

No Uncertain Terms

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USTL Pledge Signers Blum and O'Rourke Chair New Term Limits Caucus

Two signers of the U.S. Term Limits Pledge to “cosponsor and vote for the U.S. Term Limits Amendment of three (3) House terms and two (2) Senate terms and no longer limit” — namely, U.S. House members Rod Blum, a Republican, and Beto O'Rourke, a Democrat — have founded a caucus to rally support for the amendment.

Blum, a freshman, contends that the system encourages incumbents “to care more about retaining their position than doing what is best for the country. Our founding fathers never intended for public service to be a career; rather, serving in Congress was designed to be a temporary sacrifice made for the public good.

“As co-chair of the Congressional Term Limits Caucus, I'm looking forward to working with my fellow co-chair, Representative O'Rourke, to build momentum for this common sense bipartisan reform.”

Blum told USA Today that after just a few months in the nation's capital, he is “more convinced than ever” that we need term limits. The incentives in DC are “backwards. They're wrong.”

He knows what he's up against when it comes to his colleagues: “We're kind of like asking turkeys if they would like to keep Thanksgiving, so you kind of know what the answer is going to be to that question.”

During his first campaign for Congress in 2012, O'Rourke stated that to counter corruption, “we need reform and new leadership, especially in D.C. where members of Congress use our tax dollars to get re-elected. I will sponsor a bill to set term lim-

(Continued on Page 3)



Congressman Rod Blum.



Congressman Beto O'Rourke.

USTL Alerts Ohio Constituents to Scheming Against Term Limits

The *Columbus Dispatch* is aggrieved: the paper charges that U.S. Term Limits is telling Ohio citizens that their representatives are working to weaken state legislative term limits.

We admit it. USTL has sent mailers to constituents of key enemies of term limits in Ohio's General Assembly. We pointed out that State Representatives Bob Cupp (District

4) and Nathan Manning (District 55) have not only refused to sign the USTL pledge to protect Ohio's eight-year term limits, but that they also serve on Ohio's Constitutional Modernization Commission, a panel of legislators, lawyers and lobbyists who meet regularly to plot how to weaken term limits.

What Cupp, Manning and their allies are pursuing is “a radical undermining of the term limits that 78 percent of Ohio voters want to keep in place,” says USTL President Philip Blumel. “Citizens have consistently rejected any

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Florida Lawmakers For Term Limits

see p. 2



President's Corner

BY PHILIP BLUMEL

U.S. Term Limits isn't shy about criticizing state lawmakers who attack term limits (see, for example, our front-page article on the latest such assault in Ohio). By the same token, we are eager to applaud any incumbents who swim against the incumbent-tide by fighting to uphold term limits.

In every state with a term limited legislature, incumbents' anti-term-limits sentiment is pretty unrelenting, with only brief intervals between their campaigns to extract longer tenure from voters. (What these lawmakers would prefer, of course, is outright repeal.)

The chasm between career politicians and the public on this question obtains in the Sunshine State too. In 1992, more than 75% of Florida voters approved state legislative term limits. Term limits remain popular here to this day. But aspiring career politicians in Tallahassee haven't stopped scheming to get rid of them.

So U.S. Term Limits is delighted when we find pro-term-limits lawmakers willing to take a stand for the reform despite the antagonism of almost all their fellow office-holders. This spring we honored eight Florida lawmakers for fighting to protect term limits with our Defender of Term Limits Award: State Representatives Amanda Murphy, Cary Pigman, Frank Artiles, Larry Metz, John Tobia, and John Wood; and State Senators Aaron Bean and Joe Negron.

Their pledges to "take no action that would aid or abet the abolition or lengthening of term limits to which elected officials in FL are subject" is one way that these lawmakers have affirmed their belief in citizen legislatures.

Congratulations to all — and thank you.

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

CAUCUS (Cont'd from page 1)

its for representatives, so that they focus on getting the job done instead of the special interests that keep them in office.”

The congressman continues to stress the baleful effects of the incumbency racket. “Each year the same people in Congress make the same self-serving decisions that leave us unprepared to revive a depressed economy, reverse a growing debt burden, and renew America’s leadership in the 21st century,” he says. “The country is fed up. Congress’s approval rating is now at 9%. So why does Congress have a re-election rate that rivals that of a Middle East dictator (93% over the last

USTL “Bullies” Ohio Voters (Cont'd from page 1)

attempt to lengthen term limits beyond eight years. Legislators and lobbyists are now the only groups in Ohio calling for a change.”

In 1992, Ohio voters limited state representatives to four two-year terms, state senators to four-year terms. Members of the Modernization Commission favor a 50% increase in maximum tenure, to 12 years. But they and other Ohio lawmakers are unsure whether any referendum should let incumbents benefit from the expanded tenure. Most incumbents want unlimited tenure, of course; but they know that weakening term limits may be an easier sell, politically, if they can claim there’s no conflict of interest when they send a slacker limit to ballot.

Our reasons for informing Ohio voters of the looming assault on term limits are straightforward and unexceptional. U.S. Term Limits supports term limits. Most Ohio voters support term limits. Most Ohio incumbents — like most incumbents in every term-limited state legislature — oppose term limits, and would extinguish term limits in a nanosecond if they could. Supporters of term limits have every reason to alert Ohio voters to the shenanigans of Ohio incumbents.

Moreover, it is a commonplace that political organizations of all ideological stripes distribute information about the ideas and policies that they support, and criticize opponents of same. This political discourse is the lifeblood of democracy and a free society.

But our campaign to alert Ohio voters is “out of line,” harrumphs the *Columbus Dispatch* (“Don’t let pledges close discussions,” May 11, 2015, bit.ly/1JoW7fs). The paper doesn’t mean simply that it disagrees with us about the corruption-interrupting virtues of term limits. Rather, item one, “legislators are elected to consider important issues with open minds, not to surrender their autonomy to bullying interest groups.”

Hmm. But is it really “bullying” to inform constituents of the attitudes of their representatives on vital policy questions? If so, is everyone in political life who commits acts of persuasion or disagreement a “bully”? If so, isn’t the

5 years), despite having the lowest approval rating in history?

“Unfortunately, most house members are career politicians who are more concerned with the next election cycle than in making these tough decisions. They put personal considerations, party loyalty and payback to lobbyists and big donors before principle.”

When congressional term limits are eventually enacted despite the antagonism of DC incumbents, it will be thanks to massive public pressure — as informed, fostered and channeled by the efforts of groups like the Term Limits Caucus.



Ohio voters discussing the anti-term-limits scheming of Ohio lawmakers.

Dispatch also being a bully when it rebukes USTL for alleged “bullying”? Stop kicking sand in our face, *Dispatch* editors!

Item two, “the pledge is misplaced, because constitutional issues can be accomplished only by a vote of the public — it isn’t up to legislators alone.”

No, it isn’t, thank goodness. But the *Dispatch* blithely omits the fact that most Ohio voters support term limits and lack any desire to weaken or repeal them; also that, in light of the practices of career politicians to date, it would hardly be unusual for Buckeye State incumbents to try to fool supporters of term limits with slippery ballot wording and other ploys. In any case, the fact that an attempt to undermine an important constitutional restraint on incumbent power requires more than one step hardly implies that taking even one step on that misbegotten path is *justified!* We suggest, as an alternative, zero steps. Signing our pledge makes public the signer’s commitment to abstain from taking any such steps.

And USTL must dispute the newspaper’s rather perverse assumption that the very fact that U.S. Term Limits is seeking to spur discussions of Ohio term limits is the proof that we’re trying to “close discussions.”

It’s the anti-term-limits incumbents who would love it if a ballot question to cripple or kill term limits could be snuck into the voting booth — furtively, disguised, unnoticed — with no prior discussion among voters whatever.

Term Limits



ARKANSAS

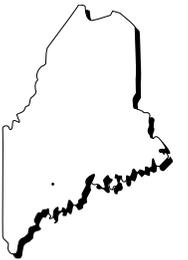
Arkansas term limits advocate Tim Jacob, one of many friends of term limits who unsuccessfully fought against last year's Trojan Horse Amendment 94 — which buried a massive lengthening of term limits to 16 years in a misleadingly titled, multi-part “reform” question—has announced that his group will work to post a new amendment to the 2016 ballot. The amendment would restore the term limits as they were before state lawmakers acted to weaken them: six years maximum in the house and eight years in the senate. It would, moreover, restrict overall legislative tenure to no more than ten years.



ILLINOIS

When Bruce Rauner ran for governor of Illinois last year, he also championed a ballot measure to impose a slate of governmental reforms — most pivotally of eight-year term limits on total service in the state legislature. The measure was massively popular, but courts blocked voters from voting on it.

During the campaign, Rauner said he would continue to push for state legislative term limits if he won the election. And now, lo and behold, to the shock of lawmakers, he has indeed been making term limits a major bone of contention in budget negotiations. Although a ballot question can't be posted before 2016, he wants lawmakers to pass an amendment this year, not defer it until the next session. We hope he persists. If so, this is a very big change, given how Rauner's predecessor, Pat Quinn, thought he was doing his duty by state legislative term limits once he had mouthed a few slogans and pointed to his long-ago efforts to promote the reform.



MAINE

Maine voters can breathe a sigh of relief: in late April a legislative committee voted 10-1 against a gambit to repeal term limits, brainchild of returning career politician John Martin, likely killing the effort for now.



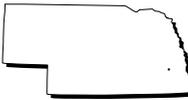
MISSOURI

In April, Missouri lawmakers cleared the first hurdle on the path to constitutionally imposing eight-year term limits on all state elected officials (the governor is already limited to two terms). The bill faces another vote in the house before it goes to the state senate, and if approved there would then be set before voters.



MONTANA

Although Senate Bill 391 to eliminate term limits and House Bill 601 to allow up to 16 years of lifetime tenure in the legislature as a whole have both been tabled, House Bill 639 appears to be still in play. It would allow lawmakers to serve up to 16 years the legislature as a whole in any 20-year period. Under the current term limits law, state legislators may serve up to eight years in one chamber within any 16-year period. So the proposed slackening would double the maximum tenure in particular seat.



NEBRASKA

It's dead. In late March, Nebraska state senators approved a measure to ask voters to let them serve two-six year terms instead of the two four-year terms that is the current term limits law. In a mid-April vote of 22-20, however, the bill failed to advance further, so that it is effectively kaput for this legislative session.

Just three years ago, in 2012, Nebraska voters spurned a similar ballot question. In the 1990s, Nevada voters approved term limits three times, with the courts throwing them out each time. Finally, the 2000 vote for term limits was judicially allowed to stand. So now it's the job of Nebraska lawmakers, not Nebraska courts, to harass voters with endless attacks on term limits.

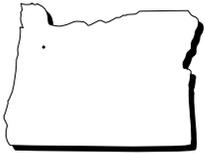


NEW YORK

Steuben County, NY. County lawmakers, currently limited to three four-year terms, voted 11-5 in late April to lengthen their maximum tenure to four four-year terms. Under the county's charter form of

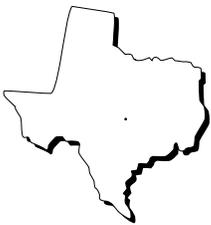
in the News

government, the question cannot be referred to voters, so county legislators were able to decide the matter unilaterally. Among the Nay votes was Legislator Aaron Mullen: “I’m overwhelmingly opposed to this. We need to continue to cycle people in and out of the legislature.” Another critic of the increase in maximum tenure, Legislator Gary Roush, said he would have enthusiastically supported going in the other direction, reducing the maximum from three terms to two.



OREGON

Washington County, OR. A petition to limit the tenure of Washington County commissioners to two four-year terms has been approved. County resident Tom Black and his organization, Term Limits for County Commissioners, can begin collecting signatures. The minimum number of valid signatures needed to place the question on the November 2015 ballot is eight percent of registered voters who voted in the election for governor last year — or 15,270 signatures.



TEXAS

Houston, Texas. A charter review committee has recommended asking city voters to lengthen the term limits on Houston elected officials from three two-year terms to two four-year terms. If passed in November of 2015, the new limit would go into effect in 2019. That’s in contrast to the 2015 start date sought by councilmen like Dwight Boykins, eager preserve “experience” (i.e., their jobs). Councilman C.O. Bradford says he agrees “that experience matters. But it isn’t rocket science. I’ve seen seasoned, well-positioned council members come here and go and the house didn’t fall down.”



UNITED STATES

Several of the GOP presidential candidates and likely candidates express support for congressional term limits. If the person who reaches the Oval Office is both a) a supporter of congressional term limits and b) made of stern enough stuff to press the issue once elected, we would urge the new president make congressional term limits a priority. USTL Executive Director Nick Tomboulides notes (see “Candidate Rand Paul: ‘Defeat the Washington Machine’ with Term Limits,” bit.ly/1Fr3Jen) that although a president plays no formal constitutional role in the amendment process, he can certainly exploit his bully pulpit to encourage Congress to introduce a meaningful term limits amendment. Perhaps the best model here is the new governor of Illinois, Bruce Rauner. (See ILLINOIS, above.)

Both pro- and anti-government protesters were also out in force during this year’s May Day celebrations. Without the scuttling of term limits, Correa would have to step down in 2017; he was first elected in 2006.



ECUADOR

This spring, thousands of Ecuadorans braved heavy rain “to protest constitutional changes that would allow indefinite re-election of the president and other officials as well as legislation to alter labor and land ownership rules,” reported the *New York Times* in March. Thousands had also marched in protest in September and November of last year, after a court decided that the national legislature the right to weaken presidential term limits. “President Rafael Correa, an economist who identifies himself as a follower of 21st century socialism, is pushing a package of constitutional changes that would end term limits for all elected officials. Passage is considered likely because his Alianza Pais party holds 100 of the National Assembly’s 137 seats.”

WHAT THEY'RE SAYING

Incumbent “Experience” Overrated

“Term limits aren’t a miracle cure for the ills of the [Alabama] Legislature — it still matters who gets elected, of course — but a proposed amendment offered in the current session provides the foundation for serious debate on the issue....

“Opponents of term limits often claim that valuable experience and insight would be lost if longtime lawmakers had to leave office. It’s an unpersuasive claim, given the performance of the Legislature over the years. If all this experience and insight is being applied and if it is really so valuable, why [has the Legislature] produced so much shortsighted, and sometimes flat-out disastrous, legislation?

“If there is genuine benefit to service of 20 or 30 or 40 years, it’s hard to see it. We’d take our chances with a steady rotation of new citizen-legislators less likely to become career politicians.”

— **“Term limits would improve Legislature,”** editorial, *Montgomery Advertiser*, March 12, 2015, on.mgmadv.com/1JyPY07



Maine Voters v. Maine Incumbents

“Ethan: Suppose you were a member of the least-liked group of people: politicians. What are the two bills you would never propose?

“Phil: Hmmm... give ourselves raises and make it harder for people to get rid of us?”

“Ethan: Correct! And yet that’s exactly what Rep. John Martin did this week.”

— **“Is it time for Maine to give up on term limits for legislators?”**

Ethan Strimling and Phil Harriman, March 22, 2015, *Portland Press Herald*, bit.ly/1IQ450r

The Citizen-Initiative Litmus Test

“Since councilors stand to lose further employment, income and referrals to their own businesses if term limits stay in place, they are not ethically eligible to debate the matter. This conflict can only be solved by recusal, which means disqualifying themselves from having any power to meddle with term limits. Politicians cannot be allowed to put measures on the ballot — like a term-limits repeal — in which they have a direct financial interest.

“If the people of Palm Beach Gardens are ever persuaded that the law needs to be changed, they can collect signatures and put that measure on the ballot, just as the pro-term-limits committee did this past year. Citizen initiative works as a great litmus test for [determining] whether there’s genuine interest in an idea or just astroturfing by a select few.

“Until then, members of the council should pay attention and start listening to the message voters sent them [when 80 percent of voters said ‘Yes’ to term limits on Election Day].”

— **Gardens council should honor voters wishes on term limits,”** editorial, *Palm Beach Post*, April 17, 2015, pbpo.st/1djuicv (see also **“Do term limits have their limits?”** Tony Doris, April 2, 2015, pbpo.st/1PVQwwS)

Term-Limited Legislators Still Legislate; e.g., in Florida

“[B]y several measures, Florida’s state government has actually shrunk since the imposition of term limits....

“Before the implementation of term limits, the trends in state spending and state government employment were up. Afterward, the trend has been down, consistent with the views of the fiscally responsible Legislature that Floridians have elected.

“Some Floridians will applaud their state government for its fiscal conservatism; others will criticize it for shortchanging public services. But Floridians have consistently elected fiscally conservative governors and legislators, and an examination of Florida’s budget history since term limits were passed makes it difficult to argue that term limits have eroded the Legislature’s power.”

— **“Since term limits took effect, state government has shrunk,”** Randall G. Holcombe, *Orlando Sentinel*, March 25, 2015, bit.ly/1eeWu00

Illinois Governor Rauner Still Fighting for Term Limits

“Rauner has repeatedly said that he fully intends to take advantage of the budget crisis in order to push his agenda through the General Assembly. And he has made no bones about what he wants.

“Term limits have been on his agenda since Day One of his campaign. So, the threat [to hold budgetary concessions hostage to passing state legislative term limits] shouldn’t have come as much of a surprise. Still, there were some thunderstruck Democrats last week.”

— **“Rauner playing hardball on ‘Turnaround Agenda,’” Rich Miller, *Chicago Tribune*, May 5, 2015, trib.in/1R4I5CZ**

“Incumbency is Strong Medicine”

“Incumbency is strong medicine.

“Data compiled by opensecrets.org shows that in 2012 voting for U.S. House seats 90 percent of people seeking re-election won. We are exposed to a constant media harangue about the low esteem in which Congress is held. So...two years later in 2014, the number of House members re-elected rose to 95 percent — including all four delegates from Mississippi....

“It’s kind of like ancient times. A coastal city spotting an enemy flotilla on the horizon might run up the white flag. Similarly, a person thinking about seeking elective office might see an incumbent’s ‘war chest’ and determine discretion is the better part of valor.”

— **“ ‘Incumbency Protection Act’ is working fairly well,” Charlie Mitchell, *Northeast Mississippi Daily Journal*, April 221, 2015, bit.ly/1SeEuT9**

WHAT WE’RE SAYING

Maine Rep. Martin’s Restoring Career Politicians Act

“Now that he’s back in the Legislature for a 24th term, Representative John Martin is looking to settle a score with the term limits that ousted him from power over two decades ago. Martin’s latest effort to repeal Maine’s term limits — which ought to be called the Restoring Career Politicians Act — is gaining traction, and he’s determined not to let a minor nuisance like the people’s will get in its way....”

“It’s true that Martin’s knowledge of Maine government is impressive. But citizens are right to question who really benefits from all that knowledge. More experienced legislators are also the ones who best know how to manipulate an office for personal gain.

“With term limits, the Legislature is regularly infused with talent and perspectives from the real world. They’re packed with citizen experience, arguably a more valuable skill than awareness of how sausages are made in Augusta.”

— **“Maine people haven’t wavered on legislative term limits. Now is not the time,” Nick Tomboulides, *Bangor Daily News*, March 17, 2015, bit.ly/1Bcl3i5**

USTL Pledge Signer Foils Boehner’s Secret Votes

“Congressman Thomas Massie (R-KY), a U.S. Term Limits Pledge signer, is not a friend of the establishment in Washington. [And now he] is sounding off on tactics the Speaker uses to drain democracy in Washington and centralize power in the hands of a select few.

“Boehner’s favorite method, Massie says, is the voice vote. With this approach, members’ votes are never recorded, so they cannot be held accountable for positions their constituents wouldn’t like. The Speaker not only has full discretion to call this type of vote, but he also gets to interpret its results....

“Massie is known for making a dramatic 500-yard sprint from his office to the House floor when the Speaker starts holding voice votes with no one present. His goal? To demand a recorded vote so Americans know where their representatives stand....

“Congressman Massie, among others, is working hard to expose the deception. But he understands, as most Americans do, that only a shift from permanent politicians to citizen legislators can restore accountability in Washington.”

— **“Congressman Massie Explains How Congress Fools Us,” Nick Tomboulides, *U.S. Term Limits*, April 24, 2015, bit.ly/1PU27wt**



Congressman Thomas Massie.

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— editorial, *Montgomery Advertiser*
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