

No Uncertain Terms

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Rauner Wins Illinois GOP Governor Primary as Term Limits Signatures Top 300,000



Bruce Rauner.

On Tuesday, March 18, businessman and first-time political candidate Bruce Rauner won the Republican nomination for governor of Illinois, defeating three officeholders. With most precincts reporting, he had attracted 40% of the vote to State Senator Kirk Dillard's 38%.

Incumbent Governor Pat Quinn won the Democratic nomination with 72% of the vote.

By election day, TermLimitsAndReform.com web site was reporting that 320,000 signatures have now been collected in the petition drive to post a sweeping reform question, including robust state legislative term limits, to the November ballot. But petitioners are eager to exceed the

minimum by as much as they can.

"We need to collect 300,000 *good* ones," gubernatorial candidate Bruce Rauner had noted during a stump speech, "which means we probably need to collect 400,000 signatures.... When we do that, it will be on the ballot as a constitutional referendum in the general election in early November.... The vast majority of voters in both political parties support term limits... It will pass, it'll be the law, it'll be eight years and out in the legislature. And folks can't hop houses, they can't leave and come back; it'll be eight years and you're done."

(Continued on Page 3)

New Signers for USTL Congressional Term Limits Pledge

As 2014 campaigns get underway in earnest, U.S. Term Limits has begun asking candidates to sign USTL's pledge to support and co-sponsor a constitutional amendment limiting the tenure of congressmen to three two-year terms in the U.S. House, two six-year terms in the U.S. Senate, "and no longer limit."

Fallacies and lies about term limits

pages 6 and 7

Following are those who have signed the pledge as of mid-March.

For the U.S. Senate:

Matt Bevin, Kentucky
Chris McDaniel, Mississippi
Ben Sasse, Nebraska
Heather Grant, North Carolina
Lee Bright, South Carolina
Richard Cash, South Carolina
Nancy Mace, South Carolina

(Continued on Page 3)



President's Corner

BY PHILIP BLUMEL

Why did Florida Representative Keith Perry introduce a bill this month to weaken Florida's voter-approved legislative term limits by lengthening them from eight years to 12 years?

It's not as if the Republican's Gainesville constituents are clamoring for the change. A 2009 Quinnipiac University poll found that 79 percent of Floridians oppose weakening the term limits from eight to 12 years. According to the poll's executive summary, "opposition is strong among all political groups and throughout the state."

More recently, Florida voters have been imposing new term limits on politicians. In 2012, for instance, Miami-Dade County voters instituted eight-year term limits on their commissioners, as did voters Brooksville and Dunedin. Cape Canaveral voters did so in 2010.

All these measures passed with more than 70 percent of the vote.

Without term limits, the ease of re-election drives an ever-growing wedge between the people and the politicians who are supposed to represent them. Term limits provide greater citizen access to the political process by giving citizens more opportunity to work on meaningful, open-seat campaigns, as well as to run for and win office themselves.

The results of Florida's term limits have been good. In a 2013 ranking of states by their fiscal condition — an outcome highly influenced by government policy — the Mercatus Center at George Mason University ranked Florida as sixth in the nation. And five of the top 10 states in this ranking have eight-year term limits on their legislatures.

Representative Perry wants to stay in power without having to run the risk of running in another open-seat election by trying to jump to the Florida Senate. Instead of defying voters to pursue a narrow political advantage, he should reflect on Thomas Jefferson's advice that "to prevent every danger which might arise to American freedom from continuing too long in office, it is earnestly recommended that we set an obligation to go out after a certain period."

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

Visit USTL's Facebook page at on.fb.me/l8fXE1.

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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

Rauner (Cont'd from page 1)

Rauner invokes the Adlai Stevenson line that “cleanliness is next to godliness, except in the Illinois legislature, where it’s next to impossible.”

In a state government notorious for its corruption, gestures toward reform by Springfield’s entrenched incumbents have proved modest at best. Illinois continues to labor under an unfunded pension liability in the ballpark of \$100 billion. A few years ago, instead of reforming the pension system to begin to remedy the problem, lawmakers imposed a 66% hike in the personal income tax and increased the corporate income tax from 4.8% to 7%.

The new taxes were supposed to help shrink the pension liability. Instead they shrunk the state’s economy, and Illinois’s official unemployment rate is still almost 9%.

The state’s debt has grown so large because of super-generous pensions for government employees, doled out by politicians indifferent to the destructive effects of their profligacy.

The practice of double-dipping added to the stack of IOUs. Until recently, Illinois law allowed government employees to reach retirement age, begin collecting a fat state pension, and then return to the very same job while still collecting a “pension” for that job. Illinois union officials have been able to collect both union pensions and government pensions.

“Out-of-control spending, record tax

hikes, terrible unemployment and a state government controlled by special interests — the career politicians are failing Illinois,” is Rauner’s indictment.

“The bosses of American Federation of State, County and Municipal Employees; Service Employees International Union; and the Illinois Federation of Teachers/Illinois Education Association are in virtually every legislative meeting, every budget meeting, every policy meeting in Springfield,” wrote Rauner in an op-ed for *The Chicago Tribune*. “They take their taxpayer-funded, government-collected union dues and funnel them by the tens of millions to politicians in both political parties. They use their vast membership to supply patronage workers by the thousands for political campaigns throughout the state.

“This has created a powerful closed-loop system, with these unions and politicians on the inside, and taxpayers and schoolchildren on the outside. It is a system that allows union bosses to bribe politicians with massive political support in exchange for salaries that are 23 percent higher than in our



neighboring states, and even higher still than in the private sector, with stunningly generous pension benefits that allow government employees to retire with higher pay for the rest of their lives than they got while working.”

Others running for the GOP gubernatorial nomination were not as enthusiastic as Rauner in their professed support for term limits.

State Senator Bill Brady did voice support for limiting all lawmakers, but called for a ten-year cap in each chamber, more than twice as long as what the Rauner-backed measure proposes (i.e., an eight-year cap on all legislative service).

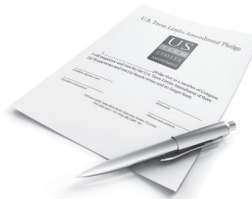
State Senator Kirk Dillard (who received the bulk of union support for the GOP nomination) and state Treasurer Dan Rutherford both said that they wanted term limits only on legislative leaders, not on all lawmakers.

Pledge Signers (Cont'd from page 1)

For the U.S. House of Representatives

Andrew Walter, Arizona
Michael Dreikorn, Florida
Wesley Neuman, Florida
Ben Johnson, Georgia
Bryan Smith, Idaho
Chris Balkema, Illinois
Sharon Brannigan, Illinois
Diane Harris, Illinois
John Hosta, Illinois
Charles Hatchett, Kentucky

Visit USTermLimitsAmendment.org

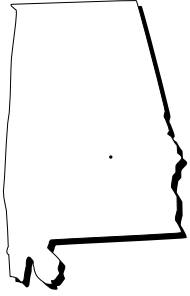


Washington, DC will never bring term limits to the people. The people will bring term limits to Washington, DC. Become an active participant in our congressional pledge program by contacting your representatives in Congress and candidates for U.S.

House or U.S. Senate seeking to represent you who

have not yet signed our congressional term limits pledge. Ask them to sign it and mail it to U.S. Term Limits (both House and Senate versions of the pledge are downloadable from the home page of ustermlimitsamendment.org). Click your state on the map at ustermlimitsamendment.org to learn who has signed the pledge in your state.

Term Limi



ALABAMA

In January, State Senator Arthur Orr co-sponsored a bill (SB 153), which has emerged from a senate committee, to impose term limits of three four-year terms on both houses of the Alabama state legislature. "New blood is always good for the legislative body to bring in fresh ideas," he says. "I believe the framers of the Constitution had in mind citizen-legislators. People who would serve for a period of time during their working careers and then go home, not a career political class." According to WHNT News, though: "Orr says it's possible the total term limit could be revised from 12 to 16 years." A 12-year term limit is weak to begin with, especially if the clock starts only with passage.

The Alabama house has also passed a resolution calling for an Article V convention, which would be convened in part to impose term limits on Congress. It is now up to the senate. (See Georgia story below.)



CALIFORNIA

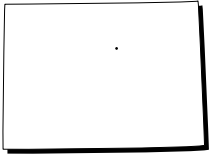
Anaheim, CA. Candidates for mayor of Anaheim have spoken out against proposed charter amendments that would 1) shorten the mayoral term from four years to two years and 2) eliminate term limits for the mayor and the rest of the city council. Currently, council members and mayors are limited to two four-year terms.

Atwater, CA. City Councilman Larry Bergman has proposed term limits of three four-year terms for the mayor and city council members. He contends that "if you keep a limit of 12 years, we will be bringing in more fresh ideas. Once you get into a routine, you tend to lose sight of what's fresh and what's going on in the community."

COLORADO

Grand Lake Fire Protection District, CO. After a welter of complaints about its measure to repeal term limits on itself, which it had quietly scheduled for a February 4 election, the district board has withdrawn the measure. A similar measure had been quashed at the ballot box just two years ago.

"Quite contrary to our intent," according to the board's prepared statement, "some community members have used the election discussion to cast doubt on the community spirit and competency of the fire department. By canceling the election, we believe we will give the community to heal." The local *Ski-Hi Daily News* argues that "eight years on the job is long enough to do the work board members campaign to do. Beyond that, members run the risk of getting too comfortable with power."



FLORIDA

State Representative Keith Perry hopes to weaken state legislative term limits by lengthening them from eight to 12 years. He is "a term-limits guy," he insists, but insists that "at the same time, you have to balance that against the magnitude and complexity of government." But "term limits guys" don't work to undermine term limits. If the amendment makes it out of the Florida legislature, it would need to be approved by minimum of 60% of voters. See page 2 for more on Perry's effort. And visit the Save Florida Term Limits Facebook page at on.fb.me/1gbg1rN

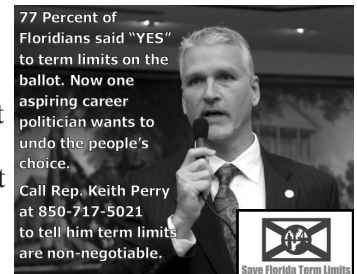
Bartow, FL. Following up on a citizen's request, Bartow commissioners have asked the city attorney to draft a term limits ordinance imposing a maximum of three three-year terms, to be placed on the town's April 1 ballot. In 2010, commissioners declined to let voters decide on such a measure by a 3-2 vote; but one of those commissioners has changed his mind. Posting of the question is not yet a done deal, though.

Green Cove Springs, FL. Among the 14 proposed charter amendments that the city council has accepted for the April 1 ballot is a measure to weaken the current three-term limit on the town council, which is a lifetime term limit, by allowing a termed-out incumbent to serve again after a year has passed.



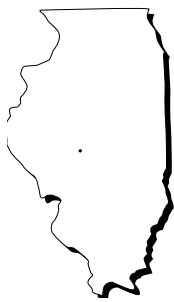
GEORGIA

The Georgia legislature is the first to pass a resolution calling for an Article V convention of the states with the purpose of amending the U.S. Constitution to limit federal power and impose term limits on federal officials. The resolution (SR736) was passed by a 107-58 majority. The resolution, which is being promoted by the grassroots organization Convention of States Project (COS), has also been introduced in 13 other state legislatures. Georgia's is the first to pass it. USTL President Phil Blumel praised Georgia's move as an important first step in amending the Constitution "and holding our corrupt



ts in the News

Congress accountable. If the term limits are any weaker than six years in the House and twelve in the Senate, however, their effect will be largely lost.”



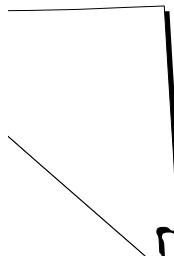
ILLINOIS

Tinley Park, IL. Tinley Park Mayor Edward Zabrocki and the town council have refused to do anything in response to a disingenuous six-month “study” of term limits commissioned after voters approved an advisory term limits measure in 2012. So local attorney Steve Eberhardt is pursuing a new petition drive, this time on behalf of a binding term limits question (what he should have started with). Eberhardt says that the three-term limit he is pursuing defers to the preferences stated by the term limits commission. But we’re sure that Tinley Park voters would happily approve a two-term maximum.



IOWA

Freshman Representative Greg Heartsill has offered a proposal (HJR 2002) to limit lawmakers in both chambers of the Iowa legislature, the governor, and the lieutenant governor to a maximum tenure of 12 years. Heartsill says the term limits are “a necessary step for the citizens of Iowa to regain confidence in the political system.”



NEVADA

Reno, NV. In response to a lawsuit by mayoral candidate George Lorton, the Nevada Supreme Court ruled in late February that Reno, Nevada council members who have served the maximum tenure of 12 years cannot then run for mayor. The court determined that because the mayor has the same duties as council members, the 12-year limit subsumes service as either mayor or council member. The ruling means that two would-be mayoral candidates, Jessica Sferrazza and Dwight Dorch, will not be able to run for mayor; each has already served 12 years as council members. Sferrazza implored the Supreme Court to reconsider its ruling; it declined to do so. New candidates for mayor emerged soon after the court announced its decision.



PENNSYLVANIA

Lackawanna County, PA. A county commission that was convened to recommend reforms in the local government structure has proposed two four-year term limits for a prospective executive and three four-year terms for council members. Voters will consider on May 20 whether to switch from a county government headed by three commissioners to one headed by an executive and a council. To pass the term limits, voters would have to approve the larger structural proposal as well.



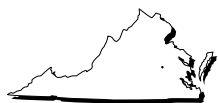
TEXAS

Hewitt, TX. By a five-to-one majority, the Hewitt city has approved a special election to consider a revision of the city’s charter and term limits on council members of four consecutive two-year terms. If passed, a termed-out incumbent could run for the same seat after being out of office for one year.



TENNESSEE

Nashville city council is considering two charter amendments to lengthen term limits — stretching them to either three four-year terms or four four-year terms. Three previous efforts to weaken term limits have failed. This time, the current measure may be coupled with a provision to reduce the size of the 40-member council. And at least one council member, Emily Evans, is gung-ho for both four terms and the sweeten-the-poison strategy. “I think that’s the trade-off. The public accepts that the people in office stay a little longer, but there’s less of them....”



VIRGINIA

State Senator Tom Garrett wants the governor’s maximum tenure to be expanded to two terms. If enacted, the law would apply to governors elected in 2017 and later. Others have tried to scuttle the one-term gubernatorial limit — at least eight times since 1995 — without success. Such a bill was approved last year by the senate but died in a house committee.

Meanwhile, Jim McKelvey wants to collect 500,000 signatures from Virginians who will pledge to vote against incumbents who fail to support eight-year term limits on lawmakers and the executive branch. Assuming that signatories keep their pledges, lawmakers would have to vote to refer a term limits measure to ballot to avoid being voted against in the 2015 primaries. McKelvey says the term limits measure would increase the tenure for governor so that the tenures of lawmakers and governors would be on a par.

Fallacies About Term Limits by Nicolas Tomboulides

“[Douglas] Rooks is correct to point out that a majority of states don’t have term limits, but that hardly proves his assertion that the movement has failed. A bare-minimum level of research would have informed Rooks that 26 states deny citizens the right to put initiatives on the ballot. This means that if residents in those states want term limits on politicians, they must depend on those legislators putting it on the ballot. Such an expectation is akin to asking a chicken to vote for Colonel Sanders. It rarely happens.”

— **“Rooks is wrong about term limits being a bust,”** March 15, 2014, Seacoastonline.com, bit.ly/1gcftfH

“If you’ve read any anti-term limits editorials lately, you’re probably familiar with the remarkable claim that lobbyists love term limits. After studying dozens of these articles published in various states over the past few months, here’s what I’ve noticed:

“The claim is repeated in every commentary against state term limits.

“The claim is never accompanied by any supporting evidence or data....”

— **“Myth-Busting 101: Do Lobbyists Love Term Limits?”** February 20, 2014, U.S. Term Limits, bit.ly/1ptD49d

“In January, the Mercatus Center at George Mason University released its 2014 state fiscal health rankings. This seemed like an excellent opportunity to test the old clichés put forth by opponents of term limits—about inexperienced public officials supposedly running term-limited states into the ground.

“The study shows that the exact opposite is true....

“This data seems to confirm what we’ve known intuitively—that people without lifelong careers in politics are no strangers to budgeting and paying the bills on time....”

— **“States with Eight-Year Term Limits Are the Most Cash-Solvent,”** March 12, 2014, U.S. Term Limits, bit.ly/1gcvtcu

Attack on South Dakota Term Limits Killed in Senate

U.S. Term Limits sent letters to thank each of the 23 state senators who voted to kill HJR 1002, which sought to lengthen term limits from eight consecutive years to 12 in each chamber (six two-year terms in the house, three four-year terms in the senate).

House members had approved the resolution by a vote of 54 to 16—thereby telling voters to go jump in a lake, says USTL president Phil Blumel.



Charlie Hoffman.

“In 2008, the last time South Dakota voters weighed in on their voter-initiated and approved eight-year term limits law, they reaffirmed it with 76 percent of the vote,” observed Blumel in an op-ed for the *Sioux Falls Business Journal* (argusne.ws/1cjrGcB).

“There is no reason to think that voters have changed their minds about term limits. On the contrary, polling since the 2008 vote shows that only 23 percent support a weakening of the limit from eight to 12 years. In fact, 63 percent of voters said it would make them ‘somewhat’ or ‘very angry’ if legislators made another attempt to stay in office longer.”

The sponsor of the limit-loosening amendment, Representative Charlie Hoffman, had pledged to tour the state if the amendment emerged from the legislature in a bid to convince voters to pass it.



**USTL Executive
Director
Nick Tomboulides.**

The Emerging 16-Year Term Limit Scam

by Phil Blumel



Ever since the first state legislative term limits were approved by voters in 1990, professional and wannabe-professional politicians have struggled to kill them. But voters have never wavered in their support for term limits. So the incumbents' attempts to weaken or repeal this cap on their incumbency have gotten ever trickier.

The first, relatively straightforward and most successful counterattacks were waged in courtrooms or legislative chambers, bypassing electorates. Several referenda were shot down by courts or, in a few cases, by state legislatures. Examples include Oregon, Washington, Massachusetts, Wyoming and Illinois. The biggest legal victory for the anti-term limits forces came in 1995 with the U.S. Supreme Court's

"A number of Arkansas legislators now claim they didn't know the term limits provision was in the ['ethics'] legislation. Others explain that their 'aye' vote was cast mistakenly on their behalf after they had left the building. One can believe them or not, but the one undeniable fact is that the legislature did place this constitutional amendment on the ballot."

— "Arkansas Accidents," Paul Jacob, *Townhall.com*, January 19, 2014, bit.ly/P0yT7c

5-4 decision the 1995 case *U.S. Term Limits v. Thornton*, which nullified the congressional term limits laws that had been passed by 21 states.

But the remaining 15 state term limits laws are now cast in stone, having passed their legal tests and not susceptible to unilateral legislative repeal. In these states, politicians are obliged to ask voters — not courts or themselves — to weaken or abolish term limits.

Pulling this off has proved a lot harder than finding either friendly judges or friendly fellow lawmakers.

As term limits began to take effect, incumbents first tried asking voters to simply repeal them. This gambit went nowhere, for over time voters learned to love term limits more, not less.

Next came a wave of tricky referenda by politicians who "support" term limits but want to see them "improved" by making them weaker, usually by stretching them from eight to 12 years. Typically, these measures have been written in such a way as to suggest that the referenda are *establishing* limits, as if for the first time. The purpose, of course, was to dupe enough voters into believing the referenda were *pro-term* limits to get the measures passed.

Except in California (on the second try), this gambit too failed, but it did require term limits activists to expend time and money to ensure that voters weren't being fooled. Examples include Arkansas, Montana, and Maine.

Politicians compete at the ballot box. But when the dust settles, they talk, they share ideas, they plot, scheme, connive, for the common purpose of keeping themselves in power. This year, politicians in Arkansas, Missouri and Montana are launching the most deceitful bipartisan strategy yet to liberate themselves from voter-approved term limits.

Politicians in these states are suggesting that the separate eight-year limit in each house is "really" a 16-year limit (you know, once you add up the two separate term limits on two separate chambers). According to the propaganda, then, it would be just an almost vanishingly small change to make the 16-year limit official, with the incidental addendum that politicians may allot the 16 years of their alleged dual-chamber maximum tenure to the two chambers in any ratio: eight years and eight years, say; or ten and six; 12 and four; 14 and two....

Of course, what the proposed change in the law would

mean in actual practice is a comfy 16-year stint in *one* chamber — a plain *doubling* of the maximum tenure in a single legislative seat from eight years to 16 years. All politicians know that most representatives cannot successfully make the jump to the other, whereas getting re-elected to one's own seat, on the other hand, is nearly automatic. After all, the advantages of in-

cumbency that are obvious to every observer of politics are a major reason for having term limits — on a single, particular seat of power — to begin with. Sticking to one's current seat if one has the legal right to do so is, thus, the path of least resistance.

Last year, a version of this scam passed at least one house in Missouri and Montana, but went no further (for now). However, it has reached the ballot in Arkansas. In that state, incumbent lawmakers were especially devious: they buried their supposedly trivial tweak deep inside an ethics bill replete with mild, pleasant-sounding restrictions on contributions and gifts from lobbyists. We can expect lawmakers in other state legislatures to copycat the "ethics bill" scam as well as the 16-years-in-one-house scam.

Unless Arkansas lawmakers — some of whom now protest that they had no idea what they were passing — pull the

"This is a manifest fraud against the public. It's very unethical for the legislature to hide longer term limits—that the voters don't want—deep inside of a so-called 'ethics' amendment. This measure must be defeated."

— Tim Jacob, chairman, Arkansas Term Limits

question from the ballot, it will be up to voters to shoot it down in November.

Nationwide, polls show that public support for term limits has remained consistently strong over time. That's why the politicians can succeed only through obfuscation and deceit. Their unscrupulousness does make it harder for us as citizens to get the word out.

But we so have one big advantage: the simple power of the truth.

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— Nicolas Tomboulides
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