

Chapter 11

Education and Training of Legislators

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Legislative adaptation for the most part is an unconscious process, and one that is ongoing. Legislatures face constant change in their environments, and as political institutions they try to be responsive to the public, to the media, to interest groups, to trends, to exemplary practices, to many things.

Rarely, however, are legislatures faced with fundamental change to the institution and process, as has been wrought by term limits. And rarely do they consciously try to adapt to minimize the negative effects of change that has largely been imposed from outside.

Why Legislatures Need to Adapt

There is no mistaking the effects of term limits on the states that, in every case but one, had them imposed on them by the statewide electorate. It was obvious from the beginning that the immediate effects would be to increase turnover and reduce experience in state legislatures. Other effects were also projected by commentators and scholars (Benjamin and Malbin 1992), but undeniably term limits promise to cut short the careers in the legislature of members elected to serve.

Gary F. Moncrief, Lynda W. Powell, and Tim Storey, in Chapter 2 explore the effects of term limits on legislator turnover. Although term limits generally affect houses more than senates, both bodies experience higher turnover with term limits. Higher turnover, of course, means more new members in the legislature. Higher turnover also means fewer years of legislative experience and the complete removal of the most senior members from legislative

ranks.

As far as the legislature is concerned, these changes in membership have two major drawbacks: first, because legislators are less experienced, they have less knowledge and less skill in working the legislative process; and second, because legislators are less experienced, they have less knowledge of and expertise with regard to policy issues with which the legislature deals. In the survey of knowledgeable observers conducted by this project in six term-limited and three non-term limited states, respondents were asked to agree or disagree with the following: "In comparison to their counterparts a decade or more ago, today's legislators are more knowledgeable about statewide issues and are more knowledgeable about how the legislature operates." There was general disagreement with these statements and greater disagreement in the term-limited states than in the non-term-limited ones. Adaptation, therefore, could usefully be directed toward providing legislators knowledge about the issues and both knowledge and skill with respect to the lawmaking process itself.

What Adaptation Entails

Different actors in the process adapt differently to term limits. For example, legislators, themselves, have to adjust their political careers in light of the certainty of having to leave the office they hold by a specified time. No longer can they pursue a career of indefinite length in one house or the other, while preparing themselves to run for higher office if the prospects for such a race appear promising. The eviction notice is part and parcel of the lease; they have it as soon as they move in. This means that term-limited legislators have to plan quickly for their post-legislative service. Lobbyists also have to adapt to term limits. They no longer can conduct business the old-fashioned way, relying heavily on a network of relationships that are already in place. Relationships in term-limited legislatures are more difficult to cultivate, because time is

limited and relationships take time to build. Lobbyists, therefore, have to put greater effort into relationship building or have to devise other approaches to maintain their influence.

How the legislature as an institution, rather than the legislator as an individual, adapts is the focus here. Many possible adaptation strategies exist; most remain theoretical possibilities, without having been put into practice. One way to increase the time available to members and supplement their experience would be to expand the number of days the legislature is in session. Even the so-called full-time legislatures, such as California, Michigan, and Ohio, could become somewhat more full time than they are now. Part-time legislatures, as in Arizona, Colorado, Louisiana, Maine, and Oregon, could certainly become less part time. But there is little likelihood that the days legislatures spend in session will increase in order for members to gain experience.

Alternative ways of affording members knowledge and skill, however, have been put into practice. For example, nonpartisan staffs in legislative service agencies quickly realized that they would have to demonstrate their value to new legislators. So nearly everywhere they made efforts to provide additional information, of a timely nature and artfully packaged. Caucus staffs in Oregon and Colorado were expanded in order to compensate for legislators' lack of experience (Kousser 2005, 214-20). A few meritorious programs were devised. Colorado adopted a "buddy system," in which a senior member of the nonpartisan staff paired up with a legislator through the latter's tenure in the legislature, and in Maine veteran legislators were paired up with newly elected colleagues.

The amount of information furnished legislators in term-limited states was also expanded. The fiscal staff in Maine began to produce more summary documents for appropriations committee members, and the staff of the Joint Budget Committee in Colorado started to provide

more materials for members. Meanwhile, the clerk of the house in Colorado saw the need for distributing more information to members on legislative policies, procedures, and process. In adapting, Colorado also hastened the establishment of a computerized information and communication system in order to provide legislators what they needed to do their jobs better. In a few instances, such as Arkansas, the house restructured its standing committee system so that newly elected members could take on leadership responsibility right away. By creating subcommittees, the house managed to appoint 40 out of the 100 members to positions as chair or vice chair.

The Special Role of Education and Training

On-the-job training used to be the dominant mode of learning for legislators. It is still dominant, but now it is supplemented by classroom-type training that is delivered to new members. According to two senior members of the staff of the National Conference of State Legislatures (NCSL), "legislatures today no longer have the luxury of time for members to learn through observation and osmosis" (Feustel and Jones 2001). Jump-starting the learning process through a new member orientation program is a feature in just about every legislature nowadays; it is an especially vital one in the term-limited states.

The Legislative Effectiveness Committee of NCSL surveyed the state of legislative training programs late in 2001, almost a decade after the initial enactment of term limits. In a report, titled "New Member Orientation Survey Results," NCSL suggested that a nationwide effort was underway to bring legislators up to speed even before they began their actual work. The curriculum varied, but most legislatures appeared to be covering the bill enactment process, leadership powers and duties, the roles of caucuses, legislative staff, committees, rules and procedures, media and lobbyist relations, and a plethora of administrative details. Half the

senates and houses reporting in the survey indicated that they also used mock floor sessions, and one-quarter indicated that they used mock committee hearings. A large number also included an ethical component in their training. In most cases the orientations ran for one or two days, although in a few states it resumed from time to time during the course of the legislative session.

Legislative orientations have been a staple for years. If not already in existence, they were recommended by legislative committees, citizens commissions, and consultants who were engaged in the legislative modernization movement of the late 1960s, 1970s, and early 1980s. By the time term limits swept initiative states, orientations for new members were being offered just about everywhere, more often by houses, which had to manage substantial turnover, than by senates, which had relatively few new members every two years (and a number of these were not new to the legislature, in that they had served previously in the house). The seriousness with which the states approached the training and the resources they committed to it ranged widely, but on the whole the training of new members seldom was legislative leadership's top priority. Indeed, it was not unusual for orientation sessions to be scheduled at the same time as party caucuses, committee meetings, or other functions. In such circumstances, members would be inclined to miss the training session in order to attend the session where they would be engaged in their immediate work. When push comes to shove, training accommodates more pressing legislative concerns.

Term limits brought a heightened sense of urgency to the states that were being affected by higher turnover and shorter tenure. New members, it was thought, would have to be brought up to speed much more rapidly than before. They no longer would have enough time on the job to learn on the job; they would have to learn earlier. Speaker Larry Householder of Ohio explained that in term-limited states, "freshmen are players from day one, carrying major bills and handling

major assignments” (Householder 2001). The result was the expansion of training programs, among other steps, to minimize negative consequences (Little 2001). NCSL’s survey indicates that orientation sessions are longer than they used to be in each of eleven term-limited states reporting and that in eight of these states training takes place throughout the year.

There is no doubt that the states impacted by term limits responded with greater effort to train newly elected house members. California went the farthest. Under Speaker Robert Herzberg, it established the California Assembly Program for Innovative Training and Orientation for the Legislature (CAPITOL) Institute, a mouthful even in California. The program was designed to be comprehensive and extend over ten days. Colorado also took the orientation program more seriously. Before term limits, Colorado’s new-member orientation was two and one-half days. By 1996 it had been expanded to four days: one-half day in November; two in December; and one and one-half in January before the start of the session. In 1998 when term limits took effect in Colorado, the orientation was expanded to eight days: one and one-half in early November; three in mid-November; two in early December; and one and one-half in January before the session.

In Missouri the orientation increased to five days, which was in addition to a two-week bus trip in which new members visited state institutions, facilities, and programs. The Arkansas house, under Speaker Shane Broadway, began to offer periodic sessions of a continuing education nature, and Arizona held a three-day orientation, followed by other meetings. Florida’s house held four three-day sessions for new members, while Maine added sessions on policy issues and continued its statewide bus tour and mentoring programs. In Ohio, Householder began to offer sessions on policy issues for prospective new members even before the ongoing orientation conducted by the Ohio Legislative Service Commission was expanded

and moved from Capitol Square to a retreat setting outside the city. However, the amount and nature of the training in term-limited states has not been steady. It has varied from biennium to biennium, depending largely on the degree of support furnished by legislative leaders.

Sometimes training has been designed for all new legislators, but sometimes it has been conducted separately by the senate and house. Training has also been done by the legislative party for its own members, with objectives that are not the same as those of bipartisan training programs. Partisan training is not new; in New Jersey the legislative parties and their staffs have been using the partisan approach to training for years. In term-limited states the trend toward the legislative parties and their leaders taking responsibility for orienting new members appear to be on the rise.

The increase in partisan training may be part of the general rise in partisanship in state legislatures and especially term-limited ones. Majority party leaders tend to allocate more decision-making authority to their caucuses, in part perhaps because committees have been losing expertise and influence in the lawmaking process. One scholar reports that leaders in six of the term-limited states have increased the number of their caucus meetings and that in several states they have stepped up their activity in the recruitment of party candidates (Little 2001). Efforts such as these often are accompanied by partisan training of one sort or another. Take Ohio for example. Here Speaker Householder focused more than his predecessors on bringing along new Republican house members. He helped recruit them and then offered them training at a special retreat. Then, on the budget, after the standing committee had made its recommendations, Householder presented them to the majority party caucus for deliberation. As a consequence, according to the speaker, the budget contained the fingerprints of every member of the Republican caucus, which then voted unanimously for it (Householder 2001). Training

Republican house members was simply part of a larger partisan-oriented enterprise, which to some extent appears to have been an unanticipated product of term limits.

The creation of partisan staff in legislative bodies predated term limits. Partisan staff did not cause partisanship, but it did strengthen it (Rosenthal 1970). Similarly, training by the legislative parties, especially if it supplants rather than supplements training of a nonpartisan nature, will not in itself cause partisanship where none would otherwise exist. But it can be expected to make partisan views and considerations more salient and hence to increase partisanship. An important question is how partisan and nonpartisan elements can be combined and balanced in the training of new members. In the following examination of training and how it helps legislatures adapt to term limits, our focus is on the nonpartisan elements (but recognizing, of course, that partisan ones may be operating as well).

How Training Can Be Assessed

Members of the legislative community believe that training efforts are of benefit to new members and by extension to the legislature itself. In the national survey undertaken by the term-limits project, legislators were asked to rate the importance of the formal training program they took when first elected. In term-limited states 25 percent of the respondents rated them "very important," while in the non-term-limited states 18 percent rated them likewise, suggesting that it made slightly more of a difference to those whose terms were limited. The survey of knowledgeable observers produced similar results. According to them, more frequent and important training for legislators was considered to be "somewhat" helpful (but not, it should be noted, "very" helpful). Still, as far as these observers were concerned, there was nothing they thought more helpful than training. Overall, however, these knowledgeable observers did not perceive that training for legislators was much improved compared to ten years earlier.

The results, as could be predicted, varied among the states. In Colorado, where a significant effort had been made, John Straayer concluded that, “the enhanced orientation appears to have been an important and somewhat effective antidote to the diminishment of legislative experience brought about by term limits” (Straayer 2004, 118). By contrast, in Arizona David Berman (2004) reported that members were aware of an increase in training, but they doubted that it did much; in their judgment, it was of marginal value only.

It is difficult to know what standards legislators and knowledgeable observers have in mind when they rate the training. Probably most of them make use of no particular standards but, instead, are predisposed to believe that training ought to, and therefore probably does, produce better legislators. What can we expect from legislator training? Can we really expect an improvement in the “quality” of members themselves and hence the quality of the legislative process?

Figuring out whether legislator training has beneficial effects on individuals and on processes is a challenge, to say the least. To meet such a challenge, we would initially have to be able to specify what a “good” legislator is so that we could recognize a “better” one after training. Similarly, we would need some idea of what good and better processes are. It would be necessary to be able to measure qualities of goodness in both legislators and the legislature. Then, and even more difficult, our measurement procedure would have to demonstrate that enhancements of training, independently of other factors, had produced improvements in the quality of members and of processes.

These challenges are well beyond the resources of the current project. Political scientists have yet to agree on what a “good” legislator or a “good” process is, let alone a method of measuring each. They are even further away from being able to control for diverse factors that

could cause changes that might at first be attributed to training. Yet, initial steps can be taken in devising standards that ought to be met for training to be considered effective.

Our approach is to examine what might be considered a model training program, one that can be compared to programs in other states, and particularly states with term limits. Georgia provides such a model, with a training program that is widely regarded as effective. To study this model, I conducted interviews with legislators in the capitol in Atlanta and Carl Vinson Institute staff in Athens in February 2005.

Georgia does not have a term-limited legislature and its turnover rates have not been particularly high, although they rose in 2004 because of the Republican surge in the state. Georgia has a citizen legislature, with relatively little professional staff at its disposal, even though it is one of the most populous states in the nation. The legislature meets for a compressed time of forty legislative days each year, so there is not much leeway during the session for on-the-job training. It is significant, however, that the Georgia General Assembly enhances its law-making capacity by contracting out for research, training, and other services with the Carl Vinson Institute of Government (CVIG) at the University of Georgia (UGA) in Athens:

Legislators in Georgia are extraordinarily positive in the evaluations of the training they have been receiving for almost half a century at CVIG's Biennial Institute, held just after an election and before the beginning of the session. An examination of training in Georgia suggests a number of standards, ones that ought also to apply to other states—whether term-limited or not. Programs for training need not measure up to each and every standard, but if they fall too far short on a number of them we ought to question how effective the training can be in overcoming the disabilities inflicted by term limits.

(1) *For training to have a chance of achieving positive results, members must at the very*

least attend.

Woody Allen was not just kidding when he said that showing up is 90 percent of life. There is never a guarantee that members will attend, nor any assurance that they will participate in a training program put on for their benefit. Attendance varies, among non-term-limited as well as term-limited states. At the initiation of a program, such as the California Assembly's CAPITOL Institute, legislators did attend. And they learned, quite specifically, how to set up their staffs and deal with travel, and more generally, about the process and legislative ethics. At subsequent sessions, however, legislators failed to show up, preferring to learn about bill writing and the budget informally from colleagues. According to Bruce Cain and Thad Kousser, who investigated California for this project, "the appetite for legislator training is probably limited." So CAPITOL since the early days has focused more on training staff than on training legislators; staff are more inclined to attend. In Colorado, attendance also fell off when the legislative staff after the initial orientation tried to deliver an additional education program to members. By then, the Colorado legislators confronted the day-to-day pressures of the session and became absorbed in their representational and lawmaking tasks. Continuing education was no longer among their priorities.

By contrast, the Biennial Institute in Georgia has had remarkable attendance record over a long period of time. Biennium after biennium, virtually every new legislator shows up, even though until recently those who had just been elected had to pay their own expenses because they had not yet been sworn in. The unique feature of the training here is that not only new members, but also returning members are expected to attend. A number of them are on the program, and all of them receive both training in common with and different from that of their new colleagues. All told, anywhere from 210-220 out of the total 236 senators and representatives in Georgia

turn out for the Biennial Institute. That attendance record is tough to match.

The advantages of training new and returning members together in one place and at one time are obvious. First, training in Georgia is not intended simply for those who have yet to serve; it is intended also for those in their early, middle, and later careers. The assumption is that legislators with experience can benefit as much as those without experience. Second, the legislature is treated as a whole—house and senate, new and returning members are all there. There, members see themselves not only as in the Class of 2004, or as senate Republicans or house Democrats; they see themselves also as members of the Georgia General Assembly.

If training is to be effective in term-limited (as well as non-term-limited) legislatures, the first standard is not an easy one to meet. It is that of “universal training” and high participation rates, not for new members only or for those who chose to attend, but for everyone.

(2) The formal content of training has to be of sufficient quantity and of high quality.

According to member evaluations, Georgia does a good job as far as substance and delivery are concerned. Although the program is not without criticism from legislators (too much is packed in too little time, one policy issue or another is omitted), the evaluations are always excellent. Most recently, ten of the twelve 2004 sessions were rated by participants at 5 or above on a six-point scale (with 6 as the highest rating). The other two sessions received ratings between 4 and 5. Over time, the program of the Biennial has changed, from an early concentration on the nuts and bolts of serving in the legislature to a balance among discussions of policy issues, sessions on skill building, and simulations of the legislative process.

Take the 2004 Biennial Institute, for example, which was held for three days in Athens, as well as a day at the Capitol and a lunch in Atlanta for new members and their spouses. New members had special training, but all members received training on negotiation and consensus

building, strengthening the connection between legislators and citizens, and accountability in budgeting. All of them also had the opportunity to discuss issues that were affecting the state and were likely to be taken up at the forthcoming session—issues such as education funding, Medicaid, and transportation. It is only during programs like this that legislators get to view issues broadly, rather than as bills and amendments, which is what issues get translated into during the legislative session itself.

Georgia's legislature is not the only one that has done its job delivering the goods. Elsewhere, legislative leaders, special committees, and staff have all been adept in formulating curricula. Much had to be learned, and those putting together orientation programs wanted to pack in a lot. In a number of places, as the 2001 NCSL survey suggested, participants were overwhelmed with information. Because of member feedback that too much came at them too fast, the Michigan legislature scaled back its program in 2000, only two years after it had expanded it.

Expansion and then contraction occurred in a number of states. Several years ago the Legislative Service Commission's program in Ohio had lengthened its new-member training to five days and moved it to a retreat setting at a state park. Recently, with Ohio, among many other states, facing budgetary difficulties, the length of the orientation session was reduced and it was moved back to a hotel in Columbus across the street from the Capitol.

Despite the ups and downs of new-member orientations, the formal content standard is probably the easiest one for legislatures to meet. Along with the necessary nuts-and-bolts information, hands-on training, simulations, and issue analysis are being incorporated by more states.

(3) *Whatever the formal content, extracurricular content and activity count heavily with*

legislators.

In its 2001 report on new-member orientations, NCSL recommended that legislatures “give the participants time to get to know each other.” This implies that the occasion must be viewed not only in strict educational terms, but also through a political and social lens.

Georgia’s Biennial Institute has never ignored the extracurricular. There always seemed to be something out of the ordinary about the gathering that appealed to members. For example, at the second Biennial he attended, Jimmy Skipper, then a former member of the house, was invited to dinner by Speaker Tom Murphy. The car that was sent to pick him up was driven by the University of Georgia head football coach, a state icon. “I was in heaven,” recalls Skipper.

Legislators not only feel obligated to attend the Vinson affairs, they want to do so. Returning members look forward to reconnecting with their colleagues after the biennial election. They use this opportunity to renew friendships and reestablish camaraderie before the legislative session begins, and then quickly picks up its pace, with little time left for socializing. The receptions in Atlanta that legislators mill around at during the course of the session are a poor substitute for being with colleagues in Athens before the session actually begins.

Older members have already been filled in on the newcomers; now they can see them first hand. In the words of Representative Kathy Ashe, the get-together gives experienced members a chance “to figure out who the new faces are.” These “new faces” naturally will be able to furnish votes for bills returning members want to move. On their part, new members have a chance to interact with one another and to meet their more experienced colleagues. “Everything is a blur the first couple of years anyway,” says Representative Terry Coleman. And what helps new members ease in, he adds, is forging friendships as soon as possible.

It doesn’t hurt, of course, that politics gets done. The governor is one player who always

has a role, frequently using the Biennial to give legislators advance notification of administration budget or policy priorities. The governor's department heads show up and make themselves available to legislators for their requests. "I always have a laundry list of things I want a commissioner to do," is the way Senator George Hooks puts it. Legislators also busy themselves rounding up support from one another. "A lot of legislative proposals," says Skipper, "are hatched here." Deals are cut, coalitions begin to form, business gets underway.

Ambiance matters. The Biennial could probably not be done as well at any other time of the year or at any other place in the state. The scheduling may be fortuitous, but it works. The time that elapses and the election that intervenes after the even-year session ends in March or April prime members for reassembling in December. What Representative Jerry Keen calls "the first picnic" of the session occurs before the relentless pressure of the legislative session takes hold. It is a period when both returning and new members can and do feel relaxed. Moreover, the Biennial Institute takes place just before the holiday season and, thus, everyone is in a festive mood. Of importance also is that most of the training is conducted on the UGA campus in Athens, a setting conducive to learning and away from the distractions of the Capitol and downtown Atlanta. The facilities are excellent, and enough free time is available between and after scheduled sessions for legislators to socialize and politick with one another.

The extracurricular standard should be attainable for term-limited legislatures. But few locate their new-member orientations in retreat settings. One problem is that legislatures do not want to risk media and public criticism of funds expended on a meeting held outside the capitol. Some manage to introduce legislators to the governor and most offer an occasion for new members to get to know one another. What is missing, however, are experienced members. Other than the few who make presentations or serve on a panel and leave soon thereafter,

experienced members normally are busy on other tasks. Without returning members, not only are opportunities for political relationships to form diminished, but less learning goes on.

(4) The people who conduct the training require substantial capacity to deliver the goods.

It is difficult to imagine any organization having the capacity that the Carl Vinson Institute of Government has when it comes to working with the legislature and training legislators. The institutions engaged in legislator training that come nearest Vinson are the Institute of Government at the University of North Carolina, the Lyndon Baines Johnson School of Public Affairs at the University of Texas, and the University of Massachusetts at Amherst (each of which is working with a non-term-limited legislature).

Jim Ledbetter, Vinson's director, refers to the Institute he runs at UGA as a home for practitioners in academia. Most of the members of the CVIG professional staff have had experience in state and local government. These people believe in government; they respect and like it. This shows in the relationship they have had, and continue to have, with the legislature. The University and Vinson have taken their public service mission most seriously, and the state in return has been generous in its support. The relationship with the legislature has been cemented over a period of many years by the creation in the Institute of a legislative research division that staffed legislative committees, by the furnishing of professional assistance on reapportionment, and by the provision of special research and advice on matters involving scientific questions. The Institute also publishes a handbook for legislators, which members find valuable.

The dominant enterprise at Vinson is training—of county and local officials and of state executive officials, as well as of legislators. Thirty members of the staff deliver training to 16,000 persons through more than 600 programs, at a cost of over four million dollars a year.

The Biennial Institute amounts to only a small portion of the total, but an extremely important part. It requires a lot of time, with eight people starting to plan almost a year before it is scheduled to be held.

Other legislatures conduct training of a similar nature and rely on legislators, legislative staff, lobbyists, and other experts for delivery. With few exceptions, the training programs are planned and executed in-house, by legislative staff. Few staffers can be expected to have broad, professional experience in training; rather, they have knowledge and skills related more to the other assignments they have with the legislature. Training expertise matters, but in legislatures across the country it is in extremely short supply.

(5) The training has to be responsive to what legislators themselves think they need.

When new-member orientations are the responsibility of legislative service agencies, responsiveness is almost assured. Legislative staff are accustomed to trying to discern the needs and desires of their employers. The problem, however, is that staff usually has difficulty getting much advice or input from legislators, although they do take into account the evaluations given by participants after a program is completed.

In Georgia the staff of the Vinson Institute, although independent of the General Assembly, is always checking on what legislators may think. The Vinson director literally runs back and forth to the leaders of the Senate and House and to other key legislators, asking what they need and think.

Vinson has to endure the almost inevitable tension between its educational goals on the one hand and legislators' political and personal goals on the other. In the words of Representative Ashe, "it is tough to get legislators to concentrate on issues when they want to socialize with one another." But somehow Vinson manages, and that vital balance between the more formal and the

more informal parts of the Biennial is achieved. One of Vinson's principal supporters, Representative Burke Day, sums up, "they have been able to maintain their mission without compromising it."

With the change from more than a century of Democratic control of the legislature to Republican control after the 2004 election, a new challenge has arisen. It is understandable that Republican leaders feel somewhat wary of an organization that has responded to a Democratic majority uninterrupted for so many years. Now, the Republicans have the upper hand. According to Representative Keene, one of the Republican leaders, "there is no playbook on how to transition," so things may be a little difficult for a while. A few misunderstandings have arisen, but Vinson has been paying special attention to cultivating the new leadership and working things out. It has no partisan or ideological agenda; yet, Ledbetter acknowledges that "they [the new majority party] have to grow comfortable with us." In the meantime, Vinson recently launched a new training program for the Georgia legislature's future leaders with the help of a foundation grant it was awarded for leadership development.

The transition from Democratic to Republican majorities is a test of the Biennial Institute. In other states, and especially in term-limited ones, a shift in majority party control or even turnover in top leadership has had substantial effects on the course of legislative training.

(6) Legislative leadership has to make a genuine commitment to the training.

In its 2001 report NCSL notes that one requirement of a training program is "ownership by leadership." Achieving this is essential, but difficult. It has been done in Georgia. A succession of legislative leaders have taken on ownership. The key, as Representative Keen puts it, is that, "leaders have to want something, then they will make a commitment to it." Because it has suited their purposes, Georgia's leaders have endorsed training. Tom Murphy, a powerful leader who

held the speakership for 28 years, would have seemed to be a most unlikely advocate of legislator education. Yet, he was one of the Biennial's champions, because it offered him an occasion to build support. The new Republican leaders, much like their Democratic predecessors, also stand to benefit. They favor more informed legislators, not less informed ones. They recognize that knowledge facilitates work on issues and, particularly, on the budget, and heightens a sense of loyalty to leadership.

The Biennial accomplishes more than training, although training alone would be sufficient. The Biennial also enables leaders to hear face-to-face from members—veterans and freshmen alike. Legislators always want to meet with their leaders. At a recent Biennial Representative Keen, as house Republican leader, sat in the cafeteria for six hours just meeting with members. Leaders also take advantage of the opportunity to bring members of their caucus together for dinner, where they and their colleagues get to know newly elected members and vice-versa and where bonding as partisans continues or begins.

Both the curricular and extracurricular activities afford leaders an opportunity to size up the newcomers and start figuring out what makes them tick. A perceptive leader early on can spot future leaders. Representative Ashe thinks leaders may learn even more by observing new members at the formal sessions of the Institute. According to her, by listening to what is said and observing who is diligently taking notes, they can pick out the people who know what they are talking about. During the course of the Biennial, leaders engage in the most practical ways. As Representative Coleman, who campaigned for speaker at the Biennial, said, "it gives leaders the opportunity to meet with specific legislators, vetting them for committee chairs, and figuring out committee organization and members' assignments."

Leaders in term-limited states could also commit themselves to training. The problem,

however, is that they have less time and inclination to do so; since they are swiftly passing through the house (or senate) and are even more swiftly passing through leadership positions. Training is unlikely to be high on their agenda.

(7) To be most effective, training ought to be institutionalized.

Georgia's former senate leader Stephens doesn't think that the legislature any longer has a choice as to whether to put on the Biennial Institute or not. "It's what you do, it's institutionalized," he explains. For him, the Biennial effectively starts the legislative session off; indeed, it has become part of it. House leader Keen agrees completely. "It's institutionalized, and is now very much a part of the legislative experience," he says.

When Morris W. H. Collins, at the University of Georgia, brought the idea of legislator training to Speaker George L. Smith almost a half century ago, no one could have expected that a strongly rooted, long enduring program would result. Members of the first class in 1958 included Tom Murphy, a future house speaker, and Zell Miller, a future senate president. Both became big supporters of the Biennial. Early on Speaker Smith initiated the practice of announcing his appointments of chairs and members of standing committees at the Biennial, ensuring that just about every legislator came. Even without this, it was probably enough for members of the house and senate to receive an invitation from the speaker or the president. Although the announcement of committee assignments can no longer be counted on, the habit of going to the UGA Campus every two years has become ingrained.

Just to cement things, a few years ago the legislature enacted the "Ethics and Efficiency in Government Act." The act is based on the premise that: "It is in the fundamental interests of the citizens of Georgia and of the legislature as an equal branch of state government to foster the knowledge, professionalism, and standards of its membership." The act creates a board,

composed of three members from each house and the Vinson director ex officio, a duty of which is to establish guidelines for the training that would be given by CVIG. Training is now in Georgia's statute books.

The fact that the Biennial Institute has become such an integral part of the legislative process is remarkable. It took time and effort and required continued support by leaders and members alike. Institutionalization of a practice such as training would be difficult to achieve anywhere, and even more difficult in term-limited states. There is too little time and too little continuity. Because leaders come and go rapidly, each wants to make his or her own distinctive mark; thus, the commitment to the work of one's predecessors is not strong.

How Training Helps the Legislature

Orientation and training programs for members are designed to enhance the knowledge and skills of legislators as individuals. Depending on the specific legislatures and their programs, these objectives may be achieved at least to some degree. Whatever the effects on individual legislators, probably the more important question is what effects the educational efforts have on the legislature and the manner in which it performs its job. In a recent book (Rosenthal 2004) I explore the three most important components of a legislature's job, and here I shall add a fourth.

The first component is representing constituents and constituencies. Here is where legislators and legislatures probably do their best work. It is also where training makes little difference overall. When they arrive at the capitol, legislators already have a pretty good idea of their constituency. What they need to know about communications, case work, and how best to keep in touch is high on their agendas, and they are strongly motivated to find out. They pick up the necessary information early on, and in fairly short order are carrying out their representational tasks as skillfully as their more senior colleagues.

The second component of the legislature's job is lawmaking, which involves the issues—big and small—on the legislature's agenda, and the processes—including study, deliberation, negotiation, and support building—according to which such issues are considered and decided. This is where training tends to be targeted and is likely to have impact both on members directly and on the legislature indirectly. Since the measurement of effects is so elusive, all we can do is assume that members become better informed and more adept and that the legislature does its lawmaking somewhat better as a consequence of training. If this assumption is correct, then term-limited states are better off with training than they would be without it.

The third component of the legislature's job is balancing the power of the executive. This clearly is an institutional, rather than an individual, requirement. Yet, members and, in particular, legislative leaders help determine how the legislature performs in a separation-of-powers/checks-and-balances political system. Important in this regard is the orientation of the legislature vis-a-vis the governor, and whether leaders and members have the will and the wherewithal to ensure that the legislature acts as an independent and coequal branch of state government, in particular if the governor, senate and house majority are of the same party. Not much of the training that legislators receive has bearing on how the legislature balances the executive. One might assume that more knowledgeable and skillful legislators would develop greater self-confidence, which in turn would result in stronger legislative will. But that is quite a stretch. It is highly unlikely that if, as Chapter 9 indicates, the executive is advantaged by term limits, anything short of training by indoctrination instilling a sense of legislative independence will do very much at all to redress the imbalance.

The fourth component of the legislature's job is what can be referred to as institutional maintenance. The legislature has to maintain itself, that is, it has to look out for its own well-

being (Rosenthal 1996). For the legislature to maintain itself as an institution, support from outside and support from within are requisite. During the past thirty years, public support for the legislature has been in decline, while public cynicism and distrust of the legislature, its processes, and its members has been on the rise. And during the past twenty years, member support for the institution also appears to have been eroding (Rosenthal 1998). For a number of reasons, fewer legislators identify with, show loyalty to, or have particular concern for their institutions.

In term-limited states the erosion of internal support would appear to be greater than elsewhere. In the survey of knowledgeable observers in Arizona, Arkansas, California, Colorado, Maine, and Ohio (among the term-limited states) and Illinois, Indiana, and Kansas (among non-term-limited states), respondents were asked to agree or disagree with the following statement: "Legislators today compared to a decade ago support and defend the institution of the legislature." Respondents tended to disagree with the statement, more so in the six term-limited states than the other three.

If, as we argue here, institutional commitment is important to the functioning of legislatures, and if it is at greater risk in term-limited states, the questions are first, what can be done to strengthen it and second, whether and how member training can make a difference. To address these questions, it is necessary to indicate how institutional commitment develops in the first place.

The likelihood is that not many members come to the legislature with much of an institutional sense. A few may have developed a sense of the legislature as an institution as a result of study. But most have not. Legislators have career goals, constituency needs, electoral interests, policy agendas, as well as job and family concerns. All of these are concrete and impending. By contrast, institutional commitment is abstract and remote. Moreover, there are

no incentives or rewards that encourage its development. It does not arise spontaneously.

It develops over time. The longer legislators serve, the more institutional they tend to become. It takes a while for a member to begin to appreciate the legislature as an institution. Usually, what engenders institutional sensitivity and commitment is leadership responsibility. When legislators achieve leadership positions, as party leaders or committee and subcommittee chairs, they have to put their personal agendas somewhat aside and work to build consensus for and promote a chamber, caucus, committee, or subcommittee position on legislation. All of this is critical to the lawmaking process. With such leadership responsibility, legislators begin to get a different sense of the legislature and start seeing it more as a consensus-building mechanism. In addition, their leadership responsibilities increase their identification with and stake in the senate, house, or legislature as a whole. Thus, it is from among the ranks of legislative leaders that a cadre of legislators with institutional loyalties emerges.

Can legislator training programs compensate for the diminished support legislators give their institutions? NCSL, an organization with a keen institutional commitment, would hope so. Two of its senior staff members, in discussing what needs to be done wrote: "And last of all, training needs to give members a strong sense of the legislative institution and their role in serving in that institution" (Feustel and Jones 2001, 19). This is an especially tall order for legislative training, even training as effective as Georgia's.

How can commitment to the senate, house, or legislature be engendered when division and conflict are at the core of the process? The minority party will criticize how the majority party runs things, and this may be understood as criticism of the institution itself. Individual legislators, in pursuing their individual objectives, also take issue with processes and procedures that get in their way, and their criticism also can undermine institutional support.

To expect legislator training to build institutional commitment is to expect much. There are strong arguments as to why it cannot be done. Legislative leaders and legislators have more practical objectives, especially in term-limited states. In any case, how can institutional commitment be taught—by exhortation, historical analysis, case studies, stories? It will not be simple, but there does not seem to be a good alternation to education and training, if institutional commitment and strengthening are important objectives. The Georgia model demonstrates that it is possible for a legislature to take the job seriously and do it well.

Term-limited legislatures are trying to adapt as best they can, but they still have a long way to go as far as preparing new and returning members is concerned. Even if they go as far as Georgia, or further, they are not likely to overcome the adverse effects of term limits. The damage to the legislature's performance—lawmaking, balancing the power of the executive, and maintaining the well-being of the institution—can be reduced by effective education and training programs but probably cannot be undone.