soon Forgotten: The Impact of Limiting State Legislative Terms of Service on Voter Turnout in Intra-Party Contests.

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Abstract

The purpose of this research is to discern more explicitly how electoral reforms that limit terms of service impact voter turnout in state legislative primary elections. In particular, we pose the critical question of whether implementation of term limit reforms has had any systematic effect on voters' participation in intra-party legislative contests. Contrary to the conventional argument that term limits will invigorate voter turnout, we find that limiting terms of service for legislators does not translate into higher voter turnout. In fact, the situation is indeed quite the opposite, with implementation of term limits reducing the level of voter turnout overall in intra-party contests.

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Introduction and Significance

Within the voluminous literature on term limits in state legislatures substantial blocks of research have been devoted to questions of how reforms affect competition in legislative contests (e.g., Pinney, Serra, and Sprick 2004; Jacobson 1997; Kermit and Lott 1997; Caress 1996; Mitchell 1991) and behavior of individual legislators (e.g., Carey, Niemi, and Powell 2003; Glazer and Wattenberg 1996; Herrick, Moore, and Hibbing 1994; Will 1992). Relatively few studies, however, have examined the critical question of whether limiting state legislative terms of service impact voter turnout (Samples and Basham 2002; Fund 1991). From the studies that have at least touched on this question, there are certainly ample grounds to suspect that reforms should have indeed influenced participation. The purpose of this research is to discern more explicitly the impact of term limits on voter turnout in state intra-party legislative elections.

To put the matter most briefly, proponents of term limits speculate that mandatory prohibition of legislators seeking re-election might increase electoral competition, and thus, voter turnout in elections, by increasing the pool of candidates who run for office (see Barcellona and Grose 1994 for further review). According to most studies of state legislatures, incumbents tend to enjoy more than an 88 percent chance of being re-elected (Breux and Jewell 1992; Garand 1991; Jewell and Breux 1988). The implementation of term limits, however, has a natural consequence of creating more open seats, and greater competition resulting from an increased number of open seats means legislative contests are likely to provide voters with a more diverse and appealing selection of candidates

(Barcellona and Grose 1994; Fund 1991; Petracca 1991 but see Pinney, Serra, and Sprick 2004). Thus proponents of term limits argue that changes in the rules of elections will invigorate voter participation by creating more competitive seats and thus increasing choices.

However, it may just be that increasing voters' choices of candidates in state legislative contests is likely to suppress turnout, particularly in primary elections, by increasing transaction costs (i.e., the costs of acquiring and processing information about candidates' images and issue positions) and thus altering the cost benefit equation of voters. Much of the comparative politics literature explains lower general election voter turnout rates in the United States compared to other western democracies (Lijphart 1997; Powell 1986) in terms of a cost benefit analysis (e.g., Knack 1995; Squire, Wolfinger, and Glass 1987; Erikson 1981; Wolfinger and Rosenstone 1980; Downs 1957). These studies generally agree that when voting costs are great and benefits are not readily apparent, individuals are less likely to vote. Reforms such as term limits, which divorce voters from the anchoring cue of party labels in contests of relative unknown candidates (Katz 1994) and encourage image building, flashy campaigns, and an insatiable need of resources for multiple candidates to differentiate themselves, may increase the costs of becoming informed, and thus the costs of voting.

Additionally, term limits may also decrease the benefits of voting by altering the behavior (i.e., priorities) of individual legislators as a result of changes in the incentive structure facing politicians. Term limits prohibit legislators from seeking reelection, and thus as reform advocates argue will sever the electoral connection (Mayhew 1974), encouraging politicians to consider interests broader than those of their districts. Extant

research suggests term limits are associated with less district-oriented electioneering activities, such as performing constituency service (Carey, Niemi, and Powell 2003; Glazer and Wattenberg 1996), and that legislators elected from term-limited states are less responsiveness to narrow electoral constituencies than their counterparts elected in non-term-limited states (Carey, Niemi, and Powell 2003; Herrick, Moore, and Hibbing 1994; Will 1992). This Burkean detachment from narrow district concerns may likely have the unintended consequence of simultaneously reducing the utility voters receive (i.e., particularized benefits) from participating in district election contests, and thus, they may be less motivated to turn out at the polls because the costs of voting outweigh the benefits derived from it. If these arguments are correct then surely this implies that term limits may in fact have a negative impact on voter participation.

Given the conflicting theories and evidence in the literature, our paper focuses on determining whether one can indeed find indications that limiting state legislative terms of service impact voter turnout in intra-party contests. We present estimates from a (group) pooled time-series model in which we consider the impact of variables identified as affecting voter turnout. With such information, analysis allows some additional leverage on the consequences of moving into an era of term-limited legislatures.

Central to the present investigation is the notion of candidate competition, which proponents of term limits argue, in turn will invigorate voter turnout. To get any leverage on the question whether term limits affect voter turnout, we need to focus on intra-party contests because competition for state legislative seats begins there; candidates who choose to run for legislative office typically begin by contesting a party primary (Carey, Niemi, and Powell 2003:113). Furthermore, the examination of intra-party contests

captures all of the competition that occurs; if we simply examine contests between Republicans and Democrats in the general election, “we would miss instances which a [candidate] tried for the nomination and was defeated” (Carey, Niemi, and Powell 2003:113). Our unit of analysis allows us to examine multiple candidates for each party, rather than the censored sample a general election contest would provide.

Additionally, studies utilizing aggregate level data to assess the impact of legislative term limits miss the subtle changes that occur within districts. For example, Hogan and Hamm (1998) find dramatic variations between districts within a single state in relation to competition, spending, and cost per vote. They conclude that not all districts are created equal and any reforms should consider the characteristics of legislative districts. Therefore, to truly assess the impact term limits have on voter turnout we should consider district level data.

Research Design: The Term Limits Data

This study makes use of data from the 1994 and 1998 Republican Party and Democratic Party primary elections in Michigan and Illinois. All other factors held constant, if term limits impact intra-party voter turnout in state legislative races, we should be able to detect the impact of this effect by comparing voter turnout in a state that has implemented term limits and experienced mandatory retirement of state legislators (Michigan) with voter turnout in a state that does not have term limits and thus has not forced retirement on state legislators (Illinois).

Michigan is a particularly good test case, since it experienced the largest mandatory removal of legislators from office of any state implementing term limits. In 1996, only 52 members of state legislators nationwide were removed from office, while

in Michigan 67 out of 110 House members were removed in 1998. Another feature that makes Michigan a particularly compelling test case is that while it is classified as a professional legislature, it does not suffer from the same degree of extremism associated with California. Michigan represents a more typical professionalized legislature than California, and it is also more aligned with average expenditures in state races than California.¹

Illinois is a particularly good comparable test case because it is similar to Michigan in its average campaign expenditures in state legislative races, and its legislature's level of professionalization.² It also shares other similar characteristics with Michigan, such as geographical region, economic sectors, and open primary contests.³ Furthermore, the 1994 and 1998 elections in Michigan and Illinois were gubernatorial races that Republican candidates won by fairly comfortable margins.

We focus on non-presidential election years to control for external factors that might potentially confound results; thus we exclude the 1996 primary election results from the analyses. Voting trends in presidential elections affect overall voting outcomes of state legislative contests (Bibby 1983; Campbell 1986; Chubb 1988; Holbrook-Provow 1987), and perhaps more importantly for the purpose of this study, presidential elections are generally more visible to voters and they have higher voter turnout than off-year elections. The Michigan and Illinois midterm elections (1994 and 1998) therefore provide an appropriate quasi-experimental design to examine differences in voter turnout within intra-party contests.

Term Limits and Voter Turnout

To understand fully the extent to which limiting state legislative terms of service impact voter turnout in primary elections, we estimate a multivariate model that depicts voter turnout as a function of the implementation of term limits and five other key variables identified in the literature that are likely to affect propensity to vote. These key variables include intra-party influences (i.e., number of party candidates, total party campaign expenditures, voting competition) and inter-party influences (i.e., party dominance in a district, incumbency). The model also recognizes that socio-demographic factors (e.g., education, family income, percent African American voters in the district, urban classification of the district) and differences in party organizations between states (e.g., modes of recruiting candidates and party organizational strength) can affect voter turnout in election contests.

The Model

The concept of political behavior based on a rational calculation of self-interest (Downs 1957) suggests the implementation of term limits may reduce the utility voters receive from participating in elections, a point we noted earlier when discussing unintended consequences of term limits reform. From review of the literature we have seen that legislators elected from term-limited states are less responsive to narrow electoral constituencies and perform less district oriented electioneering activities than their counterparts elected in non-term-limited states (Carey, Niemi, and Powell 2003; Glazer and Wattenburg 1996; Herrick, Moore, and Hibbing 1994; Will 1992). For these reasons, we might plausibly speculate that changes in the rules of elections serve to suppress voter turnout in primary elections.

Needless to say there are other factors, such as intra-party influences, that could affect voter turnout. Previous research suggests that as the number of party candidates in a primary contest increases - providing voters with a more diverse and appealing selection of candidates - the likelihood increases that voters will turnout at the polls (Barcellona and Grose 1994; Fund 1991; Petracca 1991). Likewise, as the total party campaign expenditures in a primary race increases, voters receive additional information about candidates that may enhance their likelihood of voting (Bibby and Holbrook 1999; Jackson 1997; Cox and Munger 1989; Tucker 1986; Patterson and Calderia 1983; Calderia and Patterson 1982a).

The benefits of voting, however, may not be greater than the costs of becoming informed for some voters. If the costs of voting outweigh the benefits derived from it, this implies that for these people voting is not rational. Nonetheless, it is necessary to be careful in considering the effects of number of party candidates and total campaign expenditures on voter turnout, since the rationality of turnout literature also stresses that turnout may be both a low cost and low benefit action (Nieimi 1976; Aldrich 1992). As a result, minor changes “in the margin of either can effect turnout decisions” (Niemi and Weisberg 1993: 17). For example, campaign efforts, such as get-out-the vote drives, in close and more visible primary contests can be effective in increasing voter turnout (Cox and Munger 1989; Tucker 1986; Gilliam 1985; Patterson and Calderia 1983; Calderia and Patterson 1982; Gray 1976).

To ensure the impact of term limits and intra-party influences are not merely capturing the effects of variables excluded from the equation, theoretically important inter-party predictors of voter turnout are introduced into the model. Extant research

suggests that party dominance in a district (Calderia and Patterson 1982b) and incumbency (Giles and Pritchard 1985; Welch 1974) are associated with a decline in voter turnout. The reason for this situation is straightforward; if voters perceive little probability of affecting the outcome of a district election, then it may not be in their self-interest to vote.

We need to control also for socio-demographic factors and potential differences between party organizations between states. Some studies suggest that education and income are positively correlated with voter turnout (Campbell et al. 1980; Wolfinger and Rosenstone 1980). For example, people with more education tend to learn more about politics, are less hindered by registration requirements, and are more self-confident about their ability to affect public life. Similarly, people with higher incomes find opportunity costs of participation cheaper than do the poor, and are more likely to have a direct financial stake in the decisions of government.

Not everyone agrees, however, that Whites tend to vote more regularly than do African Americans (Verba and Nei 1972; Wolfinger and Rosenstone 1980; Leighley and Nagler 1992; Hogan 1999). Individual-level studies suggest the likelihood of voting is greater for Whites than for Blacks; however, this difference is due primarily to the relative income and educational levels of the two racial groups (Verba and Nie 1972; Wolfinger and Rosenstone 1980). Recent work (Leighley and Nagler 1992), indicating Blacks are actually more likely to vote once other factors have been controlled, suggests an expectation of a positive relationship between percent Black voters in the district and turnout.

We also control for the effects of urban classification of the district. Previous research suggests urban residents are likely to have lower turnout rates than their rural counterparts. Urban residents are less likely to believe that government decisions directly affect their livelihood, thus spurring lower rates of turnout than their more rural cousins (Hogan 1999; Wolfinger and Rosenstone 1980).

Finally, we control for the effects of differences in party organizations between Michigan and Illinois, especially as party leaders contemplate the effects of term limits on their respective party's situation. From this perspective, different modes of recruiting candidates and party organizational strength in the two states might impact voter turnout. Moreover, the state variable enables us to control for potential spurious correlations between the voter turnout and term limits variables and discerns more explicitly whether or not there is a cause-and-effect relationship between them. Because we find no noteworthy differences (e.g., in local party organizational strength or informal endorsement procedures) between the party organizations of the two states (Jewell and Olson 1988), we do not expect the state variable to achieve significance.

Thus the basic equation for addressing the question of what factors significantly affect voter turnout in primary elections will be of the following type:

$$\begin{aligned} \text{Voter turnout} = & b_0 + b_1 (\text{term limits}) + b_2 (\text{number of party candidates}) \\ & + b_3 (\text{party expenditures}) + b_4 (\text{intra-party voting competition}) \\ & + b_5 (\text{party dominance}) + b_6 (\text{incumbency}) + b_7 (\text{college educated}) \\ & + b_8 (\text{average income}) + b_9 (\text{percent Black}) + b_{10} (\text{urban}) + b_{11} (\text{state}) + \text{error} \end{aligned}$$

where: voter turnout = percentage of voters to eligible voters in the district⁴; term limits = whether or not state legislator prohibited from reelection⁵; number of party candidates =

number of Republican Party and Democratic Party candidates in each district primary election⁶; party expenditures = total campaign expenditures of a political party within a district's primary race⁷; intra-party voting competition = electoral competition within each district party primary⁸; party dominance = one party won previous two general elections in the district⁹; incumbency = presence of an incumbent in the race¹⁰; college educated = percentage of the district's population that have a college education¹¹; average income = average household income within a district¹²; percent Black = percentage of African-American voters in the district¹³; urban = urban composition of the district¹⁴; state = differences in party organization between Michigan and Illinois.¹⁵

We pool the state data from the period under investigation, resulting in 720 observations or 342 districts. Estimation of the above equation, using a (grouped) pooled time-series cross sectional model controls for within group and across time autocorrelations. The approach decomposes the error term (v_{it}) into two components: a canonical independent and identically distributed disturbance (e_{it}) unit effects (u_i ; where $v_{it} = u_i + e_{it}$). We use the feasible generalized least squares approach as described by Hsiao (1986) to estimate the parameters and control for unit effects.

Findings and Discussion

We now turn to consideration of the effects of the independent variables on voter turnout in state legislative primary races. Results indicate (Table 1) that term limits have a negative influence on voter turnout. Limiting state legislative terms of service reduces voter turnout in primary contests regardless of the other key variables identified in the literature that are likely to affect propensity to vote. Holding all other variables constant to their means, the implementation of term limits is associated with approximately a 10

decrease in voter turnout. This finding is consistent with the rationality of turnout literature; the implementation of term limits reduces the utility voters receive from participating in primary elections.

Contrary to expectations and conjecture in the literature, findings challenge the effects of the number of party candidates on voter turnout in primary contests. The coefficient for the variable measuring the impact of number of party candidates is negatively associated with voter turnout but fails to achieve significance beyond the .10 level. This finding is consistent with much of the comparative politics literature that explains low general election turnout in the United States in terms of cost benefit analysis, a point we noted earlier when discussing the costs of acquiring and processing information about candidates and issues positions.

However, the model confirms the role of two other intra-party variables in predicting voter turnout in primary elections: party expenditures and party voting competition. These variables are positively associated with voter turnout. Holding all other variables constant at their means, an increase of one standard deviation (\$42, 312) in campaign spending is associated with over a 4 percent increase in voter turnout. Likewise, when compared to a more typical district, an increase of ten percent in the voting competition score is associated with approximately a 3 percent increase in turnout.

The question remains about the importance of the inter-party variables that have advanced in the literature to explain voter turnout: party dominance and incumbency. Not surprisingly, these variables are negatively related to voter turnout in primary contests. Holding all other variables constant to their means, a district that has a dominant political party (i.e., one that has won previous two general elections by more than 60 percent of

the votes) will typically experience over a 17 percent reduction in voter turnout compared to one that does not. The presence of an incumbent state representative of either party running for re-election also decreases voter turnout in a primary contest by over 5 percent.

Moving to the control variables, college educated is positively associated with voter turnout; however, the variable measuring average income had no effect on turnout. When all other variables are set to their mean values, an increase of 10 percent in the district's population that have a college education is typically associated with over a 4 percent increase in voter turnout. The variable percent Black is also positively related to turnout; a 10 percent increase in the percentage of African American primary voters in the district is associated with approximately a 0.5 percent increase in voter turnout. The variable measuring *urban* composition of the district, however, is negatively associated with turnout. Districts classified as urban typically experience approximately an 11 percent decrease in voter turnout compared to their rural counterparts. Finally, as expected, the *state* variable had no effect on voter turnout rates.

We have focused on intra-party legislative contests at the district level, comparing voter turnout in Michigan and Illinois. The former state implemented term limits after 1994 and has experienced mandatory retirement of state legislators while the latter state does not have term limits and thus has not forced retirement on state legislators. In particular, we pose the critical question of whether the implementation of term limit reforms has had any systematic effect on the willingness of party voters to participate in primary elections.

The 1994 and 1998 Republican Party and Democratic Party primary election data does not support the conventional view that limiting terms of service for legislators increase electoral competition, and thus voter turnout in elections, by increasing the pool of candidates who run for office. Our analyses indicate that controlling for key intra-party (i.e., number of party candidates, party expenditures, party voting competition) and inter-party factors (i.e., party dominance, incumbency) identified in the literature that are likely to affect propensity to vote (as well as other considerations), changing the rules of elections attenuates turnout. These findings, coupled with those of Pinney, Serra, and Sprick (2004) indicating that the implementation of terms limits reduces the level of electoral competition overall in intra-party contests while increasing average party campaign expenditures per candidate, suggest that in the final analysis the impact of term limits may turn out to be the opposite of what advocates had hoped for in gaining their passage.

In rounding up our analysis, we ought to discern more explicitly what difference it makes if term limits attenuates voter turnout in state legislative primary elections. The presence of term limits might adversely affect the long-range prospects for state party organizations and thus further contribute to the decline of representative democracy. The reasons for this situation are straight forward. Given that “voters both in primary and general elections are likely to have a stronger sense of identification with a party than nonvoters,” it is more difficult to build a strong party organization when primary turnout is low (Morehouse and Jewell, 2003, 132-133). Furthermore, if there is a primary contest but voter turnout is low, then the candidate “who is chosen by a small number of primary voters “may not be the one who is best able to win a larger number of potential” party

voters in the general election (Morehouse and Jewell 2003, 132-133). In addition, lower voter turnout in primary elections reduces input from voters in decisions made on issues before state legislatures, particularly since low turnout promotes candidates with ideologies or issue positions that are not likely to flourish amongst the broader electorate (Ranney 1972; Campbell 1960; Key 1956). For these reasons, a decline in voter turnout in term-limited states may be an important sign of future challenges to party strength in these states as well as participatory representation.

Of course, this study cannot pretend to know the long term consequences of term limits on state party organization or representative democracy. It does, however, enable us to broaden our understanding of the effects of term limits on voter turnout in state legislative primary contests. Our study discerns more explicitly the impact of limiting terms of legislative service on intra-party elections, and perhaps more importantly, the unintended consequences of electoral reform. To be sure, one ought to be cautious when generalizing beyond the limits of the data. Findings are derived from the analyses of two states; nonetheless, it seems clear that the implementation of term limits in Michigan did have an impact on voter turnout in state legislative races.

¹ California is considered the ultimate in professionalized legislatures, as evidenced in legislative salaries, staff size, district population and state budget. Additionally, California's average expenditures per candidate in contested House races in 1994 were three times higher than those of Illinois which had the second largest average expenditures (Thompson and Moncrief 1998). It is interesting to note that with all the housing and travel allowances, per diem payments and the like, California members of

the State Assembly can make more (up to \$140,000) per year than the \$136,700 salary for Federal legislators (<http://www.tedcostacom/legislativesalaries.htm>).

² The criteria used to classify professionalism include “the five S’s” (Rosenthal 1998) as features of legislative capacity. They include space (i.e., facilities and technical feasibility), length of session, structure (i.e., size and division of labor), staffing and salaries. Of all of the states to be impacted by term limits, only three meet the qualifications for being classified as a professionalized legislature: California, Michigan, and Ohio.

³ State requirements for voting in primary elections in Michigan and Illinois allow registered voters to vote in either party’s primary they prefer.

⁴ Voter turnout is calculated as the number of individuals who voted in the 1994 or 1998 state legislative race in their district divided by the number of registered voters in that district.

⁵ The term limits variable is measured as a dichotomous variable, coded 1 for state legislative districts in Michigan post-term limits (1998) and 0 otherwise. Voter turnout in Michigan after the implementation of term limits (1998) is expected to be significantly different from Illinois and Michigan, post-term limits (1994).

⁶ This variable is measured by counting the candidates respective to party and district participating in state primary races in Michigan and Illinois. The term candidate is defined here as anyone who either received votes or expended money in the primary race. If an individual neither received votes nor made expenditures he/she was excluded from the analysis. In the 1994 Michigan primary races (pre-term limits) there were 358 candidates seeking state legislative offices; however, by 1998 (post-term limits) there

were 465 candidates campaigning for a seat in the Michigan House of Representatives, an increase of thirty percent. In contrast, the 1994 Illinois primary races had 221 candidates and 212 candidates in 1998.

⁷ This variable is measured as the total campaign spending in the Michigan and Illinois legislative primaries respective to party. We compiled primary campaign expenditure data for each candidate within each district from the Michigan Bureau of Elections and the Illinois Bureau of Elections for 1994 and 1998. An adjustment of 14.4 percent was made to the 1994 dollar to adjust the value to 1998 dollars according to the CPI.

⁸ We assess electoral competition at the district level by creating a competition index score comprising two factors: the winning percentage of the popular vote in the party primary and the difference (i.e., margin) between the percentage of votes of the victor and the second-place candidate. These two factors are not redundant, especially given the likelihood that two or more candidates might be seeking the same office in a primary race. Owing to the potential for multiple candidates, there is a distinct possibility that the winning candidate might receive only a small percentage of the popular vote and yet have a significant margin of victory over the closest runner-up. Consequently, both components must be considered to accurately assess the level of competition that exists within a district race. To accomplish this we utilize the following formula: Voting Competition Index (VCI) = $100 - [(\% \text{ vote of winner} + \% \text{ margin of victory})/2]$

The result is a VCI score for Republicans and Democrats for each district, with lower values reflecting less voting competition and higher values reflecting greater competition. This variable is defined in greater detail elsewhere (Pinney, Serra, Sprick 2004: 75).

⁹ The party dominance variable is measured as a dichotomous variable, coded 1 for districts where one party won the previous two elections by more than an average of sixty percent, and 0 otherwise. We also estimated the model using fifty-five percent as the average vote share in two previous elections. The results were of the same magnitude and significance.

¹⁰ The incumbency variable is measured as a dichotomous variable, coded 1 if an incumbent state representative of either party was running for re-election and 0 otherwise.

¹¹ The college educated variable measured as the percentage of the district's population with a college education (*The Almanac of State Legislatures: Changing Patterns 1990-1997*).

¹² The average household income for each state representative's district is taken from *The Almanac of State Legislatures: Changing Patterns 1990-1997* and is compiled using Minor Civil Division level data merged with Bureau of Labor Statistics data, the Census Bureau's annual population surveys, and the Bureau of Economic Affairs' annual surveys of income levels.

¹³ The percent Black variable is the percentage of African Americans in the district (*The Almanac of State Legislatures – Changing Patterns 1990-1997*).

¹⁴ The urban variable is coded 1 for urban districts and 0 otherwise. It is derived from the demographic composition of the district and is based on a combination of census data and other data sources from the census block group level, which are then aggregated to the legislative district level, based on the districts geographical boundaries (*The Almanac of State Legislatures – Changing Patterns 1990-1997*).

¹⁵ The state variable is a dichotomous variable, coded 1 for Michigan and 0 for Illinois.

Table 1: Turnout as a Function of Term Limits
(Dependent Variable: Percentage of Voter Turnout)

Independent Variables	Estimates	Standard Error
Term Limits	-1.421325**	(0.4629325)
Intra-Party		
Number of Party Candidates	-0.3307768 ⁺	(0.2057081)
Party Expenditures	0.00000979 [*]	(0.00000445)
Party Voting Competition	0.0447043***	(0.0095405)
Inter-Party		
Party Dominance	-2.666419***	(0.3959505)
Incumbency	-0.8598715 [*]	(0.4377189)
Control		
College Educated	0.0601531***	(0.0134775)
Percent Black	0.0544854**	(0.0097671)
Urban	-1.756106***	(0.4792442)
State	-0.5574649	(0.4274225)
Constant	13.66331***	(0.7475802)
Wald chi2(12)	162.51***	

Notes: Feasible Generalized Least Squares Regression

All estimates obtained from STATA

N=720 + = p<.1 * = p<.05 ** = p<.01 *** = p<.001

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