

# Limiting More Than Terms? Exploring How Term Limits Influence Bureaucrat-Legislator Interactions

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*After 30 years of legislative term limits in the American states, there is a well-established understanding that term limits alter the formal relationships between governmental institutions. How the presence of those term limits specifically influences personal behaviors and interactions, especially between legislators and bureaucrats, is an area significantly less explored. Do term limits in a state alter the frequency of interactions between state legislators and state bureaucrats? Analysis of a survey of state agency heads shows that term limits do not influence the amount of general interaction between these two groups; however, a specific type of interaction, information-seeking, is significantly reduced by the presence of term limits in a state. Given the political and practical discussions of both term limits and bureaucratic versus legislative capacity, this research contributes to a broader awareness of how context can shape individual behavior within the larger scheme of state governance.*

**Keywords:** State bureaucracy, state legislators, information seeking, state politics, term limits

## Introduction

The relationship between elected officials and unelected bureaucrats holds significant importance within the American scheme of governance. Scholars have long examined characteristics that influence comparative capacity, control, delegation, and discretion within this dynamic at both the state and federal level (e.g., Elling 1992; Hubert and Shipan 2002; Masket and Lewis 2007; Nicholson-Crotty and Miller 2011); and the bureaucracy today has an increasingly pivotal role in traditionally legislative activities like agenda-setting and policy development (Workman 2015). It is evident that bureaucratic-legislative interaction involves much more than simple

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“agents” implementing clear directives from political “principals.” The individuals who hold these roles have preferences and priorities that are shaped not just by their own views, but by the institutional arrangements in which they operate.

The advent of state term limits in the 1990's provided a watershed of avenues in which to examine formal aspects of government arrangements and politics within in the context of mandated legislator turnover. Despite the extensive research in this area, little is known about the relative effects of term limits on the informal relationships within these institutions, specifically between state bureaucrats and state legislators. While formal measures, such as committee hearings (Sarbaugh-Thompson et al. 2010), audits (Cain, Kousser, Kurtz 2007), and statutory controls (Huber, Shipan, Pfahler 2001), have been explored, the literature lacks an examination of informal activities like networking and information exchange (Vakilifathi 2019). State legislators do not carry out their responsibilities in isolation and term limits can shift the balance of power in state governments (Kousser 2005). Consequently, it is important to understand how relationships vary; and this research aims to fill that gap by examining how informal bureaucrat-legislator interactions are different within the context of term limits in the American states. As Sarbaugh-Thompson et al. put it, “Relationships between legislatures and state agencies are important but poorly understood, especially when states use term limits (2010, 57).”

Does the presence of term limits within a state alter patterns of contact and information-seeking between bureaucrats and legislators? This research question is an exploratory probe into how this one institutional bootstrap may influence not just the formal arrangement of state government, but the informal behaviors of those working within its confines. A significant amount of research contributes to the current understanding of the interplay between bureaucrats, legislators, and term limits. After a brief overview, several expectations about how term limits may impact informal bureaucrat-legislator interactions will be tested with data from a survey of state agency heads regarding their interactions and information-seeking activities. The paper concludes with a discussion of the contributions, limitations, and avenues for further study that the analysis provides.

## **Literature Review**

Beyond the normative question of if there should be more or less legislative control of the bureaucracy, research has attempted to determine if, and to what degree, either group is effective at influencing the other (Huber, Shipan, and Pfahler 2001; Nicholson-Crotty and Miller 2011). State legislators

are known to generally hold a high level of influence on agency decision-making (Brudney and Hebert 1987); and agency officials are vital as they establish a network of influence and information between constituents, other institutions, and their agencies (Berkowitz and Krause 2020; Schneider, Jacoby, and Cogburn 1997; Wilson 1989). The degree of interaction between bureaucrats and legislators may determine their respective abilities to shape outcomes and exert control over each other. Specifically, studies find that measures of increased or decreased “capacity” by either branch explain actual outcomes. While capacity is measured and defined in many nuanced ways across the literature, the general understanding is that it is the resources (i.e., knowledge, skills, abilities, funds) necessary to accomplish a set task. Taking expertise as one example of capacity, research finds that low levels of bureaucratic expertise correspond to a lack of ability to effectively carry out the wishes of elected officials (Huber and McCarty 2004; Krause and Woods 2014). Low legislative expertise likewise corresponds to a lack of capacity for legislatures to direct administrative agencies in meaningful ways (Clinton, Lewis, and Selin 2014). This example highlights Selden, Brewer, and Brudney’s point that a “more reasonable approach to understand bureaucratic control is to expect a dynamic relationship between public administrators and elected officials and to acknowledge that forces in the political environment help shape this relationship (1999, 174).” Thus, political variables, like term limits, are crucial to understanding these comparative capacities, relationships and interactions.

### *Legislative Term Limits in the States*

Term limits in the states were fueled by proponents that argued “career” state legislators had lost touch with their constituents, were entrenched with special interests, and were only concerned with reelection. By creating citizen rather than career legislators, proponents argued term limits would limit careerism, promote a more diverse and citizen-centered legislature, diminish the dominance of special interests, create more competitive elections, and increase voter turnout (Kurfurst 1996). Skeptics cautioned that term limits may not deliver on all the potential promises but would surely limit the capacity of state legislators by decreasing experience and expertise.

After 30 years of term-limited state elections, scholars have indeed examined whether mandated turnover in state legislatures delivered on its promises (Carey et al. 2006; Mooney 2009). To provide just a few examples, research has examined how term limits impact campaign financing (Masket and Lewis 2007), voter turnout (Kuhlmann and Lewis 2017), legislator behavior and priorities (Carey et al. 2011; Herrick and Thomas 2005), policy

adoption and diffusion (Miller, Nicholson-Crotty, and Nicholson-Crotty 2018; Olds 2011), and legislator careerism (Lazarus 2006). Particularly for the focus of this paper on the interplay between legislators and bureaucrats, studies found that the presence of term limits decreased bureaucratic oversight and the priority of monitoring state agencies (Sarbaugh-Thompson et al. 2010), reduced the number of bureau audits (Cain, Kousser, and Kurtz 2007), and lessened statutory controls on the bureaucracy (Huber, Shipan, and Pfahler 2001), while bureaucratic discretion increased (Vakilifathi 2019).

The arguments for or against term limits and the ensuing results are essentially about the level of careerism desired by the electorate in their state legislature. What often gets overlooked, however, is how that translates to comparative capacity in regard to the other institutions. As a neutral concept, citizen-legislators (those who are not career politicians) seems like a democratic ideal, but the studies described above highlight just a few ways that results can be contradictory. Additionally, Kousser (2005) details how the limited tenure of term-limited legislators alters their incentives to invest in certain areas of their job, while Herrick and Thomas (2005) find that term-limited legislators are more motivated by policy issues than personal career goals.

#### *Bureaucratic-Legislator Interactions within Term Limited Environments*

If the tenure, experience, and priorities of term-limited legislators are altered, do other individuals and institutions behave differently as well? Numerous studies have shown that formal bureaucratic oversight activities by state legislatures declined after the implementation of term limits. For instance, Sarbaugh-Thompson et al. (2010) found that after the implementation of term limits in Michigan, fewer legislators even considered bureaucratic oversight their responsibility. And in California, fewer audits and requests for information were observed after the implementation of term limits (Cain, Kousser, and Kurtz 2007). These measures may not correspond to less control of the bureaucracy, however, as Vakilifathi (2019) shows that term-limited legislatures grant less discretion to bureaucratic agencies through statute, which would counteract the need for formal oversight activities. Boushey and McGrath find that less legislative power (measured through compensation) increases administrative influence in the policy process at the state level, saying specifically that "Eroding policy expertise of state legislators has resulted in increased bureaucratic participation in the policy process, as amateur politicians rely more heavily on professionalized executive agencies to define problems and develop solutions (2017, 85)." In states with term limits, legislators themselves say that they have diminished power while governors and bureaucrats have more (Carey et al. 2006).

Where state legislatures are constrained by term limits or fewer resources, a higher percentage of bills actually come from bureaucratic requests for legislation (Kroeger 2022).

Formal oversight activities and measures of bureaucratic influence like those described so far are not the only ways that state legislators interact with the bureaucracy, however. Administrators and legislators interact informally and have numerous informal relationships, interactions, and communications that influence governance without being readily measurable. It is on these informal interactions that this research focuses. If there are variations in formal bureaucrat-legislator relationships as a consequence of term limits, will informal interactions and networking differ as well?

### *The Importance of Informal Interactions*

Informal interactions are an essential element within government because they can be a venue for pursuing political preferences outside of visible, official channels of institutional procedures. Additionally, much is supposed about informal interaction between elected officials and unelected bureaucrats, but little is documented. Legislators and bureaucrats alike can strategically pursue political or policy goals through informal activities that are external to statutory processes or citizen visibility. From the bureaucratic viewpoint, Kelleher and Yackee (2006) find increasing interactions between state administrators and outside parties (governor, legislators, interest groups) increases the administrators' perception of parties' influence over the agency. These "whispers," frequent informal contact, resulted in perceived influence regardless of actual, measurable impact.

From the legislative standpoint, recent scholarship has examined this dynamic at the federal level specifically through FOIA (Freedom of Information Act) requests for personal legislator-bureaucrat communication (Lowande 2018; Ritchie 2018). Lowande (2018) found the frequency of federal legislators' informal comments and inquiries to agencies far outweighs the time spent in formal witness testimony and is not linked to ideological concerns. Referring to these interactions as "back channel" policy making or representation, Ritchie (2018) discovered that senators strategically reach out to agencies in this less visible means to pursue policy agendas. But in agency-specific studies, Mills, Kalaf-Hughes, and MacDonald (2016) point out that "letter-marking" by members of Congress (to the Federal Aviation Administration) did not have substantive results on agency decisions; while Ritchie and You (2019) discovered that direct contact

(to the Department of Labor) resulted in increased likelihood of decision reversals.

The prevalence of these informal contacts at the federal level suggests that they are integral to intergovernmental relationships across institutions. At the state level, however, this is an area less examined, particularly in light of the differences in state political contexts and institutional arrangements. In one case study of the Georgia Department of Transportation, Thomas, Su, and Poister (2018) found that legislator assessments of administrative performance were mitigated by perceptions of “personal interactions with the department,” suggesting that the federal level dynamics are playing out at the state level as well.

### **Research Question and Hypothesis**

We intuitively know that many informal interactions go into political processes. Whether called “back channels”, “whispers”, interactions or contacts, these studies together show that informal interactions occur and can have significant effects on both perceived and actual outcomes. This study aims to fill a gap in the existing literature on bureaucrat-legislator interactions by examining how informal and less easily quantifiable activities such as contact and information-seeking are altered by one main institutional constraint – term limits. As primarily exploratory, the research that follows addresses the issue of term limits from the bureaucratic point of view by asking: Are the informal interactions between state bureaucrats and legislators influenced by the presence of term limits?

In regard to formal interactions, term-limited legislators view oversight as less of a responsibility and conduct fewer formal activities than their counterparts (Cain, Kousser, and Kurtz 2007; Sarbaugh-Thompson et al. 2010). This suggests that bureaucrats and legislators in term-limited states formally interact less than their counterparts in states without term limits. To initially analyze the research question then, it is hypothesized that: Bureaucrats will have less contact with state legislators in states with term limits (Hypothesis 1).

Specific kinds of informal interactions may play out differently when considering the altered time horizons of bureaucrats and legislators within the context of term limits. Huber and Shipan (2002) argue that levels of bureaucratic discretion are dependent on legislative conflict, other constraining actors, and legislative capacity; term limits are one element that can constrain legislative capacity. State bureaucrats have unilateral discretion in seeking out informal interactions with legislators. One specific

type of interaction that may be dampened in term-limited environments is that of information-seeking. If term limits are successful in limiting careerism, which limits experience and expertise, bureaucrats in term-limited states would have less use for information from legislators than their counterparts in other states. So, when considering a specific type of directional, informal contact, information-seeking, it is expected that: Bureaucrats will seek out information less from legislators in term-limited states (Hypothesis 2).

This final hypothesis is the reverse logic of Hypothesis 2. State legislators in term-limited states, because of their lower capacity in expertise and experience, should have a greater need for bureaucrats with these attributes. Informally seeking out information from career bureaucrats would augment their knowledge and fill the gap created by term-limits. It is hypothesized that: Legislators will seek out information from bureaucrats more often in term-limited states (Hypothesis 3). In a term-limited state, bureaucrats have less reason to seek out the knowledge of legislators, but the legislators would have more incentive to rely on bureaucrats. Taken together, these hypotheses stem from the considerations given to term limits in the existing literature on the relative capacity and importance of bureaucrat-legislator interactions. While straight forward in nature, there is no existing work that elucidates these possible relationships.

## **Data and Methods**

To explore the effects of term limits on bureaucrat-legislator interactions, data are utilized from a survey of top state bureaucrats about their interactions with external political actors. While survey responses are subjective in nature, they have been shown to be an appropriate vehicle to measure influence and interaction from the point of view of those responsible for carrying out policy directives (Clinton, Lewis, and Selin 2014; Dometrius, Burke, and Wright 2008). The established literature on term limits tends to focus on legislator-reported or legislator-observed activities. The emergent body of work on informal bureaucratic interactions is concentrated at the federal level. A focus on the state bureaucratic point of view provides a unique perspective at a comparative level that has yet to be explored.

### *Survey Instrument*

Information was solicited through a direct email survey of state agency heads from across the country. The goal of the survey was to gather information about the informal interactions between top-level state

bureaucrats and other actors in their political environments. The study population was identified from the Council of State Governments *State Directory: Directory III-Administrative Officials 2016*, which identified the individual bureaucrat in each state directly responsible for programs and policies in over 100 different areas. This directory has been used consistently since the 1960's as the source for the American State Administrators Project as well as other research pertaining to state agencies (Bowling and Wright 1998). Bureaucrats heading agencies with tangible, visible programs and products that would be of particular interest to legislators in regard to credit-claiming and constituent benefit were chosen for inclusion in the study. The final population consisted of 793 individual bureaucrats from all 50 states across the general fields of education, economic development, environment/energy, and income/social services.

The survey was administered over three iterations in the fall of 2016. Identified participants were sent an email invitation to participate that included a link to the survey. Follow-up requests for participation were conducted after one and two months. A total of 110 surveys contained complete information to be included in this analysis. There are no respondents in this sample from Hawaii, Massachusetts, Nevada, New Jersey, Pennsylvania, South Carolina, or Utah. Colorado had the most respondents at seven, while thirteen states had only one. The majority of states are represented by two to three bureaucrats in the sample. The complete survey asked participants about their informal interactions with 21 different actors in their political environments as well as individual and agency characteristics.

### *Dependent Variables*

As one piece of the survey, respondents were asked how often they interacted with state legislators in three different ways: general contact (Dependent Variable 1), the bureaucrat sought out policy/program information from a legislator (Dependent Variable 2), and a legislator sought out policy/program information from the bureaucrat (Dependent Variable 3). Response choices ranged from "Never" to "Daily" for each type of interaction and were collapsed into four categories. "Frequent" responses capture interactions that happen at least weekly. "Occasional" indicates habitual, monthly exchanges. A "Seldom" designation means that interactions occur at least once within a calendar year but without routine frequency, and "Never" is self-explanatory.

In responding about general contact, survey respondents indicated the frequency with which they had personal "phone, face-to-face, or direct



email contact” with state legislators. This measure is then a key outcome to examine simple interaction between individuals in these two branches of government and examine Hypothesis 1. There is no directionality associated with the interaction nor does it imply any type of substantial content. It encompasses any type of interaction all the way from water-cooler chit-chat to formal committee testimony. This type of general contact has been used as a measure of networking behavior (Meier and O’Toole 2005; Siciliano 2017) as well as influence (Kelleher and Yackee 2006) in other studies.

While general contact may suggest a level of association or influence between bureaucrats and legislators, a purposeful act such as information-seeking highlights intent, purpose, and the desire for another’s expertise or opinion. When discussing the relationship between bureaucrats and legislators within the context of term limits, it is this specific comparative capacity that corresponds and adds to the existing term limit research. For Dependent Variable 2, participants were asked “How often do you seek out the following...for information or ideas particular to your program or policy area?” and for Dependent Variable 3, “How often are you sought after for information or ideas particular to your program or policy area?”

These three variables thus capture a picture of informal bureaucrat-legislator interactions and provide a glimpse into preferences and information flow within the larger context of state government. As dependent variables, they provide a path to understanding how state environments may be shaping individual behaviors. Descriptive statistics for these and all additional variables are presented in Table 1.

**TABLE 1**  
**Summary Statistics for Variables Used in Analysis**

Variables	Frequency	%	Mean	SD	Min.	Max.
<b>Frequency of Contact with State Legislators</b>	110		1.94	.9	0	3
Never	3	2.73				
Seldom	39	35.45				
Occasional	30	27.27				
Frequent	38	34.55				
<b>Bureaucrat Seeks out Legislator Information</b>	110		1.12	.77	0	3
Never	24	21.82				
Seldom	52	47.27				
Occasional	31	28.18				
Frequent	3	2.73				
<b>Legislator Seeks out Bureaucrat Information</b>	91		1.45	.78	0	3
Never	7	7.69				
Seldom	45	49.45				
Occasional	30	32.97				
Frequent	9	9.89				
Term Limited State	110		.36	.48	0	1
No Term Limits	70	63.64				
Term Limits	40	36.36				
Experience: Years employed in the state	110		17.06	10.41	1	40
Gubernatorial Appointment	110		.38	.49	0	1
Appointed by Governor	42	38.18				
Other	68	61.82				
Staff Size	110		972.	2448.	1.5	15000
Education Agency	110		.28	.45	0	1
Percent of Budget from Federal Funding	110		3.15	1.32	1	5
0	8	7.27				
under 25%	39	35.45				
25-49%	17	15.45				
50-74%	21	19.09				
75%+	25	22.73				
Legislative Professionalism	110		.234	.11	0.048	0.629
Divided Government	110		.41	.49	0	1
Divided	45	40.91				
Unified	65	59.09				

n=110

### *Independent Variables*

The main independent variable under analysis is that of term limits. While term limit laws are not created equal and legislative chambers across the states feel the effects differently, the use of a dichotomous term limit variable pervades the extant literature in this area (Carey, et al. 2006; Kousser 2005). Fifteen states, or 30%, impose term limits on their state legislatures and 36% of the sample come from term-limited states.

In addition to term limits, variables about individual and agency attributes from the survey and state characteristics from various sources were included to account for other influences on these informal interactions between legislators and bureaucrats. First, to control for the experience of an individual bureaucrat, state tenure and agency specific variables are included. Longer employment within government generally increases an individual's expertise and contact network (Bertelli and Lewis 2013; Huber and McCarty), both of which may increase interactions with legislators. Gubernatorial appointment to one's position may create stronger loyalty to the executive branch over the legislative branch. Additionally, we know that legislative relationships with particular agencies vary (Lee 2006; Woods and Baranowski 2006), and complexity and salience are not uniform across policy areas (Ringquist, Worsham, and Eisner 2003). Agency level variables that capture staff size, federal funding, and policy area are utilized to account for variation in the capacity and salience of the units that each bureaucrat heads.

Next, to account for the nuanced nature of "capacity" in state legislatures, legislative professionalism is used as an additional possible explanatory variable. Squire's (2017) legislative professionalism index combines state legislative pay, session length, and staff size into one measure that provides a numerical way of comparing legislative capacity across the states. Term limits are not a factor in Squire's legislative professionalism index. In fact, comparing descriptive statistics of legislative professionalism between states with and without term limits shows that professionalism (as measured by this index) varies similarly across each group. The term-limited states ( $n=15$ ) have legislative professionalism scores from .103 to .629 with a mean of .278. States ( $n=35$ ) without term limits have an average score of .203 with a minimum of .081 and a maximum of .431. Legislative professionalism thus captures a range of institutional capacity within legislatures regardless of the presence of term limits.

Finally, the state-level variable of divided government indicates that the bureaucrat worked in a state where party control differed between the governor and either chamber of the state legislature. Divided government has the potential to enhance bureaucratic discretion because of opposing political priorities and has shown to increase administrative rulemaking (Boushey and McGrath 2020).

Are the informal interactions between state bureaucrats and state legislators influenced by the presence of term limits in their states? With data on the frequency of three different types of interactions, the following analysis examines these interactions in several ways. First, a t-test examines

if there are potential differences in the regularity of bureaucrat-legislator interactions solely within the context of term limits. Next, ordered logistic regression models without fixed effects analyze the categorical dependent variables of general contact and directional information-seeking. This is the most appropriate model given the same size and variables utilized. The sample used for analysis is a single point in time snapshot of bureaucratic activities with an emphasis on the probability of membership in each category of the dependent variables given the presence of a dichotomous term limits attribute. Finally, predicted probabilities for the directional models present the results in a visual context.

## Results

Table 2 presents the results of a bivariate analysis of each type of informal bureaucrat-legislator interaction and the presence of term limits. For each type of interaction, the mean difference between institutional arrangements (term-limited versus non) was significant. The relationship between general contact and term limits was the weakest of the three ( $t[108]=1.88, p=.06$ ). This preliminary analysis shows the most pronounced difference on the frequency of bureaucrats seeking out legislators ( $t[108]=3.71, p=.00$ ). The inverse activity, legislators seeking out information from bureaucrats, was also significant ( $t[89]=2.63, p=.00$ ). These results suggest that the mean difference is significant between the types of institutional arrangements and warrants further examination to determine the actual influence of term limits.

**TABLE 2**  
**Two-sample T Test with Equal Variance**

Dependent Variable-Term Limit Status	Observations	Mean	SD	95% CI	<i>t</i> -statistic
<b>Frequency of General Contact with State Legislators</b>					
No Term Limits	70	2.06	0.87	1.85-2.26	1.88*
Term Limits	40	1.73	0.93	1.43-2.02	
<b>Frequency Bureaucrat Seeks Out Legislator</b>					
No Term Limits	70	1.31	0.71	1.14-1.48	3.71***
Term Limits	40	0.78	0.77	.53-1.02	
<b>Frequency Legislator Seeks Out Bureaucrat</b>					
No Term Limits	60	1.60	0.76	1.40-1.80	2.63***
Term Limits	31	1.16	0.73	.89-1.43	

\*\*\* $p < .01$ , \*\* $p < .05$ , \* $p < .10$ , two-tailed test

Table 3 presents full models of ordered logistic regression for each type of interaction considered in this research. While the results presented in Table 2 indicate the high probability of term-limited environments

influencing bureaucrat-legislator interactions, many other factors can be at play within the context of state governance as previously discussed. Model 1 examines the effect of all variables on the general frequency of contact that bureaucrats have with state legislators. Models 2 and 3 examine the specific, directional contact of information-seeking. The dependent variable outcome categories ranged from no (0) to frequent (3) interactions across all models thus the sign of the coefficients correspond to increasing or decreasing occurrence.

**TABLE 3**  
**Contact between Top State Bureaucrats and Legislators**

	MODEL 1 Frequency of Informal, General Contact	MODEL 2 Frequency of Bureaucrat Seeking Information from Legislator	MODEL 3 Frequency of Legislator Seeking Information from Bureaucrat
Term Limited Legislature	-.52 (.44)	-1.20*** (.46)	-1.13** (.52)
Bureaucratic Tenure	-.01 (.01)	.02 (.02)	.03 (.02)
Gubernatorial Appointment	1.04** (.47)	1.21*** (.45)	.93* (.50)
Agency Staff Size (log)	.40*** (.12)	.09 (.11)	.38*** (.13)
Education/Training Agency	2.09*** (.49)	1.26*** (.45)	1.58*** (.51)
Federal Funding	-.43** (.17)	-.08 (.16)	-.37** (.18)
Legislative Professionalism	2.36 (2.15)	-1.36 (2.12)	2.95 (2.49)
Divided Government	-.06 (.41)	.40 (.39)	.20 (.45)
LR X <sup>2</sup> =	50.90	33.43	39.00
Prob>X <sup>2</sup> =	.	0.00	0.00
Pseudo R <sup>2</sup> =	0.20	0.13	0.19
	n=110	n=110	n=91

\*\*\* p <.01, \*\* p<.05, \*p<.10. Numbers are ordered logit coefficients. Standard errors in paranthesis.

The introduction of other explanatory and control variables into the models elucidates the impact of features beyond the simple presence of the main variable of interest, term limits. This variable continues to have an impact on the information-seeking activities of bureaucrats and legislators but has no statistical significance relating to the frequency of general contact in Model 1.

The first hypothesis offered was that bureaucrats in states with term limits would have less informal contact with state legislators since prior research indicates there is less formal contact within these environments.

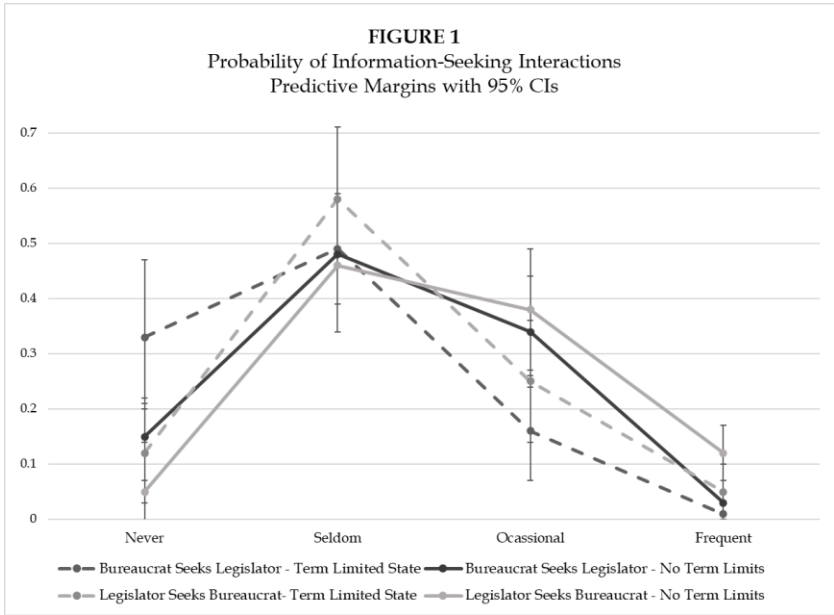
While the initial bivariate analysis suggested that the presence of term limits may influence these interactions, the results do not support the hypothesis. The key drivers of general interaction between chief bureaucrats and their state legislators in this analysis center around agency-level characteristics. Bureaucrats who are appointed by the governor, who oversee larger agencies, or who work in education related areas interact more frequently with state legislators. Increased federal involvement (as measured through the percentage of the agencies' budget that comes from the national government) decreased bureaucrat-legislator contact.

Models 2 and 3 analyze specific kinds of contact, information-seeking, initiated by either bureaucrats or legislators towards the other. Hypothesis 2 supposed that the presence of term limits in a state would decrease the frequency of chief bureaucrats seeking out information from state legislators. If, as research suggests, term-limited legislatures have less relative capacity and clout, bureaucrats will have little motivation to seek out legislative knowledge. After introducing agency characteristics, administrator tenure, and state institutional characteristics, this hypothesis is supported. The presence of term limits in a state significantly reduced the frequency with which bureaucrats sought out legislators for information. Detectable differences across the other variables were found for gubernatorial appointment and education/training agencies. Both of these controls increased the likelihood of more frequent bureaucratic information-seeking similar to Model 1.

Hypothesis 3 proposed that legislators in term-limited states would seek out information from bureaucrats more, rather than less, because of the comparative capacity and expertise discussed. Model 3 presents these results, and the term limit variable is statistically significant but in the opposite of the hypothesized direction. Term-limited legislators then, actually seek out information from the professional bureaucrats in their states less frequently than their counterparts in more "professionalized" states. Gubernatorial appointment of a bureaucrat, increased staff size, and education policy area all increase the frequency with which legislators are likely to seek out bureaucratic information. Federal funding has a negative effect.

While the models in Table 3 support the hypothesis that term limits influence the information interactions of state bureaucrats with state legislators, because of the categorical nature of the dependent variable and the binary variable of interest, examining the predicted probabilities of the likelihood for each outcome category can provide a beneficial visual element

to the overall story. Figure 1 presents the predictive margins for Models 2 and 3 based on the term limit variable while holding all others at their means.



Predicted probabilities for the likelihood of each outcome category based on the presence of term limits show interesting patterns and changes between actors and term limit environments that are not intuitive from the calculations presented in Table 3. Across all four models we can see the relationship between information-seeking frequency and term limits flip as we move from habitual, recurrent interactions in the right two categories (greater probability in non-term-limited states) to infrequent or nonexistent interactions on the left (greater probability in term-limited states).

An interesting piece of Figure 1 is the visualization of the changes between the probability of “occasional” information-interactions versus “never” for bureaucrats in the different term limit environments. These predications essentially flip for bureaucratic information-seeking frequency based on the presence of term limits. Without term limits, bureaucrats are more likely to indicate occasional information-seeking (.34) than never (.14); in term-limited state, the probability of never (.14) is greater than occasional (.33).

Figure 1 details how the highest overall probability of informal information-seeking is “seldom” across all iterations, ranging from .46 to .58. This highest probability translates to information-seeking occurring in both directions, but without any regularity, for the largest percent of the sample. Finally, the probability of the highest information-seeking incidence, “frequent,” highlights how legislators (.12 and .05) are generally more likely than bureaucrats (.03 and .01) to seek the other out on weekly basis regardless of the term-limited environment.

## Discussion and Conclusion

The models in Table 3 and the graphical depiction in Figure 1 show that informal information-seeking activities between bureaucrats and legislators are significantly impacted by term limits even when accounting for additional factors. The effect of term limits, particularly when included beside other state level variables, like divided government and legislative professionalism, suggest that even after 30 years there is much left to explore and understand about how term limits shape individuals within state environments. Term limits are theorized to alter the balance of power and institutional arrangements in state government. While research has been compiled on many of the formal bureaucrat-legislator interactions within these confines, this study aims to elucidate how informal interactions may be tempered by this institutional limitation. As others point out, these “whispers” and “back channels” are important to governance outcomes (Kelleher and Yackee 2006; Ritchie 2018). Through the analysis of survey data from state agency heads, it was found that while frequency of overall interactions remained consistent between term-limited and non-term-limited states, a specific type of interaction, information-seeking, was significantly reduced.

The findings of this study challenge some existing predictions about the effects of term limits on the behavior of bureaucrats and legislators. Contrary to Hypothesis 1, which proposed a decrease in general contact between bureaucrats and legislators in term-limited state, the data did not support this claim. While formal interactions like hearings and audits decrease in a term-limited environment, there is no significant difference in general, informal interactions as perceived by bureaucrats. As highlighted by the significant variables in Model 1, general interaction seems to be more dependent on agency specific variables than state context. The landscape for agency officials may be more alike than different in spite of variations in state political and institutional arrangements when it comes to basic interactions with actors in their networks. Further research into comparison across types of agencies would help to broaden understanding in this area.



Current literature provides predictions about the results of many delegation and control strategies in the presence of term limits. Generally, term-limited legislators have reduced capacity compared to their counterparts in other states while bureaucrats have more. Hypotheses 2 and 3 apply this theory to the act of information-seeking. It was observed that informal information-seeking by bureaucrats was significantly less in term-limited states, supporting Hypothesis 2 and other established findings. Hypothesis 3 suggested that term-limited legislators would seek out information from bureaucrats more frequently to compensate for their lack of experience or expertise. Surprisingly, the data revealed the opposite to be true, contradicting the hypothesis. This suggests that term-limited legislators are not only less important as information sources to bureaucrats, but themselves limited in utilizing bureaucratic expertise and informal networking to pursue goals. This, along with other studies that have found interesting conflicting results, suggests further investigation is needed to explore why bureaucrats are more institutionally instrumental while being less informally utilized (Baranowski 2001; Nicholson-Crotty and Miller 2011).

The findings from this study suggest that term limits for state legislatures alter not just careerism, priorities, and formal oversight activities, but the individual level behaviors and interactions of bureaucrats as well (Carey et al. 2006; Farmer et al. 2007; Mooney 2009; Sarbaugh-Thompson et al. 2010; etc.). Unintended consequences reverberate through state political systems and form the basis for good (or bad) governance. Normatively, if increased state legislative oversight over bureaucratic agencies is desired, term limits are counterproductive. From a practical viewpoint, this research is important to discussions of adopting, repealing, and amending term limit laws throughout the states.

This study is limited by its focus on a few types of agencies, the small sample size, and the elusive nature of informal interactions. Examination of these same effects across all types of state agencies with a larger population could elucidate or confound the influence of term limits on the interactions between legislatures and bureaucracies. State or agency specific case studies, particularly with elite interviews, may also provide information on why these interactions do or do not take place.

Several questions for further research evolve from this analysis. First, there are easily comparable measures of executive (gubernatorial power) and legislative (legislative professionalism) capacity in the states but similar measures for bureaucratic capacity are not as concise or informative. It would be useful to be able to measure the influence of term limits in

comparison to measures of state bureaucratic capacity. Additionally, this study uses a simple measure of term limits despite knowing that term limit restrictions vary. Further research would be valuable to examine if these differences in information interactions alter given the restrictiveness of term limits or the actual turnover in state legislatures. Finally, the measures of interaction and information-seeking behaviors here are simple designations of frequency; there is no measure of value or actual counts of activity attached to them. The perceptions of administrators towards legislators and vice versa would add another level of insight to the true impact of term limits on informal relationships. Replicating the federal-level FOIA request studies at the state level directly measure communication would be another avenue to compare to the results found here.

In conclusion, this research has important implications for the study of state government and public administration. While behavioral public administration and state institutional research continue to flourish, the combination of the two can be difficult to tease out, leading to less research and understanding about the interplay between these two areas. Considering the importance of the involvement of bureaucrats with legislators in translating policy into outcomes, accounting for influence, interaction, and institutional limitations is a necessary step in understanding state governance; and given the political and practical discussions of both term limits and bureaucratic versus legislative capacity, this research contributes to a better awareness of how state context can shape individual behaviors in the larger scheme of governance.

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