

Candidates for the Legislature: Please Champion Legislation

By James M. Hohman | October 2022

It's general election season, and people are going to be inundated with campaign advertisements for the next month. The messages say something more about voters than they do about candidates. Campaigners know what it takes to win elections. They find the voters they need to reach and tell them what they want to hear.

But there is something vital missing in ads from people seeking legislative office. Candidates are running for a job that gives them the authority to write and pass laws. Yet few ads market the laws that candidates want or the stances they'll take on legislation.

The candidates for the legislature should promote the legislation they'd like to pass. Yet too few do.

Legislators don't run on legislation because voters tend to care about other things. People want their elected representatives to share their values. They want their guys to have deep ties to their districts. Depending on how partisan a district is, the majority of voters also want their legislators to toe the party line.

They also want legislators to do something about the issues they care about. Yet voters are not as clear on the laws they want their legislators to pass.

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Legislation gets controversial. Reforms create winners and losers. Running on an issue might get candidates praise from voters who benefit. It also can get them attention from the potential losers.

It's not a zero sum game, though. Good legislation benefits the public, even if there are costs to some. And there are problems that can only be solved by laws.

States license occupations to protect public health. But the regulation of licenses has been taken over by the licensees for their own benefit, not the public's. The licenses are required by law, and people need legislators to put the laws back to providing benefits to the people.

In office, lawmakers feel they need to hand out cash to a company when they have a factory to locate. This costs taxpayers billions, is ineffective at creating jobs and is fundamentally not how states should do business. They ought to instead agree with each

other to stop offering special deals. There is an interstate compact to eliminate corporate handouts, but states won't adopt it until more legislators endorse the idea.

All states regulate the alcohol business, and unfortunately the people involved in the business have captured it for their own profits. States ought to do better and enact new laws to put it back in the public's interest.

It costs us all to protect the domestic shipping industry. Congress ought to do something about that. They won't until more people care. More voters might care if legislators made it an issue, promoting the benefits of scrapping the Jones act.

There is something in common with all of these issues. They are manifestations of a particular problem that plagues democratic governments. Special interests can abuse the law to obtain benefits for themselves, but keep the costs to the average person so small that voters don't care enough to fight it.

The potential losers all have organized lobbies that are politically powerful. Candidates would paint a target on their back if they ran on these issues. And until intensity from the public is strong enough to demonstrate that the benefits are worth the costs

to the people who run for office, candidates would prefer not to stir that beehive.

Still, James Madison warned about special interests passing legislation that benefits themselves at the public's expense in Federalist 10. He thought a vigilant and enlightened populace and legislature would guard against it.

It still can. Voters can engage on issues more. Candidates can bring the issue to the forefront by running on issues and winning their elections.

That's why candidates ought to run on the legislation they'd like to pass. People will be better off when elections are referenda on the legislation that competing candidates want. It's a way to break the powerful interests that have pushed for laws that cost the public.

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