

No Uncertain Terms

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Defenders of Term Limits Win Governor's Mansion in Illinois, U.S. House and Senate Seats; Term Limits Win in Grand Rapids, MI

We've got lots of news about this November's term limits measures around the country — either to enact new term limits (usually successful) or to weaken existing term limits (usually unsuccessful) — starting on page 4. But first let's look at a few of this year's biggest term limits stories.

Illinois. Venture capitalist and political newcomer Bruce Rauner, the GOP candidate who made state legislative term limits and other legislative reforms a central issue of his campaign, defeated Democratic incumbent Governor Pat



Quinn with 50.7% of the vote to Quinn's 45.9%. A Libertarian Party candidate, Chad Grimm, pulled 3.3%.

Through much of the campaign, Rauner had championed

(Continued on Page 3)

Dishonest Ballot Measure to Drastically Weaken Arkansas Term Limits Passes with 53% of Vote

Advocates of term limits worked hard to alert Arkansas citizens to the poison hidden in Issue 3. But on November 4, just enough voters were misled by the measure's deceptive ballot title — and by lawmakers' larding of the brazen assault on term limits with sundry unrelated "ethics" reforms — to yield a narrow majority accepting the measure.

The ballot question that voters confronted at the polls spoke of "setting" or "establishing" term limits in summary wording, not plainly of "lengthening maximum state legislative tenure from 8 years to 16 years in the senate and from 6 years to 16 years in the house." As USTL President Phil Blumel has put it, "Do you believe in 'setting' term limits for the general assembly?" I do! More importantly, all term limits supporters in Arkansas and everywhere else support 'setting term limits for members of the general assembly.'"

Arkansas's state legislative term limits were established in 1992 with 60% of the vote, and affirmed in 2004, with



This Trojan horse dramatized the truth about Issue 3 in cities across Arkansas.

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President's Corner

BY PHILIP BLUMEL

The results of the 2014 election are clear: term limits continue their march across the United States, one jurisdiction at a time.

Each cycle, we try to track all term limits ballot questions across the country, both the measures to enact new limits (typically initiated, directly or indirectly, by voters) and those to attack existing term limits (always initiated by wannabe permanent-officeholders). At press time, we count 38 victories for term limits out of 43 ballot measures (including the deceptive state measure in Arkansas), a success rate of 88% (90% at the municipal level). We saw a 100% victory rate for newly proposed term limits. With respect to all measures that either enacted term limits or repelled attacks on them, the pro-term-limit vote averaged 69%. (For our full report on local measures, see page 4.)

As we go to press, every single vote on November 4 to enact term limits was successful.

The high win percentage is no anomaly. In both 2012 and 2010, term limits won about 97% of the time.

Key victories (Grand Rapids, Michigan) and losses (Arkansas) are discussed on page one of this issue. But let's not lose sight of the forest for the trees. The big story of election 2014 is that voters continue to turn to term limits to reinvigorate democracy and encourage cleaner, more transparent government. As they do whenever they have an honest chance.

If your city or county is suffering from the maladies of entrenched incumbency — from uncompetitive (and even uncontested) races, lack of turnover, lack of citizen access, dominance by special interests — a local term limits campaign is well worth your time, effort and resources. If you put it on the ballot, the voters will do the rest.

Can there be any doubt that the U.S. Congress would already be term-limited if there were a national initiative process? Of course not. According to the latest nationwide poll on term limits, 75% of Americans support congressional term limits — consistent with results at local ballot boxes.

And yet, even without benefit of the initiative process, real progress is being made at the national level. On November 4, voters sent at least 13 new U.S. Term Limits Congressional pledge signers to Congress. Just as they did in 2012 and 2010.

It's a long war to get congressional term limits, but the citizens win nearly every battle. Thank you for all your help in the fight for honest and limited government.

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

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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

Defenders Win (Cont'd from page 1)

a petition drive to send a package of tough legislative reforms — including an eight-year cap on total legislative service (i.e., on tenure however divided between the two chambers) — to the November ballot.

Hundreds of thousands of Illinoisans lined up to sign the petition, and the total number of signatures certified to be valid was far more than the minimum needed to post the question. But a circuit court judge then kicked Term Limits and Reform measure off the ballot on the basis of an implausible technicality; and the state supreme court, equally subservient to a turf-protecting political establishment, declined to hear an appeal.

After the setback, Rauner's campaign ran a commercial in which the candidate said: "A half million people signed petitions to put term limits on the ballot. Illinois voters overwhelmingly support term limits: Democrats, Republicans and Independents. But Pat Quinn, Mike Madigan and the Springfield crowd don't care what you think. They'll say or do anything to keep power. They let term limits get kicked off the ballot. But come November, it's our turn to kick them out of office."

Governor Quinn, by contrast, had by election day squandered much of his credibility as a reformer — despite some lukewarm me-too-ing of the Rauner-backed term limits proposal, and despite the fact that Quinn had more convincingly championed a comparable term limits measure many years ago. Having done little as governor to discourage Illinois's corrupt political establishment, and much to nourish it with massive tax hikes, the incumbent seemed unlikely to forge a more constructive path during a second full term.

To resuscitate the prospect of state legislative term limits and other

reforms, Illinois could surely benefit from a governor who does battle with that political establishment on sincere and principled grounds. We encourage Governor-elect Rauner to be relentless in his pursuit of term limits after he has assumed the burdens of office.

Successful candidates for U.S. Congress. We are pleased to announce that, as we go to press, at least a lucky thirteen signers of the U.S. Term Lim-



Visit TermLimits.org and click on the Sign Today button.

its Amendment Pledge, five candidates for the U.S. Senate and eight for the U.S. House of Representatives (one of which is an incumbent who signed the pledge in this election cycle), have won their contests.

These include Senators-elect Ben Sasse (NE), Thom Tillis (NC), David Perdue (GA), and, Steve Daines (MT); and Representatives-elect Gary Palmer (AL-6), Ken Buck (CO-4), Rick Allen (GA-12), Rod Blum (IA-1), Lee Zeldin (NY-1), John Ratcliffe (TX-4), Dave Brat (VA-7), Frank Guinta (NH-1), and Tom Rooney (FL-17).

A few other races are still up in the air.

The Pledge commits signatories "as a member of Congress [to] cosponsor and vote for the U.S. Term Limits Amendment of three (3) House terms and two (2) Senate terms and no lon-

ger limit."

Shortly before the election, USTL Executive Director Nick Tomboulides commented on Tillis's signing of the Pledge at the TermLimits.org site, observing that Tillis was "no stranger to term limits. As speaker of the North Carolina House, he term-limited himself to eight years in office and sponsored a constitutional amendment to term limit his own office and that of the Senate President." (bit.ly/11v1uXt)

Nick argued that signing the pledge could only help Tillis gain an edge in the tight race with Democratic incumbent Kay Hagan, who refused to sign the pledge. A third-party candidate, Libertarian Sean Haugh, also signed the Pledge. Tillis won 48.82% of the vote to Hagan's 47.25% and Haugh's 3.74%.

We're thrilled that Pledge-signer Dave Brat is among the general-election victors. Brat won handily, with 61% of the vote in his Republican-leaning Virginia district.

Perhaps that's a tad anti-climactic after his stunning victory in the June primary, which toppled Majority Leader Eric Cantor from power after Cantor had too arrogantly relied on the advantages of incumbency. We'll take the anti-climactic sequel, though, and root for further victories over calcified incumbents.

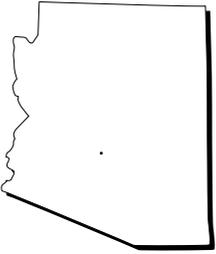
Grand Rapids, Michigan. With 51% of the vote, voters of Michigan's second-largest city approved term limits of two four-year terms for the mayor and city commissioners.

The term limits are retroactive, stipulating that "no person shall be eligible for election as City Commissioner if they have served as City Commissioner for two terms, and no person shall be eligible for election as Mayor if they have served as Mayor for two terms." Thus, both the

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Election 2014

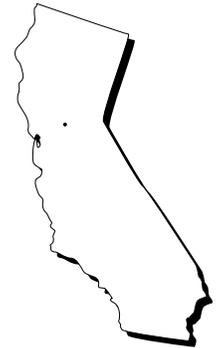
We've rounded the return numbers to the nearest percent



ARIZONA

Carefree, AZ. Propositions 488 and 489, each defeated with about two thirds of the vote, would have increased the length of individual terms from two years to four years for both council members and the mayor. Since voters in the town had limited these officials to three two-year terms in 2011, it is unclear what would have happened to the town's term limits if one or both of the present measures had passed. A moot point now, fortunately.

Chandler, AZ. By a 63% majority, Chandler voters rejected Proposition 479 to lengthen the term limits of Chandler city council members from two to three consecutive terms. After the two-term limit was enacted in 1972, voters rebuffed an attempt to repeal the limit in 1986 and attempts to weaken the limit in 1996 and 2000.



CALIFORNIA

Atwater, CA. By an 84% majority, Atwater voters passed lifetime term limits of three four-year terms on council members. We regard 12-year term limits as too slack, but can only cheer Councilman Larry Bergman's defense of Measure Q: "Opponents of term limits (usually incumbents) charge that limits are antidemocratic, that people should be free to elect to office whomever they want and that voters inherently have the power to limit terms simply by voting incumbents out. But this ignores the enormous, built-in advantage of incumbent lawmakers, who have frequent access to free media publicity and other resources.... Term limits help block the corruption and arrogance that comes when long-time legislators become more concerned with their perks and privileges than with what's best for the people."

Irvine, CA. Measure W, which passed with 75% of the vote, converts the consecutive limits of two four-year terms on the city council (and two two-year terms on the mayor) into lifetime limits. No official who is both council member and mayor will be able to serve a total of more than 12 years in his lifetime. But the measure counts only those terms begun on or after November 4, 2014 — which means, as critics have noted, that officials who had been on the verge of being termed out of office may now remain continuously in their seats for longer than they could have without the change.

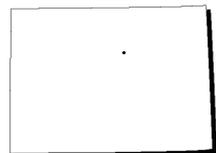
Lake Forest, CA. By a 77% majority, Lake Forest voters endorsed Measure X to limit council members to three consecutive four-year terms; after being termed out, a former council member must wait two years before running again for the council seat. Although the measure limits tenure in Lake Forest for the first time, the pro-term-limits *Orange County Register*, noting that Measure X would permit a council member to serve 24 years of a 26-year period, had urged a No vote for fear that passage would prevent a more robust measure from gaining ground.

La Mesa, CA. By a 66% majority, La Mesa voters passed Proposition K to limit the offices of city council member, mayor "or any combination of terms thereof" to three consecutive terms.

Lassen County, CA. By a 72% majority, Lassen County voters passed Measure Z to impose a non-retroactive, lifetime limit of three four-year terms on county supervisors.

Moreno Valley, CA. By a 79% majority, Moreno Valley voters approved Measure I to limit councilmen to three consecutive terms; termed-out officials may run again for the same seat after a two-year hiatus.

Redondo Beach, CA. By two-thirds majorities, Redondo Beach voters rejected Measures CM and BE to lengthen term limits for the mayor and city council members from two four-year terms to three four-year terms.



COLORADO

Aspen, CO. By a 73% majority, Aspen voters approved Referendum 2B, which, according to the Pitkin County sample ballot, provides for "an overall limit of fourteen (14) years to the consecutive total service as a Council member and Mayor." All such term limits stipulated as applying to the combined or "overall" tenure of more than one office are most importantly de facto term limits on one particular office, even if this fact is not stated explicitly in a ballot description. Fourteen years as council member plus zero years as mayor equals "fourteen (14) years" "overall."

El Paso County, CO. By an 80% majority, El Paso County voters approved a measure to limit the sheriff to two terms rather than three terms. Two years ago, a successful ballot measure to restore two-term county limits — which had been lengthened to three terms by a deceptive 2010 ballot measure — did not include the sheriff's office in the question.

4: Term Limits

Large point except when the win-or-loss number nears 50%.

Evans, CO. By a 74% majority, Evans voters passed measure 2A, specifying that “in no event shall a person serve more than ten continuous years as a Council member regardless of whether they are appointed or elected.”

Holyoke, CO. By a 70% majority, Holyoke voters agreed to eliminate term limits for mayor and council members, although they had rejected a similar measure two years ago.

Kit Carson, CO. By a 56% majority, Kit Carson voters rejected a repeal of the town’s term limits of two four-year terms.

Lake County, CO. By a 55% majority, Lake County voters rejected a measure to increase term limits on commissioners from two four-year terms to three four-year terms.

Leadville, CO. By a 50.5% majority, Leadville voters rejected a repeal of term limits for the city clerk.



FLORIDA

Kenneth City, FL. By a 74% majority, Kenneth City voters rejected a ballot measure to repeal term limits on council members (currently limited to three consecutive two-year terms) and on the mayor (currently limited to two consecutive three-year terms).

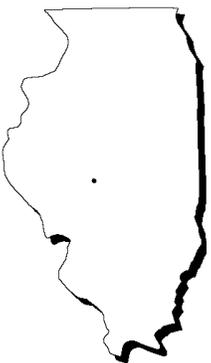
Lee County, FL. By an 88% majority, Lee County voters approved a ballot measure to cap the tenure of Lee County Commissioners to three consecutive four-year terms. Says one resident, 65-year-old Joan Winnie: “Everyone should have term limits. Without them, [elected officials] can’t be ousted.”

Marathon, FL. By a 58% majority, Marathon voters approved a ballot measure to change council members’ term limits from three two-year terms to two three-year terms.

Opa-Locka, FL. By a 73% majority, Opa-Locka voters imposed retroactive term limits of two four-year terms on city commissioners. Supporters of the charter amendment are currently attempting to oust Commissioner Timothy Holmes, who was reelected in the same election but has already been in office for 20 years. Holmes had tried and failed to strip the term limits measure of its retroactivity before it reached ballot.

Orange County, FL. By a 72% majority, Orange County voters approved Amendment D to subject county constitutional officers to term limits of four four-year terms.

Palm Beach Gardens, FL. Voters in Palm Beach Gardens considered two overlapping questions about term limits. Question 1, to limit council members to two consecutive three-year terms, passed with 79% of the vote. Question 2, stipulating that the term limits authorized in Question 1, if passed, would apply retroactively (i.e., so that terms already served count toward the limit), passed with 68% of the vote.



ILLINOIS

Country Club Hills, IL. By a 65% majority, Country Club Hills voters approved a measure to limit various city officials to five consecutive four-year terms. This is one of the flabbiest term limits laws ever, but it is at least retroactive, with “all prior consecutive terms of a current officeholder counted in determining term limits for that officeholder.” The vote means that Mayor Dwight Welch, who has been in office for 27 years, cannot run in the next election. Welch has, however, expressed his determination to run again in 2015 anyway.

Tinley Park, IL. By a 75% majority, Tinley Park voters passed non-retroactive term limits of three four-year terms on council members and the mayor. A retroactive term limits question that had garnered enough signatures to reach ballot was arbitrarily excluded from it by a panel whose members include persons who would have been directly affected by that term limit — not least its chairman, Mayor Ed Zabrocki, in office since 1981.



LOUISIANA

Mandeville, LA. By a 65% majority, Mandeville voters rejected a measure to lengthen city council term limits from two four-year terms to three four-year terms.

St. Mary Parish, LA. By a 52.25% majority, St. Mary Parish voters passed Proposition 1, which amends the home rule charter to require that council members elected after passage “who [have] represented any council district for more than two and one-half terms in three consecutive terms” be ineligible for a succeeding term “for any council district.” Prop 1 prevents a member from hopping back and forth indefinitely between single-member districts and at-large districts, but lets them serve up to

three terms in a district instead of two terms.

On Proposition 3, to lengthen the parish president's maximum tenure from two four-year terms to three four-year terms, the Louisiana Secretary of State is reporting an exact tie vote (7010 votes to 7010 votes). Unless the count is challenged, this means that the measure has failed.

Terrebonne Parish School Board, LA. A week after the election, the Terrebonne Parish School Board acted to limit board members to three four-year terms. The measure is not retroactive; i.e., board members just reelected may serve up to 12 more years regardless of how many years they've already been on the board.

MAINE

Standish, ME. By majorities of 60% and 57%, Standish voters approved measures to limit council members and school district board members to two consecutive three-year terms.

MARYLAND

Prince George's County, MD. By a 51.4% majority, Prince George's County voters declined an opportunity to increase the number of consecutive terms that a person may serve as county council member or county executive from two four-year terms to three four-year terms. In 2002 county politicians had tried and failed to persuade voters to repeal the limits, adopted in 1992.

MICHIGAN

Grand Rapids, MI. By a 51% majority, Grand Rapids voters approved a measure to limit the mayor and city commissioners to two four-year terms. (See our front-page story for more details.)

Wayne, MI. By a 67% majority, Wayne voters approved a charter amendment to limit town officials to a maximum of 16 years in office.

NEW YORK

Kent, NY. By an 81% majority, Kent voters approved a measure to limit the town supervisor and council members to two four-year terms.

OHIO

Independence, OH. By a 61% majority, Independence voters rejected a measure to lengthen mayoral term limits from two four-year terms to three four-year terms. A few council members had publicly complained that the measure had come straight from the mayor's office, i.e., had not been generated by any public groundswell.

Moreland Hills, OH. By an 83% majority, Moreland Hills voters eliminated a term limit on the village's law director and, by an 80% majority, eliminated a term limit on the village treasurer. Persons holding these offices will now serve at the pleasure of the Moreland Hills mayor, who appoints them.

OREGON

Douglas County, OR. By a 69% majority, Douglas County voters approved a measure to limit the terms of commissioners to two consecutive four-year terms.

TENNESSEE

Crossville, TN. By a 79% majority, Crossville voters approved a measure to limit a council member and the mayor to two consecutive four-year terms. The measure is not retroactive.

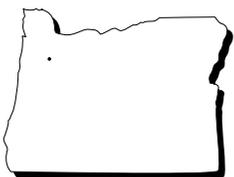
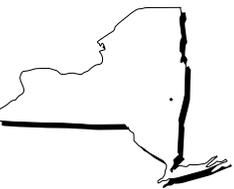
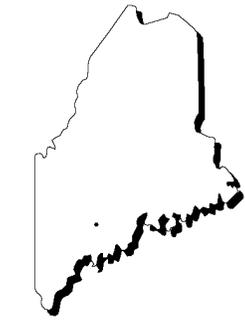
TEXAS

La Marque, TX. By a 74% majority, La Marque voters repealed term limits for the mayor and city council members.

Nolanville, TX. By a 92% majority, Nolanville voters approved a measure to lengthen term limits for council members from two two-year terms to three two-year terms.

WASHINGTON

Tacoma, WA. By a 62% majority, Tacoma voters rejected Amendment 8 to allow someone who has already served ten consecutive years on the council to then serve two four-year terms as mayor. Officeholders are currently limited to a maximum of ten consecutive years in the council, the mayor's office, or any combination of both.



More Defenders Win (Cont'd from page 3)

incumbent mayor and four of the incumbent commissioners are prohibited from running again after their current terms expire in December of 2015. Two other commissioners will be ineligible to run when their terms expire in 2017.

The grandrapidstermlimits.org site offers a familiar Mark Twain line to summarize the case for the reform: “Politicians and diapers must be changed often, and for the same reason.”

The site then more genteelly details the benefits of term limits: they diversify the pool of candidates, encourage citizen participation in politics, pave the way for fresh perspectives on the problems of governance, strengthen ties between representatives and the persons they represent, and combat cronyism and corruption.

In the wake of the election, U.S. Term Limits has asked Michigan lawmakers to pledge that they will not attempt to weaken their own term limits. At least a few incumbents seem less inclined to proceed with recent efforts to weaken their limits in light of the indication in Grand Rapids that, yes, voters in the state still like term limits.



Term limits supporters had wins this election cycle, but still have work to do.

One state senator, Dave Hildenbrand, stresses that he has never been sympathetic with the notion that high turnover of representatives per se generates dysfunction.

“I haven’t bought that,” he told the *Grand Rapids Press*. “I guess you just have to look at the body that doesn’t have term limits, which is Congress in Washington, D.C., and there’s a lot of dysfunction there.” Good point.

Dishonest Ballot (Cont'd from page 1)

70% of the vote, against a relatively clear attempt to undermine them.

“No where on the ballot will ‘increasing term limits’ appear,” Tim Jacob, co-chair with Bob Porto of Arkansas Term Limits, observed in the lead-up to the 2014 vote. “The ballot title is terribly misleading.”

Paul Jacob of Citizens in Charge, who worked with his brother Tim to expose the measure, summarizes what happened in the title of a recent Townhall column, “Tricked by the Tricky Tricksters.”

Paul points out that already, by election day, many early voters were admitting that they had been fooled.

Broader evidence also indicates that many voters were swindled by the ballot title. A Hendrix College poll conducted in mid-October showed that only 23 percent of likely Arkansas voters supported Issue 3 when told that the measure weakens term limits to 16 years. These numbers shifted 30 points in favor of the measure on Election Day, when voters confronted deceptive bal-

lot wording intended to hide the attack on term limits.

“If this passes, it’s because many voters were tricked,” said Arkansas voter Kay Carico Wilson just before the election. “Lots of people are saying they did not understand it and voted the wrong way. The interesting thing is that many conservatives and liberals are equally upset over this. We have found some common ground.”

Tim Jacob and Bob Porto are unbowed by the narrow loss.

After thanking supporters for their efforts to spread the truth about Amendment 3 across the state over the past year, the co-chairs made clear at the Arkansas Term Limits Facebook page (facebook.com/ArkansasTermLimits) that they don’t intend to let the career politicians off the hook.

“Term limits are coming back, and we need your help to ensure lobbyists and legislators don’t gain by fooling voters. Until then, stay tuned for updates. You’ll be hearing from us soon.”

Formal Titles for Issue 3

THE OFFICIAL POPULAR NAME OF ISSUE 3: “An Amendment Regulating Contributions to Candidates for State or Local Office, Barring Gifts from Lobbyists to Certain State Officials, Providing for Setting Salaries of Certain State Officials, and Setting Term Limits for Members of the General Assembly” (Emphasis added.)

THE OFFICIAL BALLOT TITLE OF ISSUE 3: “To amend the Arkansas Constitution concerning elected state officials; prohibiting members of the General Assembly and elected constitutional officers of the executive department from accepting gifts from lobbyists [to save space we’re omitting 120 words on non-term-limits provisions]...and establishing term limits for members of the General Assembly.” (Emphasis added. Full text at bit.ly/1qY0y4G)

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“If this passes, it’s because many voters were tricked. Lots of people are saying they did not understand it and voted the wrong way.”

— Arkansas voter Kay Carico Wilson about the Issue 3 assault on Arkansas term limits see p. 2