

Term limits in Illinois: What you need to know

Building a better future means holding our
leaders accountable.
And taking back public offices for WE the
People.

by Katherine Brown, Sherijay Beckford, and Brianna Powell



D. Schwen, 2009. Creative Commons.

The State of Illinois is in crisis – and it's not just in one area. Illinois's bonds are marked at or near junk levels. Our children are not prepared for preschool, some won't graduate high school, and fewer will make it through college. Hard-working people are leaving this state – sick and tired of paying absurdly high taxes only for the corrupt to benefit themselves. 643,000 people have fled the Illinois for prosperity in nearby states. 73% of our roads exist in poor to mediocre conditions, and over 2,300 bridges are either insufficiently built or require major reconstruction. The politicians to blame for the mismanagement of Illinois have been in power for decades. We keep voting them in, but it's not like we have many options to replace them – or that they ever decide to leave willingly.

The politicians in Illinois – on the left and the right – have shown us that they cannot act with propriety in the stations that they have been given. They are costing us \$550 million in economic prosperity every year due to their corruption. Corruption and purposeful mismanagement of this state turns away innovators, discourages growth, and halts investment. We have been rewarding the corrupt for serving themselves and have failed to put them in line. They have not fulfilled their duty to the people of this state, and they have made Illinois a national joke. It is time to use the reset button. Illinois needs term limits to fix its broken system and let politicians know that if they serve themselves and not the people – they will be held accountable.

Why Illinois needs term limits

In the early 1990s, a grassroots movement to limit the amount of time elected officials

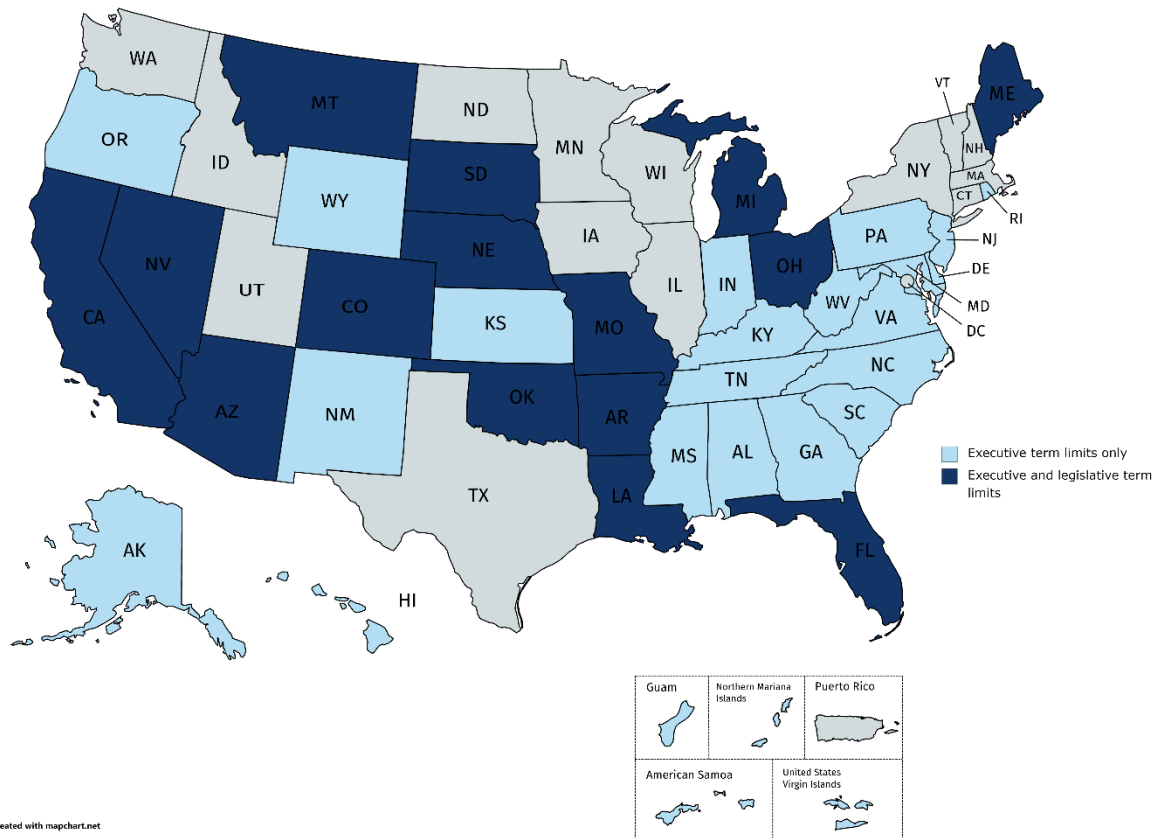
spent in office grew across the nation. Supporters of the policy, determined to prevent the corrupt career politician, sought to impose term limits at both the state and federal level. While the Supreme Court ruled in *U.S. Term Limits, Inc. v. Thornton* (1995) that federal term limits on Congressmembers, when imposed by the states, were unconstitutional, several states such as California, Colorado, and Michigan adopted term limits at their individual state levels. Illinois did not adopt term limits and is one of only 14 states without limitation at both the state executive and legislative level (Exhibit 1).

Rather, in the time that 36 states have implemented term limits, Illinois placed two former governors in federal prison, failed to pass a state budget in a two-year standoff, and garnered a notorious reputation for its governmental gridlock and broken politics. This crisis of political malpractice has led to record lows of trust in government. A 2015 Gallup poll reported that only 25% of Illinois residents are confident in their government and its leaders – the lowest rate in the entire nation. Illinois needs a change, and term limits are essential to its reform. They work to hold elected officials accountable in a fair and equitable way and reduce the rate of corruption in politics.

Term limits counterbalance the advantages of incumbent leaders. Incumbents hold distinct advantages including, but not limited to, name recognition, strong financial resources, and institutional connections that make it difficult for challengers to run a successful campaign. The degree of competition in the Illinois State Assembly is traditionally low. Between 1972 and 2014, the state legislative incumbent win rate never fell below 90 percent, with the exception of 1974 when 88 percent of

Exhibit 1

Term limits in the United States by state and category



Source: mapchart.net, Humanity First for Illinois PAC

incumbents won re-election. In this way, Illinois's elections have lost their function as performance reviews for elected officials and have instead become automatic position renewals.

For illustration, look no further than Speaker of the Illinois House of Representatives and Illinois Democratic Party Chairman Michael ("Mike") Madigan (D, IL-67). In 2017, Madigan became the nation's longest serving legislator at the state level. Since 1983, Madigan has served as the Speaker of the Illinois House of Representatives for all but two years during the short-lived Republican control between 1995-1997. In

this role, he holds considerable influence over legislative committees, bill prioritization, and the state's public policy agenda. As leader of the Illinois Democratic Party, he wields great power over local elections by providing campaign funds and endorsements to hopeful candidates in exchange for political loyalty.

With leaders like the formidable Madigan at the helm of Illinois politics, government becomes stagnant. Term limits increase the level of electoral competition and diminish the incumbency advantage by ensuring membership turnover.

Term limits would also further help to diminish the role of corruption in Illinois politics. In a study conducted by the University of Illinois at Chicago, Illinois ranks as the 3rd most corrupt state/district in the nation, only falling behind Washington D.C and Louisiana. The City of Chicago, the state's financial and cultural hub, has been named the country's "capital of corruption." From Chicago's indicted aldermen to Rosemont's nepotism – from Dixon's convicted controllers to Zeigler's convicted treasurer – from red light bribery to nuclear scare tactics and electricity bribes – corruption runs rampant in Illinois.

Known as the "Illinois Way" this practice of corruption has costs that impact the lives and livelihood of hardworking Illinoisans. It promotes criminal behavior in government, has a negative effect on the state's economy, and produces high rates of mistrust and cynicism amongst Illinoisans. Corruption has tangible costs as well. In their 2015 book *Corrupt Illinois: Patronage, Cronyism, and Criminality*, political scientists Thomas Gradel and Dick Simpson estimate that Illinoisans lose over \$500 million to corruption each year.

Corruption is exacerbated by career politicians. With long-standing relationships to colleagues, lobbyists, and businesses, our elected leaders exploit these relationships for their personal gain. In 2019, former State Representative Luis Arroyo (D, IL-3) resigned after federal charges of bribery to a fellow lawmaker. That same year, former State Senator John Cullerton (D, IL-6), who was also the former President of the Illinois Senate, was charged with federal embezzlement for stealing \$275,000 in salary and benefits from a local labor union. In July 2020, grand jury subpoenas were issued to Speaker Madigan after a federal probe traced high rates of patronage and bribery between

Madigan and electrical utility provider Commonwealth Edison and its parent company, Exelon. Madigan remains in the Illinois General Assembly.

A term-limited Illinois would reduce the likelihood of such corruption by imposing expiration dates on lawmakers. Term limits work to reverse the epidemic of career politicians and strengthen the role of public interest in politics.

What does a term-limited Illinois look like?

Illinois needs a reset, and Illinoisans are ready for a change. According to a 2016 poll from the Paul Simon Public Policy Institute at Southern Illinois University-Carbondale, nearly 80% of voters supported a term-limited state legislature. Term limits provide change to politics at every level from inter- and intra-legislative relationships to the influence of lobbyists.

Our plan is simple: Every state legislator in he would be subject to a lifetime maximum of four two-year terms in the House of Representatives and two four-year terms in the Senate for a combined six terms (16 years) in the Illinois legislature. House and Senate members would be able to serve for eight years in either chamber and be able to transition between the two, providing a steady turnover of state lawmakers over time.

Term limits provide dynamic change to the status quo of political culture. With an understanding that their tenure will expire, lawmakers must work in a more cooperative fashion to enact policy. Without an infinite amount of years in power, new legislators will effectively use their time in office to fulfill

campaign promises and become more aggressive lawmakers.

Opponents of term limits argue that replacing high incumbent turnover forces the legislature to lose critical institutional knowledge. While it is true that having term-limited leaders means less legislative experience compared to the norm, this does not directly translate to inefficient or ineffective leaders. Research from University of Missouri political scientist Peverill Squires finds that membership turnover does not negatively impact the processing productivity of state legislatures, meaning that term limits do not slow down lawmaking.

A lack of legislative experience does not signal a total lack of expertise. We can expect more policy and subject matter experts to have a voice in the legislature either as elected officials or as members of the legislative staff. With term limits, we retain the stakeholder's voice over the interests of career politicians by relying on leaders who are in closer proximity to public issues.

Additionally, term limits in Illinois will provide the opportunity to revitalize training procedures for new legislators. With new members being regularly introduced to the state legislature, it is necessary that they receive proper orientation to policymaking. A term-limited Illinois would focus on developing stronger institutional knowledge through an expansion of training sessions to enforce legislative comprehension in critical policy areas.

Moreover, term limits provide an opportunity for institutional leadership development. Without incumbents reigning over our state for decades, leadership positions, such as committee chairs, require greater preparation and guidance. This encourages more senior leaders to mentor newer

members and create pathways of political development. In this way, term limits reduce the influence of individual legislators and encourage stronger intra-institutional relationships.

Term limits will bring change to the relationship between legislators and their legislative staff, the executive, and lobbyists. Newer legislators without extensive experience may rely more heavily on their legislative staff to assist with day-to-day tasks.

Term limits will also impact the role of lobbyists in state politics. Currently, lobbyists are a prominent player in the landscape of Illinois politics because they are able to develop close, long-standing relationships with lawmakers and thus influence the public policy agenda. In Illinois, lobbying is not a transparent practice as many lobbyists are unregistered and work under the table due to state guidelines on who must register – and who doesn't need to.

Term limits threaten the lobbyist-legislator relationship by upending it through the creation of what is effectively a 'reset' button. In this way, they diminish the influence of lobbyists and interest groups in politics. While lobbyist may still spend absorbent amounts on the act of lobbying, their effectiveness is reduced substantially every time a term limit establishes the end of a specific lobbying relationship between lobbyists and voting members of the legislature.

Fact checking: Common arguments against term limits in Illinois

Illinoisans do not want term limits.

False. Data from a study conducted by the Paul Simon Public Policy Institute at Southern Illinois University-Carbondale found that the majority of Illinoisans want term limits, with 80% of voters in support.

We are better served by politicians that have been there longer.

False. There is no evidence to suggest this is true. To highlight a few examples from the current Illinois without term limits: our state deficit, the underfunded pension program, rampant gun violence, high poverty levels, increasingly higher taxes, our neighbors moving out of the state in the (number) each year, and hardly a day going by without elected officials and private industry officials being indicted in corruption schemes that benefit themselves. It is not logical to assume that the longer these people stay in office, the more likely they are to be productive members of society and serve to benefit every Illinoisan. The facts just don't add up.

Term limits remove experienced legislators from office.

True. However, term limits provide the opportunity for new legislators to enter at a much higher rate, which inevitably brings new ideas and voices to the decision-making table. Term limits also create a legislature that is more in-touch with, and accountable to, every Illinoisan.

Term limits do not increase election competition.

False. Term limits create open seats, which tend to draw more competitors than when incumbents run for re-election because incumbents win elections at higher rates

due to incumbency advantage. Between 1972 and 2014, Illinois's state legislative incumbent win rate never fell below 90 percent, with the sole exception of 1974 when *only* 88 percent of incumbents won reelection.

Term limits in Illinois are unconstitutional.

False. Since term limits are not required for state legislatures, there is much room left for debate regarding its constitutionality, especially since most Illinois elected officials oppose it. There have been two key legal decisions regarding the constitutionality of term limits by referendum, *The CHICAGO BAR ASSOCIATION et al., Appellees, v. ILLINOIS STATE BOARD OF ELECTIONS et al., Appellants* (1994) and *Clark v. Illinois State Board of Elections* (2014). In both, the Illinois Supreme and Appellate Courts ruled that previous attempts to impose term limits by popular referendum were unconstitutional because they were too broad in nature, seeking to impose term limits as part of a wider legislative overhaul, and were not purely "structural and procedures subjects." The courts ruled term limits concerned eligibility of legislators, not the structure or procedure of the legislature. In 2019, the Illinois state legislature passed legislation, signed by Governor J. B. Pritzker, that forbids retroactive term limits at the municipal level and invalidated any existing municipal term limits that violated this statute. Beyond this, there is nothing stopping the Illinois state legislature to impose term limits themselves or for Illinoisans to vote to change our constitution to impose term limits when we vote in 2028 on whether to hold a constitutional convention.

Humanity First for Illinois PAC believes that the time for a reset button on the legislature is now. For decades, constituents have tried to hold legislators accountable through other means, and legislators continue to act as if they have even more decades to solve problems. Numerous issues surrounding the Illinois's finances and corrupt activities have only gotten worse, and we need solutions now. We all know that a fresh pair of eyes is necessary, from time to time. Building a better future means holding leaders accountable, making them feel that their time is both limited and precious. Term limits would ensure that legislators make their mark in Illinois history through their actions – not their length of stay. It may be a long march to Springfield to take back public offices for WE the People, but it is a march that will be worth it.

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