1. February 11, 2015 Agenda

   Documents:

   FEBRUARY 11, 2015 AGENDA.PDF

2. Item 1

   Documents:

   FEBRUARY 11, 2015 ITEM NUMBER 1.PDF

3. Item 2

   Documents:

   FEBRUARY 11, 2015 ITEM NUMBER 2.PDF

4. Item 3

   Documents:

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5. Item 4

   Documents:

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6. Item 5

   Documents:

   FEBRUARY 11, 2015 ITEM NUMBER 5.PDF
AGENDA

REGULAR MEETING
WEDNESDAY, FEBRUARY 11, 2015, 4:00 P.M.
CITY HALL, 501 POLI STREET, VENTURA
SANTA CRUZ CONFERENCE ROOM

ROLL CALL

INFORMATION ITEMS

None.

FORMAL ITEMS

1. Consideration of the Minutes of the January 14, 2015 Meeting of the Charter Review Committee

   RECOMMENDATION

   Approve the Minutes of January 14, 2015 as submitted by the City Clerk.

2. Review Draft Charter Amendment Language on City Council Compensation

   RECOMMENDATION

   Discuss, revise, and approve subject to later review following the Charter Review Committee’s decisions on other issues.
3. **Consideration and Discussion of the Issue of Term-Limits for City Council.**

**RECOMMENDATION**

That the Charter Review Committee discuss and determine if it wishes to recommend that the Charter be amended to include term limits for the City Council. If the Charter Review Committee determines to recommend term limits for the City Council, staff recommends that direction be provided on the following issues:

1. What is the proper length of a term for a City Council Member? Is it two years, four years, six years, etc.?

2. Is the limit on the number of terms a lifetime ban or a waiting period? By this, if an elected official has served two terms and the term limit is two terms, are they prohibited again from serving on the City Council (lifetime ban) or are they prohibited from serving again after some period of time (waiting period)? If it is a waiting period, what should the waiting period be?

3. If someone is elected or appointed to the City Council to fill a vacancy, when does the term limit apply to service for less than a full term? Should the standard be 50% plus one day of a full term count as a full term? Should one day in office count as a full term? Does it matter if the person was elected or appointed?

4. **Consideration of Items Requested to be Researched on Consultants and Additions to the Charter Review Committee’s Scope**

**RECOMMENDATION**

That the Charter Review Committee continue this item to your next regularly scheduled meeting so that a complete report can be prepared.

5. **Committee Requests for Information Relating to Whether or Not the School District Provisions Should Remain in the Charter**

**RECOMMENDATION**

Members of the Charter Review Committee may indicate the types of information that they would find useful and/or helpful in preparing for the March 11, 2015 Charter Review Committee Meeting where the topic is scheduled to be whether the Charter provisions relating to the school district should remain in the Charter.
Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street – Room 204, Ventura, during normal business hours. Materials related to an agenda item submitted after distribution of the agenda packet are available for public review in the City Clerk's Office.

This agenda was posted on Thursday, February 5, 2015, at 4:00 p.m. in the City Clerk’s Office and on the City Hall Public Notices Board.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk’s Office at 658-4787 or the California Relay Service. Notification by Monday, February 9, 2015, by 12:00 p.m. will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Copies of this and all Agendas of the Charter Commission are available on the City’s website at:

http://www.cityofventura.net/page/public-meetings

To be added to the interested persons list for future announcements and information regarding the Charter Review Committee. Please email charterreviewcommittee@ci.ventura.ca.us with your contact information and you will be added to the list.
MINUTES

JANUARY 14, 2015

The Charter Review Committee met in special session in the City Hall Santa Cruz Conference Room, 501 Poli Street, Ventura at 4:05 p.m.

ROLL CALL

Present: Members Baker, Evans, Montgomery, Alternate Morris, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

Absent: Members Collart and Goldenring.

Chair Orrock presided.

FORMAL ITEMS

1. Consideration of the Minutes of the November 19, 2014 Meeting of the Charter Review Committee

RECOMMENDATION

Approve the Minutes of November 19, 2014 as submitted by the City Clerk.

Member Prokopow moved to approve the minutes of the November 19, 2014. Vice Chair Jacobs seconded. The vote was as follows:
AYES: Members Baker, Evans, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: Members Collart and Goldenring.

Chair Orrock declared the motion carried.

Member Goldenring was present at 4:10 p.m.

Member Collart was present at 4:27 p.m.

2. **Presentation and Discussion of Issues Associated with City Council Compensation**

**RECOMMENDATION**

Discuss the issues associated with City Council Compensation and provide direction to staff on how to proceed with any modifications or changes desired.

Vice Chair Jacobs moved to revisit City Council compensation after consideration of future policy discussion that includes districting and directly elected mayor, and to tentatively a) increase compensation to $1,200 for the Mayor and $1,000 for each Councilmember; and b) bi-annual salary adjustments based on CPI with no negative adjustment if CPI is negative. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Prokopow, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.

NOES: None.

ABSENT: None.

Chair Orrock declared the motion carried.
3. Committee Requests for Information Relating to Term-Limits for City Council

RECOMMENDATION

Members of the Charter Review Committee may indicate the types of information that they would find useful and/or helpful in preparing for the February 11, 2015 Charter Review Committee Meeting where the topic is scheduled to be City Council Term Limits.

The committee discussed types of information that would be useful in discussion of term limits for the City Council.

4. Committee Discussion of Items and/or Issues the Committee Would Like to Request City Council Clarification, Change, or Expansion to the Committee’s Charge Along With Potential Funding Resources

RECOMMENDATION

That the Charter Review Committee undertake the discussion set forth above.

Member Goldenring moved to direct staff to return with the following information and language:

1. Consulting/informational sources for governmental structure and costing
2. Gender neutral language
3. Mayor’s term (third year)

for the Committee’s consideration as to whether or not they would like to request professional input and the necessary funds on Item No.1, and as to whether or not they would like to request expanded authority from the City Council on Item Nos. 2 and 3. Member Baker seconded. The vote was as follows:

AYES: Members Baker, Collart, Evans, Goldenring, Squires, Stephens, and Chair Orrock.

NOES: Members Montgomery, Olney, Prokopow, and Vice Chair Jacobs.

ABSENT: None.

Chair Orrock declared the motion carried.

Member Prokopow moved to add changing the City’s official name to Ventura to the list of items for staff to return with information.

The motion died due to lack of a second.

January 14, 2015 Charter Review Committee Minutes
5. Consideration of Moving the Issue of Removing References to the School District From the Charter to the February 11, 2015 Meeting From the March 11, 2015 Meeting

RECOMMENDATION

That the Charter Review Committee take action as it deems appropriate.

By consensus, consideration to remove references to the School District from the Charter was moved to the meeting of March 11, 2015.

6. Speakers – Several Issues Regarding Speakers From the Public Should be Addressed

   A. Should speaker cards be used?
   B. What time limit is appropriate for members of the public to speak?
   C. Should members of the public be allowed to yield time to someone else and if so, how much time?

RECOMMENDATION

That the Charter Review Committee take action as it deems appropriate.

Member Baker moved to direct that a) speaker cards shall be used; b) time limit for members of the public to speak shall be three minutes; and c) members of the public shall not be allowed to yield time to another speaker. Member Stephens seconded. The vote was as follows:

   AYES: Members Baker, Collart, Evans, Goldenring, Montgomery, Olney, Squires, Stephens, Vice Chair Jacobs, and Chair Orrock.
   NOES: Member Prokopaw.
   ABSENT: None.

Chair Orrock declared the motion carried.

ADJOURNMENT

The meeting was adjourned at 5:27 p.m.
RECOMMENDATION:

Discuss, revise, and approve subject to later review following the Charter Review Committee’s decisions on other issues.

DISCUSSION:

At the Charter Review Committee’s last meeting, the Committee decided that compensation for the Mayor and City Council should be increased. However, the Committee also expressed a desire to re-visit the issue in light of subsequent issues that the Committee will be deciding. As such, the Committee’s decision should be considered a tentative one, subject to further revision.

The Charter Review Committee’s initial recommendation is that the Mayor receive a monthly salary of $1,200 and that each City Councilmember receive a monthly salary of $1,000. Salary adjustments should be done bi-annually and adjusted in accordance with the Consumer Price Index or CPI. In the event the CPI is negative, no reduction in salary would occur. Each of these initial recommendations will be revisited by the Committee after consideration of other issues being considered by the Committee. The Committee may wish to include how and when the adjustment is to occur, i.e., for example, “The Finance Director shall bring an ordinance to the City Council to adjust the compensation for the Mayor and City Council in June of even numbered years.”

In order to ensure that the Committee’s direction is properly reflected in proposed Charter Amendments, staff will generally bring back proposed language to implement your decisions at the meeting following when the decision is reached. The purpose of this is to allow you to ensure that the actual language fits with both your direction and
intention while everyone's memories of the issue are fresh. Consequently, attached to this Administrative Report as Exhibit “A” is a draft amendment implementing the Committee's direction.
Section 601. - Compensation.

(a) __ City Councilmembers shall receive a maximum of $1,0600.00 per month as compensation for services. In addition thereto, the Mayor or other Councilmember acting as Mayor for 30 days or more shall receive a maximum of $4200.00 additional per month as compensation for services. The compensation for the City Council and the Mayor set forth above is subject to adjustment on a biannual basis to account for increases in the cost of living. The cost of living shall be measured by using the Consumer Price Index or CPI beginning with 2016 as the base year. In the event the CPI is no longer available, the City shall use a similar index to account for inflation in any adjustment. In the event the CPI is negative, no reduction in compensation shall occur. The City Council may provide in the Administrative Code for reductions to such amounts by reason of absences from meetings. Each member of the City Council shall receive reimbursement for City Council authorized traveling and other expenses when on official duty.

(b) Upon the recommendation of the City Manager, the compensation for all appointive officers and employees of the City, except officials and members of the boards, commissions and committees serving gratuitously, shall be fixed or changed by ordinance. The compensation of the City Manager and the City Attorney shall be decided by the City Council.

(c) No officer or employee shall be allowed any fee, perquisite, emolument or stipend in addition to, or save as embraced in, the salary or compensation fixed for such office by the City Council, and all fees received by such officer or employee in connection with official City duties shall be paid forthwith into the City Treasury.

EXHIBIT "A".
DATE: February 2, 2015
TO: Charter Review Committee
FROM: Gregory G. Diaz, City Attorney
SUBJECT: Consideration of Whether or Not the City Charter Should Include Term Limits for Members of the City Council

RECOMMENDATION:
That the Charter Review Committee discuss and determine if it wishes to recommend that the Charter be amended to include term limits for the City Council. If the Charter Review Committee determines to recommend term limits for the City Council, staff recommends that direction be provided on the following issues:

1. What is the proper length of a term for a City Council Member? Is it two years, four years, six years, etc.?

2. Is the limit on the number of terms a lifetime ban or a waiting period? By this, if an elected official has served two terms and the term limit is two terms, are they prohibited again from serving on the City Council (lifetime ban) or are they prohibited from serving again after some period of time (waiting period)? If it is a waiting period, what should the waiting period be?

3. If someone is elected or appointed to the City Council to fill a vacancy, when does the term limit apply to service for less than a full term? Should the standard be 50% plus one day of a full term count as a full term? Should one day in office count as a full term? Does it matter if the person was elected or appointed?
DISCUSSION:

Many cities, both charter and general law, have term limits which apply to how long or for how many terms an elected official may serve in the same position. In California, the State Legislature has term limits which were enacted by the voters. In cities where term limits exist, there are also significant differences in the approaches taken to implementing them. For example, some cities only allow an elected official to serve two, four-year terms. After those eight years of service, the elected official is not eligible to serve again on the City Council. This model will be referred to as the “lifetime ban.”

In contrast, other cities with term limits require that once an elected official has served the initial number of terms in office, that the elected official must wait some period of time, from one day to say 10 years, before they are eligible to serve again. This model will be referred to as the “waiting period.” Typically, a waiting period is between two years to four years. However, there is no legal restriction on having a shorter or longer waiting period. If this option is selected, the Charter Review Committee is able to craft a waiting period it believes best suits the City.

Ventura County Cities

Staff has verified that currently no Ventura County cities currently have term limits. There is no legal prohibition from any city in the county from enacting term limits either by action of their city council or by initiative by the voters. The County of Board of Supervisors also does not currently have term limits.

Sample Charter Cities Survey

As with the city council compensation report prepared by staff for your last meeting, staff has undertaken a review of the same selected charter cities to determine which ones have term limits, the number of terms an elected official may serve, and if the term limits in those cities that have them are either a life time ban or a waiting period. The results of the survey are set forth below:
<table>
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<th>Charter City</th>
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<th>City Council Term Length?</th>
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<td>2 Terms</td>
<td>No(^1)</td>
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<td>No(^2)</td>
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<tr>
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<td></td>
<td></td>
<td>4 Years</td>
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<td>Santa Monica</td>
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<td>Ventura</td>
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</tr>
<tr>
<td>Visalia</td>
<td>No</td>
<td></td>
<td></td>
<td>4 Years</td>
</tr>
</tbody>
</table>

\(^1\) Requires 4 year period intervening between last term and new one once limit reached, Modesto Charter Section 503.

\(^2\) Requires 4 year period intervening between last term and new one once limit reached, Newport Beach Charter Section 403 and Municipal Code Section 1.32.020.

\(^3\) Requires break in Service – Charter is silent on length of time.

\(^4\) Requires 2 year period intervening between last term and new one once limit reached, Santa Clara Charter Section 701.
City of Ventura Experience

Currently, the City of Ventura does not have term limits that apply to the City Council. Charter Section 507 simply provides for a term of four years for Members of the City Council. In order to establish term limits, a charter amendment would be required.

Charter Review Committee Members have made several requests for information regarding existing and past City Councils in Ventura. Staff in City Clerk’s office has prepared the requested documents. The first document reflects a history of City Council candidates (including incumbents) by election showing who was elected or re-elected from 1976 to 2013. This document is attached as Exhibit “A.” The next document is a detail from 1975 to present showing all City Council Members and the number of term(s) each has served. This document is attached as Exhibit “B.” Finally, a graphic representation of the number of terms each member of the City Council has served was also prepared for the period from 1976 to present. This graph is attached as Exhibit “C.”

Term Limits – Pros and Cons

Staff has gathered and attached as Exhibit “D” a sampling of professional and academic literature that discusses and analyses issues associated with term limits. While the vast majority of literature in this area involves term limits at the state legislature level, there are a couple of articles discussing the impact of term limits at the local level.

Some Arguments Supporting Term Limits:

The list below represents some of the arguments made by supporters of term limits; it is not an exhaustive or extensive list. The Charter Review Committee is free to consider and/or make additional ones. Some arguments supporting term limits include:

- Promotes new ideas and new ways of doing things
- Brings new people and new “blood” into the decision-making process
- Broadens participation in the City Council experience by increasing the number of people who can serve as a City Councilmember over time
- Helps retain identity with the community rather than the institution of the city
Some Arguments Opposing Term Limits

The list below represents some of the arguments made by opponents of term limits; it is not an exhaustive or extensive list. The Charter Review Committee is free to consider and/or make additional ones. Some arguments against term limits include:

- Anti-democratic—if the voters are happy with an incumbent, why should the incumbent be prohibited from continuing to serve
- Leads to inexperienced City Councils that lack the ability to effectively challenge the institution
- Leads to short-term decision-making that neglects the long-term interests because those deciding the issue will be out of office before the real consequences of the decisions hit
- Demands more time for training on basics (and repeating the basics again) rather than building on lessons learned

If Term Limits is Supported, Issues to Consider/Direction to Provide

Should the Charter Review Committee support the concept of term limits for the City Council, there are three issues that would be helpful to staff for you to provide direction on in order to draft the appropriate language. These issues are as follows:

1. What is the proper length of a term for a City Council Member? Is it two years, four years, six years, etc.?

2. Is the limit on the number of terms a lifetime ban or a waiting period? By this, if an elected official has served two terms and the term limit is two terms, are they prohibited again from serving on the City Council (lifetime ban) or are they prohibited from serving again after some period of time (waiting period)? If it is a waiting period, what should the waiting period be?

3. If someone is elected or appointed to the City Council to fill a vacancy, when does the term limit apply to service for less than a full term? Should the standard be 50% plus one day of a full term count as a full term? Should one day in office count as a full term? Does it matter if the person was elected or appointed?

Staff raises these issues so that should the Charter Review Committee support the concept of term limits, the experience of other cities implementing term limits can be used to help avoid problems in implementing them.
State Proposition Modifying Term Limits for the State Legislature

At the last Charter Review Committee meeting, a member requested that the City Attorney’s Office review a recent State Proposition that changed the term limits that apply to the State Legislature. The relevant proposition was Proposition 93 which would have changed the existing term limits, i.e., an elected official can serve three two-year terms in the Assembly and then two four-year terms in the Senate for a total of fourteen years in the Legislature. Proposition 93 would have allowed an elected official to remain in office for twelve years total without regard to which house of the Legislature. Proposition 93 was defeated at the polls by a 53.6% no vote to a 46.4% yes vote. A copy of an analysis of Proposition 93 is attached as Exhibit “E.”

ATTACHMENTS:

Exhibit “A” - City Council Election Results 1975 thru 2013

Exhibit “B” – City Council Terms from 1975 thru 2015

Exhibit “C” – Graph – City Council Members – Time in Office

Exhibit “D” - Professional and Academic literature on terms limits
  - National League of Cities
    “Mayor’s Term”
  - City Mayors – Government
    Arguments for and Against Term Limits
  - Governing Magazine
    “Term Limits: Freshmen and Lame Ducks”
  - Governing Magazine
    “The Truth about Term Limits”
  - American Political Science Reviews
    “Representation in Municipal Government”
  - Our Government
    “Term Limits: A Reform that Works”
  - Grofman, Bernard,
    “Legislature Term Limits: Public Choice Perspectives,”

Exhibit “E” - Ballotpedia – “California Proposition 93, Amendment to Term Limits (February 2008)
Resolution No. 75-162 - November 4, 1975 Election Results (14 Candidates)
City Council Candidates:
Elected:
Harriet Kosmo, John McWherter, and Joseph Garrett

Resolution No. 77-203 - November 8, 1977 Election Results (17 Candidates)
City Council Candidates:
Elected:
Pat Ellison, Ron Harrington, John A Chaudier, and James L. Monahan.

Resolution No. 79-163 - November 6, 1979 Election Results (11 Candidates)
City Council Candidates:
Elected:
Harriet Kosmo Henson, John A. McWherter, and R. Dennis Orrock.

Resolution No. 81-157 - November 3, 1981 Election Results (9 Candidates)
City Council Candidates:
Elected:
Jim Monahan, Pati Longo, John M. Sullard, and John Albert Chaudier.

Resolution No. 83-171 November 8, 1983 Election Results (7 Candidates)
City Council Candidates:
Andrew Prokopow, R. Dennis Orrock, Russ Burns, Howard R. Davis, Nan Drake, Elliott Waxman, and John A. McWherter.
Resolution No. 83-171 November 8, 1983 Election Results (Cont’d)
Elected:
John A. McWherter, R. Dennis Orrock, and Russ Burns.

Resolution No. 85-134 November 5, 1985 Election Results (14 Candidates)
City Council Candidates:
Elected:
John Sullard, James L. Monahan, William "Bill" Crew, and Nan Drake.

Resolution No. 87-139 November 3, 1987 Election Results (14 Candidates / Incumbent Russ Burns not re-elected)
City Council Candidates:
Elected:
Donald A. Villeneuve, Richard Francis, and John A. McWherter.

Resolution No. 89-126 November 7, 1989 Election Results (16 Candidates / Incumbent Nan Drake not re-elected)
City Council Candidates:
Cathy Bean, Thomas Catterson, Todd Collart, Nan Drake, Julie Helm-Van Maanen, Andrew Hicks, Frederick Hoff, Rolf Kraus, Marvin Kwit, Bill Locey, James Monahan, Gary Nasalroad, Andrew Prokopow, Berta Steele, Gary Tuttle, and Carroll D. Williams.
Elected:
Todd Collart, Gary Tuttle, Cathy Bean, and James Monahan.

Resolution No. 91-109 November 5, 1991 Election Results (17 Candidates / Incumbent Don Villeneuve not re-elected)
City Council Candidates:
Greg Carson, Jack Tingstrom, Tom Buford, Don Villeneuve, Jamie Stewart-Bentley, S.R. Wyatt, Donald R. "Don" Boyd, Bob Van Der Valk, Andrew M. Hicks, Keith Burns, Marcum Patrick, Kenneth Vernie Jordan, Carroll Dean Williams, John T. Sudak, Alan Berk, Louis J. Cunningham, and Brian Lee Rencher.
Elected:
Tom Buford, Greg Carson, and Jack Tingstrom.
Resolution No. 93-118 November 2, 1993 Election Results (14 Candidates / Incumbent Todd Collart not re-elected)
City Council Candidates:
Elected:
Rosa Lee Measures, Steve Bennett, Jim Monahan, and Gary Tuttle.

Resolution No. 95-101 November 7, 1995 Election Results (12 Candidates)
City Council Candidates:
Steve L. Hartmann, Craig Huntington, Carroll Dean Williams, Keith Burns, "Buster" Charles E. Davis, Ray Di Guilio, Donna De Paola-Peterson, John S. Jones, Christopher T. Staubach, Brian Lee Rencher, Jack Tingstrom, and Jim Friedman.
Elected:
Ray Di Guilio, Jack Tingstrom, and Jim Friedman.

Resolution No. 97-107 November 4, 1997 Election Results (10 Candidates)
City Council Candidates:
Brian Brennan, Donna De Paola, Doug Halter, Jim Monahan, Carl Morehouse, Mike Osborn, Brian Rencher, Sandy Smith, Paul W. Thompson, and Carroll Dean Williams.
Elected:
Brian Brennan, Donna De Paola, Jim Monahan, and Sandy Smith.

Resolution No. 99-66 November 2, 1999 Election Results (12 Candidates)
City Council Candidates:
Elected:
Jim Friedman, Ray Di Guilio, and Carl Morehouse.
CITY COUNCIL ELECTION RESULTS 1975 THRU 2013

Resolution No. 2001-94 November 6, 2001 Election Results (12 Candidates / Incumbent Donna De Paola not re-elected)
City Council Candidates:
Elected:
Jim Monahan, Brian Brennan, Sandy Smith, and Neal Andrews.

Resolution No. 2003-079 November 4, 2003 Election Results (7 Candidates)
City Council Candidates:
Elected:
Carl Morehouse, Bill Fulton, and Christy Weir.

Resolution No. 2005-096 November 8, 2005 Election Results (10 Candidates)
City Council Candidates:
Elected:

Resolution No. 2007-070 November 6, 2007 Election Results (9 Candidates)
City Council Candidates:
Lou Cunningham, Bill Fulton, Mike Gibson, Doug Halter, Jerry D. Martin, Carl Morehouse, Brian Lee Rencher, Christy Weir, and Carroll Dean Williams.
Elected:
Christy Weir, Carl Morehouse, and Bill Fulton.
Resolution No. 2009-068 November 3, 2009 Election Results (15 Candidates / Incumbent Ed Summers not re-elected)
City Council Candidates:

Resolution No. 2009-068 November 3, 2009 Election Results (Cont'd)
Elected:
Mike Tracy, Neal Andrews, Jim Monahan, and Brian Brennan.

Resolution No. 2011-058 November 8, 2011 Election Results (11 Candidates)
City Council Candidates:
Elected:
Cheryl Heitmann, Carl E. Morehouse, and Christy A. Weir.

Resolution No. 2013-045 November 5, 2013 Election Results (9 Candidates)
City Council Candidates:
Erik Nasarenko, Mike Tracy, Neal Andrews, Jim Monahan, Richard Francis, Lorrie Brown, Brian Lee Rencher, Paul D. Meehan, and David Kristian Swaffar.
Elected:
Neal Andrews, Jim Monahan, Erik Nasarenko, and Mike Tracy.
City Council Terms
From 1976 to 2015

Election = every 2 years  Terms = 4 year

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*Note: Harrington: 1.5

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<tr>
<td>2013</td>
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F:\A-Users\Greg\Charter Review Committee\Term Limits\Copy of CC Term Limits Information 1976-2015
2/4/2015
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<th>Year</th>
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<tr>
<td>1976</td>
<td>Harriet Kosmo</td>
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<tr>
<td></td>
<td>John McWherter</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Joseph Garrett</td>
<td>1</td>
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<tr>
<td>1978</td>
<td>James Monahan</td>
<td>10</td>
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<td></td>
<td>Ron Harrington</td>
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<td></td>
<td>John Chaudier</td>
<td>2</td>
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<tr>
<td></td>
<td>Patricia Ellison</td>
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<td>1980</td>
<td>R. Dennis Orrock</td>
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<td></td>
<td>James Monahan</td>
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<td></td>
<td>Ron Harrington</td>
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<tr>
<td></td>
<td>John Chaudier</td>
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</tr>
<tr>
<td></td>
<td>Patricia Ellison</td>
<td>1</td>
</tr>
<tr>
<td>1982</td>
<td>John Sullard</td>
<td>2</td>
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<tr>
<td></td>
<td>Pati Longo</td>
<td>1</td>
</tr>
<tr>
<td>1984</td>
<td>Russ Burns</td>
<td>1</td>
</tr>
<tr>
<td>1986</td>
<td>William Burns</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Nan Drake</td>
<td>1</td>
</tr>
<tr>
<td>1987</td>
<td>Richard Francis</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Donald Villeneuve</td>
<td>1</td>
</tr>
<tr>
<td>1989</td>
<td>Todd Collart</td>
<td>1</td>
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<tr>
<td></td>
<td>Cathy Bean</td>
<td>1</td>
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<td></td>
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<td>1993</td>
<td>Stephen Bennett</td>
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<td>Rosa Lee Measures</td>
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</tr>
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<td>1995</td>
<td>Ray Di Giulio</td>
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<td>James Friedman</td>
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<td>Sandy Smith</td>
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<td>Brian Brennan</td>
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<td>Mike Tracy</td>
<td>2</td>
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<td>2011</td>
<td>Cheryl Heitmann</td>
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</tr>
<tr>
<td>2013</td>
<td>Erik Nasarenko</td>
<td>1</td>
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</tbody>
</table>

*Note: No new candidates in 2007
Harrington 1.5 terms = 1 term
Mayor's Term

Term Lengths

According to a 2006 survey of municipal governments by International City/County Management Association (ICMA), the most common mayoral term length is four years. The table below indicates the percentage of cities that apply different term lengths for the position of mayor.

<table>
<thead>
<tr>
<th>Length Of Term</th>
<th>Percentage Reporting</th>
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<tbody>
<tr>
<td>1 year</td>
<td>14%</td>
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<tr>
<td>2 years</td>
<td>35%</td>
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<tr>
<td>3 years</td>
<td>6%</td>
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<tr>
<td>4 years</td>
<td>45%</td>
</tr>
<tr>
<td>Other</td>
<td>1%</td>
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</table>

Term Limits

Although voters nationwide imposed new term limits for state legislatures in the 1990s, only 9 percent of the cities surveyed limit the mayor's term. Of the cities that impose limits, most (55 percent) limit the mayor to two terms, 30 percent set the maximum to three terms, and 9 percent allow four terms. Larger cities are most likely to impose term limits. Where term limits are imposed, 54 percent impose a two-term limit, and 28 percent impose a three-term limit. Some cities do not limit the number of total terms that may be served, but rather place a limit on successive terms. These limits can vary within a state - two-thirds of these cities mandate limits by city charters or ordinances - or can be set by state law.

Pros and Cons of Term Limits

Term limits may reduce potential abuses of power by incumbents who stay too long in office. Limits may also encourage political participation by newcomers.

Conversely, the election process itself already serves as the antidote for long-serving mayors who are no longer responsive to citizens. Term limits may also be seen as an infringement on the democratic process, as citizens are restricted from selecting a candidate they may see as the most qualified for the position.

Source
Arguments for and against term limits

By Mayra Fakhimi, Local government adviser

10 November 2008: Term Limits can be a productive if not blunt instrument despite the powerful passions they may evoke. Term limits are currently a revived topic for action at both state and local level in the United States. New York City and San Antonio are two major cities where this subject, the ban of elected officials and favored by their electorate, is once again on the front burner. In February 2008, California voters, rejected a move to alter the term limits earlier imposed by them, while in October 2008, New York City Council voted in favor to extend term limits from two to three consecutive terms of four years for elected officials including the mayor.

Where the 1990s saw a nationwide rise in the application of term limits on elected representatives at state and local level, there is now a backlash underway against them, mostly on the part of the elected representatives. Yet term limits have ancient roots in both American history and democracy itself - but in the modern era of a professional political class this subject has proved to be controversial.

Studies have revealed benefits and costs; and illustrated the fact that they are not necessarily a panacea as envisaged by some. Furthermore, the benefits are more obvious in some cases than others.

History
In ancient Greece, elected officials were term limited. From the 6th century BC many Athenian officials were elected by random lottery to serve a term of a year. Elected Roman officials were also not strangers to term limits of a single term.

Many of the framers of the fledgling United States governance system were also enamored of this notion. Benjamin Franklin, John Adams and Thomas Jefferson all considered term limits to be an important way of placing checks on individual power.

John Adams and Thomas Jefferson had the following opinions on the subject, as mentioned in an Oregon website in favor of term limits: “Elections, especially of representatives and counselors, should be annual … These great men … should be [chosen] once a year – Like bubbles on the sea of matter bore, they rise, they break, and to the sea return. This will teach them the great political virtues of humility, patience, and moderation, without which every man in power becomes a ravenous beast of prey.” - John Adams

"To prevent every danger which might arise to American freedom from continuing too long in office, it is earnestly recommended that we set an obligation on the holder of that office to go out after a certain period." - Thomas Jefferson

Whereas the Articles of Confederation limited delegates to three-year terms, similar provisions were omitted from the Constitution. Yet George Washington stepped aside after his second term, setting an example for presidents that lasted for almost 150 years. Franklin D. Roosevelt was the first President to serve more than two terms (he was elected to four during the tumultuous period of the Great Depression and the Second World War). The foregoing history was pointed out in a recent article in

Arguments in favor of term limits

Voters generally have a visceral preference for term limits. They have obviously subscribed to the arguments that have been put forward in favor of this check on representatives.

1) Increases ratio of competitive elections:
This is an assertion that has proved to be true. There have been contencions that this has led to more partisan bickering. However, since Lee Hamilton has blamed partisan bickering on his colleagues’ incumbency in Congress, perhaps this is affected by some other factor. [See: “Noncompetitive Elections for Congress,” by Lee Hamilton at Center on Congress.org]

2) Brings in more opportunities to serve in public office, and also allows for more minorities and women to enter the political sphere:
Yes it does create opportunities that would have otherwise been unavailable. On the other hand, it has helped, but also not evidently helped women and minorities in different ways. See the Studies section for more discussion on this point.

It becomes clear that incumbency tends to reduce the competitiveness of races. A former long-serving Wichita mayor, in an article published by the Chicago Sun-Times, said this on the subject: “It’s much easier for me to raise money. If you served as long as I have, you are well-known, and you have a lot of access and privileges that others don’t have.” [See “City bucks term limits trend”, March 9, 2003]

3) Curb the influence of lobbyists:
There is no substantive proof of this; perhaps because campaign finance is a tool more effective in this regard. Without campaign finance reform, lobbyists’ influence should still be there - although perhaps the degree of influence as affected by time in office could still be an issue.

An article in the Los Angeles Times by Mark P. Petracca had the following to say on this subject as it related to the state legislature: “In the mid-1960s, the California Legislature was heralded by the National Conference of State Legislatures as ‘the best’ in the nation. Yet a decade later, even proponents of this view began expressing strong dissatisfaction with the body. Assembly Speaker Jesse M. Unruh, who helped professionalize it, conceded that the legislative process ... seems virtually hammer-locked by increasingly frequent personality and political conflicts.”

By the 1980s, the state’s professional legislators were considered to be “greedy, pampered, partisan, wasteful and arrogant”, wrote Charles M. Price in “The Guillotine Comes to California: Term-Limit Politics in the Golden State”. They were also said to be too dependent on special-interest money and to spend too much time raising it. Since its reputed mid-1960s status as “the best in the nation,” the Legislature had become “more partisan and corrupt, with an emphasis on personal careers.”
4) Term limits will produce a "citizen legislature" of more ordinary people rather than professional politicians. Term-limited representatives would be more in harmony with public opinion and with their districts' constituents.

An overview of California found that even though its legislature is the highest paid in the nation (members get over $100,000 a year in salary and daily perks), thus making it a virtual incubator for career politicians. The term limit environment does seem to be producing more people who fit the description of "citizen-legislator", with many more members having business experience, especially small business experience, than was typical in the 1980s. Nearly a quarter of the legislators (23.7 per cent) since claim to have had experience as business owners, up from 8 per cent in 1975 and 10 per cent in 1986.

The number of former city council members, school board members, and other locally elected officials has quadrupled. Most notable has been the marked decrease in the number of former staff people moving up to Assembly and Senate seats. The ranks used to be peppered with "old boss" types - the apothecary of cronyism. There are none among the newest crop of legislators. There are still plenty of lawyers. The influx has given the capitol a new look and feel. It is commonplace for freshmen Assembly members to be committee chairs. [See: "Same as the old boss? - term limits in California", Reason]

5) It will promote fresh ideas:
Increased participation can be a factor in promoting this, but it is no guarantee since this depends on who replaces the outgoing leaders. Will they be more in tune with changing ground conditions than incumbent officials comforted by the status quo? Perhaps.

On March 9, 2003, an article appeared in The Chicago Sun-Times entitled "City bucks term limits trend". It included the opinion of a longtime city mayor. The article stated: "Wichita Mayor Bob Knight is one of the nation's longest-serving big-city mayors. He has run the Kansas city of 344,300 since 1979, sitting out one two-year term about 10 years ago. But he voted for term limits when the city council took up the issue in the early 1990s. His final term ends next month, and he has no regrets."

"Fresh ideas are important," the 62-year-old Republican said. "And I thought it really promoted wider participation."

But most incumbents, more interested in retaining their perches, take a different view.

6) Incumbency promotes more spending and bureaucracy:
Congress has revealed that this can be true, as spending had soared even before the onset of the current financial crisis where incumbency was (and is) rife at this level. How has this been revealed to be a factor at other levels? See the Studies section for further discussion.

Arguments against term limits
1) Promotes loss of experience:
If experience means incumbent politicians, that is true. Arguments against this contention are that this is why we pay bureaucrats, to inform politicians. You can use staggered elections or develop a mechanism for capacity building. One must also keep in mind that the most responsible job in the country, that of the President, is term limited. The term that it is limited to was voluntarily retained for most of American history. Why then are less senior positions in need of more indispensable people?

There is also the related matter to consider that at the local level there has been a rise in council manager systems, bucked only by the largest...
cities. So this issue is diluted by that factor.

2) Inexperienced leaders will be easy prey for special interests: It is feared that bureaucrats and permanent staff will dominate them. They will also be unable to deal productively with non-term limited leaders' power and experience. This is a concern raised most often at the state level. See the point on lobbyists and the discussion on their influence.

3) Term limits remove popular leaders: This can be true. Both Mayor Bloomberg and Mayor Hardberger of San Antonio are proof of that at present. However, does this mean that no one else replacing them can be popular? Are individuals more important than the system? And if so, what does that say about the system? Does it need to be improved?

4) Term limits are undemocratic as they can conflict with the will of the voters: Voters are in conflict with this issue. They prefer term limits generally, even when they also like the candidates affected by the strictures of term limits. A poll of New York voters revealed that paradox recently when they supported both Bloomberg and term limits. The survey revealed the following information:

"Bloomberg's approval rating continues to soar - 71-22 - and asked who they would like to see as the elected mayor in the next election, 38 per cent of the poll respondents picked Hizzoner."

But 55 per cent of poll respondents said they thought it would be unfair to overturn term limits at that stage of the game in order to allow Bloomberg another term. Overall they opposed extending term limits, 56-38, and supported the basic concept of limiting elected officials' time in office, 71-23.

Voters also did not favor (65-32) the idea of extending the current two-term or eight-year limits so that city officials could stick around a little longer. [See: Q Poll: "NYers Like Mike - But Not Enough To Keep Him", Daily News]

5) Term limits negatively affect the types of projects that elected leaders implement, and the continuity of those projects: This depends on the types of project involved and whether they were of the type that would not be supported by a successor. This is an issue that is also relevant even when term limits are not involved.

At the national level
In the United States, where the 22nd Amendment imposed term limits on the President, the Supreme Court's five-to-four decision in U.S. Term Limits v. Thornton (1995) has fomented the subject of whether the states in fact have the authority to limit the terms of their respective congressional delegations. The Court ruled that they did not. However, as Justice Clarence Thomas said in his dissenting judgment, there was no explicit denial of such power to the states in the Constitution. The right to do so "is reserved to the states respectively, or to the people." Given the fact that the framers were not in unison on this subject, and that the articles of the Confederation did have limits, this might be a subject to be revisited by the Court at a later time, especially if the sentiments relating to term limits are noted in an article in Time published on January 23, 1995. Entitled "The Political Interests Remain", its author, Michael Kramer, stated: "There are just two specific proposals that three-quarters of the public wants passed by Congress: a constitutional amendment requiring a balanced budget and another limiting members' terms."

At the state level
By 1994 some 21 states had passed term limits on their state delegates. The majority chose to limit their representatives to three terms, and all of
them had limited their senators to two terms. Two of the twenty-two states chose six terms for the House. A poll by Frank Lutz during that period revealed that 82 per cent of voters supported a three-term limit.

At the state level, as noted on the website of the NCSL, in 1990 citizen initiatives limiting the terms of legislators were passed by voters in California, Colorado and Oklahoma, the first states to take the lead at this level. Subsequently, 18 other states adopted term limits, but in four - Massachusetts, Oregon, Washington and Wyoming - term limits were thrown out by the state supreme courts, and were repealed by the legislatures in Idaho and Utah. That leaves 15 states with term limits for legislators.

Why don't more states have legislative term limits? This question was answered on the NCSL's website: "Most of the states that have term limits got them through the citizen initiative process. Only 24 states have the initiative process, and nearly all of those already have term limits or have voted them down already. Two initiative states - Alaska and Illinois - have never voted on legislative term limits because their initiative process includes restrictions that preclude such a measure from making it to the ballot. Two other initiative states - Mississippi and North Dakota - have voted on legislative term limits in the past, and the measures failed to pass. In states without the initiative process, it would require an act of the legislature to create term limits. This has happened just twice - the Louisiana legislature voted to impose term limits on itself in 1995 (Louisiana is the only term limits state that does not have the initiative process), and the Utah legislature voted in 1994 to impose term limits on itself. The Utah move was an effort to head off a more restrictive term limits ballot initiative, and the Utah legislature has since voted to repeal its term limits."

However, as pointed out by the group U.S. Term Limits on their website, with evidence, some 37 states placed some form of term limits on their governors and other constitutional offices.

At the local level
As the second term comes to an end, at least 24 local governments are seeking to loosen or remove term limits approved in the 1990s. At the same time, other local units have either considered and approved term limits or expect a vote on them in November.

As for cities, Chicago is the only one of the nation's five largest that does not limit the terms of its mayor and City Council members. Of the 10 largest cities, it is one of only two with no such limits.

Some notable examples:
New York City
New York has a term-limit law approved in two referendums in the 1990s. Yet, the current financial crisis is providing an excuse for the removal of voter-approved term limits by their city council without resort to approval at the ballot box. New York officials thus hope to follow Washington DC, where this move succeeded past voters who were not vigilant enough to vote out of office those who used this approach in the succeeding election. Perhaps the New York City elected officials hope New York voters will be as lax? One may also wish to keep in mind that since 1955 San Francisco's mayors have been subject to a voter-imposed term limit in what is perhaps the most politically engaged city in the country. It has introduced innovations that have spread to other parts of the state and the nation beyond. Are mayoral candidates in other cities less able than those in San Francisco? One might wonder. Would their electorates agree with this proposition?

San Antonio
San Antonio has currently one of the most restrictive term limits in the nation — two two-year terms and then a lifetime ban on service.
A measure on the November 2008 ballot, which would have allowed for four two-year terms was narrowly rejected by voters. Previously, an effort to loosen the limits in 2004 to three three-year terms was unsuccessful. This has been ascribed to "[s]tilf-fresh memories of indicted councilmen in handcuffs, simmering anger over rising property taxes, a lack of leadership and a campaign that failed to resonate with voters all hampered that effort". See: "Arguments for, against term limits are offered", Express -News, October 5, 2008.

However, as an opponent of the San Antonio effort notes in the article referred to above: "If voters really wanted to extend term limits, ... they would be gathering signatures." Instead, he said, the city's "political establishment was hitting up corporate donors to wage its campaign".

Nashville Metro
In Nashville voters rejected on 4 November 2008 a proposal that would have allowed council members who were elected to fill less than half of an unexpired term to run for two full, four-year terms thereafter. Attempts to change the limit to three terms previously failed in 1996 and 2002, as did an effort to abolish term limits altogether in 1998. But hope on the part of city officials 'springs eternal in the human breast' when it comes to overturning restraints on their terms in office.

Shelby County, Tennessee
Shelby County voters rejected a ballot referendum in August 2008 that would have changed the term limits for elected county officials, including the mayor and county commissioners, to three four-year terms. The current mayor and commissioners are limited to two four-year terms.

Conclusion
While the subject of term limits evokes powerful passions on both sides of the argument, as this discussion has illustrated, the subject is rich in nuances. Term limits can facilitate the refreshing of the system, but they are not necessarily blunt instruments. Depending on the shortcomings of each system in question, their use can be helpful, and be one of several mechanisms that could be applied.

Mayraj Fahim, the author of this article, is a local government adviser. Her occupational focus in local government has been in the areas of municipal finance in the United States and in municipal finance monitoring internationally. She also advises on local government reorganization in the United States and internationally.

The full version of this article together with reference and source material can be obtained free of charge by emailing the editor with 'Term limits' in the subject line. Please also supply your name and, if applicable, your organisation/company/academic institution.

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Term Limits: "Freshmen and Lame Ducks"

BY: Josh Goodman | July 29, 2010

I thought this was a good response to my item on Michigan term limits:

A few years ago Kansas City, Mo voted to change its charter to a 2 term limit for its city council. The effect was to vote a bunch of freshman and lame ducks. And it shows. Terms limits (at least of that short a limit) palpably damages governance. You are stuck with either freshman or lame ducks.

Most of my thinking on term limits has centered on the freshmen side of the equation. But, the lame ducks point is interesting. There could be a whole other set of effects of having lots of people who are leaving their current jobs and therefore (perhaps) disengaged from governing and focused more on their next position.

You could make a case, I suppose, that the big effect of term limits in the Michigan Senate won't be next year (when lots of members will be new), but rather this year, when lots of members are headed out the door.

With regard to the freshmen, I do think it's worth noting that, at least intuitively, term limits would have a much more dramatic effect on governance for the City Council in Kansas City than they would for the Michigan Senate. For the Michigan Senate, there are nearly equivalently experienced people who can take the jobs: members of the Michigan House. There's nothing equivalent for a City Council, meaning you're more likely to get people with no government experience or no elected experience.

At least, that's my initial reaction. Thom Little of the State Legislative Leaders Foundation wrote me to offer a contrary view:

Don't forget that historically, upper and lower chambers are quite different. What we have found in the states where house members run for the Senate "en masse" is the "housification" of the Senate. The deliberative body becomes less deliberative and much more like the lower chamber. This is not an insignificent impact.

This article was printed from: http://www.governing.com/blogs/politics/Term-Limits-Lame-Ducks.html
The Truth About Term Limits

Term limit laws have created some clear winners and losers. Among the losers are the legislatures themselves.

BY: Alan Greenblatt | January 2006

Steven Rowe is a big proponent of early childhood interventions. He believes they can help reduce rates of mental illness, learning disability and, ultimately, criminal behavior. While serving as speaker of the Maine House six years ago, Rowe translated his ideals into a specific program, sponsoring legislation that expanded child care subsidies, provided tax breaks to businesses offering child care help to their workers and created a statewide home visitation network. When it came time for a vote, Rowe left his speaker's rostrum for the first time to argue for it, saying, "I have never felt more strongly about a bill."

With that kind of a push from the chamber's top leader, it's no wonder that his package passed by an overwhelming margin. It may have been Rowe's most important accomplishment as a legislator. It was also one of his last. After eight years in the House, including two as speaker, he was forced out of office by the state's term limits law. Rowe is now Maine's attorney general--a good job, but one that doesn't give him much leverage over the program he created. His cosponsors on the child care law aren't in the legislature anymore, either. They have been term-limited out as well.

In the absence of Rowe and his child care allies, funding for the package has already been slashed by a third, with more cuts likely to come. Plenty of programs have lost funding in recent years as Maine, like so many states, has suffered from fiscal shortfalls. But Maine, along with other term limit states, is experiencing an added phenomenon: the orphaned program, vulnerable to reduction or elimination because of the forced retirement of its champions. "We're probably seeing more neglect because legislators aren't there to babysit their own legislation," says Renee Bukovich Van Vechten, a political scientist at the University of Redlands, in California. "We're seeing laws that need updating, and that's the least sexy part of the job."

Every generation of legislators and leaders wants its own initiatives to brag about and, as a result, sometimes neglects programs closely identified with a preceding group. Under term limits, however, a generation can be as short as six years. Legislators become like people who inherit large, complicated appliances for which the owner's manual has been tossed aside. "The imposition of term limits [is] the most significant--and some would say drastic--institutional change in state government in the last two decades," write the editors of a forthcoming study by the National Conference of State Legislatures and the Council of State Governments.

It shouldn't come as a surprise that short-term legislators aren't prone to engage in long-term thinking. It's happening in all 15 of the states where term limits have gone into effect. In Arkansas several years ago, members of the legislature negotiated a solid waste fee to underwrite future environmental cleanups. After they all left office, a new group, not appreciating what the money had been set aside for-- or probably not even knowing--dipped into it, disbursing the funds into a newly favored program of their own.

Even during Maine's recent downturn, the legislature continued to innovate in the fields of health and social service. In 2003, the state created the Dirigo program, which seeks to provide universal health insurance coverage through subsidies to employer-based plans. But new legislators are already arguing about the complex law they inherited. A few months ago, some of them accused Governor John Baldacci's administration of pulling a fast one by imposing assessments on insurance companies. They hadn't been around when these particular charges had been negotiated through a long, drawn-out process--in the legislature itself. "That's a major issue that was fought over just two years ago," says Sharon Treat, a former Senate leader and sponsor of the program, now term-limited out. "You would have thought there would have been some awareness."

EXECUTIVE CLOUT

Not all the arguments made against term limits at their inception in the 1990s have proven valid. One of the most common predictions--that with the members serving so briefly, all power would accrue to lobbyists hoarding the institutional and policy knowledge--appears to have been off the mark. Term limits have been a mixed bag for lobbyists, who must introduce themselves to a new, skeptical set of legislators every couple of years, rather than rely on cozy relations with a few key chairmen. Nor is there much evidence that legislative
staff have taken advantage of member turnover to impose their own views on inexperienced legislators. In many states, the rate of staff turnover matches or exceeds that of members.

In other ways, though, the revolving-door system created by term limits has reduced the influence of the legislature itself. In particular, it has lost influence to the executive branch. One southern legislator-turned-lobbyist, who prefers not to be identified, says that he sometimes bypasses his state's legislature altogether, taking his clients' business directly to agency officials—the people who actually know how to operate the machinery of government. "There are some legislators who know as much as agency people do, but they're few and far between and they'll be gone very quickly," he says. "Agency heads are the true winners. They can outwait and outlast anyone and everyone on the playing field and they have consolidated their power."

Some governors have complained that lack of experience and expertise among legislators leaves them without strong negotiating partners. "A lot of these issues have to be dealt with in consecutive legislatures," says Angus King, a former governor of Maine who initially supported term limits but came to disdain them after burning through four different speakers, including Rowe, during his eight years in office. "They're very complex and if you always have to go back to square one, you never get anywhere."

Still, almost everyone involved in the legislative process sees governors as big winners under term limits. In addition to their constitutional authority to sign and veto bills, governors in term-limited states control many top-level state jobs that legislators facing short stints will soon want. Whether it is a question of job ambitions, a shortage of information or sheer inexperience, the reality seems to be that legislators do a far less effective job of competing with governors for power once term limits take effect.

According to the Public Policy Institute of California, that state's term-limited legislators make just half as many changes to the governor's budget as they did in the old days, representing many billions of dollars in legislative discretion that is no longer exercised. The NCSL/CSG study found similar budgetary effects in other term-limited states, including Colorado and Maine. "The crumbling of legislative power is clear across states," says Thad Kousser, a political scientist at the University of California, San Diego, and author of a book on term limits. "There's no more clear finding in the research than a shift in power where the legislature is becoming a less than equal branch of government."

EARLY DECISION
Kousser compares term-limited legislatures to airport terminals. Someone is always coming, someone else is going, and then there are the people who can't seem to find their way to the ticket counter. The state that best illustrates the who's-on-first confusion caused by term limits may be Florida, where House members last July picked Dean Cannon to serve as their future speaker. At the time, Cannon had served in the legislature all of six months. His term as speaker won't begin until 2010. But each freshman class in the Florida House has taken up the practice of choosing the person who will lead them once the class reaches its final two years in office.

One might assume that picking a House Speaker five years in advance reflects a healthy long-term perspective. In Florida, however, it reflects just the opposite: an almost manic habit of making premature decisions on the part of impatient members who know that the clock started ticking for them the day they were first sworn in. As absurd as it sounds, Florida's speakers-to-be in line ahead of Cannon are already being treated to some extent like lame ducks—even before they have a chance to take office. Influence in Florida is continually shifting to the next class coming through the pipeline. "With regard to Dean Cannon, he's a good friend of mine," says a House colleague, Baxter Troutman, "but for him to be speaker-elect-elect-elect—man, he gets inundated now because of the perception that he's going to have so much power handed to him."

Obviously the thinking in picking new speakers or Senate presidents well ahead of time is to give them some practical instruction before they take over the reins. As Sharon Treat, the former Maine Senate leader, points out, there are plenty of managerial challenges involved in running a chamber even before turning to the business of mastering issues, setting an agenda and getting a caucus to sign off on it. Other states have tried different approaches to the succession question. After burning through several speakers in its first few years following the arrival of term limits, the California Assembly gave the job to Fabian Nunez as a freshman, so there'd be at least a few years of stability at the top.

In some states, legislatures that recognize their weakness against the executive have tried to consolidate power in the hands of their leaders as a counterweight. Leadership, even when fleeting, still has its
advantages. Leadership PACs have become the foremost source of campaign funds in some term-limited states, and leadership staff are the main in-house sources of information on process and policy for many confused legislators.

The Arkansas House has done away with its old seniority system—an obsolete concept anyway in a body whose members can serve only six years—and allows its speakers to pick committee rosters and chairs. Republican leaders in Michigan, who control both legislative chambers, have made a concerted effort to appeal early and often to newcomers, from the time they first express a tentative interest in running until they finally show up at Lansing. The argument is that by sticking together they can more effectively offset the power of Democratic Governor Jennifer Granholm.

Similarly, legislative leaders in Ohio, widely credited with having done the best job of preserving their power under term limits in relation to the executive, have done so by involving junior members more fully in their decision-making process—for example, going over budgets practically line by line in caucus meetings.

Still, it's not like the old days, when speakers in many states held sway for more than a decade, far outlasting governors. "If leaders are there a short time, the idea of taking on the responsibility of preserving and protecting the institution is eroded," says Alan Rosenthal, of Rutgers University, who wrote a book about governors and legislatures as contending powers. "If the legislature and the governor are controlled by the same party, the legislature pretty much gives the governor whatever he wants—they view themselves as members of his team."

In many states, the committee process has suffered perhaps the greatest blows under term limits. There's necessarily less depth of knowledge, and the old idea that a bill should be fully crafted and in shape to become law the minute it passes out of committee has, in many instances, become a thing of the past. Instead, bills are kept continually moving, replete with the mistakes of inexperience, in the full expectation that they will be amended on the floor or in the other body. That way, more legislators get the chance to make their marks during the short time they have in office. No one wants to kill a bill and set a colleague back a year, when she may have only six years in office. "They're afraid to antagonize each other, so they're willing to pass legislation out of their committee when it's not fully cooked," says Paul Gladfelty, who lobbies for corporations in California.

Double and triple committee referrals, once rare in California, have become routine. It's the opposite of specialization—legislators want a piece of all the action, not wanting to miss out on anything important during their brief moment of power. The fact that committees are no longer viewed as authoritative in their jurisdictional areas further strengthens the hand of other players, notably executive branch officials.

**CHANGING MESSAGES**

If early predictions of lobbyists seizing power under term limits have turned out to be misplaced, the fact is that many term-limited legislators still come into office worried about the issue. Quite a few are at least initially suspicious of lobbyists of all stripes. "We are noticing that a lot of the freshman members come in with preconceived ideas about lobbyists," says Bart McSpadden, a lobbyist in Oklahoma, "that they are all slick and wealthy and everything is carried out behind the scenes and under the table."

Whatever lobbyists have gained in legislatures through the power of institutional memory, they seem to have lost with the decline of enduring relationships. Clearly, they can take advantage of the knowledge deficit that exists in term-limited legislatures, but building the contacts that allow them to take such advantage has become a more time-consuming and expensive proposition. The stereotypical golf-buddy lobbyist who wields influence through personal friendship has clearly lost out under the term limits system.

In some ways, this has led to a diffusion of lobbying power, affording a wider range of lobbyists an equal opportunity to make a first impression on new legislators. On the other hand, the new system puts a premium on the ability to orchestrate those first impressions, and the consensus among lobbyists is that it's difficult for small practitioners to compete against bigger firms with the resources and personnel to introduce themselves and their issues on an ongoing basis to continual waves of new members.

"You not only have to get to know these people," says Marcie McNelis, of the lobbying firm MultiState Associates, "but you have to educate them on the issues from scratch." Part of the business of getting to know a legislator, of course, comes through fundraising, which has become even more critical since term limits have created so many more open seats. Here, too, the bigger, more institutionalized lobbying firms have an advantage over the smaller outfits and the old-fashioned solo gladhanders.
However term limits may be playing out, it's hard to find a lobbyist of any stripe who likes them. "I don't know one lobbyist who thinks it's a good thing," says Rick Farmer, who has written about term limits as an academic and now works for the Oklahoma House. "If term limits are such a good thing for lobbyists, why do so many lobbyists hate them?"

It's not just the lobbyists. Talk to people who work in any state capitol where term limits exist--members, staff and reporters as well as lobbyists--and you will encounter the nearly universal opinion that term limits are obstacles to careful legislation and effective oversight. Travel a bit farther from the capitol, though, and you get a different point of view: Most people on the outside still like term limits. Legislatures in Idaho and Utah have repealed their limits, but for the most part legislators have been unwilling to argue for repeal in the face of popular will as expressed by ballot initiative.

Baxter Troutman, the Florida representative, sponsored successful legislation last year to extend the state's limits to 12 years per chamber. That measure now goes before voters in November, but similar attempts haven't fared too well elsewhere. Ballot measures to extend limits were soundly defeated in Arkansas and Montana in 2004, while California voters had two years earlier rejected an attempt to let term-limited legislators run again if they could collect enough petition signatures in their districts.

No matter how strenuously legislators and lobbyists may argue that term limits have made elected representatives less powerful, and left constituents with a weaker voice in governmental affairs, people outside of government aren't ready to buy that. The main effects of term limits are procedural, and it's difficult to make a convincing case that they've made any one particular policy worse, let alone imperiled the quality of life in any state that observes them. It's impossible to prove that term limits have led to higher taxes, declining services or deeper fiscal shortfalls. And the notion that term limits make legislatures less powerful is, after all, one reason why many people supported them to begin with. "The public voted initially for term limits because they don't like politicians and political institutions," says Rosenthal, the Rutgers political scientist. "That disfavor has continued." As a result, the public has gotten what it asked for, if not what it deserves.
Abstract: Municipal governments play a vital role in American democracy, as well as in governments around the world. Despite this, little is known about the degree to which cities are responsive to the views of their citizens. In the past, the unavailability of data on the policy preferences of citizens at the municipal level has limited scholars’ ability to study the responsiveness of municipal government. We overcome this problem by using recent advances in opinion estimation to measure the mean policy conservatism in every U.S. city and town with a population above 20,000 people. Despite the supposition in the literature that municipal politics are non-ideological, we find that the policies enacted by cities across a range of policy areas correspond with the liberal-conservative positions of their citizens on national policy issues. In addition, we consider the influence of institutions, such as the presence of an elected mayor, the popular initiative, partisan elections, term limits, and at-large elections. Our results show that these institutions have little consistent impact on policy responsiveness in municipal government. These results demonstrate a robust role for citizen policy preferences in determining municipal policy outcomes, but cast doubt on the hypothesis that simple institutional reforms enhance responsiveness in municipal governments.

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Cities and other local governments play a crucial role in American democracy. There are nearly 90,000 local governments in the United States. Collectively, these local governments employ approximately 11 million workers, collect nearly a quarter of the nation’s revenues, and allocate a large share of the country’s public goods (U.S. Census of Government 2012; Trounstine, 2010). As a result, it is crucial to know whether city governments represent the views of their citizens.

There is a large literature showing that elected officials at the national (Stimson, MacKuen, and Erikson, 1995) and state (Erikson, Wright, and McIver, 1993; Lax and Phillips, 2012) levels are responsive to the policy preferences of their constituents. In contrast, scholars of urban politics have focused on the economic, political, and legal constraints facing local policymakers (Gerber and Hopkins, 2011; Leigh, 2008; Nivola, 2002; Peterson, 1981, 1995; Rae, 2003; Self, 2003). Due to the multitude of constraints on local governments, most past work has concluded that political factors have little influence on local policy outputs (Craw, 2006; Gerber and Hopkins, 2011; Morgan and Watson, 1995; Peterson, 1981; Ruhil, 2003; Wolman, Strate, and Melchior, 1996). However, there have been no comprehensive studies about whether city policies are actually responsive to the views of their citizens. This gap in the literature is largely due to the fact that previous scholars have lacked a measure of the policy preferences of city residents (Trounstine, 2010). Most previous studies have used proxies for public opinion such as partisanship or demographic groups rather than a direct measure of the policy conservatism of citizens in each city and town (e.g., Craw, 2010; Hajnal and Trounstine, 2010).

In this study, we examine the relationship between the policy preferences of the mass public and municipal policy outcomes. Our work utilizes new estimates of the mass public’s
policy conservatism in all cities and towns with more than 20,000 people. Our measures of city policy conservatism are generated by jointly scaling the ideal points of over 275,000 people from seven recent large-scale surveys, and then using recent advances in opinion estimation to develop more accurate estimates at the city-level. In all, we examine representation in over 1,600 cities and towns across the country.

In contrast to previous work that emphasizes the constraints on city elected officials, we find that city governments are responsive to the views of their citizens across a wide range of policy areas. Moreover, the substantive impact of citizens' preferences on policy outcomes is quite large. After controlling for a number of factors that influence city policies, the most liberal cities spend over twice as much per capita as the most conservative cities. They also have higher taxes per capita and less regressive tax systems than conservative cities.

Next, we examine whether variation in political institutions affects democratic responsiveness in city governments. Many of these institutions were established by reformers to cultivate 'better' government by reducing the power of narrow interests and wresting power from local bosses. For instance, some cities have elected mayors, while other cities eschew elected mayors in favor of city councils and professional managers. But the broader impacts of these reforms are unclear. In particular, we do not know whether they enhance representation in city government (Trounstine, 2008). In this paper, we study the impact of five institutions designed to enhance representation. In contrast to the expectations of reformers, we find that no institution seems to consistently improve responsiveness.

The paper proceeds as follows. First, we discuss previous literature on representation in municipal government. Next, we examine the previous literature on the impact of local political institutions on democratic responsiveness. Third, we discuss our research design.
Next, we present our findings on the responsiveness of city policy outcomes to public opinion and the effect of political institutions on representation. Finally, we briefly conclude and discuss the implications for future research.

Responsiveness in City Government

The term responsiveness means that government "responds" to changes in citizens' views by moving policy in the direction of those views. Cross-sectionally, this implies that places where the public holds more conservative views should have more conservative policies (Erikson, Wright, and McIver, 1993). This definition of responsiveness is based on liberal notions of popular sovereignty. At a minimum, in a representative democracy the views of citizens should influence government policy decisions (Achen, 1978).²

Many scholars argue that municipal governments are unresponsive to the views of their citizens (Craw, 2006; Morgan and Watson, 1995; Peterson, 1981; Ruhil, 2003; Wolman, Strate, and Melchior, 1996). This view suggests that elected city leaders have limited control over policy outcomes due to a multitude of institutional constraints (Gerber and Hopkins, 2011). First, cities are subordinate to states and the national government. There are a variety of statutory or constitutional constraints on specific local policies (Ladd and Yinger, 1989). For instance, many states restrict local governments' ability to levy sales or property taxes. Moreover, there are a number of areas where responsibility over policy is shared between levels of government (Berman, 2003; Craw, 2006; Nivola, 2002; Peterson, 1995). Federal and

²While responsiveness is a prerequisite for representation, "more" responsiveness does not necessarily mean that city policies are more "congruent" with the views of citizens (Achen, 1978; Matsusaka, 2001). Instead, it simply means that the slope of the relationship between public opinion and policy conservatism is steeper. For more on how responsiveness relates to representation, see Achen (1978) and Matsusaka (2001).
state governments also exert indirect control over local policy by providing restricted grants and funding streams for specific programs. In addition, cities face constraints due to economic competition from other jurisdictions (Bailey and Rom, 2004; Ladd and Yinger, 1989; Peterson, 1981; Rae, 2003). Indeed, cities have little control over the movement of people, industry, and capital across their borders.

Overall, the consensus in the literature on municipal politics is that the policy decisions of city governments are unresponsive to the views of their citizens. However, there are reasons to believe that city governments should be responsive to the policy preferences of their citizens. The central assumption of American politics scholarship over the past 30 years is that elected officials are primarily motivated by electoral incentives (Kousser, Lewis, and Masket, 2007; Mayhew, 1974). Re-election minded officials have incentives to adhere to the will of their constituents in order to gain their votes. This means that they should be responsive to the median voter in their constituency (Downs, 1957; Erikson, Wright, and McIver, 1993).

A variety of scholars have found that citizens hold local officials accountable for their decisions in office. Arceneaux (2005) finds that survey respondents connect their evaluation of mayors' performance on traffic congestion and other salient issues to their vote choice. Similarly, Howell and Perry (2004) show that respondents' evaluations of city services in four large cities (Charlotte, Chicago, Detroit, and New Orleans) were significantly related to mayoral approval ratings. Finally, Stein, Ulbig, and Post (2005) find that mayoral approval significantly predicts vote choice in several recent Houston mayoral elections.

Responsiveness in cities does not necessarily depend on a traditional view of the legislator-constituent relationship, in which constituents observe the actions of legislators and reward
whoever best represents their policy preferences. Tiebout (1956) offers a model of city politics in which citizens locate themselves in cities which best match their preferences for public goods provision. It may be the case the citizens vote on the basis of vague notions of approval for the policies of their city, and that their choice to move or stay creates a market-based mechanism for city representation. In the Tiebout model, citizens need not have a deep knowledge of the actions of their public officials, they need only know what level of public goods they are receiving. This logic applies equally well to other policies besides public goods provision, for instance the kind of public goods provided. One implication of a Tiebout type model is that representative institutions may not matter very much. Elected politicians are incentivized to pursue policies that retain and attract like-minded citizens, regardless of whether they are city councilors or mayors, partisan or non-partisan, or whether voters can change policy directly at the ballot box.

Some recent work supports the notion that local policymakers are responsive to the views of their constituents. For instance, Gerber and Hopkins (2011) show that Democratic mayors spend less on police and fire services than their Republican counterparts. Palus (2010) examines policy responsiveness in twenty-six large cities, and finds strong evidence that the ideological preferences of citizens are reflected in the spending decisions of governments. At the county-level, Choi et al. (2010) find that Democratic votes for president are correlated with greater expenditure levels and a larger share spent on redistribution. Overall, these previous theoretical and empirical studies on responsiveness lead to our first hypothesis:

$H1$: City policies are responsive to the policy preferences of their citizens.

$^3$However, Gerber and Hopkins (2011) find no difference between Democratic and Republican mayors in a variety of other policy areas.
The Impact of Institutions on Responsiveness in Cities

There are a number of institutions that reformers have established to improve the quality of municipal government (Lubell et al., 2009; Trounstine, 2008). In this section, we focus on five such institutions: the presence of a city manager rather than an elected mayor, the presence of direct democracy provisions, the presence of non-partisan elections for mayor and city council, the presence of term limits, and the presence of at-large versus single-member elections.

These institutions are a good test case for the importance of municipal institutions because they were designed with representation in mind. In particular, reformers around the turn of the nineteenth century sought to cultivate ‘better’ government by decreasing the power of party machines, increasing professionalization and promoting political involvement by the ‘right’ kind of people. The Progressive Era reformers wanted to diminish the power of narrow interests and wrest power from local bosses. Although the power of party bosses greatly diminished over the course of the 20th century, the broader impacts of these reforms is unclear. In particular, we do not know whether they enhance or reduce representation in cities as a whole, especially now that the power of local political parties are greatly diminished even in cities that retain pre-reform institutions (Trounstine, 2008).

According to one recent study, “the most frequently analyzed and politically debated feature of municipal government is the balance of electoral versus managerial power in the executive branch of city government” (Lubell et al., 2009). In the early twentieth century, most cities had an elected mayor that led the executive branch and a city council that handled legislative functions (Schiesl, 1977). The Progressive reform movement came to link
mayor-council systems with the inefficiency and corruption of party machines. Reformers argued that city governments should be run by experts rather than politicians (Hofstadter, 1956; National Municipal League, 1916). The "reform" council-manager system eliminated the political position of an elected mayor as chief executive (Lubell et al., 2009). Instead, cities hired a professional city manager to run the government and make daily administrative decisions. The mayor was reduced to a figurehead with little real power. Most cities have adopted a council-manager form of government (Ruhil, 2003; Svara, 1990). While city managers may be better than elected mayors at promoting efficiency and economic development (Stein, 1990), the dominant view among scholars is that cities with an elected mayor are more responsive to the views of their citizens than cities with a "reform" council-manager system (Sharp 1997; but see Lubell et al. 2009). This leads to the hypothesis that:

\[ H2: \text{Cities with elected mayors are more responsive to the views of their citizens than cities with a council-manager system.} \]

Progressive reformers also believed that partisan elections helped to increase the power of party bosses. As a result, they promoted the creation of nonpartisan elections for municipal office (Trounstine, 2010). In nonpartisan elections, parties do not officially nominate candidates for office, and candidates' party affiliations generally do not appear on the ballot. Most cities in the United States have adopted nonpartisan elections. Scholars have reached conflicting results on the effect of non-partisan elections on representation. Hansen (1975) finds some evidence that cities with non-partisan elections have weaker representation. More recent work on non-partisan judicial elections has found that judges elected through non-partisan elections are more responsive to public opinion since they cannot rely on partisan cues to signal their policy positions (Caldarone, Canes-Wrone, and Clark, 2009). But others
argue that non-partisan elections typically have lower turnout than partisan elections, which may increase the power of special interests (Schaffner, Streb, and Wright, 2001). We examine the following hypothesis:

**H3:** Cities with partisan elections are more responsive to their citizens' policy preferences than cities with non-partisan elections.

A more recent reform designed to increase democratic responsiveness is the development of direct democracy provisions. The potential for citizen initiatives may create stronger incentives for elected officials to be attentive to constituent interests. As a result, scholars argue that policy choices are more likely to be responsive to voters' preferences when direct democracy exists (McCabe and Feiock, 2005). While few studies have studied the effect of direct democracy on representation at the local level (Lubell et al., 2009), the evidence at the state level is mixed. A number of studies have found that majoritarian interests are more likely to prevail in states with direct democracy institutions (Gerber, 1999; Matsusaka, 2010; Tolbert, 1998). But other studies find no significant relationship between the presence of the citizen initiative and democratic responsiveness (Lax and Phillips, 2012). We examine the following hypothesis:

**H4:** Cities with direct democracy provisions are more responsive to the views of their citizens than citizens without direct democracy.

Reformers in the late 20th century have also argued that the presence of term limits affects the link between elected officials and their constituents (Carey, Niemi, and Powell, 2000). Some scholars find evidence that the turnover caused by term limits leads to less experienced elected officials (Kousser, 2005). This reduces the capacity of lawmakers to assess and respond to public opinion. Moreover, it may reduce legislators' incentives to respond
to public opinion by limiting the value of elected office (Carey et al., 2006). However, other scholars argue that the turnover caused by term limits reduces incumbency advantages and leads elected officials to better reflect current constituents' preferences (Moncrief and Story, 2007). This leads to our fifth hypothesis:

**H5:** Cities with term limits for their officials are more responsive to their citizens' policy preferences than cities without term limits.

Reformers in the early 20th century also promoted city-wide ("at-large") elections to prevent narrow interests from exerting too large an influence on local government (Trounstine, 2010). In unreformed cities, the municipality is divided into geographic areas of roughly equal population size, and each district elects a single city councilor. In reformed cities, councilors are elected by the municipality as a whole. Most previous studies on the impact of at-large elections focus on descriptive representation. These studies generally find better descriptive representation for African-Americans and other racial minorities under a districted system than an at-large system (Bullock and MacManus, 1993; Davidson and Grofman, 1994; Trounstine and Valdini, 2008; Welch, 1990). However, while at-large elections may harm descriptive representation, there are good reasons to believe they should enhance responsiveness by "shift[ing] electoral power toward a single median voter and away from geographically concentrated interests" (Trounstine, 2010). This leads to our final hypothesis:

**H6:** Cities with at-large districts are more responsive to citizens' policy preferences than cities with single-member districts.
Research Design

Measuring City Policy Preferences

As the starting place for our model of city policy conservatism, we estimate a large sample of citizens' ideal points using an approach similar to the one taken by Tausanovitch and Warshaw (2013). First, we pool together data from seven recent large-scale surveys of the American public (the 2006, 2007, 2008, 2010, and 2011 Cooperative Congressional Election Surveys (CCES) and the 2000 and 2004 Annenberg National Election Surveys (NAES)). Each of these surveys asked between 14 and 32 policy questions to 30,000-80,000 Americans.

We assume that all survey respondents have a quadratic utility function with normal errors. Each item $j$ presents individual $i$ with a choice between a "Yes" position and a "No" position. We assume that respondents' policy preferences lie in a one-dimensional policy space. A preliminary test of this assumption is provided in Appendix B. We estimate respondents' ideal points using a Bayesian Item-Response (IRT) model (Clinton, Jackman, and Rivers, 2004). In all, we estimate the ideal points of over 275,000 Americans.

Next, we estimate city-level policy conservatism by combining our individual-level data with a multilevel regression and poststratification (MRP) model (Park, Gelman, and Bafumi, 2004). This approach employs Bayesian statistics and multi-level modeling to incorporate information about respondents' demographics and geography in order to estimate the public

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4A potential critique of this approach is that it is plausible that Americans' preferences on city policies are distinct from their preferences on national policies. Indeed, scholars of municipal politics have often highlighted the fact that cities consider issues that are quite different from the sorts of policy issues that are considered at the federal level (Oliver, Ha, and Callen, 2012). To test this hypothesis, on the 2012 Cooperative Congressional Election Study we asked both a battery of federal policy questions and a battery of questions that was oriented towards state and local politics. Overall, we find no evidence that separate forces are at work in determining citizens' positions on municipal policy questions and federal policy questions. More information on this analysis is in Appendix B.
opinion of each geographic sub-unit. One way of thinking about an MRP model is to compare it to a weighted survey estimate that applies very finely tuned weightings, based on Census data, of specific demographic-geographic types. It estimates each individual’s response as a function of both demographic and geographic predictors. MRP models have been found to produce very accurate estimates of public opinion by state and congressional district with national samples of just a few thousand respondents (Lax and Phillips, 2009; Warshaw and Rodden, 2012).

To validate our estimates of city policy conservatism, we compare them with estimates of presidential vote share in each city derived from precinct-level election returns (Harvard Election Data Archive, 2012). Our estimates of city policy conservatism are correlated with presidential vote share in the 2008 election at .77. This suggests that our estimates are accurately capturing cities’ policy preferences on a left-right continuum.5

Figure 1 shows the policy preferences of the 51 cities with a population larger than 250,000 people. We find significant variation in the policy preferences of cities. Not surprisingly, we find that San Francisco, Washington DC, and Seattle are three of the most liberal cities in the country. Mesa, AZ, Oklahoma City, OK and Virginia Beach, VA are three of the most conservative cities.

5 Appendix A contains additional analyses to validate our estimates of city conservatism. Here, we use a number of complementary approaches to validate our estimates of city policy preferences. First, we demonstrate the face validity of our estimates by showing our estimates for all large cities in the country, as well as a subset of cities in four states. Next, we show the internal validity of our estimates by comparing them with raw, disaggregated estimates of the policy preferences in each city based on our sample of 275,000 Americans. Finally, we use two separate approaches to demonstrate the external validity of our estimates. We show that our estimates are highly correlated with city-level presidential vote shares in both 2004 and 2008. We also show that our estimates are highly correlated with estimates of symbolic ideology from survey samples collected by the Knight Foundation in twenty-six medium and large cities in 2002. Of course, like any measurement of a latent variable, our measures of city policy preferences are estimates. They will generally be more precise in large cities than small cities.
Measuring the Policy Outcomes

One of the challenges in research on municipal politics is that there are few comprehensive sources of information on city policies. Ideally, we would use an existing measure of the “conservatism” of city policies that is analogous to the measure of state policies developed by Erikson, Wright, and McIver (1993). However, there is no existing measure of policy conservatism available at the city level. As a result, we use a mixed approach and measure city policy outcomes using data from a variety of sources.

First, we developed a new scaled measure of policy outcomes using data from the International City/County Management Association’s (ICMA) 2010 survey of government sustainability. The ICMA survey asks city officials a series of questions about policies that have been enacted by the city government, which they are asked to answer on a factual basis. The survey has an emphasis on environmental policies, but also asks about an array of other policies, such as whether the city provides financial incentives for affordable housing, provides funding for preschool education, or has a program for the purchase or development of historic property, among many others. These questions are scaled in the same way as our measure of citizens’ policy conservatism, using the 2-parameter quadratic item response model introduced into political science by Clinton, Jackman, and Rivers (2004). Much as individuals choose whether to support a given policy, city government must choose whether to enact these policies, providing us information about the conservatism of the city as a decision-making body.
The resulting measure is as close as we were able to come to a broad liberal-conservative policy score for each city. This measure is a one-dimensional summary of a wide variety of policy “stances,” but in this case the stances are actual enacted policies. However, this measure is not without drawbacks. The survey is intended to evaluate local efforts towards environmental sustainability, and so many of the questions are focused on policies geared towards energy, the environment, and conservation. We find little evidence of a higher-dimensional structure in this data, lending credence to our assumption that this set of questions represents policy more broadly, but it is always possible that this unidimensionality is the result of the exclusion of certain policy issues. This is one reason why our analysis uses three other measures of policy outcomes that we describe below. A full list of questions used on the ICMA survey is provided in Appendix C, and the estimates themselves are available from the authors.

We generate three other city policy measures using data from the U.S. Census Bureau’s 2007 Census of Governments, which provide detailed revenue, expenditure, and employment data for U.S. local governments. First, we estimate the per capita taxes in each city. Per capita taxes capture the total potential for redistribution within a particular city, and the tax burden is a major issue both within cities and nationally. Next, we estimate the per capita expenditures in each city. Per capita expenditures capture the size of government, one of the core ‘liberal-conservative’ issues in American politics. Finally, we estimate the regressiveness of city taxation based on the share of each city’s revenues that are derived from sales taxes. Higher shares of sales taxes indicates a local tax structure that falls more
heavily on poor residents, whereas tax structures based more heavily on property tax and income taxes are generally more redistributive (Newman and O'Brien, 2011).

City Institutions

Next, we examine the association between city institutions and responsiveness. Data on municipal institutions was obtained from a variety of sources. We collected data on cities that have elected mayors or council-manager systems from the 1987 Census of Governments. This data was verified against more recent data from the ICMA’s Form of Government surveys.\(^8\) Data on the presence of direct democracy in cities was obtained from the ICMA’s Form of Governments survey. We filled in data for missing cities from the Initiative & Referendum Institute at the University of Southern California and an internet search of city websites. We obtained information on whether cities have partisan elections or nonpartisan elections from the ICMA’s Form of Governments survey. We filled in data for cities that were not present in the ICMA data using data from Gerber and Hopkins (2011) and an internet search of city websites. We collected information on whether cities have term limits for their elected officials using the ICMA’s Form of Government surveys and an internet search of city websites.\(^9\) Finally, we collected information on whether cities use at-large elections for their city councilors using the ICMA’s Form of Government surveys and the 1987 Census of Governments.

\(^8\) See Trebbi, Aghion, and Alesina (2008) for an overview of previous studies using ICMA data. We verified the data using the 1996, 2001, 2006, and 2011 ICMA surveys. Cities that had changed their institutions were updated.

\(^9\) In a few cases, we also filled in missing institutional data by emailing city clerks.
Explaining Variation in City Policies

In order to examine the relationship between city conservatism and policy outcomes, we construct a multi-level regression model that controls for a variety of political, economic, and legal factors. In particular, we are concerned about the effects of factors that contribute to a city’s governing capacity. Cities may be constrained by the resources available to them and the extent of the duties they can reasonably be expected to perform. Large cities or rich cities can be expected to be involved in more areas of public life than cities that lack the resources to engage in as many projects. In contrast, smaller, poorer cities may have simpler tax systems, fewer environmental regulations, and lower expenditures. For this reason we include controls for city population, the median income, and median housing value. We also control for the percentage of each city’s population that is African-American (percent black). (See Table 1 for descriptive statistics of all our variables).

Table 1 about here

It is also important to account for heterogeneity in the constraints facing municipal policymakers across states. Indeed, city governments only have powers allocated to them by state laws and constitutions. As a result, the state legal and political context can exert an important influence on municipal policy decisions. We account for state heterogeneity by including random effects for each state in our multilevel models.

While our multi-level model is well suited to examine the association between city conservatism and policy outcomes, it is difficult to interpret the results for the effect of institutions on representation. As we will see, responsiveness of policy to the mass public’s conservatism is non-linear, often due to what seems to be a conservative “floor” (cities can only spend
so little, for instance). A very simple linear model does an adequate job of summarizing responsiveness, but does not capture the potential differences across different institutional settings. As a result, a quadratic model would be preferred. However, this introduces five more interaction terms into our model, and the squared terms have to be interpreted in conjunction with the non-squared terms. A simpler approach is to use a pre-processing method to approximate balance between institutional conditions, and then use simple non-parametric smoothing methods to show the effects in each institutional condition.

Pre-processing methods are attractive for analyses involving large datasets where balance can plausibly be established by re-weighing the data to achieve balance between the treatment and control groups. Ho et al. (2007) make the case that pre-processing reduces model dependence and provides more accurate causal inferences compared to standard ordinary least squares methods. The large set of cities in our dataset allows us to 'simulate' the balance achieved by a random experiment by re-weighting our data to ensure balance on all our covariates (Hainmueller, 2012).

For this analysis, we use entropy balancing matching (Hainmueller, 2012). Entropy balancing matching applies a maximum entropy reweighting scheme that calibrates unit weights so that the reweighted treatment and control group satisfy a potentially large set of prespecified balance conditions that incorporate information about known sample moments. In our analysis, for each institutional hypothesis, we balance our covariates' first moments for cities with one institution, and cities with the other. The "control" group may then

---

10We also evaluate the robustness of our results to alternative matching methods by applying coarsened exact matching (CEM) to our data rather than entropy balancing (Iacus, King, and Porro, 2012). We found no substantive differences across different matching models. Results are available in Appendix E.

11We also balance the second moment for the city conservatism variable. This ensures that the variances of the distribution of city conservatism are balanced across the treatment and control conditions.

16
be compared to the “treatment” group. This enables us to simply compare the slope of the relationship between outcomes and policy preferences for the two groups.\textsuperscript{12} We balance on median income, median home values, population, the presence of each institution, and city conservatism.

**Are City Policies Responsive to their Citizens?**

What is the relationship between city policy outcomes and city conservatism? Figure 2 shows the relationship between citizens' conservatism and four different city policies for the 1,600 cities in our dataset. Each panel shows scatter plots of a policy outcome on the y axis, and mean policy preferences of a given city on the x axis. The panel on the top left is our general policy scale. The panel on the top right shows the relationship between city conservatism and taxes per capita. On the bottom left, we show the association between city conservatism and the share of taxes that come from sales taxes.\textsuperscript{13} Finally, the bottom right plot shows the relationship between policy policy preferences and expenditures per capita. The top ten most populous cities are labeled in each panel with their official abbreviation. We also label Washington, DC, which is a notable outlier on most policy outcomes. The size of the circles representing each city are proportional to population. It is important to note, however, that the analyses are not weighted by population. Loess curves are fitted to each scatterplot.

\textsuperscript{12}In our main analysis, we compare non-parametric curves of cities in the treatment and control groups for each institutional category. In Appendix D, we show parametric model results with fixed effects for each state.

\textsuperscript{13}In this model, we only examine cities in states that allow municipalities to levy a sales tax.
These simple bivariate relationships go consistently in the direction we would expect. On the general policy scale, cities with more liberal populations tend to get more liberal policy, and this relationship is remarkably strong and linear. Likewise, liberal cities collect more taxes per capita and have substantially higher expenditures per capita. Moreover, liberal cities have less regressive tax systems. The share of sales revenues that comes from sales taxes is lower in liberal cities and higher in conservative cities.

These effects are all large, with upward slopes that cover most of the span of the policy outcome. However, in the case of expenditures per capita and taxes per capita, the relationship is difficult to see due to a small number of high values that stretch the scale of the y-axis. In Figure 3, we re-plot these policy outcomes, censoring the y-axis far below the maximum values. In both cases the effect is large, but seems to taper off on the right side of the spectrum, perhaps indicating a minimum level of taxes and service provision that is supported by conservatives.

[Figure 3 about here]

Despite a strong bivariate relationship, a number of factors appear to moderate this relationship, as well they should. It appears from Figures 1 and 2 that more populous places have a tendency to be closer to the liberal side of the policy and public preferences, and that there may be a tendency for larger cities to adopt more liberal policies irrespective of preferences. We expect this to be the case, because liberal policy is usually associated with more government activity and larger cities have more capacity for activity. This may also be the case for richer cities.
In order to account for these possibilities, we run a multi-level regression model that
includes possible confounders, such as the size, wealth, and ethnic diversity levels of each
city (Table 2). Controlling for other factors that influence city policy outcomes leaves the
core relationships that we find in our bivariate analysis relatively unchanged. City policy
conservatism has a robust, statistically significant, and substantively important relationship
with the type of policy that cities implement. These relationships are similar in models that
account for possible confounders.

[Table 2 about here]

In order to understand the substantive significance of these effects, it is important to
consider the scale of the outcome policies under examination. How strong should we expect
these relationships to be if democracy is very strong? One way to look at this question
is to examine the size of the “errors” from our model for each policy outcome. Figure 4
shows the estimated distribution of errors from a Bayesian implementation of our multi-
level model with uninformative priors. These histograms represent the estimated posterior
distribution of the residuals for the model- in other words, the distribution of differences
from the predictions of the model and the observed outcome variables. The median error in
predicting our policy scale is 0.54 standard deviations. The median error in the predicted
share of taxes from sales tax is just 12%. The median error for taxes per capita is only 195
dollars, and the median error for expenditures is 392 dollars. How should these errors be
interpreted? Quite simply, they suggest that citizens could expect their per capita tax levy
to be within 195 dollars of the taxes in similar cities with the same political preferences. In
substantive terms, the relationship between preferences and outcomes is tight. This suggests
that city governments are responsive to the preferences of their citizens.

[Figure 4 about here]

Do Institutions Affect Responsiveness in Cities?

Next, we examine our hypotheses about the impact of city institutions on responsiveness to public opinion. Table 3 shows the results of a simple multilevel regression with random effects for states. The key variables are the interactions between city conservatism and each institution. These interactions measure whether each institution is making cities more responsive to the preferences of their citizens. Our approach to estimating responsiveness rests on a simple premise: that the differences in responsiveness should produce differences in the slope of the relationship between policy preferences and policy outcomes. Greater slopes indicate greater responsiveness (Lax and Phillips, 2012). However, due to the fact that the policy preferences measures and policy outcomes measures are not in the same space, higher slopes do not necessarily imply greater congruence or proximity between the preferences of citizens and city policy conservatism (Achen, 1977, 1978; Matsusaka, 2001). Instead, greater slopes could indicate overreactions to constituent preferences (Erikson, Wright, and McIver, 1993, 93-94).\textsuperscript{14} As a result, we will not be able to assess the degree to which any given city policy is a good match for the preferences of the citizens of that city. We also cannot say for certain whether an increase in slope is normatively good for representation. It could be that a particular institution causes an increase in responsiveness, but this increase in

\textsuperscript{14}Future work might try to address this problem by jointly-scaling city policy outcomes and citizens' policy preferences. This would enable researchers to examine how institutions affect the congruence between public opinion and city policy conservatism.
responsiveness reflects an overreaction to constituent preferences.

[Table 3 about here]

Across all five institutions, we find no consistent statistically significant interactive effect between institutions and policy conservatism. Only two of these twenty coefficients are significant. We have few a priori reasons to suspect that these effects should vary over different policy outcomes. This suggests that institutions are having little effect on representation in municipal governments.\(^{15}\)

Next, we examine the results of our analysis of the impact of institutions on representation using data that is pre-processed using entropy balancing (Hainmueller, 2012). For each institution, the unit weights are calibrated to ensure balance on all covariates. In our main text, we present non-parametric results graphically where sets of points are color coded, grey for cities with in one institutional condition, and black for cities in the other. In Appendix D, we show parametric results using the pre-processed data with fixed effects for each state.

Figures 5 - 9 show the results of this analysis. Each of the four panels has as its y-axis the same four policy outcomes from Figure 2. Each plot shows a loess curve fitted to the resulting scatterplots of the matched data, with a separate curve for each institutional condition. The scatterplots for the relationship between each city policy outcome and mean city policy preferences are shown. For each institutional condition, a loess curve is drawn through the corresponding points, weighted to balance institutional conditions with unequal

\(^{15}\)We re-ran all the models in Table 3 using fixed effects for states rather than random effects. The substantive findings are all identical to the models with random effects. We also re-ran each of the models with only a single institutional factor interacted with the measure of citizens' policy preferences. This addresses a potential concern that multicollinearity between institutions could attenuate the impact of any single institution. However, the substantive findings from these models are also nearly identical to the main models.
A few preliminary observations are in order. Firstly, the number of points in the top left panel is much smaller than the number of points in the other panels due to the relatively small number of cities that respond to the ICMA policy survey. As a result, there is a tendency for the curves in this panel to be the most different from each other due to random error. Likewise, within each panel, the curves are likely to differ most due to random error where the data is sparse, such as at the far right and far left of the graph.

[Figure 5 about here]

Figure 5 shows the results of the matching analysis for the type of government: mayoral or council-manager. Cities with elected mayors are drawn in black, and cities with city managers are drawn in grey, as are the corresponding loess curves. Figure 5 shows a remarkable lack of difference between the curves across three of the four policy outcomes. The policy scale in the upper-left panel is the only outcome that shows any difference between cities with elected mayors and council-manager systems. Here, the black line is above the grey line, indicating that policy is slightly more conservative on average in cities with mayors. This is a statistically significant difference. However, this relationship does not hold up in the other analyses, and it does not indicate a difference in responsiveness per se. Other apparent differences, such as the far left side of the top right panel with expenditures as the dependent variable, are supported by very few data points. Overall, the responsiveness curves for mayor and council-manager cities are practically indistinguishable for per capita taxes, per capita expenditures, and the percentage of city revenues that come from sales taxes. Thus, our

\[16\text{ Weighting follows the procedure from Hainmueller (2012).}\]
results provide little evidence for H2, our hypothesis that cities with directly elected mayors are more responsive. City manager systems, designed to be more professional and less political, appear to be just as responsive to public opinion as their mayoral counterparts. Given the same set of public policy preferences, a city with a mayor looks almost exactly the same as a city with a city manager for most policy outcomes.

[Figure 6 about here]

This pattern of little institutional difference is continued in Figure 6, where cities with partisan elections are shown in black. The responsiveness curves are again very similar. Cities with partisan elections and cities without partisan elections appear to have roughly the same level of responsiveness. Differences in the curves are too small to attribute to systematic differences across institutions. Thus, we cannot conclude that whether cities have partisan or nonpartisan elections has an impact on the link between public opinion and public policy outcomes.

[Figure 7 about here]

Figure 7 shows the results for cities with (in black) and without (in grey) a popular initiative process. The overarching patterns are the same as for previous institutions. Across most of the support of the data, the estimated relationship between cities' policy conservatism and their policy outcomes is nearly identical for cities with and without direct democracy. Overall, it appears to be the case that public views are about as well represented in cities where citizens are not able to vote on legislation at the ballot box as cities where they are.

[Figure 8 about here]
Figure 8 shows the result of the matching analysis in the case of city council term limits. Cities with term limits are shown in black. Once again, the curves for cities with and without term limits are close to identical over most of the support of the data for each policy outcome. In this case the curves are particularly close, even at the extremes of the data. Overall, our findings provide no support for H5, that term limits lead to greater responsiveness.

Finally, Figure 9 shows the results of the matching analysis for cities with and without at-large districts. Cities with all at-large elections are shown in black, and cities with single-member districts are shown in grey. As with the other institutional conditions, there is little evidence of consistent variation in responsiveness across policy outcomes. The only notable results are that, contrary to H6, the slope of the relationship between citizens' policy preferences and cities' per capita expenditures and the share of taxes they derive from sales taxes is different in at-large than district-based cities. In both cases, cities with at-large elections are somewhat less responsive to their citizens' policy preferences. But both of these differences in responsiveness are relatively small. There is also no difference in the relationship between public opinion and city policy conservatism in cities with and without at-large elections for our other two policy outcomes (the policy scale and per capita taxes). Therefore, overall, our findings provide no support for H6, that at-large districts lead to better representation.

Across five different policy outcomes, we find no evidence that any institution consistently affects representation in municipal government. These institutions, however, exist under conditions that are different from when many of them were formulated. Although the literature
on representation in cities has emphasized their role in changing the politics of local government and breaking party monopolies, their influence on systematic representation today has been under-explored. Despite much attention to these institutions, whatever effect that they might have on policy responsiveness is too small for us to detect. Progressive reformers may not have been too surprised to learn that these institutions are not as influential today as they may have been in the past. After all, the party machines that these policies were designed to mitigate are long gone.

Conclusion

A 2002 piece in the *Annual Review of Political Science* summarized the literature on municipal politics by stating that, “Politics has not always fared well in the political science literature on the cities, at least not in the United States” (Murphy, 2002). In contrast to much of this literature, we find that a broad array of city policy outcomes are not apolitical, nor are they divorced from national political schisms.¹⁷ Policy outcomes in city and town governments can be predicted by the policy conservatism of their citizens. “Liberal” cities seem to get “liberal” policies and “conservative” cities seem to get “conservative” policies on average, controlling for other factors that might account for policy differences. This suggests that not only is city government political, but that it may have more in common with state and national politics than previous scholars have recognized.

However, unlike at the state and national level, we find scant evidence that differences in municipal political institutions affect representation. Neither the choice of mayor versus city

¹⁷Of course, we only examine a subset of city policy outcomes. It is possible that the link between public opinion and policy could look different on other outcomes.
council government, partisan or non-partisan elections, the availability of ballot measures, whether or not elected officials face term limits, or whether there are at-large or districted elections seem to affect the strength of the relationship between public policy preferences and city policies. This is contrary to hypotheses based on evidence from the existing literature, both from within the city politics literature and from scholarship on states and nations. While we are hesitant to put too sharp of a point on a null result, the similarity between responsiveness in different institutions is striking across different policy outcomes, even when we allow this relationship to have a very general functional form. Considering the emphasis in the literature on the importance of these institutions, the fact that we find few differences in responsiveness across institutions is striking.

Our results suggest that the effects of institutions on democratic representation may have been overstated by previous studies. But it is difficult to evaluate the extent to which our results are generalizable to other contexts. Part of the difficulty in generalizing these effects is establishing the categories that they should be applied to. Even within the category of local governments, there are many different types besides municipal governments: there are school districts, counties, utility districts, and many more. Cities themselves have scopes of authority and responsibility that differ widely (Oliver, Ha, and Callen, 2012), a fact that we have dealt with here merely by controlling for the size of populations and economies. A further complication is that the institutions of different levels of government may interact. Many of the institutions we have examined, however, share important features of state and national governments. Council manager governments share many features with parliamentary government and mayoral government is quite similar to a presidential system. Term limits have been implemented at all levels of government. The salience, prominence or even legality
of party labels may vary at different levels of government. Moreover, direct democracy provisions such as popular initiatives and referenda have been used at all levels of government. Future work should seek to incorporate these institutional differences into their theories in order to examine the degree to which the effect of institutions varies across different levels of government. For instance, scholars could attempt to explain why institutions such as direct democracy and term limits appear to have a greater effect on representation at the state level than at the municipal level.

Future research should also explore the impact of other institutions in city government on representation. For instance, it might explore whether variation between concurrent and off-cycle elections affects the relationship between public opinion and policy outcomes (Anzia, 2011). Finally, research in this area could benefit from examining a broader range of city policy outcomes, such as distributional and land development policies. This will enable scholars to determine whether the relationship between public opinion and policy varies across different issue areas.
References


Table 1: Summary Statistics of Key Variables

<table>
<thead>
<tr>
<th></th>
<th>Min</th>
<th>1st Qu.</th>
<th>Median</th>
<th>Mean</th>
<th>3rd Qu.</th>
<th>Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Conservatism</td>
<td>-1.019</td>
<td>-0.208</td>
<td>-0.025</td>
<td>-0.053</td>
<td>0.123</td>
<td>0.669</td>
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<tr>
<td>Median Income ($100,000)</td>
<td>0.15</td>
<td>0.3408</td>
<td>0.42</td>
<td>0.46</td>
<td>0.56</td>
<td>1.40</td>
</tr>
<tr>
<td>City Population (100,000)</td>
<td>0.20</td>
<td>0.26</td>
<td>0.39</td>
<td>0.81</td>
<td>0.67</td>
<td>80.08</td>
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<td>Percent Black</td>
<td>0.001</td>
<td>0.016</td>
<td>0.043</td>
<td>0.115</td>
<td>0.146</td>
<td>0.977</td>
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<td>Housing Value</td>
<td>0.36</td>
<td>0.85</td>
<td>1.17</td>
<td>1.45</td>
<td>1.70</td>
<td>9.94</td>
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<td>Policy Scale</td>
<td>-2.39</td>
<td>-0.63</td>
<td>-0.04</td>
<td>-0.02</td>
<td>0.61</td>
<td>3.73</td>
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<td>Expenditures Per Capita</td>
<td>15</td>
<td>943</td>
<td>1,234</td>
<td>1,541</td>
<td>1,770</td>
<td>14,053</td>
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<td>Taxes Per Capita</td>
<td>49</td>
<td>461</td>
<td>609</td>
<td>759</td>
<td>854</td>
<td>8,629</td>
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<td>Share of taxes from sales tax</td>
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<td>0.12</td>
<td>0.25</td>
<td>0.28</td>
<td>0.40</td>
<td>0.92</td>
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Table 2: Association Between City Liberalism and Policy Outcomes

<table>
<thead>
<tr>
<th></th>
<th>Scaled Policy (1)</th>
<th>Per Capita Expend. (2)</th>
<th>Per Capita Taxes (3)</th>
<th>Sales Tax Share (4)</th>
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</thead>
<tbody>
<tr>
<td>(Intercept)</td>
<td>0.13*</td>
<td>1,838.85**</td>
<td>898.88**</td>
<td>0.35**</td>
</tr>
<tr>
<td></td>
<td>(0.07)</td>
<td>(207.31)</td>
<td>(144.72)</td>
<td>(0.05)</td>
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<tr>
<td>Policy Conservatism</td>
<td>1.19**</td>
<td>-760.75**</td>
<td>-365.93**</td>
<td>0.08**</td>
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<tr>
<td></td>
<td>(0.18)</td>
<td>(97.42)</td>
<td>(147.65)</td>
<td>(0.02)</td>
</tr>
<tr>
<td>Median Income</td>
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<td>-720.01**</td>
<td>77.32</td>
<td>-0.22**</td>
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<tr>
<td></td>
<td>(0.35)</td>
<td>(204.90)</td>
<td>(92.21)</td>
<td>(0.04)</td>
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<td>City Population</td>
<td>-0.01</td>
<td>54.41**</td>
<td>35.72**</td>
<td>-0.00</td>
</tr>
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<td>(7.77)</td>
<td>(3.42)</td>
<td>(0.00)</td>
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<tr>
<td>Percent Black</td>
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<td>330.05*</td>
<td>328.28**</td>
<td>-0.13**</td>
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<td></td>
<td>(0.39)</td>
<td>(177.82)</td>
<td>(79.32)</td>
<td>(0.04)</td>
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<td>Med. Housing Value</td>
<td>-0.15**</td>
<td>238.69**</td>
<td>183.87**</td>
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<td>(0.06)</td>
<td>(39.24)</td>
<td>(17.42)</td>
<td>(0.01)</td>
</tr>
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</table>

Observations: 437
Log Likelihood: -546.35
Akaike Inf. Crit.: 1,100.71
Bayesian Inf. Crit.: 1,117.03

**p < 0.05, *p < 0.1
Table 3: Effect of Institutions on Responsiveness

<table>
<thead>
<tr>
<th>Dependent variable:</th>
<th>Scaled Policy</th>
<th>Per Capita Expend.</th>
<th>Per Capita Taxes</th>
<th>Sales Tax Share</th>
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<td>1,723.01**</td>
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<td></td>
<td>(0.07)</td>
<td>(0.18)</td>
<td>(207.31)</td>
<td>(217.25)</td>
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<tr>
<td>Policy Conservatism</td>
<td>1.19**</td>
<td>1.05**</td>
<td>-760.75**</td>
<td>-376.42**</td>
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<td></td>
<td>(0.18)</td>
<td>(0.41)</td>
<td>(97.42)</td>
<td>(227.12)</td>
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<td>Elected Mayor</td>
<td>0.43**</td>
<td>0.36</td>
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<td></td>
<td>(0.11)</td>
<td>(0.16)</td>
<td>(53.65)</td>
<td>(24.43)</td>
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<td>Direct Democracy</td>
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<td>0.11</td>
<td>119.43**</td>
<td>42.99*</td>
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<td>(0.10)</td>
<td>(0.16)</td>
<td>(53.33)</td>
<td>(24.33)</td>
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<td>Partisan Elections</td>
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<td>-0.06</td>
<td>-34.69</td>
<td>85.54**</td>
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<td>(0.16)</td>
<td>(0.10)</td>
<td>(83.38)</td>
<td>(38.70)</td>
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<td>(0.10)</td>
<td>(0.10)</td>
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<td>39.54</td>
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<td>-0.16**</td>
</tr>
<tr>
<td></td>
<td>(0.40)</td>
<td>(192.32)</td>
<td>(97.46)</td>
<td>(0.04)</td>
</tr>
<tr>
<td>Median Housing Value</td>
<td>-0.15**</td>
<td>245.01**</td>
<td>184.08**</td>
<td>0.01</td>
</tr>
<tr>
<td></td>
<td>(0.06)</td>
<td>(38.95)</td>
<td>(17.65)</td>
<td>(0.01)</td>
</tr>
<tr>
<td>Conservism x Mayor</td>
<td>-0.16</td>
<td>-295.48</td>
<td>23.79</td>
<td>-0.03</td>
</tr>
<tr>
<td></td>
<td>(0.45)</td>
<td>(182.93)</td>
<td>(83.32)</td>
<td>(0.04)</td>
</tr>
<tr>
<td>Conser. x Direct Dem.</td>
<td>-0.06</td>
<td>64.86</td>
<td>15.16</td>
<td>0.04</td>
</tr>
<tr>
<td></td>
<td>(0.37)</td>
<td>(192.35)</td>
<td>(87.26)</td>
<td>(0.04)</td>
</tr>
<tr>
<td>Conser. x Part. Elect.</td>
<td>-0.06</td>
<td>-195.20</td>
<td>-96.51</td>
<td>-0.04</td>
</tr>
<tr>
<td></td>
<td>(0.49)</td>
<td>(235.00)</td>
<td>(107.83)</td>
<td>(0.05)</td>
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<tr>
<td>Conser. x Term Limits</td>
<td>-0.14</td>
<td>-286.56</td>
<td>-32.34</td>
<td>0.03</td>
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<tr>
<td></td>
<td>(0.40)</td>
<td>(209.05)</td>
<td>(94.89)</td>
<td>(0.04)</td>
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<tr>
<td>Conser. x At-large</td>
<td>0.11</td>
<td>441.78**</td>
<td>23.14</td>
<td>-0.07**</td>
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<tr>
<td></td>
<td>(0.34)</td>
<td>(166.79)</td>
<td>(76.13)</td>
<td>(0.03)</td>
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| Observations | 437 | 428 | 1,619 | 1,461 | 1,575 | 1,433 | 968 | 907 |
| Log Likelihood | -546.35 | -536.35 | -13,218.37 | -11,757.12 | -11,729.34 | -10,420.13 | 635.54 | 593.74 |
| Akaike Inf. Crit. | 1,100.71 | 1,108.70 | 26,444.74 | 23,550.23 | 23,466.68 | 20,876.26 | -1,263.08 | -1,151.49 |
| Bayesian Inf. Crit. | 1,117.03 | 1,181.76 | 26,466.30 | 23,645.40 | 23,488.13 | 20,971.08 | -1,243.58 | -1,064.90 |

**p < 0.05, *p < 0.1
### Policy Preferences of Mass Public by City

(More than 250,000 people)

<table>
<thead>
<tr>
<th>City</th>
<th>Score</th>
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<td>Las Vegas, NV</td>
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<td>Lexington-Fayette County, KY</td>
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<tr>
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<td>El Paso, TX</td>
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<td>Indianapolis, IN</td>
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<tr>
<td>Columbus, OH</td>
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<td>Raleigh, NC</td>
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<td>Sacramento, CA</td>
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<td>Philadelphia, PA</td>
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<td>St. Louis, MO</td>
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<td>Seattle, WA</td>
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</tr>
<tr>
<td>Washington, DC</td>
<td>0.93</td>
</tr>
</tbody>
</table>

**Figure 1:** Mean Policy Conservatism of Large Cities
Figure 2: Responsiveness of City Policy to Public Ideology. Each circle represents a city, with diameter scaled to log population. The lines are unweighted loess curve fits. Two letter abbreviations are shown for cities that are in the top 10 most populous in America and the District of Columbia.
Figure 3: Responsiveness- Zoomed. This Figure repeats the panels on the right side of Figure 2 with a restricted y-axis. A linear regression line and loess curve is shown in each panel.
Figure 4: Error Distribution of Responsiveness Residuals. These figures graph the posterior distributions of the prediction errors from four Bayesian models that correspond to the models 2, 4, 6 and 8 of Table 3.
Figure 5: Type of Government. The black points in each panel are municipalities with elected mayors and the grey points are municipalities with council manager governments. Each black line is the loess curve for the mayoral cities. The grey line is a weighted loess curve for the council-manager cities that uses entropy balancing matching weights. These weights are chosen to achieve balance between the two institutional conditions on median income, median home values, population, city conservatism and the use of partisan elections, ballot initiatives, term limits, and at-large districts.
Figure 6: Partisan Elections. The black points in each panel are municipalities with partisan elections and the grey points are municipalities with non-partisan elections. Each black line is the loess curve for the partisan-election cities. The grey line is a weighted loess curve for the non-partisan election cities that uses entropy balancing matching weights. These weights are chosen to achieve balance between the two institutional conditions on median income, median home values, population, city conservatism and the use of direct mayoral elections, ballot initiatives, term limits, and at-large districts.
Figure 7: Direct Democracy. The black points in each panel are municipalities that allow ballot initiatives and the grey points are municipalities that do not. Each black line is the loess curve for the ballot initiative cities. The grey line is a weighted loess curve for the non-ballot initiative cities that uses entropy balancing matching weights. These weights are chosen to achieve balance between the two institutional conditions on median income, median home values, population, city conservatism and the use of direct mayoral elections, partisan elections, term limits, and at-large districts.
Figure 8: Term Limits. The black points in each panel are municipalities that have city council term limits and the grey points are municipalities that do not. Each black line is the loess curve for the term limit cities. The grey line is a weighted loess curve for the non-term limit initiative cities that uses entropy balancing matching weights. These weights are chosen to achieve balance between the two institutional conditions on median income, median home values, population, city conservatism and the use of direct mayoral elections, partisan elections, ballot initiatives, and at-large districts.
Figure 9: At-Large Elections. The black points in each panel are municipalities that have at-large elections and the grey points are municipalities that do not. Each black line is the loess curve for the at-large cities. The grey line is a weighted loess curve for the mixed or single-member district cities that uses entropy balancing matching weights. These weights are chosen to achieve balance between the two institutional conditions on median income, median home values, population, city conservatism and the use of direct mayoral elections, partisan elections, ballot initiatives, and term limits.
A  City Policy Preferences: Description & Validation

We estimate municipal policy preferences by combining our large dataset of citizens' ideal points with a multilevel regression and poststratification (MRP) model (Park, Gelman, and Bafumi, 2004; Lax and Phillips, 2009). This approach employs Bayesian statistics and multi-level modeling to incorporate information about respondents' demographics and geography in order to estimate the public opinion of each geographic sub-unit. One way of thinking about an MRP model is to compare it to a weighted survey estimate that applies very finely tuned weightings, based on Census data, of specific demographic-geographic types. It estimates each individual's response as a function of both demographic and geographic predictors.

MRP models have been found to produce very accurate estimates of public opinion by state and congressional district with national samples of just a few thousand respondents (Park, Gelman, and Bafumi, 2004; Lax and Phillips, 2009; Warshaw and Rodden, 2012)

There are two stages to the MRP model. In the first stage, we estimate each individual's opinion on a given issue as a function of his or her demographics, city, and state (for individual \( i \), with indexes \( r, g, e, c, s, \) and \( z \) for race, gender, education category, city, state, and region, respectively). We incorporate this information using the following hierarchical model for respondent's responses:

\[
y_i = \gamma_0 + \alpha_{r[i]}^{race} + \alpha_{g[i]}^{gender} + \alpha_{e[i]}^{edu} + \alpha_{c[i]}^{city} + \epsilon
\]

where:

- \( \alpha_{r[i]}^{race} \) for \( r = 1, \ldots, 4 \)
- \( \alpha_{g[i]}^{gender} \) for \( r = 1,2 \)
- \( \alpha_{e[i]}^{edu} \) for \( e = 1, \ldots, 5 \)

That is, each individual-level variable is modeled as drawn from a normal distribution.
with mean zero and some estimated variance. Following previous work using MRP, we assume that the effect of demographic factors do not vary geographically. We allow geography to enter into the model by adding a city level to the model, and giving each city a separate intercept.

The city effects are modeled as a function of the state into which the city falls, the city’s average income, the percentage of the city’s residents that are military veterans, and the percentage of couples in each city that are in same-sex couples. The state effects, in turn, are modeled as a function of the region into which the state falls, the percentage of the state’s residents that are union members, and the state’s percentage of evangelical or Mormon residents. Finally, the region variable is another modeled effect. We group states into regions based on their general ideology and vote in presidential elections.

The second stage is post-stratification. In this stage, we use the multi-level regression to make a prediction of public opinion in each demographic-geographic sub-type. The estimates for each respondent demographic geographic type are then weighted by the percentages of each type in the actual city populations. Finally, these predictions are summed to produce an estimate of public opinion in each city.

**Validation of City Policy Preferences**

In this section, we use a number of complementary approaches to validate our estimates of city policy preferences. First, we demonstrate the face validity of our estimates by showing our estimates for all large cities in the country, as well as a subset of cities in four states. Next, we show the internal validity of our estimates by comparing them with raw, disaggregated
estimates of the policy preferences in each city based on our sample of 275,000 Americans. Finally, we use two separate approaches to demonstrate the external validity of our estimates. We show that our estimates are highly correlated with city-level presidential vote shares in both 2004 and 2008. We also show that our estimates are highly correlated with estimates of symbolic ideology from survey samples collected by the Knight Foundation in twenty-six medium and large cities in 2002.

Face Validity

In order to demonstrate the face validity of our estimates of city conservatism, figure 1 shows the policy preferences of the 51 cities with a population larger than 250,000 people. We find significant variation in the policy preferences of cities. Not surprisingly, we find that San Francisco, Washington DC, and Seattle are three of the most liberal cities in the country. Mesa AZ, Oklahoma City OK and Virginia Beach VA are three of the most conservative cities.

Figure 1 about here

Figure 11 shows the mass public's policy preferences for cities in Texas, Virginia, Michigan, and Massachusetts with more than 75,000 people. The upper-left panel shows the policy preferences of cities in Texas. As one would expect, Austin is the most liberal city. Other large, racially diverse cities, such as Dallas and Houston, are also quite liberal. On the other end of the spectrum, Plano and Amarillo are two of the most conservative cities.

Figure 11 about here
The upper-right panel shows the policy preferences of cities in Virginia. It shows that heavily African-American Richmond is the most liberal city in the state, closely followed by the Northern Virginia cities of Arlington, and Alexandria. In contrast, the most conservative cities, such as Virginia Beach and Chesapeake, are concentrated in southern Virginia near the Newport News Naval Base.

The lower-left panel shows the policy preferences of cities in Michigan. Detroit and Ann Arbor are far and away the most liberal cities. Sterling Heights, Livonia, and Warren are the three most conservative cities. Finally, the lower-right panel shows the policy preferences of cities in Massachusetts. Liberal communities in the greater Boston area, such as Cambridge, Boston, Newton, and Somerville, are the most liberal cities in the state. While no cities in Massachusetts are to the right of the national mean, Lowell and New Bedford are two of the more conservative cities.

**Internal Validity**

Next, we examine the relationship between our MRP-based estimates of city conservatism and the raw, disaggregated estimates of the mean policy conservatism in each city from our sample of 275,000 survey respondents. The top panel of figure 12 shows that there is a very strong relationship between our MRP-based estimates of city conservatism and the raw, disaggregated estimates of the mean policy conservatism in each city (r=.88). Of course, the disaggregated estimates are plagued by significant measurement error in cities with small samples, which is the reason that we use MRP to improve our estimates of the mass public’s preferences in each city. Thus, the bottom panel only looks at cities with more than 100,000 people. In these cities, there is a .98 correlation between the MRP and
disaggregated estimates of city conservatism.

External Validity

Next, we examine the external validity of our estimates by comparing them to several alternative measures of city conservatism. One approach commonly employed in previous studies is to use presidential vote share as a proxy for the ideology of geographic units (e.g., Canes-Wrone, Brady, and Cogan 2002; Erikson and Wright 1980). The advantage of this approach is that it is explicitly based on electoral behavior and it is available across most cities.

First, we examine the association between our estimates of city conservatism and 2008 presidential vote shares. We estimate 2008 presidential vote share in each city based on precinct-level election returns (Harvard Election Data Archive, 2012). The top panel of figure 13 shows that there is a strong relationship between presidential vote share and our estimates of city conservatism. Overall, our estimates of city policy conservatism are correlated with presidential vote share in the 2008 election at .77. Moreover, there appear to be relatively few outlier cities. This suggests that our estimates are accurately capturing cities’ policy preferences on a left-right continuum.

To further validate our estimates, we compare them with estimates of presidential vote shares from the 2004 election that the Bay Area Center for Voting Research compiled for cities with a population greater than 100,000 according to the 2000 Census. According to the study’s documentation, the researchers obtained information for the applicable cities located

\footnote{Due to our GIS-based matching process, there may be some measurement error in our estimates of presidential vote shares when precinct boundaries do not correspond perfectly with city boundaries.}
within each state by contacting the city recorder, city clerk, or other designated city official. In many instances, it was the recorder of the county in which that city was located that held the information by precinct. The votes were tabulated by combining the voting returns from all of the precincts located in a particular city. The lower panel of figure 13 shows the results. Overall, there is a correlation of .85 between our estimates of city conservatism and presidential vote shares in 2004.

*Figure 13 about here*

Of course, presidential vote shares are not a perfect proxy for ideology (Kernell 2009). Presidential vote shares in any given election may be largely the product of short-term forces (Levendusky, Pope, and Jackman 2008). In addition, even if short-term forces could be removed, the medians of district preferences can only be ranked ordinally based on presidential vote share if researchers are willing to assume equal variance across districts (Kernell 2009). Thus, as a further validation of our estimates, we compare them with a high quality survey-based measure of city ideology (Palus, 2010).

In 2002, the John S. and James L. Knight Foundation commissioned a survey of twenty-six communities in which Knight-Ridder newspapers were located. In these surveys, it asked citizens for their symbolic ideology on a five point scale. There are between 138-736 respondents in the core city of each community.\(^{19}\) We use these samples to estimate the mean self-identified ideology for the Knight-Ridder cities. The top panel of Figure 14 shows the relationship between our estimates of city conservatism and the estimates of ideology from the Knight-Ridder survey. Overall, there is a correlation of .73 between our estimates and

\(^{19}\)Due to these relatively small sample sizes, there is considerable measurement error in the ideology estimates for these cities.
the estimates of ideology from the Knight-Ridder survey.

Summary

Overall, this appendix has shown that our estimates of city policy conservatism are both internally and externally valid. They are highly correlated with the raw, disaggregated measures of city policy preferences from our survey data. They are also highly correlated with several external metrics of city conservatism, including both presidential vote shares and a survey-based measure of city ideology.
Policy Preferences of Mass Public by City (More than 250,000 people)

Mesa, AZ: 0.41
Oklahoma City, OK: 0.25
Virginia Beach, VA: 0.23
Colorado Springs, CO: 0.18
Jacksonville, FL: 0.16
Arlington, TX: 0.16
Anaheim, CA: 0.13
Omaha, NE: 0.08
Tulsa, OK: 0.08
Aurora, CO: 0.03
Anchorage, AK: 0.01
Fort Worth, TX: 0
Fresno, CA: 0
Corpus Christi, TX: -0.01
San Antonio, TX: -0.01
Nashville-Davidson County, TN: -0.02
Wichita, KS: -0.03
Las Vegas, NV: -0.03
Phoenix, AZ: -0.04
Lexington-Fayette County, KY: -0.04
Riverside, CA: -0.07
El Paso, TX: -0.07
Louisville, KY: -0.1
Indianapolis, IN: -0.12
Tampa, FL: -0.16
Charlotte, NC: -0.17
Toledo, OH: -0.17
Houston, TX: -0.17
Santa Ana, CA: -0.19
Cincinnati, OH: -0.22
Tucson, AZ: -0.23
Albuquerque, NM: -0.23
Dallas, TX: -0.23
Columbus, OH: -0.26
Milwaukee, WI: -0.26
Long Beach, CA: -0.27
Raleigh, NC: -0.29
San Jose, CA: -0.32
Sacramento, CA: -0.33
Memphis, TN: -0.33
San Diego, CA: -0.36
Hawaii: -0.37
Kansas City, MO: -0.38
Cleveland, OH: -0.42
Miami, FL: -0.43
Atlanta, GA: -0.48
Newark, NJ: -0.48
Denver, CO: -0.48
Pittsburgh, PA: -0.49
Los Angeles, CA: -0.49
New Orleans, LA: -0.51
Philadelphia, PA: -0.52
St. Louis, MO: -0.52
Austin, TX: -0.53
St. Paul, MN: -0.53
Portland, OR: -0.59
Chicago, IL: -0.63
Baltimore, MD: -0.66
Buffalo, NY: -0.69
New York, NY: -0.69
Detroit, MI: -0.73
Minneapolis, MN: -0.77
Boston, MA: -0.81
Oakland, CA: -0.87
Seattle, WA: -0.87
Washington, DC: -0.93
San Francisco, CA: -1

Figure 10: Policy Conservatism of Large Cities
Figure 11: Mean Policy Conservatism of Cities in Four States
Term Limits:
A Reform that Works

by Patrick Basham
edited by MacMillin Slobodien,
Executive Director of Our Generation
Introduction

Term limits are the most significant institutional change in American politics since the reform era of the 1960s and 1970s. Passage of Term Limits legislation over the past 15 years continue to have a positive impact in state legislatures around the country.

The first states to vote on implementing term limits were California, Colorado and Oklahoma in 1990, and the most recent state was Nebraska in 2000. In all, voters in 21 states have approved legislative term limits. However, the limits were either repealed by fearful legislatures (Idaho and Utah) or thrown out by state courts (Massachusetts, Oregon, Washington and Wyoming) in six states, leaving 15 states with term limits currently on the books, while others are debating their adoption. By 2010, term limits were in operation in all 15 affected states.

Consequently, 2,244 state legislators have termed out since 1996. Furthermore, 17,000 local politicians in 2,900 cities, counties and towns throughout 40 states are now subject to term limits. At the national level, between 1990 and 1994, 22 states amended their constitutions by imposing term limits on Members of Congress. Many legal scholars consider this to be the largest grassroots movement in modern American history.

In 1995, a slim five-to-four majority in the U.S. Supreme Court derailed the movement at the federal level, ruling that state-initiated congressional term limits are unconstitutional. Nonetheless, the movement resurfaced in 2010, as the populist Tea Party seized upon term limits as one instrument through which America's political system could be restored to its founding principles. As a consequence of the publicity, the Tea Party revitalized public support for a proposed term limits amendment to the U.S. Constitution.

We are now able to move beyond mere speculation and assess the available sample of term-limited states. Although largely positive, the effects of term limits vary with the length and severity of the legislative service restriction. Predictably, term limits have had the largest impact in states in which there was the greatest potential for change.

The balance of the available research evidence supports the following four conclusions:

1. term limits stimulate electoral competition in state legislative elections;
2. term limits enable nontraditional candidates to run for seats in state legislatures;
3. term limits weaken the leadership of state legislatures because they weaken seniority systems in those bodies; and,
4. term limits promote/advance public policies compatible with limited government.

Overall, term limits foster more energetic, more ideological, and more effective deliberative legislative bodies.

---

1 See, for example, the Joint Project on Term Limits, quoted in Matthew C. Moen, et al., Changing Members: The Maine Legislature in the Era of Term Limits (Lanham, MD: Lexington Books, 2005) 2.
History of Term Limits

Term limits are not a new concept. The historical roots of term limits go as far back as Athenian democracy in the fifth century B.C. and are grounded in traditional republican and classical liberal models of limited, democratic government. In Colonial America, term limits were referred to as the "rotary system," or the principle of "rotation in office." The New England Colony's charter provided for the rotation of public officials and a limit on years of office-holding. By 1777, seven (of the 10) new state constitutions provided for rotation in office. Convened in 1777, the Continental Congress approved the Articles of Confederation that became the nation's first constitution in 1781. The articles included rotation of offices and limited federal legislators to a maximum of three years in Congress.

In 1787, the Constitutional Convention in Philadelphia revised the Articles of Confederation, thereby producing the nation's second constitution. Clearly, the Framers intended the country to be governed by successive citizen congresses. After all, as Gale Norton, a former U.S. Interior Secretary and a former Colorado Attorney General, reminds us: "The Framers... lived in a different time. Congress as they envisioned it did not need term limits, because Congressional service as they envisioned it was always going to be a part-time job.... That assumption, understandable in its day, allowed the Framers to believe that Congress would just naturally remain a citizen legislature, without any Constitutional requirement that those serving in Congress not spend their entire lives there."

The Framers debated the idea of mandatory rotation but, confident that sufficient safeguards (such as short terms in office and voluntary retirements) were in place to forestall careerism and concerned that its inclusion meant "entering into too much detail" for a short document, they set aside the arguments of the anti-Federalists and chose not to include a term limits provision in the new Constitution. Moreover, President George Washington's voluntary retirement after his second term in office established a precedent that held among occupants of the White House until the mid-20th century administration of Franklin D. Roosevelt. As Mark P. Petracca establishes, "A general aversion to making a career of legislative service also characterized state and local politicians." At the state level, gubernatorial term limits have been commonplace throughout our nation's history.

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2 Steven Millman, "Term Limitations: Throwing Out the Bums—or the Baby with the Bathwater?" http://web.mit.edu/millman/www/WPSA.html.
3 See, for example, A.H.M. Jones, Athenian Democracy (Baltimore: Johns Hopkins University Press, 1986) 105.
10 Presidential term limits were introduced by the Twenty-Second Amendment to the Constitution on February 27, 1951.
11 Petracca 5.
Municipal term limits have been in place since 1851 when the Indiana Constitution prescribed county-level limits. At the federal level, a tradition of voluntary retirement after only one or two terms in the U.S. House of Representatives lasted until nearly the end of the 19th century. From 1830 to 1850, turnover in the House averaged 51.5 percent. After the Civil War, legislative tenure gained new importance when the introduction of the seniority principle for congressional committee membership changed the dynamics of obtaining leadership positions. Consequently, between 1860 and 1920 House members' average tenure increased from four to eight years, and it has continued to rise ever since.

In the 1960s and 1970s, the average state legislature experienced the turnover of one-third of its members every two years. During the 1980s, however, turnover declined considerably, and by 1988 average turnover had fallen to only 16 percent of state legislators. Overall, during the 1980s, 99.3 percent of unindicted congressional and state legislative incumbents won re-election.

### Challenging a Careerist Political Class

Term limits seek to improve American democracy by addressing the problem of careerism. As state legislatures have become more professional, they have attracted candidates who can and do spend their entire careers in the state capital. Careerism flourishes because incumbents are virtually certain to be re-elected, largely because of the inherent advantages of holding office.

Careerism poses several problems for our system of representative democracy. Once in office, careerist legislators pay less attention to the needs and wishes of their constituents. Moreover, careerist elected officials become a political class attentive to their own interests. As term limits activist Eric O’Keefe writes, “The problem, quite simply, is that our representatives are not representative. They are a separate class, identifying their interests with those of the government, not the people. When the interests of the government in which they serve and the people they putatively serve conflict...they invariably side with the government.”

Substantial and continuing public support for term limits suggests widespread distaste for careerism in politics, as well as a conviction that the continual infusion of fresh blood into state legislatures will improve American government.

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14 Ibid. Grant 516.
15 Grant 516.
Term Limits continue to be opposed by a majority of politicians and by a majority of the legislative staff, bureaucrats, journalists, and interest groups that depend on politicians for employment, patronage, sources, and votes. Special interest groups (especially large, heavily regulated corporations, as well as unions that rely on government intervention in the labor market) have long viewed term limits as anathema to their interests.

These opponents of term limits emphasize the benefits of seniority and experience. Critics lament the projected loss of experienced legislators. In short, critics believe that institutional memory will be lost. It is predicted that this would lead to less effective legislatures, with some suggestion that policymaking will suffer from a lack of careful deliberation and compromise. Furthermore, critics predict a significant rise in the influence of the remaining tenured actors – bureaucrats, lobbyists and legislative staffers – who would run institutional rings around the rookie legislators.

More Competitive Elections

Unquestionably, term limits have made elections more competitive. More candidates for office and the increased turnover of state legislatures have produced better choices for voters. Term limits have had a much richer effect on state legislative careers than previously understood, as they reduce the benefits of seeking re-election even for state legislators who are eligible to run, and reduce the opportunity cost of running for other offices. By increasing the supply of experienced challengers, term limits increase competition in elections for non-term-limited offices and, consequently, the quality of representation provided by those elected.

Among its many advantages, vigorous electoral competition helps states to avoid budgetary problems. More generally, by truncating service term limits create massive turnover in some state legislatures in which they exist, bringing flocks of newcomers into office.

Number of Candidates

An increase in voter choice is achieved, in part, by the fact that term limits increase the number of candidates seeking election. To cite some examples:

In California, the imposition of state-level term limits in 1990 led two years later to an increase of more than 25 percent in candidate filings for the state Senate and more than 50 percent for the state Assembly. With term limits creating an unprecedented number

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of open seats, an historic number of candidates competed for New York City’s citywide elections in 2001.24

More recently, in Nebraska, 83 candidates filed to run for 24 state Senate seats in the 2006 primary. This constituted a 51 percent increase over the number of candidates who ran in the primary in 2004 and a 66 percent increase over the 2002 primary.25 At the time of writing, in San Antonio, 38 candidates are running for only 11 city council seats in the city’s May 14, 2011, election.

In 1990, Proposition 140 made California one of the first three states to adopt term limits for legislators. California’s term limits are among the strictest: six years in the Assembly and eight years in the Senate. In every election cycle, at least 10 senators and 27 assembly members are termed out. California State Assembly elections have experienced a modest, but significant, decline in incumbents’ average winning margin since term limits went into effect in 1996.

Overcoming incumbent advantage is one of the most useful results of term limits. Without term limits, there is little competition when incumbents run for re-election because they have such a huge fundraising advantage and possess an equally large advantage in name identification. Jon Fleischman, an influential California political blogger, argues that term limits provide the only practical opportunity for voters to “have a real impact on their representation in Sacramento.”26

An empirical analysis of the general election results for the lower state house in five states – Montana, California, Florida, Michigan and Arkansas – found that the overall margin of victory fell nearly 2.5 points after term limits were enacted, which is a statistically significant change. In Florida, the margin of victory declined 2.7 points after term limits. California saw a nearly two point decline in the margin of victory after term limits.27

During the last three California state legislative primary cycles, only 37 (42 percent) of all Assembly open seat primaries (89 in total) were seriously contested28 and only nine of 31 Senate primaries met that test. This represents significantly more competition than before term limits. In the races in the last three legislative primary cycles before the advent of term limits in 1992, there were only 23 open seat races in the Assembly (compared to 89 post-term limits), and only 14 of those were seriously contested in the primaries. In the Senate, there were only seven open seats (against 31 post-term limits) and of those seven, none had contested primaries (all but two involved the elevation of incumbent Assembly members).29

In the 1990s, many political scientists predicted that, as the traditional minority party, Republicans would benefit disproportionately from term limits by eliminating the Democrats’ incumbency advantage. In practice, however, term limits are not inherently biased in favor of either of the major parties. Republicans have not gained

27 Jeff Shank, Term Limits, SSRF, University of Nebraska, August 21, 2009.
28 Here, “seriously contested” is defined as the victor winning by under 15 percent of the popular vote.
29 Naylor. Page 3.
representation at the state legislative level under term limits, as was predicted by liberal term limits critics.

Furthermore, there is evidence that, in practice, term limits act as a natural campaign finance reform method, as in some states legislative term limits have reduced campaign expenditures. It seems that term limits diminish the value of a legislative seat to lobbyists and the special interests they represent in state capitals.

**Increased Legislative Diversity**

Overall, there has been an increase in the number of candidates from outside the political establishment and the number of successful female and minority candidates has risen. Female, Hispanic-American and Asian-American candidates find it easier to enter term-limited legislatures than non-term limited bodies. The record is more mixed for African Americans.

A recent analysis examined the number of female legislators in both chambers of the state legislatures in all 50 states from 1990 to 2006. The study included 21 states with term limits and 29 states that had never had term limits. The results suggest a positive relationship between term limits and women's representation in state legislatures. This research is among the first to show a statistically significant relationship; the actual impact is estimated at 2.6 percent. In other words, women's representation in legislatures is approximately 2.6 percent higher in term-limited states than in non-term limited states.  

The proportion of minority members elected to the Michigan House, for example, peaked in the 2000 election at 18 percent following term limits from a pre-term limits proportion of just ten percent in the 1990s. This proportion declined in the 2002 election to 15 percent but has since remained above the pre-term limits levels.

**Better Legislative Institutions**

It is clear that term limits have brought many changes to the legislatures in which they are in effect. To date, terms limits have had a greater effect on those legislatures considered to be more professional.

More specifically, term limits opponents have charged that regular turnover of lawmakers would diminish institutional knowledge and political experience. However, in many cases term limits have reinvigorated state legislatures, broken up the political class, and injected new ideas into the political mainstream. Furthermore, the faster turnover of office-holders has weakened the relationship between careerist politicians and special-interest lobbyists.

Many anti-term limits studies are deeply flawed, in a methodological sense, as they rely on a combination of interviews with current and former legislators, staffers and lobbyists, or

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30 Valerie O'Regan and Stephen Stambough, "Are Term Limits a Woman Candidate's Friend?" presented at the annual meeting of the Western Political Science Association, Vancouver, Canada, 19 Mar. 2009.
survey data from these stakeholders. Consequently, a great deal of self-interested opinion, but very little actual behavior, is examined in these studies. More rigorous research is available that sheds considerable light on the institutional changes wrought by term limits.

**More Representative of Voter Preferences**

Although a 2006 nationwide survey found that term-limited state legislators feel less constrained by their constituencies, more recent research finds no evidence that term-limited legislators are any less representative of their constituents than are non-term limited legislators. These results are consistent with the so-called “sorting model,” found in economics literature, in which elections are reasonably efficient at selecting leaders whose preferences align with those of their districts.

In fact, term limits – or even the mere threat of term limits – increases the responsiveness of politicians’ policy platforms. Even in cases in which term limits do not produce much partisan change, they are likely to produce legislators who are closer to the median voters in their districts than in situations in which term limits do not apply.

**Greater Ideological Consistency**

Term-limited legislators are more likely to be motivated by issues than their non-term limited predecessors. There is further positive news for those who believe politicians should provide voters with, in Barry Goldwater’s famous phrase, “a choice, not an echo.” Anyone favoring more elected officials who stand on principle and refuse to bend to the latest focus group-driven political wind will be encouraged by the following: it has been found, using individual voting records, that term-limited liberal legislators behave more liberally during their last period in office, and term-limited conservative legislators behave more conservatively.

Periodic elections are the main instrument through which voters can hold politicians accountable. From this perspective term limits, which restrict voters’ ability to reward politicians with re-election, may appear counterproductive. Nevertheless, economic research shows that, by reducing the value of holding office, term limits can induce politicians to implement policies that are closer to their private preferences. Such “truthful” behavior by incumbents in turn results in better screening of incumbents. The combination of these two effects increases the benefits (economic and non-economic) to voters.

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36 Ibid. Chen and Nicu: 390.
Less Powerful Party Leaders, Committees and Lobbyists

Term limits have not strengthened interest groups, state bureaucracies or legislative staffs, as predicted by critics of term limits. In truth, lobbyists are unsettled by the term limits–induced need to build new relationships from scratch.

By mandating frequent turnover, term limits bring new perspectives to state legislatures. The introduction of an arguably higher quality, more richly experienced, and more diverse pool of candidates and legislators has led to an infusion of new blood and ideas. For example, freshman legislators tend to ask tougher questions of bureaucrats and demand a higher level of performance from government agencies than did their predecessors.

The earliest research suggested that term limits should reorient power within the legislature, pulling authority away from party leaders and toward rank-and-file members. In practice, term-limited legislators exercise greater independence than their non-limited peers and appear less fearful of incurring the wrath of either party power brokers or special interest groups. The findings from the very latest research analysis confirm that, in the average state, party leaders lose a small, but statistically significant, degree of influence when limits are implemented in the lower chamber of the legislature.

Committees are often described as “where the action is” in a legislature. So understanding the impact of term limits on committees is crucial to understanding their effect on the work of a legislature. Term-limited legislatures report reduced influence of committees. Generally speaking, term limits diffuse power in state legislatures, both by decreasing average contributions to incumbents and by reducing the power of party caucus leaders relative to other members.

Regarding interest group influence, term limits have a slight negative impact in states, such as Florida, with very powerful interest group systems. That is, term limits have reduced the influence of lobbyists in Tallahassee and, arguably, in other state capitals throughout the nation.

Term limits diminish the value of a legislative seat to lobbyists and the special interests they represent because term limits increase the cost of lobbying individual politicians. That reduces the incentive for lobbyists to raise and distribute large campaign contributions, as the term-limited citizen legislator will be in office for a comparatively short time. Furthermore, term-limited politicians are far more likely to have nonpolitical sources of income. Therefore, they are less likely to succumb to the enticements of lobbyists.

Better Policymaking

Contemporary policymaking is nearly always a protracted process, producing complex pieces of legislation that are actually read by very few legislators and properly understood by an even smaller number. It is therefore noteworthy that, according to one study, term limits reduced policy complexity in three hybrid and citizen legislatures, although laws became increasingly intricate in the highly professional California legislature.

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It has always been alleged that term limits have the potential to encourage a politician to shirk his or her duties during the last term in office. However, research evidence suggests that this is not the case, at least not for governors who may have career interests beyond their current office.43

An empirical analysis of the legislative record produced by states between 1990 and 2004 found that term-limited legislatures perform the people's business more efficiently than do non-limited legislatures.44 New York University's Brennan Center for Justice compared different legislative practices across all 50 states and studied legislative enactment rates. Michigan enacted 69 percent of introduced bills, Ohio 52 percent, and California 41 percent—all in term-limited legislatures. In striking contrast, Wisconsin, Pennsylvania, Massachusetts, New York, and New Jersey had enactment rates ranging from 2.7 percent to 8.5 percent. The latter are not term-limited legislatures.

The Brennan Center report concludes that, overall, New York State's non-limited legislative process is the most dysfunctional in the nation. According to the report, Albany systematically excludes rank-and-file lawmakers and the public from the process. Evan Davis, former counsel to Gov. Mario Cuomo, observes, "Most New Yorkers are represented by people with no say. They vote on bills they have had no opportunity to read, let alone study."

Prior to term limits, California's state legislature was referred to as a political geriatric ward. After term limits were enacted, California went so far as to pass state budgets on time. One would have to go back decades to find legislative sessions that produced as much as some term-limited legislatures. In many instances, the loss of institutional memory, legislative knowledge, and political experience has fostered more energetic and more effective deliberative bodies.45

Overall, term-limited state legislatures are effectively adapting to their new institutional environment.46 The bottom line is that legislatures are resilient institutions, and they continue to function efficiently under term limits. Many problems experienced by today's term-limited legislatures, such as a decline in civility and collegiality, a lack of deep policy knowledge, and missteps and human limitations, are the same as those faced by all legislatures.47

**Slimming Down Big Government**

Regardless of whether one views the changes in a positive or a negative light, there is little question that states with term limits make fundamentally different economic policy choices than states without term limits.48 The empirical evidence indicates, for example, that the stringency of term limits is an important factor in determining the size and allocation of state expenditures.

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45 Basham, “Bring Back the Gov's Idea - Term Limits.”
Studies show that the longer an individual stays in office, the greater the support for increased government spending.\(^49\) Consequently, limiting terms may lead to limited government, or at least a smaller government than would have existed in their absence, as senior state legislators are more likely to vote for higher taxes and higher spending than are their junior colleagues.

Writing a decade ago, Michael New found that “the new legislators brought in by term limits are likely to be more fiscally responsible than their predecessors.”\(^{50}\) Since then, at the national level many self-limiters have stood out as the most fiscally conservative congressmen. They have been some of the most outspoken advocates for reform of financially flawed government programs such as Social Security and Medicare. It is increasingly clear that voluntary term limits contribute to a decline in political parochialism. In practice, this serves to reduce growth in the size and scope of government.\(^{51}\)

As New explained, “Limiting the amount of time that individuals could remain in the state legislature would theoretically cause state legislators to place less value on getting re-elected. They would become more likely to place the broad interests of the state ahead of the parochial interests of their constituents and therefore be less likely to vote for wasteful pork projects.”\(^{52}\) Term limits can, in some cases, inhibit voters from selecting representatives who deliver particularistic benefits, and in these cases term limits reduce pork barrel spending.\(^{53}\)

It is not merely term limits for elected officials that constrain Big Government; terms limits for non-elected state officials serve a complementary purpose. For example, looking at the impact of auditor term length and term limits on government performance at the state level, one finds strong evidence for a positive and significant influence of term limits on state credit ratings. Auditors who face a binding term limit seem to be more effective monitors, which improves their states’ credit ratings.\(^{54}\)

Neither term limits nor its benefits are limited to this country. In China’s provinces, there is a documented positive impact of term-limited provincial governors on local economic growth.\(^{55}\) In countries where terms are limited to two consecutive terms, it has been found that government does not grow as quickly as in countries with single-term limits.\(^{56}\)

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\(^{51}\) Basham, “A Long View of Short Careers.”


Today's Term Limits Debate

For the reasons stated throughout this paper, term limits remain popular with state electorates long after their introduction. Despite a steady onslaught of negative commentary emanating from the political and media establishments, a very large number of Americans continue to support term limits. For example, Our Generation recently polled over two million people and found that 96 percent of the responders favor term limits.

Clearly, most Americans continue to believe that term limits eliminate the unfair political advantages and policy flexibility that accompany long-term political careers. If permitted the democratic opportunity, experts predict approximately eight to ten additional states would choose to limit their members' congressional terms, action not allowed under the 1995 Supreme Court ruling.

How best to calculate when, if ever, lawmakers might act to pass a proposed congressional term limits amendment? One constitutional expert recently concluded that congressmen will back term limits when they see an opportunity to package widespread anti-incumbent sentiment into a popular political platform.

Surprisingly, perhaps, that day may already have arrived. Eleven Republican senators are currently pushing a new constitutional amendment that would limit senators to two terms and members of the House to three terms. Authored by Senator Jim DeMint (R-S.C.) and cosponsored by ten other Republican senators, the amendment faces a Democratic majority in the Senate, but a companion bill is expected to be introduced soon in the Republican-controlled U.S. House. The amendment would require passage by two-thirds of the House and Senate and then approval in two-thirds (38) of the country's state legislatures for ratification.

Conclusion

The early advocates of modern-day term limits were largely correct. Term limits enable an elected official to gain the experience necessary to fulfill his or her role in legislative review and policy investigation while ensuring a renewal of ideas and perspectives on a regular basis. One researcher has considered alternative institutional designs that might accomplish some of the goals of term limits, but found that none is likely to provide a perfect substitute. It was found that term limits have the advantage of clarity, making them relatively easy constitutional rules to enforce, and that they should be considered an effective part of the arsenal of democratic institutions.

57 See, for example, Jennifer Drage Bowser, et al., Coping with Term Limits: A Practical Guide (National Conference of State Legislatures 2006) and, most recently, the criticism of term limits presented in “California’s Legislature – the Withering Branch: How the Initiative Process Has Redistributed Power,” The Economist 22 April 2011.
Neither the benefits nor the necessity of term limits are limited to these shores. Term limits are an important instrument of democratization, because they not only constrain the power of individual leaders but also tend to promote political party alternation (as in Croatia in 2000 and Kenya in 2002). This, in turn, fosters democratic development. Consequently, the international community could and should encourage the entrenchment of term limits in national constitutions, including our own.

Term limits reward real-world experience over backroom experience. They have reformed state and local governments around the nation by replacing professional politicians with citizen legislators who participate in government largely out of a sense of civic duty. The detractors are simply wrong. Term limits are changing our country's political culture and paving the way to real reform.

This report was authored by Patrick Basham, the Director of the Democracy Institute and an Adjunct Scholar at the Cato Institute.

The report was edited by MacMillin Slobodien, the Executive Director of Our Generation, a nonprofit, nonpartisan advocacy organization founded in 2009 to research, educate and promote long-term free market solutions to today's public policy concerns.

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64 Ibid. Maltz: 128.
Turnover among City Managers: The Role of Political and Economic Change

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Turnover among City Managers:
The Role of Political and Economic Change

Abstract

Executive turnover can have profound effects on city policy, programs, and commitments such as contracting or issuing debt. This paper identifies how political changes, reflected in the composition of the city council, and economic changes in the community influence city manager turnover. Analysis of manager turnover patterns in 143 large U.S. cities with council-manager governments from 1987 to 1999 allows us to distinguish “push” and “pull” factors that can induce city managers to leave their jobs.

The empirical analysis demonstrates that political conflict and economic development can influence the likelihood of a city manager exiting a community, but these effects can be somewhat complex. In particular, the influence of community economic development on turnover includes a temporal dimension not revealed in previous research. We conclude by discussing the findings’ implications for career patterns in city management.
Turnover among City Managers:
The Role of Political and Economic Change

Turnover in top administrative positions has been linked to management difficulties in public, private, and non-profit organizations. In the private sector, a great deal of research indicates that turnover has critical effects on the organization’s performance and remaining personnel (Sheehan 2001; Droge and Hoobler 2003; Shaw, Delery, Jenkins and Gupta, and 1998). This suggests that executive turnover also should prove important in the public sector. At the local government level, city manager turnover is especially important because these managers play increasingly complex and interrelated roles in both the substance and the process of city governance (Svara 1999).

Several empirical studies have explored the factors that account for the length of city managers’ tenure (DeSantis and Renner 1993; Renner 1990; DeHoog and Whitaker 1990; Whitaker and DeHoog 1991; Feiock and Stream 1998). Turnover among managers often is attributed to either “push” or “pull” factors (see, e.g., DeHoog and Whitaker 1990). Push factors prompt managers to leave their current positions because of political conflict or differences in style, orientation, or policy between the managers and their councils. Pull factors entice managers to leave their current positions for professional, financial, or personal advancement.

We build on this theoretical foundation and propose a model that captures the push-and-pull factors as they relate to economic development and political conflict as well as other environmental and fiscal factors. This model, which builds upon earlier case studies and attitudinal surveys, provides a method for direct measurement of such factors as change or stability in council membership and economic well being among the nation’s larger cities. The model is estimated with a time series panel from 1987 to 1999 of the 143 largest U.S. cities1 with council-manager governments. This approach
allows us to discern the direction, strength, and magnitude of push-and-pull factors on city manager
tenure.

**City Managers and Turnover**

City managers once were viewed as neutral technicians with limited roles in the policy-making
process, but scholars increasingly came to appreciate that, for managers, the separation between politics
and administration often was more symbolic than factual (Stillman 1974; Miller 2000). In fact,
managers’ leadership in city policy making is a recurrent theme in the contemporary literature
(Nalbandian 1999; Nalbandian 2000; Svara 1990; Svara 1998). In addition to their traditional
management role, city managers are now expected to undertake community building and to facilitate
democratic processes between the community and its government (Nalbandian 1999). The issues city
managers bring before the council, the information they present to support their recommendations, and
the direction they provide employees who carry out programs all thrust managers into the policy-making
process. City managers have become such an integral part of the policy process that policy proposals
frequently originate with the manager, rather than with the council (Newell and Ammons 1987; Morgan
and Watson 1992; Martin 1990). In particular, city managers are expected to play a key role in the
formulation of economic development policy (Banovetz 1995; Wright 1969). Because of the visible
outcomes of economic development, this role focuses attention upon city managers, who may be
awarded credit for their city’s economic success or blame for its failure.

Because of their role in the policy process, the tenure of city managers is important. Change
from one city manager to another has significant policy implications if different managers bring different
preferences, skills, and backgrounds to the job. Among other things, turnover affects the city’s
implementation of local innovations such as experimenting with new service delivery approaches, ability
to enter into long-term obligations by issuing debt, or capacity to make future commitments through contracting (Clingermayer and Feiock 2001; Feiock and Clingermayer 1993)

As important as city manager tenure is, it is at times tenuous, due in part to the basic structure of career paths in city management. City managers tend to be highly educated, well-paid, and mobile professionals. Some 80 percent do not come from the community they serve (DeSantis and Newell 1996). Mobility is central to the city manager’s typical career path, which often proceeds from appointment as assistant manager to manager of a small town and, finally, to city management posts in larger or more prestigious communities (Paul 1981; Barber 1988). Managers of larger cities (those with populations of 100,000 or more) frequently follow a somewhat different career path in that a substantial minority (about 45 percent) of these managers has spent their careers working in the city in which they now serve as managers. Many larger cities, it appears, “grow their own” managers through career paths available within the city itself. (Watson and Hassett 2004). Turnover remains a key issue, however, whether a change in the manager’s position comes from within the city’s ranks or from another city.

City managers’ prominent role in city policy, coupled with their tenures’ dependence on the pleasure of the councils they serve, also affects manager turnover. Typically, the manager is hired by the city council and is subject to removal at any time by its majority vote. While the council-manager form of government often is perceived as inhibiting or assuaging community conflict (Lineberry and Fowler 1967; Banfield and Wilson 1963), conflict can be at the heart of city manager turnover. In a study of 39 city manager turnovers in 10 Florida cities, Kammerer et al. (1962) found that two-thirds of these exits were involuntary terminations by the council. Most terminations resulted from political disputes. A more recent Florida study found that political disagreements also indirectly influence voluntary terminations.
because managers may leave their positions preemptively, before conflict with the council reaches the "firing point" (DeHoog and Whitaker 1990). Turnover and conflict among council members led city managers to exit their positions in Chicago-area municipalities (Kaatz 1996). Turnover in elected office may signal political controversy that will soon put politicians and administrators at odds, resulting in the managers' departure. In short, turnover on city councils may lead to turnover in city managers.

City characteristics, particularly demographic composition and the city government's fiscal condition, also have been linked to manager turnover. In heterogeneous areas, cleavages based in wealth, race or other social conditions can lead to conflicts that spill over to local government. Administrators serving in more affluent and racially homogenous communities may experience less conflict, resulting in lower turnover rates. For example, Watson and Hassett (2003) relied on the ICMA's 2000 national survey to identify "long-serving" city managers (those who retained their positions for 20 or more years.) Less than 5 percent of the survey respondents had served such terms, and most of the cities in which these managers served were relatively homogenous, politically stable cities with populations under 30,000 (Watson and Hassett, 2003). The city's fiscal condition also may contribute to manager turnover. Previous work explored how demographic factors and such fiscal policies as taxing, spending, and borrowing influence tenure but report only modest effects (Feiock and Stream 2002). In communities with strong fiscal capacity, low taxes, and low debt, the performance of managers may be non-controversial. Similarly, smaller, wealthier, more homogenous communities may be more politically stable and experience less turnover among managers.
Economic Development and Manager Turnover

Recent work has begun to examine how government performance can affect employment opportunities for city managers. Examining administrators' actual performance in office is problematic, given the difficulty of defining and/or measuring good and bad performance. Yet, in studies of electoral cycles and retrospective voting (see, e.g., Fiorina, 1981), researchers have used the economic performance of a politician's jurisdiction as an indicator of the incumbent administration's accomplishments. The city's economic performance is a similarly reasonable proxy for city manager performance. Local economic development has long been seen as an important undertaking for city managers (Wright 1969). The International City/County Managers' (ICMA's) 2000 national State of the Profession survey found that managers identified economic development as one of the most important issues facing their jurisdictions (Renner 2001). City managers have increasingly been assigned responsibility for managing economic development within the city (Banovetz 1995). Because city managers may be given credit for income growth in the community, successful economic development efforts can create job opportunities for these managers. Recent work suggests that if city managers can creatively use development policies to attract growth, they can cash in these development gains on the job market and move to more lucrative positions in larger communities or private firms (Stein 1990; Feiock and Stream 2002).

If managers can credibly claim credit for their city's economic successes, it is likely that they can be assigned blame for its economic woes. Focusing on the city's economic well being may make it possible for empirical analysis to account for the strength and magnitude of both the push-and-pull factors that influence city manager tenure. Managers of cities experiencing income growth are apt to be
“pulled” to new, more attractive positions, while managers of cities suffering from a lack of or actual decline of income growth are likely to be “pushed” from their jobs.

The relationship between city economic growth and manager tenure is complicated by the fact that the idea of growth or decline has an implicit temporal dimension in which the present is compared with the past. The theoretical and empirical problems arising from this simple fact center around the length of time needed to both discern economic “trends” and award the manager either credit or blame. In his landmark study of congressional action, Arnold (1990) found that poor outcomes are more likely to lead to a swift effort to lay blame than good outcomes are to an effort to bestow rewards. Following this logic, a lack of income growth over the short term may contribute to councils’ dissatisfaction with city managers and lead to efforts to push them from office. Over the longer term, however, economic growth and development may be credited to the city managers, boosting their reputations and pulling them to other positions.

We attempt to sort out the push-and-pull forces of economic growth by separately measuring short-term economic changes and longer-term economic growth trends. The empirical analysis reported in this paper identifies how both short-term income change and longer term income growth in an administrator’s community influences his or her tenure in office.

**Research Design**

The effects of council turnover and city economic well being have not been subjected to systematic, large-scale empirical tests. Empirical work to date relies on relatively small case studies in a single state (for example, Whitaker and DeHoog’s 1991 study of 33 Florida managers) or self-reported responses to city manager surveys (for example, Kaatz, French and Prentiss-Cooper 1999), which may
either not be generalizable beyond the single state or depend too heavily on the professionalized perspectives of city managers.

This study advances an innovative design and employs a large national sample of council-manager cities to estimate more precisely the effects economic growth and change in city council composition have on manager turnover. This analytic approach provides a generalized picture of the individual factors affecting city manager tenure in the context of the model’s other variables.

The model is estimated with a pooled cross-sectional time series of the 143 U.S. cities with council-manager governments and populations of at least 75,000. Focusing on large cities not only provides more complete data, it allows us to examine turnover in communities where more ambitious candidates contend for office and turnover among elected leaders represents greater conflict and uncertainty. Turnover is examined from 1987 to 1999. Because the Hausman test indicates a city level unit effect, we estimate the model using a fixed effects logit procedure. The dependent variable is a dichotomous measure indicating whether there has been turnover in the office of city manager from the previous year, coded as "1" when turnover occurred in that year. These data were collected from various volumes of the National League of Cities' Directory of City Policy Officials and the ICMA's Municipal Yearbook (1984–1990).

**Independent Variables**

The independent variables include measures of turnover among elected council members, demographic characteristics of communities, the fiscal condition of the cities, and economic growth. Our main "push" variables are turnover among elected council members, and short-term economic change. We assume that council turnover is a matter of degree such that the greater the amount of turnover, the
greater the potential impact on manager tenure. We measure the extent of council turnover by calculating the proportion of members who served four years earlier that are no longer serving on the council. Measuring turnover in this fashion accommodates variations in cities’ council sizes and electoral cycles, and accounts for our contention that turnover is best captured in relative rather than absolute terms. We expect that the greater the proportion of incumbent council members who leave, the more likely the manager will exit. To determine council turnover rate, we identified the members of local governing bodies each year from 1983-1999. Changes in council membership were recorded, and the proportion of new members to incumbent members derived for each city in each year. Short-term economic change was measured as the change in per capita personal income from the previous year.

The key “pull” factor is the economic growth trend over time. We measure growth trends with the average change in per capita personal income over the previous four years. Other community characteristics that have been linked to city manager tenure include city population, population change, per capita personal income, and percent non-white. We expect large and fast-growing communities will experience more frequent manager change, while wealthy and racially homogeneous communities will experience less turnover. These measures are taken from the U.S. Census. City fiscal variables included are per capita own-source revenue, as an indicator of fiscal capacity; per capita property taxes; the city bond rating; and per capita long-term debt. Fiscal data were drawn from published and on-line reports provided by the Geographic Division of the U.S. Bureau of the Census. The fiscal and demographic variables are lagged by one year.

Accounting for City Manager Change
Estimates of the likelihood of manager turnover predicted by the model described above are reported in Table 1. As indicated by the likelihood ratio Chi\(^2\), the data provide a good fit to the model. The logit parameter estimates indicate how likely various push-and-pull factors are to affect city managers’ tenure. The extent of council member turnover, as expected, predicts administrative turnover. The greater the proportion of council members who do not return to office, the greater the chance that the city manager will leave. On the other hand, the cities’ demographic characteristics and fiscal conditions included in the model—population, population growth, racial composition, debt levels, and property taxes, among others—had no statistically significant influence on turnover.

[Table 1 Here]

The most dramatic results pertain to the effects of the cities’ income levels and economic change. The level of per capita income is negatively related to turnover, suggesting that the more well off the community, the more likely it is to retain its city manager. The relationship between change in the city’s economic condition and change in its management is dependent on both the duration and the direction of the economic change. Both managers of communities facing short-term economic problems and managers of communities experiencing economic growth are likely to end their tenure with the city. If the cities’ economy is worse this year than last, the likelihood of city manager turnover increases. Conversely, short-term economic gains do not affect city manager tenure. Positive economic news apparently takes longer for its effects on turnover to be felt. The likelihood of manager turnover increases only when cities experience longer-term economic growth.

**Conclusion**
The findings reported here suggest that city managers’ careers are subject to the forces of both political and economic change in the communities they serve. When there is substantial change on the city council, the likelihood of turnover in the city’s top administrative post increases. Greater proportions of new council members suggest a lack of political stability, induced either through conflict or through institutional mechanisms such as term limits. The smaller the share of “old guard” council members, the more likely it becomes that the change in the city’s direction also will be signaled by the city manager’s exit. This generalized finding corroborates the impressions of city managers gathered through national surveys as well as the patterns depicted in case studies. While this may be conventional wisdom, it has lacked systematic confirmation until now. By holding other factors affecting manager tenure constant, our empirical results demonstrate the powerful, direct, and independent effect of political change on city manager tenure.

The cities’ economic condition affected city managers’ tenure across several dimensions but, surprisingly, their governments’ fiscal condition had no significant influence. The likelihood of manager turnover is diminished in wealthier cities, such that the higher the per capita personal income, the lower the chance of city manager turnover. Residents of more affluent communities, presumably with greater slack in their personal budgets, may be more content with the status quo and less apt to push their cities’ managers from office than residents of other cities. On the other hand, managers of wealthier cities simply may choose not to be pulled to other positions, where their jobs would include the additional challenges faced by cities with less prosperous residents. In short, managers of cities with residents who are well off are less likely to experience either the push-or-pull factors felt by managers of other cities.

Communities that experienced little or no short-term growth as well as those that experienced strong growth over a longer period were apt to have higher manager turnover than other cities. Taken
together, these findings demonstrate the importance of economic development to city managers’ career paths. Our results also help flesh out some dynamics of the push-and-pull factors that contribute to managers’ tenure. We suspect that many of the managers leaving cities that faced a stagnant or declining economy over the past year were pushed from office, while many of the managers exiting cities that enjoyed economic gains over the past four years were pulled to other positions. Managers of cities whose economies have failed to achieve dramatic improvement over the long term, however, are apt to remain in office. It appears that if bad economic news is going to be acted on, the action will be taken quickly, and it is likely that the city manager will take the fall for the city’s sudden economic reversal.

For cities with growing economies, the opposite relationship holds. Managers of cities experiencing short-term economic gains are likely to remain in office, but if economic gains are sustained over time, these managers are likely to leave. Our findings indicate that city managers are held responsible for community economic growth. This accountability, however, is not evenly balanced between commending a good outcome and condemning a bad one. The temporal dimension differs such that assigning blame for negative performance is done in response to short-term downturns. Good outcomes, however, must be experienced over a longer period before credit can be claimed. This suggests that for city manager tenure, push factors are apt to be related to a fairly current issue. Pull factors, on the other hand, are likely to develop over time as managers enhance their reputations through repeated successes.

**Note**

1. "Larger" cities are those with a 1989 population of 100,000 or more.
References


## Table 1

**Logit Estimates of the Likelihood of Manager Turnover**

<table>
<thead>
<tr>
<th>Variable</th>
<th>B</th>
<th>Standard Error</th>
<th>t-score</th>
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<tr>
<td>Council Turnover</td>
<td>3.5737</td>
<td>1.9941</td>
<td>1.79</td>
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<td>Short-Term Economic Change</td>
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<td>.0032</td>
<td>-4.05</td>
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<tr>
<td>Longer-Term Economic Change</td>
<td>.0207</td>
<td>.0038</td>
<td>5.49</td>
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<td><strong>Demographic Characteristics</strong></td>
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<td></td>
</tr>
<tr>
<td>Log of Population</td>
<td>-4.5064</td>
<td>3.3676</td>
<td>-1.34</td>
</tr>
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<td>Population Change</td>
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<td>.0000</td>
<td>0.86</td>
</tr>
<tr>
<td>White Population</td>
<td>-1.3316</td>
<td>3.2363</td>
<td>-0.41</td>
</tr>
<tr>
<td>Per Capita Personal Income</td>
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<td>.0006</td>
<td>-4.84</td>
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<td><strong>City Fiscal Condition</strong></td>
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<tr>
<td>Long-term debt</td>
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<td>.0004</td>
<td>-0.05</td>
</tr>
<tr>
<td>Fiscal Capacity</td>
<td>.0004</td>
<td>.0014</td>
<td>0.28</td>
</tr>
<tr>
<td>Property Taxes</td>
<td>.0070</td>
<td>.0077</td>
<td>0.91</td>
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<td>Bond Rating</td>
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<td>Log likelihood</td>
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<tr>
<td>Likelihood Ratio Chi²</td>
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<tr>
<td>N</td>
<td>143</td>
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Can Strong Mayors Empower Weak Cities? On the Power of Local Executives in a Federal System

Richard C. Schragger
115 Yale L.J. 2542 (2006)

This Essay considers the historic weakness of the American mayoralty and recent reform efforts designed to strengthen it. The mayoralty’s weakness has two grounds. First, the office’s lack of power is a product of elite skepticism of urban democracy. That skepticism manifested itself in Progressive Era reforms that almost entirely eliminated the mayor’s office in favor of a city council and professional city manager; the mayoralty continues to be a ceremonial office in most small- and medium-sized cities. Second, the mayoralty’s weakness is a result of a federal system that devalues American-style federalism privileges strong regional governments rather than local ones; states, not cities, are the salient sites for constitutionally protected “local” governance. This structural fact has political consequences. The city’s limited capacity to make effective policy reinforces the parochialism of its leaders; their parochialism, in turn, reinforces the city’s subordinate status. The challenge for urban reformers is to alter this “constitutional” weakness of the mayoralty. I argue that the strong mayoralty is a potential instrument for democratic self-government to the extent that it is able to amass power on behalf of the city.
Can Strong Mayors Empower Weak Cities? On the Power of Local Executives in a Federal System

ABSTRACT. This Essay considers the historic weakness of the American mayoralty and recent reform efforts designed to strengthen it. The mayoralty's weakness has two grounds. First, the office's lack of power is a product of elite skepticism of urban democracy. That skepticism manifested itself in Progressive Era reforms that almost entirely eliminated the mayor's office in favor of a city council and professional city manager; the mayoralty continues to be a ceremonial office in most small- and medium-sized cities. Second, the mayoralty's weakness is a result of a federal system that devalues city- and, by extension, mayoral-power. American-style federalism privileges regional governments rather than local ones; states, not cities, are the salient sites for constitutionally protected "local" government. The structural fact has political consequences. The city's limited capacity to make effective policy reinforces the parochialism of its leaders; their parochialism, in turn, reinforces the city's subordinate status. The challenge for urban reformers is to alter this "constitutional" weakness of the mayoralty. I argue that the strong mayoralty is a potential instrument for democratic self-government to the extent that it is able to amass power on behalf of the city.
LEGISLATIVE TERM LIMITS:
PUBLIC CHOICE PERSPECTIVES

edited by
Bernard Grofman

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INTRODUCTION TO THE TERM LIMITS DEBATE: HYPOTHESES IN SEARCH OF DATA

Bernard Grofman

With the passage since 1990 of initiatives to limit legislative terms of service in over twenty states as of December 1994,1 beginning with the passage of initiatives in California, Colorado and Oklahoma in 1990,2 term limitation has become the focus of considerable journalistic and scholarly attention (e.g., Becker, 1990; Petracca, 1991b; Polsby, 1991a, b; Payne, 1991; Cohen and Spitzer, 1992; Coyne and Fund, 1992; Will, 1992); and there have been two national conferences on the topic, one at the University of California, Irvine in June 1991—most of the papers from which are collected in this volume—and one at the State University of New York at Albany, in October 1991—the papers from which are collected in Benjamin and Malbin (1992). While limits on term of service of state executives are quite common (e.g., twenty-nine states imposed some form of term limit on their governors as of 1988: see Beyle, 1992; Sutherland and Grofman, this volume) and usage in most of these states dates to their first constitutions, the legislative term limits that passed in 1990 were the first to apply to state legislators in the United States since the late 18th century.3

The various legislative term limitation initiatives that passed in 1990, 1992, and 1993 differed in terms of lengths of service permitted and in concurrency requirements, and in other ways as well. Even the first three initiatives passed in 1990 differed considerably from one another. In Oklahoma the limit was a total of 12 years service in either branch of the legislature. In California there was a limit of three terms of service in the Assembly (six years) and two terms of service in the State Senate (eight years). In Colorado, a term limit of four terms (eight years) was imposed on members of the lower house and a term limit of two terms (eight years) was imposed on members of the upper chamber. In two of the three states (California and Oklahoma) the term limitation took the form of a ban on total years (or terms) of service, while in Colorado the limit is only on consecutive service. In two of the states (California and Colorado) the limitations applied separately to service in each chamber, while in Oklahoma there was a total limit applied to service in either branch. In California, term limits were also imposed on the governor and all other members of the executive elected statewide (a lifetime limit of two terms in each case). In Colorado, in addition to limits on state legislative service, members of the U.S. House of Representatives had a six-term limit imposed
on them, and U.S. Senators had a two-term limit imposed (see, e.g., Rosenthal, 1990; Linkons, 1991).

Twenty-one states now have attempted to impose state-specific limits on congressional tenure. The constitutionality of state-imposed restrictions on length of congressional service has been successfully challenged in court in three states—in two of these, in Arkansas and Nevada, the decision was by a state court, in the other case, in Washington, term limits were overturned by a federal court. The U.S. Supreme Court is scheduled to decide the constitutional question of the ability of individual states to impose congressional terms on the members of Congress from their state in the Fall 1994 term when the Arkansas case comes before it.

Roughly contemporaneous with the initiatives affecting state legislatures, there have been attempts to impose term limits at the local level—many of which have recently been successful in cities such as San Antonio, New Orleans, Cincinnati, Spokane, and Washington, D.C. Indeed Petracca and O'Brien (this volume) point out that over a third of the nation's 60 largest cities have adopted term limits in the past several years. Other local term limits antedate the present-day reform movement (see Cain, this volume; Petracca and O'Brien, this volume).

Term limits raise a number of interesting questions for democratic theory and empirical analysis. As with earlier crusades that came with a great deal of moralistic baggage attached, e.g., prohibition or women's suffrage, proponents of a reform inevitably have grossly exaggerated notions of what can be expected from it. Indeed, the causal link between various of the manifest evils that term limits is supposed to rid us of—such as unresponsive politicians insulated from political accountability, bloated government, and an interest group stranglehold on politics—and the consequences of term limits reform are often quite tenuous. Moreover, there is not even agreement as to what exactly the key problems are. Many Public Choice scholars, who emphasize that the legislative demand for pork-barrel policies is in large part driven by the perceived need to make constituents happy, would wish to reduce legislative responsiveness. For them the problem is that present legislators are already too responsive to what will buy them voter loyalty. In contrast, scholars who emphasize the insulation from constituency control that prolonged safe reelection may bring, talk about the need to increase legislator responsiveness. Both groups may favor term limits, yet with very different expectations as to what term limits will accomplish, or the exact mechanisms through which changes will occur.

ORGANIZATION OF THIS VOLUME

The principal focus of this volume is on predicting the consequences of state legislative and congressional term limits in the United States. This volume is organized into four sections. The first section looks at the expected impact of term limits on legislator behavior and electoral responsiveness; the second deals with the expected impact of term limits on legislative turnover and party balance; the
third with voter attitudes and the contemporary movement for legislative and congressional term limits in the U.S.; while the fourth looks at evidence about the effects of term limits in other settings, e.g., local elections in California, gubernatorial elections, elections in Costa Rica.

**Impact of Term Limits on Legislator Behavior and Electoral Responsiveness**

The first section of the volume deals with propositions about the likely impact of term limits in terms of the nature of the link between the legislator and his/her constituency and in terms of what will happen within the halls of the legislature.

As noted earlier, often mutually contradictory hypotheses about the expected impact of term limits on legislative action have been proposed by different authors. For example, Grofman and Sutherland (this volume) make the commonsense point that, since few would deny that, ceteris paribus, gubernatorial term limits weaken executives vis-a-vis legislatures, we should analogously expect that legislative term limits will strengthen executives vis-a-vis legislatures. Will (1992:177) predicts the exact opposite were term limits to be imposed on Congress.

One cannot, of course, be sure that a Congress composed of non-careerists will more forthrightly deal with the sort of difficult problems that, in a democracy, should be dealt with by representative and deliberative institutions. But surely term limits will increase the likelihood that Congress will reclaim its role as the center of American government. This will mean putting both the courts and the presidency where they belong.9

The opening essay in this volume, by Bruce Cain, provides a balanced and comprehensive overview of the often mutually contradictory propositions in the research literature on the projected consequences of term limits for legislative behavior and legislative organization, and on the reasons offered in support of these propositions. While asserting that most political scientists who have written on the topic have tended to oppose term limits, Cain notes that the debate "reveals how little we actually know about their real effects" and how normative perspectives tend to shape views about likely consequences. Cain expresses considerable skepticism that the consequences of the imposition of term limits will either be as desirable as proponents argue, or as pernicious as its most vocal opponents fear. Cain observes that "the impact of term limitations can be easily mitigated by many other factors; ... that the effects will vary with the type of legislature on which they are imposed; and ... the effects will vary with the length of the term limit per se."10

To a remarkable degree, contemporary arguments about the desirability of legislative and congressional term limits can be shown to echo the debates about both congressional term limits and presidential term limits that took place when constitutional ratification was being considered, especially those of the Founding...
Legislative Term Limits

Fathers at the Philadelphia Convention (Petracca, this volume; Malbin, 1992; Grofman and Sutherland, this volume, Section IV; cf. Jillson, 1988). Term limits were a part of the anti-Federalist agenda as a means to insure rotation in office. The post-Revolutionary period was characterized by a strong distrust of state executives (by analogy to colonial governors), with the legislature seen as the repository of the popular will. The earliest period of our nation’s history was also generally characterized by substantial anti-federalist sentiments at the state and local level, including support for very short terms of service and for rotation in office, as well as an expectation that legislators would be bound by instructions from their constituents. Most early state constitution had one-year terms of legislative service. Pennsylvania, which had the most “radical” of the early state constitutions, also had an explicit provision for term limits. By the early 19th century, popular confidence in the legislature was diminished—as summarized in the aphorism: “No man was safe while the legislature was in session.”

Many contemporary proponents of term limits argue, similarly to their anti-Federalist forbears, that term limits will increase political competition and, in the process, also increase legislative responsive to the popular will. Term limits are held to prevent concentration of power and return us closer to the virtues of civic republicanism by reducing the importance of professional politicians and facilitating the election of “citizen-legislators” (Petracca, 1991b; Mitchell, 1991). For these reformers, term limits is a return to an earlier model of politics, often called the civic republican model, in which government of the people is to be by the people as well as for the people. For many contemporary reformers whose views are in the anti-Federalist tradition, term limits on legislative careers is not merely a desirable goal, it is a crusade. Like Christ driving the money changers from the Temple, such reformers seek to purify the practice of politics by freeing it from the contamination of professional politicians.11

On the other hand, other proponents of term limits view them in the context of party politics rather than citizen politics. Parties were not part of the Madisonian vision as expressed in the Federalist Papers. It was not until much later that political theorists constructed a role for political parties as the principal engines of democracy, rather than as agents of faction.

Glazer and Wattenberg, in the second essay in this volume, argue, i.a., that the imposition of term limits will strengthen the party system by enhancing the role of political parties in candidate recruitment and strengthening the importance of party labels as voting cues.12 But, in contrast, anti-federalist thinkers remain deeply skeptical of political parties. Thus, although Glazer and Wattenberg share a “bottom line” with other proponents of term limits, some of the consequences they expect from term limits would probably give other advocates of term limits pause. However, other parts of their argument are consistent with those of proponents of term limits who fall more clearly in the anti-Federalist tradition.

In particular, Glazer and Wattenberg regard the most important activity of the legislature as that of enactor of public policies, and argue that legislative term
limits will motivate politicians to attend more to the “deeper problems of the state or the nation” by limiting possible legislator concern for continued reelection to his/her present office and by increasing a legislator’s incentives to seek higher office. Glazer and Wattenberg also argue that term limits will reduce the influence of special interests. Their argument is multi-faceted and draws heavily on microeconomic reasoning as well as common sense, e.g., on the one hand, they note that short-term politicians will not be as influential with bureaucrats and thus interest groups will find it harder to access the bureaucracy for special treatment via legislators whom they have in their debt, and on the other hand, they note that retired legislators hired by interest groups as lobbyists will be of lesser value to these groups because there will soon be no legislators remaining in the legislature with whom these lobbyists have served.

The line of contemporary argument against term limits that is most directly analogous to the views put forth by Madison in the Federalist Papers is that of Cohen and Spitzer (1992), summarized in the third chapter of this volume. They argue that term limits induce a shorter-run time perspective among elected officials that leads to bad public policy, and weakens citizen control by denying use of reelection as an incentive to keep politicians both honest and politically responsive. Cohen and Spitzer model legislator accountability in terms of a prisoner's dilemma, in which a problem of concern is to deter end-period defections. They show that an iterated P.D. game with an uncertain end point can induce public-spirited behavior even among narrowly self-interested politicians, especially if at least some politicians are genuinely public-spirited. Much of the Cohen and Spitzer essay can be taken as a straightforward formalization of ideas in the Federalist Papers. The link between the Public Choice perspectives of Cohen and Spitzer and Federalist views reinforces the claims of earlier scholars (Buchanan and Tullock, 1962; Grofman, 1989) that students of Public Choice can be thought of as the natural heirs of Federalist political thought.

The fourth chapter of the volume, by Elizabeth Capell, herself a lobbyist, looks at a number of the arguments about the likely consequences of term limits for legislative organization and at the question of whether term limits can be expected to increase interest group influence (as term limits opponents argue) or to decrease it (as its supporters claim). While cautious about her predictions, Capell argues that term limits in California will advantage high resource groups, but force an expenditure of higher resources by interest groups relative to the effectiveness and predictability of their lobbying efforts.

Gerber and Lupia, in the fifth chapter of the volume, look at incentives for responsive legislators in the context of an election game with both a challenger and an incumbent. They argue that, even if the imposition of term limits were to increase legislative competition, as most scholars have hypothesized would occur, "an increase in competition is neither a necessary nor a sufficient condition for greater responsiveness." They suggest that reformers concerned with increasing
Legislator responsiveness might be better off to look at other types of reforms, e.g., ways in which voter knowledgesability could be increased.\(^{18}\)

The last chapter in the first section of the volume is by Reed and Schansberg. They look at the spending behavior of members of Congress (both in the House and in the Senate) as a function of seniority, using spending scores calculated by the National Taxpayers Union. They test the hypothesis that there is a culture of spending that permeates the federal government such that the more exposure to it members of Congress have the more likely they are to be profligate with taxpayer money. Using both cross-sectional and longitudinal data they confirm the hypothesis that length of stay in office increases the propensity to spend. However, they also show that such a finding "does not necessarily translate to the conclusion that forcing shorter stays on members of Congress would lead to lower levels of federal spending." Moreover, when Reed and Schansberg estimate the magnitude of differences in spending behavior among members of Congress at different levels of seniority, they find the relationship between spending and tenure to be virtually negligible in practical terms.

**Impact of Term Limits on Legislative Turnover and Party Balance**

The second section of the volume looks at ways of predicting the impact of term limits on legislative turnover and party balance.\(^{19}\)

The first essay in the section, by a team of political scientists headed by Gary Moncrief, looks at recent data from state legislatures on how long members serve. It concludes that, given defeats and retirements, most term limit proposals would only knock off the tail end of the incumbency distribution and thus have only a limited impact on overall legislative tenure in state legislatures.

The next two essays in this section, by Robert Reed and Eric Schansberg, and by John Gilmour and Paul Rothstein, written prior to the partisan "sea change" of the 1994 elections, look primarily at partisan implications of term limits. Both sets of authors focus their empirical analyses on the U.S. Congress. Both authors find the expected Republican gains, but both are cautious in predicting probable effects only within a broad range. Reed and Schansberg suggest that term limits of the sort that have been proposed will give rise to a net seat gain for Republicans in Congress of from 5 to 20 seats. Gilmour and Rothstein's estimates of effects depend largely on whether or not data for only the then three most recent congresses are used or whether data over the past eleven congresses are aggregated. Using the parameters derived from the longer time frame yields the prediction that even the imposition of term limits as low as six terms will have only minuscule (low single digit) partisan implications; on the other hand, using data from only the most recent congresses yields estimates of partisan impact comparable to those at the upper end of the Reed and Schansberg range, a net Republican seat gain in the low 20s.\(^{20}\)
Gilmour and Rothstein's principal theoretical concern is to provide a dynamic model of partisan turnover that can generally be fitted to data to yield steady-state predictions. Like Reed and Schansberg, they are careful to note that care must be taken in developing predictions because certain parameters taken as fixed (e.g., retirement rates) may in fact change with the imposition of term limits. However, once such parameters are re-estimated, a new steady-state prediction can be derived from their model.

The last essay in this section, by Grofman and Sutherland, suggests a further note of caution. It argues that candidate recruitment and level of political competition may need to be dealt with endogenously. In particular, following up on and formalizing insights in Mann (1992), Grofman and Sutherland offer a simple model in which, for some parameters, term limits may actually lead to diminished competition because (strong) challengers delay their candidacies until a seat is open because of (forced) retirement. Also, they provide empirical evidence that the imposition of gubernatorial term limits has had almost no effect on mean gubernatorial tenure.

Voter Attitudes and the Contemporary Movement for Legislative and Congressional Term Limits in the U.S.

The third section of the volume deals with identifying the factors that fostered the growth of term limits movement in the U.S. and that have led to the vast popularity of term limits among voters.

The best single predictive variable for the adoption of legislative term limits is whether or not a state has an initiative procedure. A majority of states with such procedures have now adopted legislative term limits. Legislative term limits appeared to be an idea whose time had come: once the potential for successful term limits initiatives was demonstrated, a remarkable bandwagon was started. Grofman and Sutherland (1991) suggested that the considerable increase in legislative professionalism (as manifested in increased staffing levels, months in session, number of bills) since the 1960s might be playing a triggering role for movements to impose legislative term limits as a check on legislative power. However, the states that have recently adopted legislative term limits represent a range of legislative professionalism. Why was there so much public support for legislative term limits?

While the term limits movement may have its strongest roots in anti-Federalist thought, term limitation supporters are found across the ideological spectrum. One reason for the wide range of support for term limits is that it is a solution in search of a problem. Some support term limits because they see it a way of downsizing government; others because they see it as a way of restoring governmental vigor and ending the alleged deadlock caused by a special interest "lock" on politics. Some proponents see term limits as a way of strengthening the
Legislative Term Limits

Legislature; others as a way of weakening it. Similarly, as noted earlier, some proponents see term limits as a way of strengthening political parties; others as a way of replacing party hacks with citizen legislators who will be of superior virtue if not of superior quality in terms of formal qualifications. Many journalists and scholars have suggested that we can understand contemporary public support for term limits as not really support for a specific institutional change but rather as an expression of generalized discontent with government based on a feeling that it is "out of control"—a discontent also reflected in the earlier initiative-driven "taxpayer revolts." In this context it useful to note Malcolm Jewell's observation that a number of the key organizers of term limits campaigns "have been heavily involved in initiatives designed to place caps, or rollbacks on taxing or spending at the state or local level" (Jewell, n.d., 3).

Another seeming anomaly with respect to the successful movement for term limits is the failure of incumbent legislators in most states to publicly oppose term limits. I would account for the general unwillingness of legislators to stick their neck out to oppose a popularly supported movement for term limits to their sense that doing so gained them no votes and might cost them votes (all the intensity was on the other side), and had a limited potential for gain (i.e., what we had was a prisoners' dilemma situation in which no single legislator had an incentive to defend the collective interests of incumbents, except perhaps for a party leader whose successful opposition would put his fellow legislators in his debt), and to the problem that legislators had in articulating a defense for unlimited terms that did not seem self-serving. Indeed, some incumbents openly backed term limits, either for reasons of ideological conviction, or perhaps as a way of gaining favorable voter exposure with an eye toward seeking higher office in the future.

In the first essay in this section of the volume, Boeckelman and Corell look at eighteen statewide term limit elections held between 1990 and 1992. They consider three factors that might affect voter support for term limits, the race of the voter, the partisanship of the voter, and voter alienation. They find that, on balance whites are more likely to support term limits than blacks and that Republicans have greater levels of support than Democrats, but that these patterns were not statistically significant for all states. Also, support for term limits among Republican voters was, on balance, less in states where Republicans were in control of the legislature. Boeckelman and Corell find mixed results for measures of alienation. They do find, however, an overlap between the constituencies of the term limitation movement and those for Ross Perot's presidential bid.

Many journalists have alleged that the present-day movement for term limits is tied closely to a partisan "hidden agenda" based on the belief that imposing legislative term limits will benefit Republicans because there are more incumbent Democratic state legislators than Republican ones (by nearly two to one) and more Democratic members of Congress than Republican ones. Furthermore, as Ehrenhalt (1991) has argued, the average Democrat is more likely than the average Republican to find a lifetime career as a legislator attractive, relative to the career
options available to him (or her). But, if legislative term limits are imposed, then the potential for achieving a leadership role with only modest years of service is enhanced, since there will be more turnover in such positions. This might make it easier for Republicans to recruit legislative candidates (Grofman and Sutherland, this volume). These arguments suggest that dramatically reducing the potential for making politics a full-time career should impact more negatively on Democrats than on Republicans.28

The view that term limits were seen by voters as having partisan implications is buttressed by evidence that voter support for legislative term limits was tied to partisan divisions, with Republicans generally supporting term limits at somewhat higher levels than Democrats, as reported by Boeckelman and Corell and by Rausch and Copeland in the second chapter in this section. While analysis of who sponsored and funded term limit initiatives makes the notion of a partisan linkage far from crystal clear, since often the initial drive was partially bankrolled by some prominent wealthy individual for reasons that are hard to characterize, on balance more Republicans qua Republicans were involved in pro-term limits campaigns than Democrats, Republicans were directly involved in the national campaign for term limits (Rothenberg, 1992); and if there was organized opposition to a term limits initiative, Democratic party leaders were likely to be leading it (Jewell, 1993).

Still, at the voter level, partisan differences in support for term limits were not huge, since, with a few exceptions, such measures were strongly supported almost across the board. In their review of the first three-term limit initiative campaigns in 1990 reported in the second chapter in this section, Rausch and Copeland find that the partisan differences among voter support for term limits was minuscule in California, quite small in Oklahoma, and largest, but still only on the order of 10 percentage points, in Colorado.29 Rausch and Copeland find bipartisan support at the elite level for the term limits initiative in Oklahoma and Colorado. As they observe, the term limits crusade can bring together some unlikely bedfellows. Anti-Federalist sentiments that make professionalized politics anathema are found among left-wing populists as well as among conservatives. Adherents of 1960s style "power to the people" often join country-club Republicans in singing the praises of term limits.30

Rausch and Copeland also observe that while the term limits were relatively noncontroversial in Oklahoma and Colorado, the California initiative was hotly contested, with Democratic legislative leader Willie Brown masterminding an expensive paid media campaign with such highlights as anti-term limits commercials by Angela Lansbury.31 In 1990, in Oklahoma and Colorado the term limit proposals won handily; in California it was closer.32 Rausch and Copeland also report national polling data that show support for term limits of over three quarters of the population by 1991, and they point out that, even as early as 1981, a majority of voters expressed support for the idea of term limits. The polling data they report do suggest, however, that support for term limits falls off among the better educated, those of higher SES, and among liberals.
The third chapter in this section, by Dick and Lott, explains how voters may prefer to retain their own legislator, yet come to support term limits, because voters, on balance, may prefer that those in other constituencies be deprived of their ability to retain incumbents ad infinitum. They treat the term limit decision as like an externally imposed solution to a prisoners' dilemma game in that "placing a limit on the tenure of all representatives ensures that no one district will benefit at the expense of other districts when their representative is removed from office." They also argue that the greater the role of government in enacting policies that transfer wealth, the greater will be the costs of giving up the advantages of seniority for your own representative. Thus, in their view, the magnitude of incumbency advantage is in part a function of the size and nature of government activities.

The fourth chapter in this section, by Friedman and Wittman, argues that legislative term limits "redistributes power from constituencies with long-run incumbents to constituencies with short-run incumbents, from the legislative to the executive branch, and from one political party to another." Writing in language familiar to Public Choice scholars, Friedman and Wittman argue that "rational voters who benefit from the redistribution in political power will vote in favor of term limits; those who are hurt will vote against." This perspective leads Friedman and Wittman to hypothesize that, in a state controlled by Democrats, support for term limits will be higher among Republicans than among Democrats. They also hypothesize that, ceteris paribus, support for term limits will be stronger in districts with short-term incumbents. Friedman and Wittman (forthcoming) find support for this latter proposition.

The last chapter in this section, by Alexander Tabarrok, develops an argument based on ideas of risk aversion that leads him to hypothesize that term limits are most likely to be passed in states with a high degree of ongoing political conflict (an indicator of which is divided government), an expectation which his data confirm. Like Dick and Lott, Tabarrok is concerned to account for the puzzle of voters simultaneously passing term limits and voting to reelect their own incumbent. Drawing on ideas of relative risk aversion that lead him to hypotheses similar to those in Friedman and Wittman, Tabarrok finds empirical support for the proposition that "the greater the average tenure of a state's congressional delegation, the less likely that state is to vote for term limits." Tabarrok is also concerned with another puzzle: different levels of support for term limits on different types of offices, as evidenced in a negative correlation between passage of congressional term limits and the presence of gubernatorial term limits. Another area he investigates is the importance of voter backlash against dishonest politicians as a motivating force for congressional term limits reform.
Term Limits in Historical and Comparative Perspective

The last section of the volume deals with the evidence that is available on how term limits have actually worked in jurisdictions of various sorts in the U.S. and elsewhere.

The first chapter in this section is by Mark Petracca. Petracca traces the idea of rotation to Greek and Roman practices and discusses its use in the constitution of Venice in the Middle Ages and early Renaissance. He then discusses its treatment in English political theory of the 17th and 18th centuries and provides an extensive historical review of the arguments about rotation that emerge before and after the American revolution up through the 19th century age of spoils, when rotation in office comes into disfavor. Petracca also traces the history of the use of term limits in a variety of settings. Petracca, who has been one of the leading academic advocates of term limits over the past several years, is very sympathetic to the assessment by James Bryce in 1910 that “Rotation in office . . . is . . . conformable to the genius of a democracy.”

The second chapter in this section, by Grofman and Sutherland, considers evidence from a 200-year data base on gubernatorial term lengths. They test the hypothesis that increases in gubernatorial term lengths and the imposition of some form of term limitation are interlinked, plot the geographic pattern of term limit usage over the 200-year period to examine diffusion and regional variation, and investigate the extent to which term limits, once instituted, remain in place. They argue that restrictions on term lengths and restrictions on number of terms in office are complementary ways to limit the power of members of a given branch of government. Thus, considerations of term limits will frequently be non-separable (in the technical sense of that term) from considerations of term lengths. They find a pattern of geographic diffusion of gubernatorial term lists from the southeastern states, but with some areas of the country displaying strong historical resistance to term limits. They also find that, except for southern states forced to rewrite their constitutions to obtain readmittance to the Union after the Civil War, gubernatorial term limits, once imposed, tend to remain in place. Grofman and Sutherland suggest that this is likely to hold for legislative term limits as well.

Mark Petracca is co-author of the third chapter in this section along with Kareen Moore O’Brien. This chapter reviews the experience with term limits of municipalities in Orange County, California. Over a third of the municipalities in the County now have term limits, with several of these cities having added them only very recently. Their data is based on responses to a survey sent to elected officials in seven cities that already had term limits and seven cities without such limits but in which campaigns for term limits were quite active. Petracca and O’Brien report perceptions of city council members about a number of issues having to do with the impact of term limits, such as whether or not term limits can be expected to increase the influence of interest groups or lower the quality of candidates. One of their most unexpected findings was the support for term limits
on the part of some sitting council members whose terms were not limited and the role of some incumbents in getting municipal term limits placed on the ballot.

Controlling for city size, Petracca and O'Brien also look at the degree of competition (in terms of the ratio of candidates to seats) in cities with and without term limits. Here they find slightly less competition in cities with term limits. Moreover, using a longitudinal base of comparison, in every city with term limits, the "ratio of candidates-to-seats is lower following the adoption of term limits than it was before." However, this finding, counter to what proponents of term limits have suggested would occur, may in part be accounted for by long-run time trends involving decreased political competition at the local level throughout the County. Moreover, consistent with the expectations of term limits proponents, they find a substantial increase in voter turnout since the adoption of term limits.

The fourth chapter in this section, by Bruce Cain, parallels that of Petracca and O'Brien and deals with term limits in five local governments in Northern California. Data were collected by teams of undergraduate students under the supervision of two graduate students and the author, using an open-ended interview format rather than questionnaires. Cain notes that term limits must be viewed in a political context; in particular, they cannot be expected to have the same consequences in partisan legislatures as in non-partisan city councils. Once we control for time trends, Cain and his research team find that term limits had little effect on the typical characteristics of incumbents or the competitiveness of races or the policies pursued by city government with respect to important areas of controversy such as development. Also, because in the five cities studied, the mayorality was relatively ceremonial, and the city manager served at the pleasure of the council and the council members had always been part-time, term limits appeared to have had little or no effect on balance of power within the city government.

Cain also finds that term limits had relatively limited impact on mean council tenure, which was low to begin with; they primarily served to eliminate a "small category of long term incumbents." However, one of the more unexpected findings was the way in which the absence of a lifetime ban on office-holding permitted some politicians later returns to office (including in one case a repeated shift between a position as mayor and a city council position) in such a way as to effectively limit the effects of term limits on their own careers.

The last chapter in this section is by John Carey and deals with the impact of term limits in Costa Rica, the only country to have used national parliamentary term limits for a sufficiently extended and uninterrupted period to permit useful data analysis at present. Costa Rican legislators are prohibited from running for immediate reelection. Carey shows that the severity of this prohibition is real in that only relatively rarely do legislators return to office in later years. Nonetheless, Carey argues that term limits in Costa Rica do not eliminate careerism but rather lead it to be channeled in other ways, through mechanisms of patronage. Carey also argues that term limits do not serve to eliminate legislative particularism.
Relatedly, Carey provides evidence that, in the context of Costa Rica's list PR system, term limits undermine the cohesiveness of legislative parties.

Concluding Reflections

The essays in this volume give us reason to be skeptical about term limits as a dramatic force for change and urge caution in making predictions about the effects of term limits. Cain (Section I), for example, argues that the effects of term limits will be context specific and will depend upon the exact nature of the term limits being imposed, and he shows that plausible intuitions about politics may give rise to very different predictions about the impact of term limits. Reed and Schansberg (Section I), while finding a link between congressional tenure and willingness to spend federal monies in the anticipated direction, argue that this link is "of such small size as to be negligible for all practical purposes." Similarly, although the magnitudes predicted are certainly not negligible, both Reed and Schansberg (Section II) and Gilmour and Rothstein (Section II) predict far less of an impact of term limits on partisan balance in Congress than Republicans adherents might have hoped for. Similarly, just as Cohen and Spitzer (1992:517-518) makes the important point that term limits may prompt changes in institutions that are internal to the legislature, e.g., the committee system and the seniority system, that act in countervailing ways to some of the trends predicted by students of term limits who fail to take into account the "status quo" restoring responses of institutions to externally imposed changes, so Grofman and Sutherland (Section II) emphasize that term limits will change the incentive structure for candidacies in ways that may actually reduce competition.

Moreover, when we turn to data on political systems that have imposed term limits, we are reminded that term limitations are only one aspect of political institutional structure and are embedded in particular political cultures. For example, Carey (Section IV) shows that, in the context of a list form of proportional representation, term limits in Costa Rica have had consequences of a sort not really discussed in the literature on term limits in the United States, e.g., for the legislative cohesiveness of political parties. With the possible exception of voter turnout, both the essays by Cain (Section IV) and Petracca and O'Brien (Section IV) show only limited or zero impact of local term limits on various parameters of interest. Similarly, Grofman and Sutherland (Section II) find a very limited impact of term limits on gubernatorial tenure. Also Grofman and Sutherland (Section IV) observe that some areas of the United States have historically displayed resistance to the adoption of term limits.

Nonetheless, because the terms limits literature has provided so many predictions and arguments, and because so many of the propositions offered are mutually contradictory, it provides a rich body of insights to draw upon both for further modeling and for future empirical research, as data becomes available.
Thus my expectation and hope is that this volume will provide inspiration for a large body of new Public Choice scholarship over the course of the next decade.

ENDNOTES

1. The only statewide legislative term limit initiative to go to the electorate in 1991, that in the state of Washington, one involving both legislative and congressional term limits, was defeated, but in each of the fourteen states with legislative term limit initiatives on the ballot in 1992 the initiatives earned passage. However, Nebraska's initiative was later struck down as having been placed on the ballot improperly. Maine passed a legislative term limits initiative in 1993. In 1994, various types of term limits were passed in Alaska, Idaho, Maine, Massachusetts, Nebraska and Nevada. Colorado tightened its previously enacted term limits, while voters in Utah decided not to impose further restriction on terms of service in that state.

2. See Rausch and Copeland (this volume).

3. Pennsylvania was the only state to have a limit on legislative terms, but that term limit applied to its upper chamber at a time when the chief executive of the state was chosen by that branch of the legislature from among its members. When Pennsylvania shifted to a popularly elected executive in 1790, following the model of the national government, its term limits on legislative service were abolished (see Lutz, 1980; Thorpe, 1909). We should also note that in the federal Congress elected under the Articles of Confederation legislators were eligible to serve no more than three years in six. (We are indebted to Calvin Jillson, personal communication, May 1991, for calling this point to our attention.)

4. U.S. Term Limits v. Hill, No. 93-1240 (Ark., March 7, 1994); Stumpf v. Lau, 839 P. 2d 120 (Nevada, September 1992). In the Nevada case the congressional term limits initiative was denied a place on the ballot because of the finding that such a provision, if passed, would "palpably violate the paramount law and would inevitably be futile and nugatory and incapable of being made operative under any conditions or circumstances." (For discussion of the Nevada case see Bowers, 1992.)


6. The California state legislative term limit initiative was affirmed in state court against a challenge that its language violated state constitutional provisions requiring that initiatives be restricted to a "single subject," but provisions of the term limits initiative affecting legislative pensions were struck down as falling outside the single subject proviso. The Nebraska term limits initiative was struck down in 1994 on the grounds that it had been wrongly placed on the ballot because it had not received an adequate number of petition signatures. The Supreme Court
declined to consolidate the Washington case with the Arkansas case, and the former is as of this writing (December 4, 1994) on appeal to the Ninth Circuit.

7. For example, two-thirds of George Will's paean to civic republicanism, *Restoration*, is taken up with a powerful critique of the failures of government policies in the United States: with a focus on pork, power and perks, bloated bureaucracies, and mindless regulation, before he even gets to term limits. Will term limits cure, or even ameliorate, such problems? Especially problematic is the link between gerrymandering and term limits. Will includes in his critique of government an attack on tortuously shaped congressional districts whose creation was tied to incumbency preservation, on the one hand, and voting rights concerns, on the other. Moreover, these districts were drawn by state legislatures, not by Congress. Presumably citizen-legislators elected to Congress whose terms are limited will be less likely to insist on districts designed to preserve their own short-lived incumbencies. Yet, a strong counter-argument can be made that state legislators, faced with term limits, will be more inclined to gerrymander congressional lines so as to create new seats for themselves. My own view, as a redistricting specialist, is that the latter effect will be far stronger than the former. Also it is well to remember that gerrymandering can be used to affect the partisan balance. Arguably, the presence of minority members with whom one will have to deal in the future has inhibited partisan gerrymandering in the past and led to "sweetheart deals" that preserve the constituencies of incumbents of both parties. Term limits may reduce the incentive for such bipartisan deals and increase the likelihood of partisan gerrymandering. As of this writing, no legislative redistricting plan has ever been held to be an unconstitutional partisan gerrymander, even though the Supreme Court in 1986 held political gerrymandering to constitute a justiciable constitutional claim under the equal protection clause of the 14th Amendment (Grofman, 1991).

8. For a useful discussion of responsiveness in the context of term limits see Boeckelman (1993).

9. Will (1992:177) goes on to assert: "Critics who say that term limitation will make Congress a bewildered and deferential handmaiden of the presidency are missing a point. A Congress whose members are cured of careerism will be less risk-averse and more vigorous. Such a Congress will not only leave courts less latitude to act as legislatures, it will more readily risk challenging the president, whoever he is, as the definer of the nation's agenda."

10. An earlier and less complete inventory of propositions about term limits is found in American Enterprise Institute (1979).


12. Similar arguments are made by Brady and Rivers (1991). A discussion of the views of Brady and Rivers is found in Cain (this volume, Section I).

13. An important earlier work that makes similar points in terms of a model of the politico-business cycle is Chappel and Keech (1983).
14. Cohen and Spitzer refer to such public-spirited politicians as "Mother Teresas." They argue that, if voters cannot distinguish between self-serving and Mother Teresa candidates except on the basis of their actions, then "rational candidates will mimic the actions of their betters."

15. In addition to the time-perspective argument, political science opponents of term limits also argue, i.e., that they needlessly eliminate experienced public servants and reduce legislative professionalism, deny voters their right to elect candidates of choice, create lame-duck politicians, and strengthen the power of interest groups (see, e.g., Polsby, 1991a, b; Copeland, 1992).

16. However, as is evident from other essays in this volume, such as that of Glazer and Wattenberg, Public Choice scholars come down on both sides of the term limits debate.

17. For important related discussion that take a somewhat different perspective, the reader should consult Alexander and Bhojwani, 1991; Clucas, 1993.

18. Similarly, Gary Copeland (personal communication, 1991) has observed that term limits can be thought of a cheap and easy substitute for campaign finance reform as a way to get more competition.

19. None of the chapters in this volume deal to any extent with the likely impact of term limits on racial or gender representation. For a specific discussion of those issues see Thompson and Moncrief (1993). I would note though that, because minority seats are disproportionately safe, the operation of seniority has given minority legislators elected in the last decade the opportunity for considerable power in state legislatures and Congress, and that term limits would cut into that advantage (Bositis, 1992; cf. Richardson, 1993). Minority legislative and congressional gains in the South came about largely as a result of the Voting Rights Act (Handley and Grofman, 1994; Handley, Grofman and Arden, 1995 forthcoming). It has been suggested that term limits might constitute a violation of the Voting Rights Act (or of the U.S. Constitution directly) if their differential impact on the opportunities for legislative advancement of minority legislators could be shown to be severe (Gay, 1993), but my own reading of very recent Supreme Court decisions on the scope of the VRA suggest that this would be held to be an unrealistic stretching of the domain of the Act and of the 14th and 15th Amendments.


21. This point is reinforced when we consider that, even before term limits have actually guillotined legislative careers, in anticipation of their effects, many legislators have already bailed out of the legislature. In California, where the Assembly has 80 members; more than a quarter (22) retired in 1994. However, 18 of the 22 retirees filed for other offices (Gillam, 1994).

22. Anti-federalist views seem to rise and fall in a cyclic pattern. The early 20th century populist push for initiatives, referenda, and recall can also be seen as a resurgence of anti-federalist sentiment.
23. A parody of this goal of the term limits movement appeared in the tongue-in-cheek *Journal of Irreproducible Results* in the form of an imaginary newspaper article:

There appears to be growing support in the United States, especially among retired politicians, for a proposed constitutional election reform. Under the proposal, anyone who wishes to run for elected office would be prohibited from doing so. The proposed constitutional amendment cites a need to have a "higher caliber of persons entering political life." It reportedly has backing from all the living former U.S. presidents except Ronald Reagan ("U.S. Election Proposal is Seen Gaining Support," 1993:10).


25. The extent to which tools such as the initiative that have proved successful for one purpose are then adapted for use in other contexts so as to create a kind of cascade effect is an important topic of inquiry.

26. Of the 7,396 state legislators holding office in 1991 who had run as party designees, 60.4 percent were Democrats. Similarly, Democrats have almost always controlled both branches of Congress since 1932, and the total number of Democratic members of Congress (combining House and Senate) has exceeded the number of Republican members in every year since 1954 until the "Homicide on the Hill" of 1994.

27. As noted above, two of the essays in this volume (by Gilmour and Rothstein, and by Reed and Schansberg) directly address the likely partisan consequences of term limits from both a theoretical and an empirical perspective.

28. However, the magnitude of the estimates for partisan differences will depend upon whether or not controls are introduced for other factors (such as SES differences) that impact on support for term limits, and the exact nature of those controls.

29. As noted earlier, in general, the current proponents of term limitations do not all agree as to what are the specific evils that this reform is intended to ameliorate. However, it is well known that the successful movement to limit presidential terms to two that culminated in the passage of the 22nd Amendment in 1951 was sparked in good part by Republican unhappiness with the era of Democratic dominance under Franklin Delano Roosevelt (Stein, 1972).

30. For other informative discussions of the differences between Republican and Democratic voters with respect to support for term limits in these and other states, and consideration of the partisan (and other) roots of the term limits initiative movement in the various states, see Rausch, 1993; Lunch, 1993; Donovan, 1993; Donovan and Snipp, 1994; Jewell, 1993; Titus, n.d.; Friedman and Wittman, forthcoming; and various of the essays in Benjamin and Malbin, 1992.

31. The sole loss of a statewide term limits initiative, that in Washington in 1991, has been blamed on the fact that it would have been retroactive (Coyne and Fund, 1992:10).
32. In a study of state legislative term limits, looking at margin of support for initiatives in those states where term limits were on the ballot, Jewell (1993) does not find support for the hypothesis that states with the more professionalized legislatures would exhibit higher levels of support for term limits. However, in at least some of the states with professionalized legislatures the campaign against term limits initiatives led by incumbent legislators with a great deal to lose may have been fiercer than in states where there was no organized opposition to the reform proposal.

33. Some of those cities subsequently adopted term limits. Petracca and O'Brien also note that no local term limit initiative has yet failed in Orange County, at least in recent memory.

34. See also Cain (this volume, Section IV).
California Proposition 93, Amendment to Term Limits Law (February 2008)

California Proposition 93, also known as the Term Limits and Legislative Reform Act, was on the February 5, 2008 statewide primary election ballot in California as an initiated constitutional amendment, where it was defeated. If Proposition 93 had passed, members of the California State Legislature would have been allowed to remain in their current office up to 12 years. That period was longer than under existing state term limits laws for one legislative house, but two years shorter than the total lawfully allowable time in the Legislature. California lawmakers can serve 3 terms in the California State Assembly and two terms in the California State Senate for a total of 14 years. Proposition 93 sought to allow them to spend only 12 years total in office, but all in one chamber had they so chosen (and been elected).

Proposition 93 was one of seven ballot measures (along with party presidential primary contests) that California voters decided on February 5, 2008.

U.S. Term Limits opposed Proposition 93 because it lengthened the time current legislative incumbents could serve. Current legislative incumbents were the primary sponsors of Proposition 93.

Election results

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History of California term limits

California voters imposed strict term limits on the California Legislature in 1990, when they voted in favor of Proposition 140 by a margin of 52-48%. Proposition 140 limits state Assembly members to three two-year terms and state senators to two four-year terms, and imposes a lifelong ban against seeking the same office once the limits have been reached. Proposition 140 still governs how long members of the California State Assembly and California State Senate can stay in office, although there have been repeated attempts to rollback, soften or have Prop 140 declared unconstitutional.

Bates v. Jones

In the case of Bates v. Jones, Bates—a termed-out Assemblyman—sued in federal court to have the provisions of Proposition 140 declared unconstitutional. A federal court agreed with his claim, before the United States Court of Appeals for the Ninth Circuit ruled against him, keeping the limits in place.

http://ballotpedia.org/California_Proposition_93,_Amendment_to_Term_Limits_Law_%2... 1/19/2015
Proposition 45 in 2002

California State Senate president pro tem John Burton (D-San Francisco) vigorously sponsored an effort in 2002 to rollback the provisions of 1990's Proposition 140 by putting Proposition 45 on the March 2002 ballot. Voters rejected Proposition 45 by a margin of 42-58%. Had Proposition 45 passed, it would have allowed state legislators to serve for four years beyond the limits allowed by Proposition 140.

Constitutional changes

If Proposition 93 had been approved, it would have:

- Amended Section 2 of Article IV.
- Amended Section 7 of Article XX.

Text of measure

Title

The ballot title was:

Limits on Legislators' Terms in Office. Initiative Constitutional Amendment.

Summary

The official summary provided to describe Proposition 93 said:

- Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years.
- Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both.
- Provides a transition period to allow current members to serve a total of 12 consecutive years in the house in which they are currently serving, regardless of any prior service in another house.

Fiscal impact

See also: Fiscal impact statement

The fiscal estimate provided by the California Legislative Analyst's Office said:

- "This measure would have no direct fiscal effect on state or local governments."

Support

Supporters

The official voter guide arguments in favor of Proposition 93 were signed by:

- Betty Jo Toccoli, president, California Small Business Association
- Richard Riordan, Former California Education Secretary
- Susan Smartt, executive director, California League of Conservation Voters
- Liane M. Randolph, former chairman, California Fair Political Practices Commission
- Rick Mattos, president, California Association of Highway Patrolmen

http://ballotpedia.org/California_Proposition_93,_Amendment_to_Term_Limits_Law_%2... 1/19/2015
California State Assembly Speaker Fabian Nunez and California State Senate President Don Perata were two key political backers of the measure. With Proposition 93's defeat, both had to leave office.

Gov. Schwarzenegger endorsed Proposition 93, saying voters went "too far" with term limits in the past. He also argued that if the redistricting initiative passes and new limits were placed on political funding, the term limits extension wouldn't be necessary.

Arguments in favor

Supporters of Proposition 93 made these arguments in its favor in the state's official voter guide:

- "Proposition 93 reforms California's 17-year-old term limits law to make the Legislature more effective. This thoughtful proposition strikes a reasonable balance between the need to elect new people with fresh ideas, and the need for experienced legislators with the knowledge and expertise to solve the complex problems facing our state."
- "[It's] simple but important adjustments [to the existing law] will let legislators spend more time working for taxpayers, and less time worrying about which office to run for next."
- "An independent study by the nonpartisan Public Policy Institute of California (PPIC) found that term limits have produced important benefits, but 'have been accompanied by unintended consequences [that] diminish the Legislature's capacity to perform its basic duties.' The study found term limits increased the potential for 'fiscal irresponsibility' in the Legislature, while providing 'less incentive, experience, and leadership to correct it.' Rapid turnover in the Legislature has also reduced 'expertise in many important policy areas.'"
- "Allowing legislators to serve 12 years in either the State Assembly or State Senate will let them gain experience and expertise—essential for dealing with complicated public policy issues with long-term consequences. Committees will be led by experienced lawmakers who can better oversee state bureaucrats. And more legislators will focus on California's long-term needs, instead of their own short-term careers."[1]

Donors

$16,840,223 was contributed to the campaign in favor of a "yes" vote on Proposition 93.[4]

Donors of $150,000 or more were:

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<td>$2,227,646</td>
</tr>
<tr>
<td>California Teachers Association</td>
<td>$1,750,100</td>
</tr>
<tr>
<td>Committee to Protect California's Future</td>
<td>$1,145,000</td>
</tr>
<tr>
<td>AFSCME</td>
<td>$800,000</td>
</tr>
<tr>
<td>SEIU</td>
<td>$800,000</td>
</tr>
<tr>
<td>California Democratic Party</td>
<td>$575,219</td>
</tr>
<tr>
<td>PHRMA</td>
<td>$500,000</td>
</tr>
<tr>
<td>California Hospital Association</td>
<td>$350,000</td>
</tr>
<tr>
<td>Professional Engineers in California Government</td>
<td>$250,000</td>
</tr>
<tr>
<td>California Dental Association</td>
<td>$250,000</td>
</tr>
<tr>
<td>AT&amp;T</td>
<td>$250,000</td>
</tr>
<tr>
<td>Los Angeles Casinos PAC</td>
<td>$250,000</td>
</tr>
<tr>
<td>Girardi and Keese</td>
<td>$225,000</td>
</tr>
<tr>
<td>Mercury General Corp.</td>
<td>$200,000</td>
</tr>
<tr>
<td>Southern California Edison</td>
<td>$175,000</td>
</tr>
<tr>
<td>Cotchett, Pitre, Simon &amp; McCarthy</td>
<td>$162,500</td>
</tr>
<tr>
<td>Zenith Insurance</td>
<td>$150,000</td>
</tr>
<tr>
<td>Southwest Regional Council of Carpenters</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

The San Diego Union-Tribune editorialized on December 24, 2007 that Gov. Schwarzenegger and Fabian Nuñez rounded up union support for a health care bill in the state by giving unions "huge, unscrutinized concessions" in exchange for donations from SEIU and AFSCME to the pro-Prop 93 camp totalling $1.7 million.\[5\]

*See also: Large donors supporting California Proposition 93*

**Opposition**

**Opponents**

California State Insurance Commissioner Steve Poizner announced in early November 2007 that he would lead the charge against Proposition 93. Poizner said that Proposition 93 is a "naked power grab" by legislative incumbents.\[6\][7]

The official voter guide arguments opposing Proposition 93 were signed by:

- Lew Uhler, president, National Tax Limitation Committee
- Julie Vandermost, president, California Women's Leadership Association
- Timothy J. Escobar, vice-president, U.S. Term Limits
- Martha Montelongo, vice-president, California Term Limits Defense Fund
- Jon Coupal, president, Howard Jarvis Taxpayers Association
- Steve Poizner.\[1\]

http://ballotpedia.org/California_Proposition_93_Amendment_to_Term_Limits_Law_%2... 1/19/2015
At least 26 GOP legislators publicly opposed Proposition 93, including former Gov. Pete Wilson.\[8\]

The powerful California Chamber of Commerce voted in mid-December to oppose Proposition 93.\[9\]

**Arguments against**

Opponents of Proposition 93 made these arguments against it in the state's official voter guide:

- "Proposition 93 is a scam that would actually lengthen politicians' terms in office. It is intentionally deceptive because it claims to toughen term limits when it would in fact cripple term limits."
- "It's written by career politicians and funded by millions of dollars from special interests with business before the Legislature."
- "Proposition 93 has a special loophole that benefits 42 incumbent politicians who are termed out by giving them more time in office. Some politicians will even be able to serve up to 20 years in office—just like before we passed term limits."
- "Proposition 93 will dramatically increase terms for more than 80% of state legislators. Politicians will have more time to develop cozy relationships with lobbyists."
- "Proposition 93 sets back the clock and limits opportunities for more women and minorities to be elected to the Legislature."

**Donors**

$8,958,926 was contributed to the campaign in favor of a "no" vote on Proposition 93.\[10\]

Donors of $100,000 or more were:

<table>
<thead>
<tr>
<th>Donor</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poizner Family Trust</td>
<td>$2,300,000</td>
</tr>
<tr>
<td>California Correctional Peace Officers Association</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>U.S. Term Limits</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>William E. Bloomfield, Jr.</td>
<td>$350,000</td>
</tr>
<tr>
<td>Charles Munger, Jr.</td>
<td>$150,000</td>
</tr>
<tr>
<td>Brian Harvey</td>
<td>$100,000</td>
</tr>
<tr>
<td>Reed Hastings</td>
<td>$99,228</td>
</tr>
</tbody>
</table>

See also: Large donors opposing California Proposition 93

**Campaign tactics**

http://ballotpedia.org/California_Proposition_93,_Amendment_to_Term_Limits_Law_%2... 1/19/2015
The Ballot Initiative Strategy Center and the California League of Conservation Voters sent a letter to the "No on 93" campaign demanding that donors from U.S. Term Limits be revealed, and asserting that in their view, Howie Rich was behind the opposition to Proposition 93. According to an article in Capital Weekly the "focus on Rich marks a tactical change in the fight over Proposition 93. Proponents are hoping that voters will support the measure when they learn who the initiative's opponents are."[12]

The change from focusing on the issue to focusing on campaign finance was attributed to the lackluster support of the California Democratic Party with nearly half of the E-board voting to stay neutral on the topic.

At the same time, opponents of Proposition 93 focused on recent scandals about the two main sponsors of Proposition 93: California House speaker Fabian Nunez[13][14] and state Senate president Don Perata.[15][16]

Public opinion polling

See also Polls, 2008 ballot measures.

A poll released in January 2008 by Field Poll showed that support for Proposition 93 had declined from 59 percent in favor in October 2007 to 39 percent in favor by mid-January 2008. The same poll showed that 2/3 of likely voters had heard of Proposition 93 by mid-January, while in December 2007, only 25% of likely voters were aware of the measure.[17]

<table>
<thead>
<tr>
<th>Date of Poll</th>
<th>In favor</th>
<th>Opposed</th>
<th>Undecided</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 2007</td>
<td>59%</td>
<td>30%</td>
<td>11%</td>
</tr>
<tr>
<td>October 2007</td>
<td>49%</td>
<td>31%</td>
<td>20%</td>
</tr>
<tr>
<td>December 2007</td>
<td>50%</td>
<td>32%</td>
<td>18%</td>
</tr>
<tr>
<td>January 2008</td>
<td>39%</td>
<td>39%</td>
<td>22%</td>
</tr>
<tr>
<td>February 2008</td>
<td>33%</td>
<td>46%</td>
<td>21%</td>
</tr>
</tbody>
</table>

Field Poll director Mark DiCamillo theorized that support for the measure weakened because "...the target audience of the (measure's) backers has backed off a bit. They are a little less convinced about the ballot measure."[19]

According to "No on 93" spokesman Kevin Spillane, support for 93 was highest when poll respondents were read the ballot title for the measure, and lowest when they were told that current legislative incumbents were the main advocates of Proposition 93. Spillane also said that the ballot title given to Proposition 93 by California Attorney General Jerry Brown amounted to "a political contribution worth several million dollars."[20]

In February there was a sharp drop in polls as Republican's oppose the measure 2-1 or 56 percent to 27 percent. The drop of support from the Republicans for the initiative came when it was cast as a partisan scam to keep Democrats in power.[21]
"Yes on 93"

- The Los Angeles Times encouraged its readers to endorse Proposition 93, saying, "The term-limits measure would reward a few lawmakers now, but it's right for the state's future."[22]

- The San Francisco Bay Guardian supported Proposition 93, saying, "It's a bit better than what we have now — it might bring more long-term focus to the legislature and eliminate some of the musical-chairs mess that's brought us the Mark Leno versus Carole Migden bloodbath."[23]

- The Pasadena Star News supported Proposition 93.[24]

- The Monterey County Herald urged a "yes" vote on Proposition 93, arguing that "suddenly removing dozens of veteran legislators will do nothing at all to solve the many large and complicated issues on the legislative agenda."[25]

"No on 93"

- The Long Beach Press-Telegram urged its readers to vote "no" on Proposition 93, saying, "Two of the termed-out politicians chiefly responsible for the fiscal 911 call California made recently in hopes of rescuing its drowning budget want a chance to stay in office six years longer than voters intended."[26]

- The San Jose Mercury News opposed Proposition 93.[27]

- The Fresno Bee opposed Proposition 93.[28]

- The Tracy Press urged a "no" vote on Proposition 93, calling it "an ugly attempt at term limits reform."[29]

- The San Francisco Chronicle urged a "no" vote on Proposition 93, saying it is "the people in power taking care of themselves."[30]

- The Redding Record Searchlight opposed Proposition 93, saying that it "a self-serving scheme" by legislative incumbents.[31]

- The North Country Times, while saying that it generally opposed term limits, argued that Proposition 93 is not the reform they believe is needed, and urged their readers to reject it.[32]

- The Los Angeles Daily News opined that Gov. Schwarzenegger's change-of-heart on Proposition 93 is illogical, "feeble," and a "a blatant case of flip-flopping and dishonesty on the governor's part."[33]

- The Modesto Bee was against Proposition 93, saying that the "state government is rigidly partisan and increasingly ineffective."[34]

- The Record Net was against Proposition 93, saying it is "just a disingenuous gambit by some of the state's most powerful elected officials to retain control and extend their longevity."[35]

- The Ventura County Star opposed Proposition 93, saying that even though they don't like term limits, "Proposition 93 isn't a bad idea, until voters sniff out how self-serving it really is. Then it smells so bad, even plugging your nose doesn't eliminate the stench."[36]

Path to the ballot

See also: California signature requirements

As an initiated constitutional amendment, 694,354 signatures were required to qualify Proposition 93 for the ballot.

The signatures were collected by Kimball Petition Management at a cost of $2,238,537.89.[37]

See also: California ballot initiative petition signature costs

http://ballotpedia.org/California_Proposition_93,_Amendment_to_Term_Limits_Law_%2... 1/19/2015
See also

- California 2008 ballot propositions
- Laws governing the initiative process in California
- Campaign finance requirements for California ballot measures

External links

- Proposition 93 in the Smart Voter Guide (http://smartvoter.org/2008/02/05/ca/state/prop/93/)
- Analysis of Proposition 93 (http://igs.berkeley.edu/library/research/quickhelp/elections/2008primary_feb/Prop93.html) (dead link) from the Institute of Governmental Studies
- Summary of donors to and against 93 (http://cal-access.ss.ca.gov/Campaign/Measures/Detail.aspx?id=1299177&session=2007) from Cal-Access
- Donors for and against Proposition 93 (http://www.followthemoney.org/database/StateGlance/ballot.phtml?m=492) from Follow The Money
- “Yes on 93” campaign website (archival) (http://web.archive.org/web/20071202045950/http://www.termlimitsreform.com/)
- “Stop the Politicians,” a “No on 93” website (archival) (http://web.archive.org/web/20080320082843/http://www.stopthepoliticians.com/)

Additional reading

- Field Poll: Smaller majority now favoring Proposition 93 term limits initiative; polling questions asked (http://www.yubanet.com/artman/publish/printer_69279.shtml)
- How have term limits affected the California legislature? (http://www.ppic.org/content/pubs/rb/RB_1104BCRB.pdf)
- Political families circumvent California’s term limits (http://www.npr.org/templates/story/story.php?storyId=5451096)
- Ballot analysis of Proposition 93 from San Francisco Planning and Urban Research Association (SPUR) (http://spur.org/documents/0208_ballot_analysis.shtm#f) (dead link)
- Term-limit issue tests voters (http://www.dailybreeze.com/ci_7898831), Daily Breeze, Jan. 6, 2008
- Proposition 93 is a toss-up, poll shows (http://www.latimes.com/news/politics/la-me-poll30jan30,0,7942509.story) (dead link), Los Angeles Daily News, January 30, 2008

http://ballotpedia.org/California_Proposition_93,_Amendment_to_Term_Limits_Law_%2... 1/19/2015

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2. † Governor supports term limits measure (https://web.archive.org/web/2/http://www.sacbee.com/1
4. † Follow the Money, "Donors to Yes on 93" (http://www.followthemoney.org/database/StateGlan m=492)
5. † Desperation time: Governor will do anything to enact health bill (http://www.signonsandiego.com/uniontrib/20071224/neo
7. † With Poizner's Checkbook, the term limits battle is joined (https://web.archive.org/web/2/http://www.capitolweekly xid=wo4syen08soaeb)
8. † Term limits initiative has created a partisan divide, (http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2008/02/03/politics/p095400568.DTL&type=politic San Francisco Chronicle, Feb. 3, 2008
10. † Follow the Money, "Donors to No on 93" (http://www.followthemoney.org/database/StateGlan m=492)
13. † Nunez used a charity to funnel donations (https://web.archive.org/web/2/http://www.latimes.com/i me-nunez2nov02,1,2904281.story)
15. † Probe of Perata quiet but very much alive (https://web.archive.org/web/2/http://www.stopthepolitic DocumentID=21220)
17. † Field Poll January 24, 2008 (http://www.field.com/fieldpollonline/subscribers/R6226)
27. † San Jose Mercury News, "Proposition 93 isn't the fix we need; Term-limit law would reward double-dealing by incumbents," December 2, 2007 (http://www.mercurynews.com/opinion/ci_7617303)
28. † Fresno Bee, "Voters should reject Proposition 93 Measure isn't what it pretends to be -- a reform of term limits," December 2, 2007 (http://www.fresnobee.com/274/story/237309.html)
29. † Tracy Press, "The Press recommends a no vote on Proposition 93, an ugly attempt at term limits "reform," January 10, 2008 (http://tracypress.com/content/view/13054/2244/)
30. † San Francisco Chronicle, "Corruption of a good idea," January 15, 2008 (http://www.sfgate.com/cgi­ bin/article.cgi?f=/c/a/2008/01/15/ED66UF359.DTL)
32. † North County Times, "We endorse..." January 19, 2008 (http://www.nctimes.com/articles/2008/01/20/opinion/edit


Categories: California 2008 ballot measures | Term limits, California | Trojan Horse initiatives | Term limits, 2008 | Defeated, 2008

http://ballotpedia.org/California_Proposition_93,_Amendment_to_Term_Limits_Law_%2... 1/19/2015
DATE: February 4, 2015

TO: Charter Review Committee

FROM: Gregory G. Diaz, City Attorney

SUBJECT: Consideration of Items Requested to be Researched on Consultants and Additions to the Charter Review Committee’s Scope

RECOMMENDATION:

That the Charter Review Committee continue this item to your next regularly scheduled meeting so that a complete report can be prepared.

DISCUSSION:

With unexpected occurrences, staff was unable to spend sufficient time on the Committee’s request in this regard to prepare an adequate report for this meeting. Consequently, it is requested that the item be continued to the Charter Review Committee’s next meeting, March 11, 2015.
DATE: February 4, 2015
TO: Charter Review Committee
FROM: Gregory G. Diaz, City Attorney
SUBJECT: Committee Requests for Information Relating to Whether or Not the School District Provisions Should Remain in the Charter

Recommendation:

Members of the City Charter Review Committee may indicate the types of information that they would find useful and/or helpful in determining and preparing for the March 11, 2015 Charter Review Committee Meeting where the topic is scheduled to be whether the Charter provisions relating to the school district should remain in the Charter.

DISCUSSION:

At the Committee's First Meeting, Staff indicated we would include on every agenda the topic for the next meeting to provide Committee Members with the opportunity to request specific types of information you would find useful or helpful in addressing the next topic. This will assist staff in ensuring that the information provided is that which the Committee would find most useful and/or helpful. As such, this is the opportunity for Members of the Charter Review Committee to make such requests.
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