

*Submitted into the Charter Review
Board Record, 9-27-2010
by Gerald L. White, Sr., Board Member*

APPENDIX B

SUMMARY OF EXPERT TESTIMONY TO THE COMMISSION

TERM LIMITS

Brooklyn Borough Hall • May 25th, 2010

Patrick J. Egan, Assistant Professor of Politics and Public Policy, NYU

Patrick Egan posited that term limits can be used to address the institutional imbalances between New York City's executive and legislative branches. As the number of terms that members of the City Council may serve increases, legislator and legislative staff turnover decreases, affording the Council greater capacity to gain and maintain the expertise needed to address the challenges affecting their constituents. Egan also cautioned against comparisons to other cities, and argued that states offer more apt examples of the magnitude of issues facing New York City.

Addressing questions, Egan acknowledged the mixed impact of term limits and the general voter unhappiness with their representatives, whether or not term limits are in place. Egan chose not to take a position on whether the issue of term limits should be decided by the legislature or the voters. He instead encouraged the Commission to recognize that a referendum is no more legitimate from a social science perspective than a legislative vote, or vice-versa. He also commented on the question of terms for non-mayoral elected executives: the Comptroller, Public Advocate, and Borough Presidents. The Commission, he argued, should consider the relative powers of each office, wrestle with whether they are more akin to the executive or legislative branches and, determine the appropriate term limit.

Richard G. Niemi, Professor of Political Science, University of Rochester

Richard Niemi described the effects of term limits on state legislatures as studied by social scientists. Term limits have not resulted in a new non-political "citizen legislator." Instead, legislators elected to term limited offices go on to other public offices to continue their careers. The evidence is mixed in regard to the effect of term limits on the competitiveness of races and

legislator turnover: open seats are more competitive, but potential challengers appear to wait for such open seats rather than challenge an incumbent, who has not served the maximum terms permitted. Term limits alter intergovernmental relations; in states, they weaken the legislature relative to the executive and one can expect the same to be true in the municipal context. With regard to the effects of term limits on the influence of lobbyists, the increased dependence upon lobbyists in some regards is counterbalanced by an increased skepticism of lobbyists by term-limited legislators

Niemi also noted that term limits have neither been the panacea proponents had hoped for, nor the disaster critics feared. Social scientists continue to examine the many complex effects of term limits. He also cautioned the Commission to return the term limits issue to the voters, arguing that not doing so would only increase cynicism among voters. Responding to the question of whether more public education on term limits is required, Niemi argued that voters seem to have firm opinions on the issue; any further education is unlikely to make a difference.

Gregory C. Schmid, General Counsel, U.S. Term Limits

Gregory Schmid presented testimony in favor of a two-term limit for all city elected officials. Rather than limiting voter choice, he argued, term limits serve to empower voters by fostering more competitive elections, militating against abuses of power, and encouraging greater government accountability.

In response to Commissioners' questions, Schmid also argued that, while not a panacea, term limits are an essential tool for voters in the promotion of good government. In Schmid's view, voters hold strong opinions on the issue, have previously chosen term limits, and should once again be permitted to indicate their preference through referendum.

Views on Term Limits

The arguments for and against term limits have remained basically the same since the current term limits movement began in the late 1980s and early 1990s. Those in favor maintain that term limits make government more responsive to the public interest, while opponents argue that term limits are essentially undemocratic because they limit voter choice and that they render government less effective in serving the public interest.⁷ The Commission has been provided with staff research on term limits and was presented with all sides of the debate by academics, advocates, elected officials and members of the public at its Forum on Term Limits. Staff also commissioned two papers from political scientists, one from Patrick Egan and another from Richard Niemi and Kristin Rulison, evaluating the results of term limits.⁸ In addition to the academic and political debate over term limits, speakers at the public hearings and the forum noted the special context of the issue in New York City and many maintained the necessity of giving New York voters the opportunity to return to the results of the original referendum. That viewpoint provides a backdrop to the more general debate outlined below.

Proponents of term limits argue that capping the length of an elected officeholder's service results in one or more of the following:

- more opportunities for "citizen public servants" (people more interested in serving the needs of the electorate than pursuing a career in politics) to serve in government;

⁷ *But see* Einer Elhauge, "Are Term Limits Undemocratic?," 64 U. Chi. L. Rev. 83 (1997) (arguing, *inter alia*, that voting for term limits is a rational, democratic choice).

⁸ *See* P.J. Egan, "Term Limits for Municipal Elected Officials: Executive and Legislative Branches," (hereinafter "Term Limits") (paper on file with the Commission); R.G. Niemi and K.K. Rulison, "The Effects of Term Limits on State Legislatures and Their Applicability to the Executive Branch" (hereinafter "The Effects of Term Limits") (paper on file with the Commission).

career aspirations, no less dependent upon lobbyists, and no more attentive to constituent interests than their non-term-limited counterparts. The majority of current and former elected officeholders from New York City who have submitted opinions to the Commission appear to view term limits as damaging. This contrast of opinion between voter support of term limits, on the one hand, and social scientists and present and past officeholders, on the other, was conspicuous during the Commission's public hearings last April,¹⁰ the former Charter Chairs' conversation on May 17,¹¹ and, in particular, the Commission's term limits forum on May 25.¹²

By their nature, the effects of term limits legislation cannot be measured immediately upon enactment but only eight or so years later, when the disqualifications they impose on incumbents take actual effect. Thus, although the term limits movement took hold in several states across the nation in the early to mid-1990s, helpful data became available only toward the end of the 1990s. Almost all of this data addresses the effect of term limits on state government and on state legislatures in particular.¹³ The

¹⁰ See, e.g., Transcript of the 2010 New York City Charter Revision Commission's Public Meeting, April 12, 2010 (testimony of Alonzo deCastro) at 30 (supporting the people's right to determine the length of service for their representatives); *id.* (testimony of Council Member Oliver Koppell) at 34-39 (arguing that the people implicitly oppose term limits since they repeatedly elect the same representatives, including Mayor Bloomberg).

¹¹ See, e.g., Transcript of the 2010 New York City Charter Revision Commission's Public Meeting, May 17, 2010 (testimony of Richard Ravitch) at 24-26 (opposing term limits on ground that they dissuade able citizens from serving and impair office holders from accumulating requisite experience); *id.* (testimony of Ester Fuchs) at 67 (taking no position); *id.* (testimony of Randy Mastro) at 92-96 (disapproving city council override of people's will as expressed in ballot referenda); *id.* (testimony of Fritz Schwartz) at 102-04 (favoring retention of current three-term limit to prevent weakening Council vis-a-vis the Mayor).

¹² See Webcast of the Charter Revision Commission's Public Issue Forum on Term Limits, May 25, 2010 (<http://www.nyc.gov/html/charter/html/home/home.shtml>) (transcript forthcoming).

¹³ For at least three reasons, studies of state legislatures are relevant to the Commission's appraisal of term limits. First, many of the claims of advocates and opponents of term limits concern their effects upon the type of person choosing to run for government office and the behavior of such person when in office. Whether term limits result in the election of more "citizen public servants" and whether such officeholders behave differently than their predecessors are plausibly concerns measurable independently of the type of

data, broad with regard to geographic distribution of the jurisdictions studied and in some instances reviewing a decade of experience with term limits, appear to provide some basis to evaluate competing claims in the debate.¹⁴ Moreover, the only two studies known to staff that specifically examine the effects of term limits on the New York City Council conclude that the City Council under term limits has exhibited effects similar to those reported in the literature on state legislatures under term limits.¹⁵

jurisdiction—state or city—that establishes term limits. Second, many of the claims of term limits advocates and opponents concern the effects of term limits on the effectiveness with which government is able to address complex issues of significant impact, including the extent to which, because of such complexity and scale, the potential influence of special groups and their lobbyist representatives upon those issues rises. In this regard, the data on state governments might well be more applicable to the City than would similar data on municipalities, because the City's issues are more comparable in complexity and size to those addressed by the average state than to those addressed by the average municipality. See P.J. Egan, "Term Limits," *supra* note 8, at 1 ("Members of the City Council have more constituents—and on a person-for-person basis are responsible for overseeing the spending of more government dollars—than legislators in all but one of the nation's fifty states."); *id.* at 11-12; *cf.*, B. Weberg and K.T. Kurtz, "Legislative Staff," in K.T. Kurtz, B. Cain, and R.G. Niemi, eds., *INSTITUTIONAL CHANGE IN AMERICAN POLITICS: THE CASE FOR TERM LIMITS*, at 90, 91 (, (Ann Arbor, 2007) ("Wyoming manages its legislature business with the support of just over thirty full-time staff."). Third, the focus of analyses of the effects of term limits is on legislatures. Here too, the primary concern is with the effects of term limits on the legislative body. Whether the government is state or municipal, it is the legislative body that must identify and prioritize problems and formulate their solutions. The effective discharge of that task in a representative democracy is likely dependent upon collaborative and procedural skills acquired only with actual, on-the-job experience. The key question is, "How much time does a legislator need to acquire such skills?" The answer to this question seems more dependent upon the complexity and size of the issues to be addressed—and upon the relative power of coordinate branches of government—than upon whether they are addressed in state or municipal chambers.

¹⁴ The two papers on term limits commissioned by the Charter Revision Commission both draw on the experience of state legislatures to shed light on the effects of term limits on the City Council. See R.G. Niemi and K.K. Rulison, "The Effects of Term Limits", at 13 ("It seems likely that the effects of term limits [upon state legislatures] would apply relatively straightforwardly to city councils, which often have procedures, organizations, and objectives similar to those of state legislatures."); P.J. Egan, "Term Limits" (paper on file with Commission), at 5 ("most of the empirical scholarship on term limits focuses on the effects of term limits on state legislatures. As we consider the implications of this research for New York City, it is worth noting that the states—not other big cities—are probably the most appropriate group of jurisdictions for comparative purposes.")

¹⁵ See Jeffrey Kraus, "The Circulation of Office Holders: Term Limits and the New York City Council," Paper prepared for presentation at the 66th annual meeting of the Midwest Political Science Association, April 2008 (on file with Commission) (New York City Council experience with term limits confirms indications, based on state legislative data, that term limits do not attract "citizen legislators," give rise to officeholders concerned about positioning themselves for the next race, and make it more difficult for the legislature to act as an effective counter to the executive); *id.* at 21-22; E. Lane, "The Impact of Term Limits on Lawmaking in the City of New York," 3 *Election L.J.* 670, 681-82 (2004), at 684 (concluding

The data on the impact of term limits legislation across the country reveal both expected and unexpected consequences. Studies indicate that term limits may have the unintended consequence of making legislatures less able to act as an effective counterbalance to executive governmental power, consequently increasing the political power and influence of unelected persons, agency bureaucrats or, possibly, lobbyists. Term limits do sweep out incumbents at regular intervals and consequently make more races for office more competitive. They do not, however, replace incumbents with a new type of citizen-officeholder who regards political office as a temporary donation of skills and time to the public or as a way to give greater voice to constituent interests. Instead, term-limited incumbents appear to give way to a new set of politicians who may well bring new ideas to their work but who do not seem more or less likely than their predecessors to view constituent interests as their first priority.

To the extent that the results of studies outlining the effects of term limits on state legislatures apply to New York City, they must be considered in the context of the desire to allow the voters again to weigh in on term limits and the positive views that have been voiced about the New York experience with term limits. Polls indicate that city residents continue to support term limits.¹⁶ Proponents of term limits for city officials have argued that renewed energy after the Council turnover in 1993 has led to considerable achievements. At least one good government group that previously opposed term limits now supports them in some form: Citizens Union, in its 2010 Report, writes

that term limits in New York City “have not generated a legislature free of either special interests or self-interests [and that in] fact, such interests may well be playing a larger role in the lawmaking process than before” yet also concluding that the “shift in power [from Speaker to Members arising from term limits] has made the Council more representative and more accessible.”)

¹⁶ See Egan, “Term Limits,” *supra* note 8, at 3.

that “in the years following the approval of term limits, the City Council became a more dynamic policy-making body in part due to the fresh perspective and energy of new Council members.”¹⁷

In order to reconcile these sentiments with the other testimony and research regarding the effects of term limits, Commission members have informed staff that they wish to solicit public comment on whether to provide the voters with the opportunity to choose among alternative provisions.

Recommendation

In light of the above discussion, the staff recommends, first, that the Commission seek additional public discussion as to whether the following two questions should be placed on the ballot in November:¹⁸

- Should the Charter be amended to replace the present three-term maximum provision with a two-term maximum provision?
- Should the Charter be amended to restrict the Mayor, Public Advocate, Comptroller and Borough Presidents to two consecutive full terms and members of the City Council to three consecutive full terms?

If the options above are rejected, the current three-term limit for all elected office-holders would remain in place.

Second, staff recommends that the Commission consider proposing an amendment to the Charter restricting the Council from enacting an amendment or repeal of any term limits provision that would extend the eligibility for office of any incumbent official, *i.e.*, only a prospective amendment would be permitted. This proposal is not

¹⁷ Citizens Union of the City Of New York, “2010 City Charter Revision Recommendations: Increasing Avenues for Participation in Governing and Elections in New York City,” at ___ (June 30, 2010) (hereinafter “2010 Recommendations”).

¹⁸ Under the Municipal Home Rule Law, a ballot proposition must receive at least a majority of the vote to be approved; if conflicting ballot propositions each receive a majority, the proposition receiving the greatest number of votes wins.

dissimilar from commonly found provisions in various jurisdictions prohibiting salary raises from taking effect during a current term of office. Such provisions have the advantage of permitting action on the merits of the issue while avoiding possible public perception of self-interest. The term limits options on the ballot should also include a clarification of what constitutes a full term for persons elected to fill a vacancy in office. Such a provision is necessary to address various situations involving different tenures in office. It would provide that someone who fills a vacancy for only a short period of time will not be considered to have served a full term for purposes of term limits, while someone who fills a vacancy early in the term of office will be so considered.

In response to suggestions intended to ensure some continuity of experience in the City Council in the face of term limits, such as those for five-year or staggered terms of office, staff has looked into both the legal framework and the relevant practicalities. A five-year term limit for Council members is effectively prohibited by the New York constitutional provision requiring that city offices be filled in odd numbered years and incumbency end at the conclusion of an odd numbered year.¹⁹ Staggering terms of office at this point would present logistical (and possibly Voting Rights Act) difficulties in determining which members of the Council would be disadvantaged. An

¹⁹ Article XIII, § 8, Time of election of city officers, provides:

All elections of city officers, including supervisors, elected in any city or part of a city, and of county officers elected in any county wholly included in a city, except to fill vacancies, shall be held on the Tuesday succeeding the first Monday in November in an odd-numbered year, and the term of every such officer shall expire at the end of an odd-numbered year. This section shall not apply to elections of any judicial officer.

analysis of the composition of the present City Council suggests, moreover, that staggering has occurred naturally over the 17-year history of term limits.²⁰

²⁰ With the term limits measure passed in 2008, the whole of the City Council was eligible to run for re-election in 2009, and, if elected, serve until at least 2013. Several Council Members who were initially elected after 2001 (whether in 2003 based on the mid-term redistricting election or for the first time in 2005), became eligible to run again for a third term in 2013 and, if elected, serve until at least 2017.

This staggering of Council Members has created two groups: Council Members who will be term limited out of office on January 1, 2014, and Council Members who will be term limited out of office on January 1, 2018. A headcount of Council Members initially elected in 1999 or 2001 and who are still serving reveals that there are 20 Council Members who will leave office on January 1, 2014, including Speaker Quinn. Most of the 31 other Council Members will be forced out no later than January 1, 2018 (presuming all run for reelection in 2013 and none lose). This contrasts sharply with the term limit disqualification status of Council members in 2001, when term limits first forced Council Members out of office, and only a small handful of Council Members were able to remain as officeholders. A combination of Council Members leaving for other elected or non-elected positions, losing in primary or general elections, and being forced from office due to legal actions has split the pool of Council Members between 2013 and 2017 far more evenly. *See* Appendix C (setting forth effects of term limits on current Council members).

- opening the field to a broader range of people having a broader range of ideas;
- fewer opportunities for special interest groups to exert undue influence over elected officials because of their long-term relationships;
- removing the advantages of incumbency and thus opening more offices to true competition;
- achieving an equitable legislative/executive equivalence for those governments whose executives already serve under term limits.

In contrast, opponents of term limits argue that capping an officeholder's length of service results in one or more of the following:

- fewer officeholders with the experience needed to legislate and administer public policy;
- diminished incentive for officials to seek long-term solutions to chronic public problems;
- weakened capacity of the legislative branch to act as a knowledgeable and effective body;
- greater lobbyist and bureaucrat influence over inexperienced elected officials, who seek information and support from those having greater experience and knowledge about issues and process;
- creation of "lame-duck" officeholders whose final terms are spent seeking future jobs.

This debate has had a clear winner at the polls: term limits initiatives have been successful at both state and local levels—and successful here in New York City.⁹ From other perspectives, however, the winner is less clear: social scientists who have appraised the effects of term limits legislation nationwide have found that governing bodies, particularly legislatures, suffer a loss of institutional governing capacity under term limits. Their studies suggest that term-limited legislators are no different in political

⁹ The November 1993 New York City ballot initiative that imposed a two consecutive four-year term maximum for all elective city offices obtained the support of 59 percent of those who voted on the measure. In November of 1996, New York City voters rejected a ballot measure that sought to add a third term to the two-term maximum. The law was rejected by 54% of the voters.

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Term Limits in New York

To the Editor:

Your Sept. 7 news article "In Poll, Most New Yorkers Want to Restore 2-Term Limit for City Officials" indicates that nearly three-fourths of those polled are in favor of a proposition that the New York City Charter Revision Commission unanimously voted last month to place on the Nov. 2 ballot.

The proposal precludes the City Council from extending term limits for incumbent city officials. Those already in office would be eligible to serve three terms, not two. This last component reflected divergent views of commissioners, appointed by Mayor Michael R. Bloomberg to render independent recommendations on charter changes.

Some favored including current officeholders in the limitation; others favored allowing those who had served two terms to be eligible for one more, subjecting newer elected officials to the two-term limit. Some favored allowing incumbents to run for office under existing law.

After much debate, many hearings and several votes, the commission unanimously opted for purely structural reform without punishing individuals in current positions, while asking voters to limit future officeholders to two terms only.

Devoid of recrimination, the proposition is in the hands of the electorate. Voters can decline to re-elect any officeholder by term-limiting them the old-fashioned way — through defeat at the ballot box.

MATTHEW GOLDSTEIN
Chairman, New York City
Charter Revision Commission
New York, Sept. 8, 2010

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August 11, 2010

Term Limits to Go on Ballot Again in the City

By JAVIER C. HERNANDEZ

Come November, New York City voters will be asked to decide one of the most contentious issues in recent political history: whether city leaders should be limited to two terms in office, or to three. A commission responsible for proposing changes to the city's charter voted Wednesday evening to place the issue on the Nov. 2 ballot.

But the group declined to place another hotly debated issue on the ballot: the idea of instituting nonpartisan elections, a system in which primary races are open to candidates of all parties.

The commission voted unanimously to ask voters if the mayor, comptroller, public advocate, borough presidents and members of the City Council should be limited to two consecutive four-year terms. If the public rejects the measure, the current law allowing three terms will stand.

Much of the debate focused on when a two-term limit, if approved, should go into effect. After a heated back-and-forth, the commission decided to propose making the change applicable to those elected in 2013 and giving sitting members a chance at a third term.

Two years after Mayor Michael R. Bloomberg led a successful effort to rewrite term limits laws and run for a third term, the issue still incites passion across the spectrum. Several members of the commission said the measure was necessary to restore public confidence after the mayor's heavy-handed effort.

"This resolution embodies the rationale and spirit of what the public has stated," said Kenneth M. Moltner, a lawyer on the commission, which was appointed by Mr. Bloomberg.

But other members said voters should have the opportunity to decide if term limits should be

eliminated altogether.

“Term limits are antithetical to our way of life as a republic,” said Stephen J. Fiala, a former City Council member from Staten Island. “New members will never have developed sufficient time or experience.”

Voters will also be asked in November to decide if council members should be barred from changing term limit laws if they apply to incumbents. In 2008, the members approved changes in limits that applied to themselves.

The issue of term limits is well known to New Yorkers. In 1993, voters approved a measure that imposed a limit of two four-year terms. In 1996, they rejected a measure seeking to permit a third term for elected officials.

The commission also agreed to put a range of other issues on the November ballot, including a proposal to reduce by about 50 percent the number of signatures required to get on a ballot. Voters will also decide on a proposal to require disclosure of independent campaign spending of over \$1,000.

Scott M. Stringer, the Manhattan borough president, criticized the commission for not placing issues like independent budgeting for the borough president offices on the ballot.

“The members of the Charter Revision Commission are missing a historic opportunity to restore confidence and interest in government among generations of New Yorkers,” he said in a statement.

Another notable omission from the ballot is the question of nonpartisan elections, a cause once championed by Mr. Bloomberg.

The mayor, a registered independent, spent \$7 million of his own money in hopes of persuading voters to support a referendum on nonpartisan elections in 2003. This year he chose to remain silent, after hearing concerns about support for the issue.

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May 24, 2010

Like It or Not, the Issue of Term Limits Is Back

By CLYDE HABERMAN

New York's political equivalent of an oil spill — messy, toxic and difficult to clean up — is with us once more.

Yes, just when you thought it was safe to go back in the water, the issue of term limits for city officials is on the agenda again. It means that so, too, is the stain created when the mayor and the City Council subverted voters' will to keep themselves in office for years more.

On Tuesday evening, a commission charged with recommending possible revisions of the City Charter will convene at Borough Hall in Brooklyn to hear testimony on the merits and demerits of term limits. This is the first of five "issue forums" it will hold on topics like voter participation, government structure, public integrity and land use.

Hang on; don't turn the page yet. Granted, these are not the world's sexiest matters. But the charter is the city's constitution. Any fiddling with it has important consequences. So, to borrow from Arthur Miller, attention must be paid.

This is especially true of term limits, given how angered many New Yorkers were by the way Mayor Michael R. Bloomberg and a slender Council majority, led by Speaker Christine C. Quinn, changed existing law to give themselves more time in office.

In case you need a refresher, New Yorkers voted twice in the 1990s to limit major elected officials in the city to two consecutive terms. But as Mr. Bloomberg and Ms. Quinn were approaching the end of the line, they exploited the financial meltdown of 2008 to push through legislation overriding the people's expressed will.

The city, they said, couldn't possibly get along without them and such indispensable figures as the borough presidents and some do-nothing Council members.

With no small amount of arm-twisting, they got the Council to raise the limit to three terms, never mind poll results showing that New Yorkers overwhelmingly wanted any proposed change to be submitted to a referendum, as in the '90s.

Voter outrage was evident. Despite outspending his main opponent by 12 to 1, Mr. Bloomberg barely won re-election last November. Four of the 29 Council members who self-servingly supported him on term limits were shown the door by voters, a high rejection rate for incumbents. Two others among the 29 were later charged with corruption. One has already gone to prison. Such is the stellar nature of one or two of the best lawmakers money could buy.

Like the man who came to dinner, the term limits issue doesn't go away. It is now in the hands of the Charter Revision Commission, which has several tasks, one of which is to convince skeptical New Yorkers that it is not a wholly owned subsidiary of Mr. Bloomberg.

On a more substantive level, the panel's 15 members have to figure out what to recommend to city voters: Keep the limit at three terms? Revert to two terms? Stay with three for the Council but restrict the far more powerful mayor to two? Perhaps eliminate limits altogether?

Whatever the commissioners decide, they will act in the shadow of the 2008 Bloomberg-Quinn maneuvering. "How they're going to look at it is influenced by what happened," said Frederick A.O. Schwarz Jr., who in 1989 led a charter commission that brought about the most far-reaching revisions of modern times.

Mr. Schwarz called it "very likely" that the current panel will insist that any results of a new referendum be undone only by still another referendum.

"In other words," he said, "it won't be possible for ordinary legislation to change term limits."

Even if the commission doesn't impose such a requirement, it should ensure that no sitting mayor and Council can subvert the rules to benefit themselves, Mr. Schwarz said.

There should be guarantees that any legislation would apply only to future officeholders, just as the 22nd Amendment to the Constitution, limiting the president to two terms and adopted in 1951, didn't apply to the man then in the White House, Harry S. Truman.

Randy Mastro, a former deputy mayor who led a charter commission in the 1990s, saw no reason to trust those in power to act in good faith if left to their own devices. "Self-interested politicians tend to act in their self-interest," he said.

"Process does matter," Mr. Mastro added, "and it's an outrage what they did, not putting it back to the voters. Once the voters have spoken, twice and decisively, you don't take it away from them the third time."

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2010 Ballot Questions

August 23, 2010

City Question 1. Term Limits: The proposal would amend the City Charter to:

- Reduce from three to two the maximum number of consecutive full terms that can be served by elected city officials; and
- Make this change in term limits applicable only to those city officials who were first elected at or after the 2010 general election; and
- Prohibit the City Council from altering the term limits of elected city officials then serving in office.

Shall this proposal be adopted?