

No Uncertain Terms

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As 2014 Campaigns Gear Up, Candidates Begin Signing U.S. Term Limits Amendment Pledge

Although we expect to see many more signatures as 2014 progresses, candidates for U.S. Congress have already begun signing the USTL pledge to support and co-sponsor a constitutional amendment that would limit congressional terms to three in the House, two in the Senate, “and no longer limit.”

The new signatories include:

- U.S. Senate candidate Heather Grant of North Carolina, who wants voters to “demand that their chosen leaders observe and obey the Constitution and the limits it imposes on the federal government. All legislation should be scrutinized by this standard while holding the executive branch to the limits imposed on it. I believe it will take a common sense individual who is not a professional politi-



Heather Grant.



Larry Rhoden.



Nancy Mace.

cian to guide us in the proper direction.” She believes that term limits “prevent [the] need to vie for seniority” and would promote a citizen legislature.

- U.S. Senate candidate Larry Rhoden of South Dakota.

(Continued on Page 3)

USTL Asks Arkansas Lawmakers to Pull Anti-Term-Limits Ballot Measure, Asks Pledge Breakers to Restore Trust

U.S. Term Limits has mailed two sets of letters to Arkansas lawmakers. The first letter thanks the 18 members who voted against referring a ballot measure to weaken state legislative term limits. The second asks the 118 members who did vote to refer the constitutional amendment to correct course and remove it from the ballot.

The purpose of the politicians’ amendment is to bloat a lawmaker’s maximum tenure in a given seat. It is an Incumbency Protection Act.

“I can’t find any polls suggesting that the people of Arkansas want legislators upping their own term limits from six to 16 years in one seat,” says USTL President Philip Blumel. “This is really just something the politicians have

cooked up for themselves.”

Currently, Arkansas’s voter-enacted term limit law restricts state lawmakers to a maximum of three two-year terms in the state house and two four-year terms in the state senate. The proposed amendment would replace that with a 16-year limit that can be served in “any combination” of service in both chambers, which means serving up to 16 in one seat in one chamber.

The text of House Joint Resolution 1009 combines a mixed bag of reforms with the anti-term-limits

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President's Corner

BY PHILIP BLUMEL

With public enthusiasm for term limits at historic highs and approval of Congress at historic lows, U.S. Term Limits is ramping up operations in preparation for the coming national battle over congressional term limits.

Long headquartered in Fairfax, VA, we have now opened a new branch office in Palm Beach with a new full-time activist on site: Nick Tomboulides, formerly on the social media team of the Ford Motor Company. Tomboulides joined the USTL team on October 8 to focus on lighting term limits fires across the country.

We established the new branch office so that Tomboulides may work more closely with me and with USTL Treasurer Rick Shepherd, since Rick and I both live in the Palm Beach area. The office is located at 2875 South Ocean Boulevard #200 in Palm Beach, just north of Lake Worth Beach.

Today genuine term limits bills have been introduced — with cosponsors! — in both houses of Congress. Last year, the state of Florida voted to officially ask its congressional delegation to support a congressional term limits amendment. Dozens of sitting Congress members have signed the USTL pledge, committing themselves to cosponsor and vote for such an amendment. And we plan to expand our successful pledge program in the 2014 and 2016 election cycles. With the popular call for term limits on the politicians in Washington growing ever more urgent, the USTL board believes that now is the time to renew our emphasis on congressional limits.

We are also seeing dramatic action in the states, with the petition drive to term limit the Illinois legislature (see p. 7) and efforts to expose the deceptive attack on voter-approved term limits in Arkansas (see p. 1). Many local campaigns continue to spring up as well.

U.S. Term Limits must seize the day. Please help us exploit the historic opportunity we have right now by making a contribution to U.S. Term Limits. Click on the menu option DONATE at the termlimits.org home page or enter bit.ly/17kYZJP in your browser's address bar to visit the donation page directly. Thank you.

Visit Phil Blumel's blog at pblumel.blogspot.com.
Visit USTL's Facebook page at on.fb.me/18fXE1.

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9900 Main Street, Ste. 303
Fairfax, VA 22031
(703) 383-0907
info@ustl.org

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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

Pledge (Cont'd from page 1)

“People across our great nation are fed up with the dysfunction in Washington,” the state senator observes. “Career politicians have failed to balance the budget and handed \$17 Trillion in debt to our children and grandchildren.... That’s why we need term limits at the federal level. I’m going to Washington to serve the citizens of South Dakota and to reform a broken system, not to be another career politician who becomes part of the problem.”

“I’m proud to sign the U.S. Term Limits Pledge. Term limits are desperately needed in Congress and signing this pledge is a clear signal that from day one I will fight to change Washington. I hope the other candidates in South Dakota’s U.S. Senate race will join me in signing this pledge.”

Rhoden has also pledged to serve no more than two terms if elected.

- U.S. Senate candidate Nancy Mace of South Carolina, a business-

woman and author of the memoir *In the Company of Men: A Woman at the Citadel*, is running for the seat currently occupied by a twenty-year incumbent.

In an op-ed on term limits featured on the home page of her campaign site, she writes: “For 59 years, two men have occupied the U.S. Senate seat now held by South Carolina’s senior Senator, Lindsey Graham.... The reality is, even well-intentioned public servants become too bogged down in the process of deal-making, vote-swapping, and bringing home the bacon to remain in touch with the needs and desires of the people they represent.... I believe we can fix the mess in Washington, but we need the right tools to make it happen. Term limits are a great place to start....”

- U.S. Senate candidate Richard Cash of South Carolina owns and manages a fleet of ice cream trucks,

and has worked as a computer analyst and athletic director. At his campaign’s Facebook page he writes, “If we want to get different results out of Washington, we must change the way the game is played. I am taking a term limits pledge because I believe it is the most important thing that will restore government to the people. Term limits will insure that the voters have the chance to send fresh representatives and ideas to Washington on a regular basis.” He has told voters that he would not serve more than ten years in Congress if elected.

- U.S. Senate candidate Lee Bright of South Carolina is a state senator given high marks by the Upstate Tea Party and Club for Growth for championing fiscal conservatism. He has also been recognized as a Taxpayer Hero by the Spartanburg County Taxpayer Association.

- U.S. House candidate Bryan Smith of Idaho is a lawyer and busi-

(Continued on Page 7)

Arkansas (Cont'd from page 1)

provision, and with the latter tossed in almost as an afterthought. For example, in the preamble of the bill, term limits are mentioned at the tail end of a long paragraph — “...and establishing term limits for members of the general assembly” — as if undercutting state legislative limits were not the whole point of the exercise. Of course, despite the disingenuous wording, term limits are already “established” in Arkansas.

The unethical and un-transparent name of this ballot question is “The Arkansas Elected Officials Ethics, Transparency, and Financial Reform Amendment of 2014.”

U.S. Term Limits is in particular disappointed by the conduct of four members, Arkansas State Representatives Bob Ballinger, Randy Alexander, David Sanders and Gary Stubblefield, each of whom, before the 2012 election, had pledged “to take no action that would aid or abet the abolition or lengthening of term limits to which elected officials in Arkansas are sub-

ject,” but who have done so anyway.

“These legislators signed a pledge to the people, stating that they would never take any action to lengthen Arkansas’ voter-approved term limits of six years in the House and eight in the Senate,” Blumel says. “By voting to give themselves 16 years in their seat, they have joined the laundry list of politicians who say one thing and do another. Now is the time for them to restore trust with the people of Arkansas by taking it off the ballot.”

Representative Ballinger, for his part, is disappointed in U.S. Term Limits. “It’s disappointing that they see [the term-limit-lengthening amendment] that way [i.e., as length-

ening term limits],” he says. “That bill actually isn’t an extension of terms, it allows flexibility in how you serve those terms.”

“When I use a word,” said Humpty Dumpty, “it means just what I choose it to mean — neither more nor less.”

Longer is longer. And the more “flexible,” i.e., longer, a purported term limit is, the less it serves its purpose. If we have to explain one more time to an incumbent lawmaker that a maximum tenure of 16 years on his seat is, in fact, longer than a maximum tenure of six or eight years on that selfsame seat, we may be obliged to begin to suspect that the problem is not a failure to grasp first-grade math.



Ballinger.

Alexander.

Sanders.

Stubblefield.

Election Results: Term Limit Questions

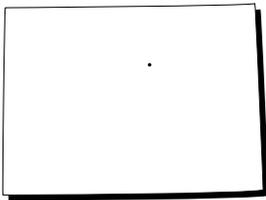
Reported below are the results of term limit questions mostly decided on November 4, 2013. In Kenai Peninsula a term limits question was decided on October 1.

ALASKA



Kenai Peninsula, AK. Voters in Kenai Peninsula rejected two term limit questions (Parts A and B of Question 3) sent to the October 1 ballot by borough assemblymen. Part A was a repeal of assembly term limits, Part B a lengthening of them from two four-year terms to three four-year terms. Part A, the repeal, was defeated by only a hair's-breadth-wider margin (with 71.40% saying No) than was Part B (71.35%).

COLORADO

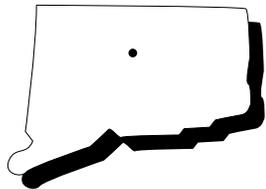


Delta County, CO. Delta County Voters repealed term limits on the county's clerk and recorder (61% approving), treasurer (58%), surveyor (63%), and assessor (57%).

Moffat County, CO. Moffat County voters were asked to water down maximum tenure from two to three consecutive four-year terms on a total of seven separate offices. They did so for only two offices: county surveyor (53% in favor) and coroner (56% in favor). They rejected attenuated term limits for the offices of sheriff (50.7% opposed), clerk and recorder (50.5% opposed), treasurer (53.5% opposed), assessor (55% opposed) and, especially, county commissioner (73% opposed).

Norwood Park and Recreation District, CO. By 57% to 43%, voters rejected a question whether to repeal term limits for the district's board of directors. The directors currently serve no more than two consecutive terms.

Rocky Mountain Fire Protection District, CO. By 53% to 47%, voters rejected a repeal of term limits on the board of directors of the fire protection district.



Thornton, CO. By a 66% majority, Thornton voters rejected a measure to increase maximum tenure on the city council from two consecutive terms to three. They had also said No to a repeal request in 2005. "I think people aren't excited about having people in office for more than two terms," concludes the town's mayor, Heidi Williams.

CONNECTICUT

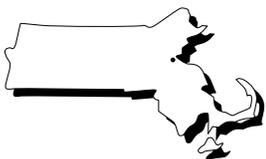
Bristol, CT. By 78% to 22%, Bristol voters passed a measure to limit the mayor, city councilors and members of the board of education to eight consecutive years in office.

LOUISIANA



Caddo Parish, LA. Some two thirds of voters (66%) rebuffed an attempt to bloat the term limit of Caddo commissioners from three consecutive four-year terms to *five* consecutive four-year terms, that is to say, to *two decades*. It is true enough that we could finally put the controversy over term limits to bed if everybody would just agree to, say, a 50-year term limit on incumbents, i.e., no term limit at all.

MASSACHUSETTS



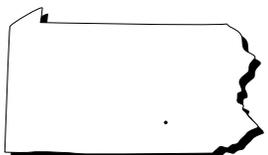
Westport, MA. By a 3-to-2 vote, Westport selectmen had approved an article to limit appointed officials to "multi-member boards" to four consecutive three-year terms (12 years). Now it had to earn the vote at a November 4 town meeting. But it turned out that Article 18 was the only one of 20 articles to be "passed over," i.e., withdrawn from consideration without a vote, probably because another measure, Article 17, attempting to remedy potential conflicts of interest in committee service, had just been rejected. An editor at EverythingWestport.com tells us that the councilman responsible for Article 18 may offer it at a later town meeting, when it "will not have been tarnished" by the rejection of the immediately previous article.

ts in the News



MICHIGAN

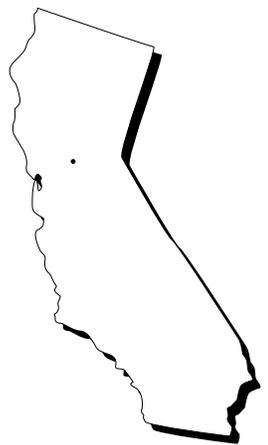
Whitehall, MI. By a 57% majority, Whitehall voters rejected a charter amendment to repeal voter-enacted term limits on the town council and mayor, currently permitted to serve only two consecutive four-year terms. “This is the third time [a measure to kill term limits] has gone down,” Councilman Chris Rodriguez observed. “The people want them kept in place, and we have to respect that. We had three races go unopposed, mine being one of them.”



PENNSYLVANIA

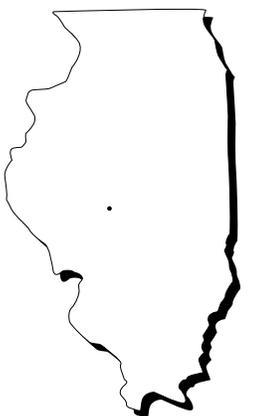
Erie County, PA. On November 4, voters passed charter amendments to limit the tenures of both the Erie County executive and county council members to three consecutive four-year terms; current incumbents may serve only two more terms. The term limit on the county executive passed with 85% of the vote, the one on council members with 84%. The successful signature drive to send the questions to the ballot had been led by outgoing Erie County Executive Barry Grossman.

Other U.S. News



CALIFORNIA

Encinitas, CA. The Encinitas City Council, which is not term-limited, has imposed limits of two three-year consecutive terms on members of the town’s city traffic, environmental and planning commissions. (The individual terms on most commissions are being changed from two years in length to three years.) After serving the two terms, an appointee must wait a year before he can be reappointed. The term limit is not ironclad, though. According to Deputy Mayor Lisa Shaffer, “seats are not vacated until a new commissioner is appointed, so if there are no acceptable new candidates, incumbents could end up serving longer than two consecutive terms.”



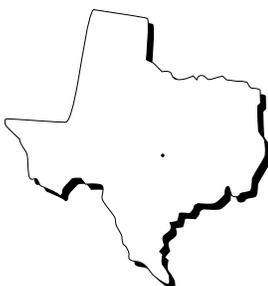
ILLINOIS

Tinley Park, IL. Tinley Park’s gratuitous 180-day commission to “study” term limits has adjourned and issued its report. The commission concludes that it is up to the council whether to enact term limits. But: “If the city council does decide to enact term limits, the commission recommends that they be implemented for three terms of four years, in a consecutive format as defined by this report, without retroactivity for any sitting elected officials.”

The commission further recommends that future administrations should have the flexibility to amend the term limits “if it is clear that the format is not serving the village to the best of its abilities.” Term limits that can be shed whenever incumbents feel the need to remain in office are no term limits.

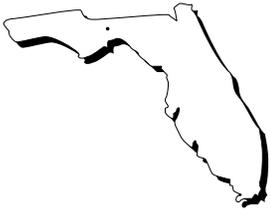
The commission disparages the non-binding advisory referendum that led to the committee’s formation, saying that “negative sentiment toward government by a few individuals stimulated the term limits advisory referendum.” This is a strange characterization. The most active promoters of a popular reform have never constituted a majority of all supporters. And 72% of Tinley Park voters had said Yes to the advisory referendum.

Steven Eberhardt, the former mayoral candidate who led the push for the referendum, says that the way he “counted up the vote, 72% of the people who voted in the November election said Yes to the term limits referendum and 0% of the commissioners said Yes, the term limits would be a good thing in Tinley Park.”



TEXAS

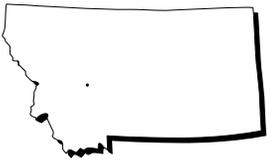
Houston, TX. Although an effort to pass term limits on statewide officials, including the governor, recently failed, the state legislature did pass a bill back in May to term-limit commissioners at the Port of Houston Authority. Since then, four new commissioners have been appointed to the authority.



FLORIDA

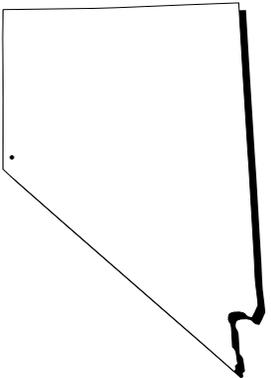
Boynton Beach, FL. A new Boynton Beach commissioner, David Merker, is eager to eliminate term limits on city officials. During an October meeting he boldly suggested that the corruption and venality possible among incumbent politicians is “no different from” what can occur in a business or “even a marriage.” (Here’s audio of Merker holding forth: bit.ly/16WBVhW). Merker hoped commissioners would post a repeal of mayoral and commissioner term limits on the 2014 general election ballot. But his motion died for lack of a second. Several months ago, the same commission, albeit with a different membership, had rejected a similar effort. Boynton Beach commissioners and its mayor serve a maximum of two three-year terms under the current term limits law.

Local officials have asked voters to get rid of the city’s term limits more than once. A 1998 *Sun Sentinel* editorial (<http://bit.ly/18mAZRo>) inquired: “What is it about the word ‘no’ that the Boynton Beach City Commission doesn’t understand? Four times in the last 12 years, Boynton Beach voters have been asked to abolish term limits for the mayor and city commissioners. Four times they have answered in the negative...”



MONTANA

It seems that Montana state lawmakers dislike term limits. As if it were news, the *Washington Post* reported recently that Montana “legislators in both parties expressed frustration” with state term limits and have been pondering what they can do to solve the “problem” of too much changing of the guard. “There are lots of primary contests and regular rotation in office in Montana,” observes USTL President Phil Blumel. “The legislature stays fresh, with new faces and ideas and lots of opportunities for citizens to successfully run for office. This means too that there are a lot of ex-legislators running around, which makes for a better educated polity and greater transparency. These are all things that aspiring career politicians everywhere find burdensome. In other words, term limits are working in Montana and politicians there want to nix them precisely for this reason.”



NEVADA

The Nevada Supreme Court is mulling whether a present councilman and a former councilman may run for mayor in light of the 12-year term limit on council service. Reno mayoral candidate George Lorton argues that the state constitution “prohibits a person from being re-elected to the governing body as a whole, regardless of which seat the person seeks to serve [on]. It is undisputed that the legislative intent and purpose of the term limit amendment to the Constitution was not to allow the same individual to serve as a member of the City Council for twelve years in each of the six City Council wards and an additional 12 years a City Council member as Mayor.” Chief Justice Kris Pickering has solicited comment on Lorton’s argument from Reno’s city clerk and its voter registrar, and from the two mayoral candidates named in his petition.

WISCONSIN

In late September, the governing board of the State Bar of Wisconsin voted 47-0 to recommend that the Wisconsin Supreme Court justices be limited to a single 16-year term in office. The purpose is reportedly to “cool clashes” between justices. “Wisconsin Supreme Court justices — technically nonpartisan but widely seen as divided along liberal/conservative lines — have been strongly criticized in recent years for alleged ethical lapses and interpersonal clashes,” according to the *Wisconsin State Journal*. “In the most prominent case, Justice David Prosser put his hands on the neck of fellow Justice Ann Walsh Bradley during an argument.” Okay, term-limit them.

Houston County, WI. Houston County’s board of commissioners has passed term limits of three consecutive three-year terms on members of the county’s planning commission. The term limit counts terms already served but permits incumbents who have already exceeded the new maximum to finish their current term before stepping down. After a three-year hiatus, termed-out planning commissioners are eligible for reappointment.



Term Limits Plus: The Illinois Reform Package

by Phil Blumel

The Illinois limits initiative intended for the November 2014 ballot includes several reforms, yet most of the attention will be paid to its centerpiece. Indeed, it is the eight-year term limits that will most profoundly change how Springfield works — or doesn't work.

But what about the rest of it?

A close reading of the amendment reveals no hidden trap doors or bended mirrors. Rather, each element complements the term limits plank in an integrated effort to make the Illinois legislature simpler and more representative. And, like term limits, most of the ideas have been tested in other states.

Three house seats per senate district. This provision divides the senate districts into three house seats instead of the current two house seats; thus an incumbent house member will have the advantage with respect to name recognition in only one third rather than one half the area of the senate district. Such a redrawing means another shift in power from incumbents to outsiders; that is, to citizens.

Changes in chamber membership. To accommodate the new ratio of house seats to senate seats, the number of members in each chamber will also be changed, with house members increased from 118 to 123, senate members decreased from 59 to 41. The house will be the more representative of the two chambers — at least, once the term limits kick in. The house has shorter terms, more frequent elections and smaller districts, enabling a single citizen to have more influence. Overall, the membership changes reduce the number of members and save some money.

Veto power. In Illinois it is unusually easy for lawmakers to overturn a veto by the governor; they can do so with a mere three-fifths majority. If the initiative succeeds a two-thirds majority will be required, as is standard in 36 other states.

The end of two-year senate terms. This provision is a simple housekeeping item. It abolishes the odd two-year

More Pledge (Cont'd from page 3)

nessman who “isn't a career politician,” according to his campaign web site, but rather “a strong believer in limited government, free enterprise, and individual liberty.” He seeks to replace an eight-term incumbent, U.S. Representative Mike Simpson.

These pledges to support congressional term limits are being made in the context of all-time low approval of Congress and the continuing great popularity of term limits. A 2012 Paul Simon poll of Illinois voters found that 79% support term-limiting state lawmakers. A Gallup survey conducted in January 2013 found that 75% of all Americans favor the reform.

term in the Illinois senate that somewhat complicates the election process, unnecessarily encouraging political gaming and confusing voters. In the future, all Senate terms will be four years long, as in most other states.

Term limits. Crowning the amendment is, of course, the eight-year term limits on overall state legislative tenure. Eight years is the most common and time-tested term limit in America, applied to offices ranging from those of the president and numerous governors to nearly a dozen state legislatures and an uncountable number of county commissions, city councils and mayors. The Illinois term limits law will enhance the formula of existing state legislative term limits by preventing lawmakers who have served eight years in one legislative chamber from then serving another eight in the other, as sometimes happens in other states.

This is a well-constructed package that makes both large and small tweaks to the structure and process of the state legislature, pushing it in a more representative direction. To read the full text for yourself, visit reformandtermlimits.org/the-amendment.

We need 300,000 signatures to put the question in the hands of Illinois voters. Let's get to work.

Phil Blumel is the president of U.S. Term Limits.

A pdf of the U.S. Term Limits Amendment Pledge may be downloaded from ustermlimitsamendment.org.

Voters usually pass term limits if they get the chance. In Illinois, they'll get it if a petition drive launched by gubernatorial candidate Bruce Rauner succeeds (see p. 7).

“The dysfunction in Washington, D.C. has never been greater,” says USTL president Phil Blumel, “and people have had enough of politics as usual. Many members of Congress are getting on board as they become increasingly frustrated with the status quo. Fortunately, with candidates like Bryan Smith jumping into the fray, the political pressure for the constitutional amendment will continue building toward successful passage.”



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“I believe we can fix the mess in Washington, but we need the right tools to make it happen. Term limits are a great place to start.”

**— U.S. Senate candidate Nancy Mace
see p. 1**