

No Uncertain Terms

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Gubernatorial Candidate Rauner: Give Voters a Chance to Term-Limit Illinois Lawmakers

Bruce Rauner, a venture capitalist pursuing the Republican nomination for governor of Illinois, has launched a petition drive to limit state lawmakers to a maximum of eight years in the legislature as a whole. The term limits campaign will be funded through a PAC called the Committee for Legislative Reform and Term Limits, and will operate independently of his gubernatorial campaign.

The organizers began circulating petitions on September 3.

Rauner says he will keep promoting the measure even if he loses the primary. He has also promised, if elected,

to serve no more than two terms as governor.

The goal of the proposal is to put the Illinois voter “back in charge of state government,” he says. “The days of the lobbyists and special interests owning the politicians in Springfield are coming to an end. You can bet the special interests will fight our efforts with all their might, but I know we can get it done by working together.”

Almost 300,000 signatures must be collected if the question is to be offered to voters on the November 2014 ballot, the same general-election



Bruce Rauner.

tion ballot that would include Rauner’s name should he win the GOP nomination.

Rauner believes that the Illinois gov-
(Continued on Page 3)

Christine Quinn Gets Clobbered in NYC Dem Primary as Voters Remember Bloomberg-Quinn Betrayal on Term Limits

New York City Council Speaker Christine Quinn had a story to tell during the Democrats’ primary campaign for mayor. In the months leading up to the drubbing she suffered on September 10, the conviction with which she repeated this story was unwavering.

The story is that in 2008, when she helped Mayor Bloomberg undermine the city’s term limits on mayor and city council, Quinn was a *principled* champion of elongating that maximum tenure. Also that she had no choice therefore but to be a *principled* opponent of asking New

York City voters whether they wanted to weaken the two-term limit that they had enacted by now approving a three-term limit.

It was the right thing at the time, Quinn still insists. Right for New Yorkers.

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The advantages of incumbency
page 6



President's Corner

BY PHILIP BLUMEL

So long, Christine. Don't let the door hit you on the way out.

At first considered the front-runner in New York City's mayoral race, term limits foe Christine Quinn went down in flames on September 10 when a plurality of New York Democrats pulled the lever for Bill de Blasio as their nominee for New York City mayor. She didn't even end up in second place, trailing far behind William Thompson.

Quinn was Speaker of the New York City Council in 2007 when Mayor Michael Bloomberg decided he wanted to run for office for a third term in defiance of New York's term limits law. The popular eight-year term limit had been passed and then reaffirmed by voters in 1993 and 1996.

After internal polling showed voters would again affirm term limits in 2008 if those in power condescended to ask them, Mayor Bloomberg decided to simply ignore the earlier referendums and lengthen term limits from eight to 12 years via a simple council vote. And, the gambit also, incidentally, lengthened the terms of the council. You scratch my back and I'll scratch yours type thing.

The ringleader of this betrayal of the voters was Christine Quinn.

Voters did not forget. Her betrayal dogged her campaign from day one. Many prominent supporters pointed to the betrayal of voters on term limits as the biggest reason for turning to de Blasio or Thompson.

Not even identity politics could save her.

The May 1 *Village Voice* headline read: "LGBT purists to Christine Quinn: We'd love a gay mayor. Just not you." The *Voice's* Steve Weinstein wrote that Quinn's "detractors point to 2006, when her peers elected her speaker, as the moment when she sold out her progressive base. Others consider it, more prosaically, as sucking up to a man [Bloomberg] whose endorsement would help smooth her way into the mayoralty. Two years after becoming speaker, Quinn led the council in overturning two voter referenda on term limits, enabling Bloomberg — and City Council members — to run for a third term. That single action is likely to define her career....

"Among everyone I know, the first thing they say is, 'She betrayed us on term limits,'" gay rights activist Louis Flores told the *Voice*.

Quinn betrayed all New Yorkers; and, having been obliged to run as a challenger in a competitive race, she paid the price on election day.

Visit Phil Blumel's blog at pblumel.blogspot.com.

Visit USTL's Facebook page at on.fb.me/18fXE1.

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"It is not the function of our Government to keep the citizen from falling into error; it is the function of the citizen to keep the Government from falling into error."

-- U.S. Supreme Court in
American Communications Association v. Douds

Candidate Rauner (Cont'd from page 1)

ernment is run by “government union bosses and trial lawyers... They wholly own the Democrat Party, but they also own parts of the Republican Party, too.... I’m not interested in a political career and don’t need money from the special interests. As governor, I will take them on directly and bring accountability back to state government. To do that, we can push for term limits. No governor should be allowed to serve for more than eight years, and the legislature should be term limited as well.”

The Legislative Reform and Term Limits Amendment would prohibit anyone from serving “more than eight years in the General Assembly.

No person may be elected or appointed as Senator or Representative if upon completion of the term of office that person will have been a member of the General Assembly for more than eight years. Time served in the General Assembly before the session beginning in January 2015 does not count toward the eight-year service limitation.” (The full text is available at reformandtermlimits.org/the-amendment.)

The measure also includes provisions to eliminate two-year senate terms (which currently alternate with four-year senate terms), to require a two thirds majority of lawmakers to override a governor’s veto (instead of the present lower and atypical threshold of three fifths), to increase the number of house members, and to decrease the number of senate members.

“Too many in Springfield are part of a broken system that puts getting re-elected first and allows the special interests and government union bosses to effectively own the politicians,” says Rauner. “At the same time, Illinois is full of politicians who use their power to enrich themselves as well as their political allies. It’s time to put the citizens first and that is what this

amendment will do.

“This constitutional amendment will help shift the balance of power in state government back towards the citizens. Every element of this amendment is a good government reform and will empower the voters and make elections more competitive.”

Rauner adds that both Pat Quinn and Bill Daley “have expressed support for term limits in the past” and he encourages them to do so now.

Pat Quinn, now governor, led a

“Too many in Springfield are part of a broken system that puts getting re-elected first and allows the special interests and government union bosses to effectively own the politicians.”

– Bruce Rauner, candidate for Illinois governor

term-limits initiative in 1994. Although enough voters signed the petition to get it on the ballot, the Illinois Supreme Court voted 4-3 to stop it from being posted. At the time, Quinn called the decision “a slap in the faces of more than six million voters and is an insult to the highest ideals of democracy. The court’s majority ruling ignores the fact that the Illinois Constitution clearly gives voters the right to reform their legislature. The constitution provides citizens with the power of initiative and referendum.” The court’s ruling meant that Illinois voters would continue to suffer “government of the incumbents, by the lawyers, and for the lobbyists.”

Only one justice from the 1994 court is still sitting.

An opponent in the GOP primary, Kirk Dillard, a state senator for almost two decades, says reducing the size of the senate districts would be a “slap in the face” to voters. He calls term limits a “gimmick,” but allows that it would

be a good idea to term-limit the house speaker and the senate president.

USTL President Phil Blumel says: “You can already hear the politicians and special interests in Illinois dusting off their favorite defense: ‘We already have term limits, they are called *elections*.’”

“The problem is with that little flower of homespun wholesomeness is that it isn’t true. Over half of all legislative seats in last year’s Illinois general election went unopposed. There were no elections held at all! Even where elections were held for contested seats nearly all were nominal, lopsided affairs. A study of the legislature from

1992-2003 showed that the average vote margin in nominally contested races was never less than 25 percent.”

A *Chicago Tribune* editorial agrees that

competitive elections “are an anomaly in Illinois. In the last general election, more than half the seats in the General Assembly were uncontested. One party or the other didn’t bother to field a candidate. Voters had no choice.”

Polling done last year by Paul Simon Public Policy Institute showed that “79 percent [of Illinois voters] favored term limits, a number consistent with previous polls. Asked what they believed would be the best way to curb corruption in state government, voters responding to a *Tribune* poll in 2010 put term limits at the top of the list.”

What should Illinois voters do? “First step: Find a petition,” say the *Tribune* editors. “Second step: Sign it.”

More information on how to assist the petition drive is available at reformandtermlimits.org/what-you-can-do.

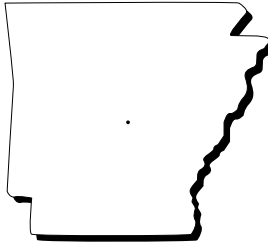


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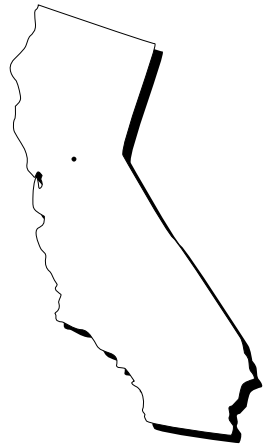
ALASKA

Kenai Peninsula, AK. After listening to voters complain about the possibility that assemblymen would act unilaterally, the Kenai Peninsula Borough Assembly has decided to refer a term limits question to the October 1 ballot — actually two questions. One ballot question is a straight-out repeal. The other would lengthen an assemblyman’s maximum tenure from two to three consecutive four-year terms. If both pass, the repeal takes effect. Assemblymen Kelly Wolf and Charles Pierce voted against posting the question, noting that voters have already voted in favor of term limits three times. “How many times must the people vote?” Pierce wants to know. “Do we do it until we get it the way we want it?”



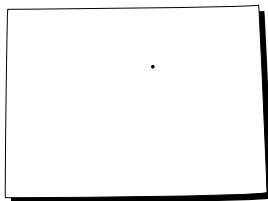
ARKANSAS

USTL President Phil Blumel argues at his *No Uncertain Terms* blog that Arkansas’s GOP leaders are shortsighted for supporting a legislatively referred ballot measure to let state lawmakers serve up to 16 years in one chamber. (The measure is scheduled to appear on the November 2014 ballot.) Although the proposal may “appear to be a boon” to Republicans eager to protect incumbents and solidify their majority, the popularity of term limits among rank-and-file Republicans guarantees that resources will be diverted from other Republican campaigns to the fight to protect term limits. “It is not too late to remove the measure from the 2014 ballot. Indeed, when the GOP-dominated Florida legislature voted to put a term limits attack on the ballot in 2006, they heard from their base and voted to take the measure off the ballot just in time.” (See bit.ly/14uwvz.)



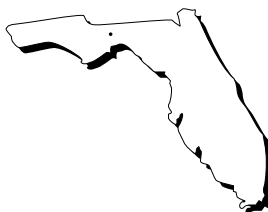
CALIFORNIA

Lake Forest, CA. By a 4-1 vote, the Lake Forest city council referred a question to the 2014 ballot asking voters whether to limit councilmen to three consecutive four-year terms. Terms served before the 2014 election would not count toward the total, and after two years out of office the briefly departed incumbent could serve again. The dissenter is Peter Herzog, who had proposed a lifetime limit of two four-year terms. His colleagues are proposing term limits that are as loose as they feel they can get away with given the enduring popularity of the reform.



COLORADO

Moffet County, CO. Council members have referred several separate questions to the November ballot to lengthen term limits on local officials from two terms to three terms, including a question asking that their own maximum tenure be thus lengthened. Council members decided that offering a separate ballot measure for each job would give each question a better chance than if it had been lumped with the others into one question — if, e.g., voters are especially loathe to weaken the council’s own term limits. (A Craig Daily Press editorial calls this approach a “smart move.”)



FLORIDA

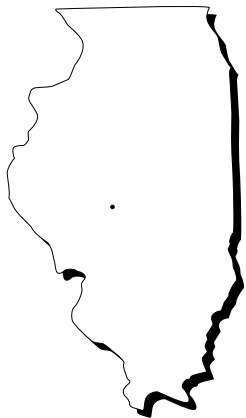
Miami, FL. An appeals court has ruled that Miami City Commissioner Michelle Spence-Jones won’t be able to run for reelection after having been elected to two consecutive terms. Another judge had ruled that she could run for a third term despite the law imposing a two-term maximum. The reason? Spence-Jones had not served the entirety of her terms, having been suspended from office for 21 months after being accused of grand theft and stealing county grant money. (The charges were later dropped.) Probably it’s not a good idea to weaken term limits for elected officials suspended from office because they’re accused of crimes. Then they’d all want to be crooks.

Pinellas County, FL. Plaintiffs are appealing the May 2 defeat for term limits. In May of the previous year, the Florida Supreme Court ruled that county commission term limits are constitutional. But this May, a circuit court judge accepted the commissioners’ argument that the term limits law doesn’t apply because the county never entered the term limits law in the county char-

ts in the News

ter (as required by law). See Phil Blumel's posts at flatermlimits.blogspot.com for updates about the appeal.

ILLINOIS



Tinley Park, IL. The 180-day saga of the Tinley Park Term Limits Commission's "study" on term limits that Tinley Park voters overwhelmingly support continues. One of its members, former Breman High School Principal Vita Meyer, testified in August that a book called *Outliers* told her that at least 10,000 hours of study is required to master any area. The commissioners' research does not come "close to the required hours need to become experts on term limits." That's fine. Let council members and former incumbents spend the 10,000 hours pondering the question once Tinley Park officials have been subjected to term limits.

LOUISIANA



Caddo Parish, LA. Caddo commissioners voted 9-3 to refer a ballot measure asking voters to water down their maximum tenure from three consecutive four-year terms to five consecutive four-year terms — i.e., from 12 years to 20 years, or from pretty-lax to ultra-lax. Voters will consider the question at a special election on October 12.

Monroe, Louisiana. Monroe voters will decide this November whether to accept a council-referred measure to limit city council members to three four-year terms.

MICHIGAN



Many Michigan lawmakers agree that term limits must be weakened. One bill being offered in the current legislative sessions proposes to let state representatives first elected in 2014 serve up to 16 years in the chamber to which they are elected. Another bill would do the same for state senators, taking effect for those elected in 2018. Yet another would allow members to serve up to 12 years in each chamber. Currently, house members serve up to three two-year terms or six years; senators serve up to two four-year terms or eight years.

NEW YORK

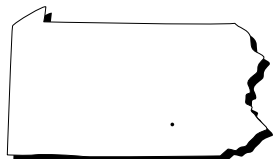


Putnam County, NY. Putnam County's legislature has unanimously re-passed term limits legislation that secured a majority of the Putnam Legislature in 2010, but not the two-thirds majority that is the threshold for charter revisions. The new law mandates that "in no instance may a legislator serve more than four terms or 12 years, whichever is less." A term in the Legislature is three years.

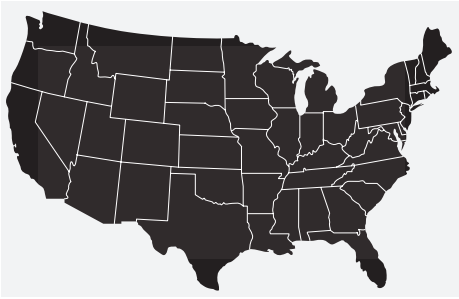
Munsey Park, NY. The Munsey Park board of trustees has imposed term limits on the mayor "in what officials described as an effort to create political turnover in a village that has had just three mayors since the mid-1980s," reports *The Island Now*. Frank DeMento, the new mayor who defeated a 17-year incumbent, supports the term limit, which had been a central issue in his campaign.

Whitehall, NY. The Whitehall city council has referred to the ballot a measure to repeal their term limits. The mayor and council members are currently restricted to two consecutive four-year terms, a maximum that has been in effect since 1996. Whitehall voters have already twice rebuffed attempts to repeal the term limit.

PENNSYLVANIA



Erie County, PA. Erie County Executive Barry Grossman's petition drive has collected enough signatures to put two weak term-limit questions on the November ballot. If voters approve them, the measures would term limit the county executive and, separately, council members, to three consecutive four-year terms. About 8,500 signatures from registered voters were required, and the petition drive collected more than 10,000 for each measure.



UNITED STATES

Looks like Congress won't be acting to "term limit" the relationship between private auditors and private companies. "In a rare show of bipartisan unity," Reuters reports, "the U.S. House of Representatives voted...to block an auditor industry watchdog from forcing companies to switch auditors, a regulatory move that could break up some business relationships over a century old."

Every once in a while, editorial writers and others argue that coercively ending various private business relationships makes as much or as little sense as term-limiting political tenure. A recent example is a *Livingston Daily* editorial about the debate over Michigan state legislative term limits: "There are no term limits for airline pilots or doctors, where experience is judged to be a positive thing," the editors say. "If lawmakers are doing a good job, why shouldn't they be allowed to remain in office as long as voters are willing to re-elect them?"

The purpose of term limits on elected officials is in part to make elections more competitive and in part to mitigate the risks inherent in the use of government power. The potential for abuse of that power increases the longer an incumbent remains in office. No argument can show that a constraint on the exercise of political power — which because highly dangerous *must* be constrained — is essentially the same as a constraint on an individual's freedom to peacefully pursue his goals in voluntary cooperation with others. It is just to prohibit an individual from using force against innocent others; it is unjust to prohibit an individual from engaging in peaceful, voluntary exchange with others. On the other hand, businesses that fail to satisfy customers and employees who fail to satisfy their employers are indeed subject to a market-enforced "term limit": bankruptcy or pink slips, respectively.

Is Electoral Competition "Undemocratic"?

Conservative Party chairman Mike Long wants to term-limit the New York State legislature. "We hear a lot of talk about fixing Albany and about getting rid of the corruption. But nothing they're doing is going to address the problem," Long told the *Brooklyn Daily Eagle*. "If legislators knew they only had a limited time to serve, they would concentrate on getting things done for the benefit of New Yorkers, instead of putting all of their focus into getting re-elected."

Long favors limiting the governor to eight years, assemblymen and senators to 12 years.

We think eight years maximum in an office is better. But what we find particularly interesting about this story is the response of Assemblyman Pete Abbate, who objects that the people "should make the decision. [That is, should "make the decision" about individual candidates; he's not arguing that voters should be able to make a decision about a term limits ballot question.] Look at the mess term limits have caused in the city. You have people trying to move up to higher offices because they know they can't run for re-election. And you have people running for office who are not ready. They're running just because the seat is open."

People are running for office "just because the seat is open." Just because it's possible to win then. It's like, hey,

who told people they were allowed to do this?

According to Abbate — and, keep in mind, he's *opposed* to term limits — persons who want to run for public office tend to do so when they have a *chance* to win. Challengers, he admits, rightly often feel that they have little or no chance when an entrenched incumbent is running for reelection. This is quite a glaring concession. And it's certainly true. The advantages of incumbency are often overwhelming, especially at district levels.



Conservative Party chairman Mike Long.

Yet, somehow, in the eyes of alleged friends of democracy like Abbate, the very fact that a seat is periodically "up for grabs" under term limits, countering the stultifying advantages of incumbency, proves that term limits are *undemocratic*. In their view, democratic conditions most clearly obtain when elections are *least* competitive: when the circumstances are sufficiently forbidding that "unready" challengers throw in the towel before they start.

Who then is "ready" for office, and deserving of the least encumbered path to election? Why, the persons already in office, of course. The ones ready to deploy all the advantages of incumbency. Term limits "make a mess" of things by disrupting the incumbents' tidy monopolies. By fostering competitive elections, term limits are as untidy as democracy itself.

Quinn Gets Clobbered (Cont'd from page 1)

After all, it was an emergency. The city would have slid into the sea without Bloomberg at the helm, diligently working to outlaw the sale of overly-large cups of soda. And once the mayor and the city council realized that another election was coming up, it was just too late to take the question to voters. The politicians' hands were tied!

In forum after forum, Quinn affirmed the bedrock principle of personal integrity that had mandated throwing the voters under the bus.

"I made a decision that I thought was right for the city at that moment in time, to give voters a choice of who they wanted to keep and who they didn't," she said on MSNBC's "Morning Joe" (video at nbcnews.to/198M8XD) as the summer days of the campaign for the Democratic nomination for mayor waned. "I made that decision because I thought it was right for the city, knowing there would be political consequences. And that's what we want in a leader. Is somebody who makes a decision even if there's political consequences.... I have never been a supporter of term limits and I did not buckle to pressure."

No buckler she. As further proof of Quinn's sincerity and consistency, consider another of her firm declarations, uttered in 2007, in which she strove to end all doubt about whether she would ever cooperate in the loosening of mayoral and council term limits:

"I am today taking a firm and final position. I will not support the repeal or change of term limits through any mechanism," Quinn avowed and averred, "and I will oppose aggressively any attempt by anyone to make any changes in the term limits law. The voters have spoken twice. Whether I agree or disagree with them, the reality is the voters have made their will very, very clear" (nydn.us/16ZP3BI).

The fraudulence of this "firm and final" commitment was exposed by Quinn's conduct but a few months later.

The flip-flopping, the betrayal on term limits, and the dishonesty about the betrayal did not sit well with voters. In the end, Quinn finished third on September 10 with 15.5% in the unofficial tally.

Another mayoral candidate, Bill de Blasio, also had a term-limits problem and a bypassing-voters problem, but doubts about his credibility on the question did not prove as damaging. Currently the city's public advocate, de Blasio was a council member in 2008, one of the minority who voted no to Quinn's bill to unilaterally expand maximum tenure for mayor and council from two terms to three terms.

His opponents in the race, and others, suspect that his conversion was borne of expediency rather than principle, for in 2005 he had suggested that the council may as well "move forward with an additional four-year term through the legislative process." By 2008, however, when the question was revived, de Blasio was contemplating a run for mayor and could detect the unpopularity of the Quinn-Bloomberg gambit. In any case, on September 10 he won the primary with 40.3% of the vote.

Another candidate, Anthony Weiner, the disgraced former congressman, gamely assailed de Blasio and Quinn over the issue of term limits. But Weiner couldn't escape the taint of scandal. He collected only 4.9% of the primary vote, putting him behind even Quinn and John Liu (7%).

Former city comptroller Bill Thompson, who narrowly lost the 2009 mayoral election to Bloomberg, won 26% of the vote on September 10, putting

him in second place in the results.

Thompson has conceded the Democratic primary to de Blasio, who will face Republican Joseph Lhota, head of the Metropolitan Transportation Authority, in the November general election.



She lost.



New York City Democrat primary debate.

No Uncertain Terms

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“I am today taking a firm and final position. I will not support the repeal or change of term limits through any mechanism. The voters have spoken twice.”

**— NYC mayoral candidate Christine Quinn back in 2007,
just before she changed her mind**

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