

No Uncertain Terms

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Looks Like Illinois Governor Bruce Rauner Meant It About the Term Limits Etc....

As we go to press, Governor Bruce Rauner has refused to sign a state budget burdened with a multi-billion-dollar deficit passed by the Illinois legislature.

Nor would he approve a short-term spending measure to tide things over for a month or two. According to a statement from the governor's office, "An unbalanced short-term budget with no real reforms is still a phony budget and unacceptable to the people of Illinois."

In June, Rauner's team began running TV ads criticizing legislative proponents of the tax-and-spend status quo.



(Continued on Page 3)

USTL in Ohio
see p. 6

Arkansas Group Proposes Ballot Measure to Restore Legislative Term Limits

Arkansas's legislative term limits are now the weakest in America.

Last year, Arkansas Term Limits valiantly but unsuccessfully fought a legislatively-referred, multi-subject ballot measure called Issue 3 that included a hidden evisceration of state legislative term limits. This year, the group has proposed a single-subject initiative to restore the term limits.

Buried in Issue 3's laundry list of "ethics" measures was a provision doubling or more than doubling maximum tenure in each chamber of the state legislature, i.e., from six years to 16 years in the house and from eight years to 16 years in the senate. Theoretically, a lawmaker may divide his 16 years between the two chambers under the new

law — but we all know the political realities here. Most lawmakers will use the advantages of incumbency to keep winning reelection to their current seat, until the 16 years are up.

"Nowhere at the polls [in 2014] was the voter allowed to know [what they were actually voting for], it wasn't anywhere," notes ATL co-chair Tim Jacob. Since term limits is "the most popular issue in Arkansas history — when it first passed, it was the largest 'yes' vote in Arkansas history — shouldn't they at least have had the decency to put it on the ballot and let people know? People are owed an honest ballot."

(Continued on Page 6)



President's Corner

BY PHILIP BLUMEL

They just keep coming.

Fortunately, they are slow, so that citizens have time to regroup and rebuff them. But we have to do this again...and again...and again. Because they just keep coming.

It's not the latest zombie movie. It's pretty much Anyplace, USA where voters have term-limited incumbent lawmakers but wannabe professional politicians keep on coming after the people's term limits.

But I'm thinking in particular of Nashville, Tennessee, where voters approved eight-year term limits on the Metro Council in 1994. Since then, politicians on three separate occasions have placed on the ballot the weakening or abolishing of eight-year term limits. Each time, the voters said No.

They are at it again in 2015.

Last year, the Metro Council voted down her measure to weaken the terms from eight to 12 years; and voters here have certainly not been clamoring for them. Nevertheless, council member Emily Evans has launched a petition drive to put it on the ballot via signatures. The measure also includes a reduction in the size of the council from 40 to 27.

Elsewhere in Tennessee, voters have continued to establish new eight-year term limits or to defend old ones from attacks by politicians. Memphis established eight-year term limits in 2008. In the same year, Shelby County widened the scope of its existing eight-year limits. Both measures passed with over 78 percent of the vote. In 2010, Farragut voters approved eight-year city term limits by over 91 percent. In 2012, Knox County voters defended their eight-year term limits with 86 percent.

So, no, watering down or tearing down term limits is not what voters want. Evans knows that, but thinks that she can give voters something they would like in exchange for getting something only officeholders would like. "Give us politicians more time in office, and we'll reduce the size of the council and save you money." We've seen this con job before.

Nashville has a healthy democratic tradition, and term limits are an important part of that. Wannabe professional politicians should stand down and focus on advancing the people's interests rather than their own narrow political ones.

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

Visit USTL's Facebook page at on.fb.me/U0blkG.

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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

Reforming FIFA Means, For One Thing, Term Limits

U.S. investigations into bribery, kickbacks, fraud, and racketeering by top officials of the Fédération Internationale de Football Association (FIFA) culminated in several arrests of FIFA officials on May 27, just days before FIFA president Sepp Blatter was due to stand for reelection. On May 29, he breezed his way to a fifth term despite the headline-hogging scandal.

Blatter had become the soccer organization's technical director in 1975 and general secretary in 1981; he has been its president since 1998.

Under pressure not to cling to office on the pretense that he'd had nothing to do with all the sordid goings-on, he soon agreed to resign — although not before a replacement should be elected, which is not expected to happen until December at the earliest. Assuming that Blatter does not assent to an interim appointment, what we are witnessing is a pretty leisurely stroll as sudden forced exits go.

Among suggestions for reform—including abolition of FIFA — one that comes up again and again is term limits for top officials, including the president.

Robert Harding, outlining “what FIFA needs to change,” says: “Instead of allowing a president to serve unlimited

terms and amass considerable power (as Blatter has done), FIFA should impose term limits on this position. The president should serve no more than two four-year terms in office.” Owen Gibson, offering a “manifesto to drag football out of the Sepp Blatter era,” echoes the recommendation: “All key positions should carry term limits (two of four years, maximum)...” FIFA reformer Domenico Scala says that FIFA officials have been able to hold their positions “for far too long, to enrich themselves.” According to the European Parliament, FIFA “should...establish term limits.” Good point, European Parliament.

Even Blatter, former adamant foe of limits on FIFA tenures, now feels obliged to utter lip service to them.

Almost everybody commenting on the long-drawn-out FIFA blowup agrees on the value of term limits because term limits so clearly curb potential for corruption. Such a curb is especially important where political power is involved, as when governments are using tax dollars to bribe officials of a de facto governmental or quasi-governmental organization like FIFA to secure the World Cup. Or when the persons being or to be term-limited are presidents of countries, governors of states, mayors, lawmakers.

Illinois (Cont'd from page 1)

“Mike Madigan and the politicians he controls refuse to change. They're saying ‘no’ to spending discipline, ‘no’ to job-creating economic reforms, ‘no’ to term limits,” says the ad as the face of House Speaker Mike Madigan appears on the screen. “All they want is higher taxes, again.”

At public appearances around the state, Rauner has asked constituents to ask their representatives whether they're “for taxpayers or the Chicago political machine?”

In response to the governor's call for fiscal sanity and political reform, Madigan has rebuked him for being “extreme.” Rauner's criticism of the legislature's entrenched bad habits “takes away from moderation,” says Madigan.

As candidate in 2014, Rauner had spearheaded a ballot initiative to impose strict legislative term limits — which would have capped tenure in the legislature overall, not just one chamber, at eight years — as well as other major reforms. The ballot question garnered hundreds of thousands of signatures, and all polling indicated that it would pass easily. But to appease politicians like 44-year incumbent Mike Madigan, Illinois courts deployed an imaginative reading of the state constitution to block voters from even considering the question.

Despite the setback, Rauner pledged during the campaign to keep fighting for legislative term limits and other re-

forms — his Turnaround Agenda — if elected. Lawmakers in favor of the entrenched status quo had expected him to abandon his reform agenda immediately when it came time to actually govern; many were shocked when he stuck to his guns.

The Beloit Daily News sums up: “In his successful campaign for governor, Rauner promised the people of Illinois to push hard to give them an opportunity to vote term limits up or down in a constitutional referendum. Democrats who have run the legislature since dinosaurs roamed the prairie laugh in his face.

“Look no farther for the explanation of why Illinois government is a colossal mess. The process is rigged.”

Short of outright revolution, the persistence of Governor Rauner may be the best chance Illinois citizens have right now to see at least the beginning of better governance.

“Some folks have said we shouldn't talk about reforms, we should only talk about budget.... Reforms are at the core of the budget. Reforms are what the budget should reflect,” says Rauner. “If we're not competitive and growing, we won't be funding our budget.”

Term Limits



CALIFORNIA

Simi Valley, CA. In June a rancorously divided Simi Valley school board voted 3-2 to let voters election decide in November 2016 whether board trustees should be limited to two consecutive four-year terms in office. If the measure passes, termed-out members would have to wait four years before running again. Two board members wanted to commission a survey to see voters had any interest in term limits before posting the question. In response to which another member observed that the ballot question itself will effectively survey them at no extra cost.



FLORIDA

Holly Hill, FL. Holly Hill commissioners proceeded on June 23 with charter amendments for the November 3 ballot that would eliminate the mayor's eight-year term limit, as well as lengthen the individual term of commissioners from two years to four years. At the first reading of the measures two weeks earlier, resident Steve Smith had said that the proposed amendments represented "a do-over of what voters didn't approve last election. We've been through several charter reviews, but because [city officials] haven't gotten their way, they keep bringing it back." In response to other complaints, commissioners did agree to separate the issues of term limits and residency requirements into distinct ballot questions.



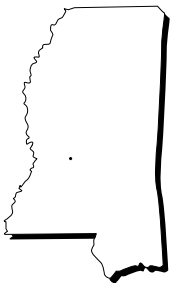
LOUISIANA

Thibodaux, LA. The Thibodaux City Council has approved a charter amendment to limit the terms of council members to three consecutive four-year terms, which voters will have a chance to approve next March. In 2011 voters passed mayoral term limits, also of three consecutive terms, by a 79% majority. Councilman Eric Tabor, who proposed the new measure, says his colleagues' willingness to send it to ballot "is a great show of trust toward the citizens of Thibodaux...."



MICHIGAN

Walker, MI. Inspired by the passage of term limits in Grand Rapids, Walker Citizens for Municipal Term Limits is planning a petition drive to post a term limits question on Walker's November 2015 ballot. The measure would limit the mayor and city council members to two four-year terms in office. A founder of the citizens group, Bruce de Wit, says the term limits "would give more people the opportunity to serve their community and gives new perspectives on old issues."



MISSISSIPPI

United Conservatives Fund, a PAC led by former U.S. Senate candidate and current state lawmaker Chris McDaniel, is funding a petition drive to put a measure on the November 2016 ballot to limit lawmakers and statewide officeholders to eight consecutive years in office. "The power of incumbency has built a wall between people and their representatives," McDaniel believes. "This has caused an increase in cronyism, back-room deals and corruption. We believe regularly changing out officeholders is a step toward transcending those problems."



MISSOURI

Foes of Missouri's state legislative term limits are pursuing a citizen initiative route, distributing a petition with the proposed ballot question: "Shall the Missouri Constitution be amended to repeal term limits for members of the General Assembly?" To get the question posted, petitioners must obtain the signatures of registered voters "equal to eight (8) percent of the total votes cast in the 2012 governor's election from six of the state's eight congressional districts," according to the secretary of state's office. Missouri representatives are currently limited to four two-year terms, senators to two four-year terms.



PENNSYLVANIA

Northampton County, PA. The Northampton County Council voted 6-3 to subject itself to term limits of three four-year terms, though not retroactively. Peg Ferraro, president of the council, said term

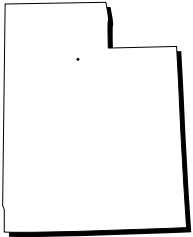
in the News

limits were okay “in theory” but inapplicable to the county. With one four-year exception, Ferraro has been on the council since 1990 and says she would be willing to serve until age 90 if not die in office. Since the term limits law does not count past years in office toward the limit, the 76-year-old may get her wish.



TENNESSEE

Metro Nashville, TN. Metro Council member Emily Evans has gathered enough petition signatures to post a ballot question that would simultaneously reduce the size of the county council from 40 members to 27 and lengthen council term limits from two four-year terms to three four-year terms — a cynical (and zombie-like [see page 2]) attempt to cozen voters into accepting a weakening of term limits by offering something they may like better. Meanwhile, another council member, Ronnie Steine, has secured enough council votes (27-9) to refer a measure to ballot the only subject of which is increasing maximum council tenure from two to three terms. Metro voters will likely face both questions in August.



UTAH

A citizens group called Utah Term Limits Now! (agreed!) wants the Utah legislature to refer a question to the November 2016 ballot that would limit statewide officials — governor, lieutenant governor, state auditor, state treasurer, attorney general — to a maximum of two consecutive terms. Sitting State Auditor John Dougall has offered his public support for the effort, as has former Salt Lake County Mayor Peter Corroon. UTLN! organizer Rick Larsen says it’s notable “for a sitting official to seek to limit his or her own office. Having support from prominent leaders like John Dougall and Peter Corroon [of] a cause that 80% of the public supports...proves that there are elected officials responsive to the public.”

UTLN! has also submitted an initiative petition to term-limit state boards and commissions; but it has been rejected by the lieutenant governor, Stephen Cox, as unconstitutional. Larsen says the group is considering legal action.



UNITED STATES

Most GOP candidates for president have said something in favor of term limits, including New Jersey Governor Chris Christie, who recently observed that one of the lawmakers he’s dealing with has been in Trenton for forty years. “Really, the only time you have an opportunity to change [an officeholder] is when you change the guy in the executive branch, either the president or the governor. The rest of it, you’re dealing with almost all the same people. For God’s sake, we have a guy in New Jersey who has been in the New Jersey state Legislature for 40 years — 40 years...when he was elected to the Legislature I was 12 years old. 12.... There comes a time. Go home.” Christie’s off-the-cuff remarks neglect the fact that 15 state legislatures are in fact term-limited, thanks to citizen initiatives. The oversight is somewhat understandable since the northeastern legislatures with which he must be best acquainted — those of New Jersey, New York, Connecticut, Pennsylvania — are definitely not among the blessed.



AFRICA

According to an Afrobarometer survey of opinions about term limits on the African continent — where presidential efforts to circumvent constitutional term limits are now being called “third-termism” — most Africans support term limits. Ghanaweb reports that the survey was conducted in 34 countries.

“Thirteen countries including Ghana had 80 percent or more of its nationals endorsing the proposal; while countries like Burundi, South Africa, Burkina Faso and Namibia score a little over 50 percent. Support for term limits was highest in Benin, making it all the more surprising that President Yayi Boni is reportedly contemplating removing them. In Burkina Faso, nearly two thirds of the country’s citizens expressed support for term limits — an omen of the protests that ended Compaoré’s reign.

“In Burundi, barely half of citizens supported term limits in 2012, but that proportion had jumped to 62% by 2014, another precursor to the widespread protests that have erupted since President Nkurunziza announced his decision to seek a third term despite the two-term limit set by the country’s constitution.”

USTL in Ohio to Defend Term Limits

“We’re proud to see Ohioans standing up to this scheme, and will do all we can to help,” said USTL President Philip Blumel. “Citizens did not collect hundreds of thousands of signatures to put eight-year limits on the ballot, only to have a Commission of political appointees try to erase the term limits they chose.”

In mid-May, U.S. Term Limits President Phil Blumel joined members of the Ohio House at a press conference to announce formal opposition to the proposals to lengthen term limits submitted to the legislature by the Constitutional Modernization Commission. Of course, commission members had been hand-picked by incumbents to ensure that weakening term limits would be their recommendation.

On the occasion, Blumel also presented USTL’s Defender of Term Limits Award to State Representative Ron Hood for his commitment to protecting Ohio’s term limits law.

According to Ray Warrick, a county GOP chair who formed the Eight Is Enough Ohio PAC to oppose any term-limit-gutting ballot measure, “We need to stop [the proposal to weaken state legislative term limits] now before it can reach the ballot on a low turnout election, with the possibility of deceptive ballot language.”

Warrick slammed the incumbents’ commission for its “alarming lack of transparency when efforts to undermine a key reform like term limits are held during a work day, without meeting agendas released to the public in a timely manner.”

Arkansas (Cont’d from page 1)

The new measure that Arkansas Term Limits is proposing would not only restore the maximum tenure of three two-year terms in the house and two four-year terms in the senate, but would also cap tenure in the legislature overall at ten years.

Restoring and even tightening the term limits law would thwart the re-entrenching of a permanent “seniority system which,” Jacob observes, “is on its face undemocratic, which means one district has more power than another. That’s ridiculous: you have a situation where lobbyists and politicians are very cozy.”

In June, Arkansas Attorney General Leslie Rutledge rejected the wording of the measure as ATL originally submitted it, raising technical objections. ATL co-chair Bob Porto says the organization will work to resolve the objections and re-submit the measure.

Once text of the measure is finalized and approved, Arkansas Term Limits must gather 85,000 valid signatures to place the question on the ballot.



Guys who get it. From left: Ray Warrick, former Rep. Matt Lynch, Rep. Ron Hood, Maurice Thompson, former Majority Whip John Adams, and USTL President Philip Blumel.

Warrick and Maurice Thompson, executive director of the 1851 Center for Constitutional Law, may craft a competing measure if the anti-term-limit proposal makes it to ballot.

Given the way gerrymandering and campaign finance regulations stomp electoral competition, “the only legitimate method of dethroning incumbents these days...is really term limits,” Thompson said. “If we have to fight this fight, it’s just as easy for us to offer a very popular [counter] amendment.”

Ohioans passed legislative term limits in 1992 with 68 percent of the vote. A 2015 poll from Ohioans for Good Government indicated that 78% of voters believe eight-year term limits should be retained.



ATL co-chair Bob Porto with a Trojan Horse dramatizing the deceptive nature of Issue 3.

WHAT THEY'RE SAYING

Rauner: "Illinois Needs a Turnaround"

"It's time to focus on what's really going on and what we must change now. Illinois needs a turnaround...."

"We have the worst pension crisis and the second-highest property taxes in America...."

"Merely raising taxes will kick the can, not solve the problem. We need to shake up the old ways of running state government. We must end the special-interest deals that drive up costs inside government and wreck current and future budgets. We must reform anti-growth policies that make Illinois unable to compete with other states for good-paying jobs.

"We must deliver true pension reform that protects what's been earned, but in the future provides state workers with benefits that are more in line with the taxpayers who pay for them. We should not allow voting districts to be drawn just to protect incumbents.

"And we must make term limits a reality...."

— **"Length of the legislative session entirely up to lawmakers," Governor Bruce Rauner, *State Journal-Register*, May 20, 2015, bit.ly/1HsPfJS**

Term Limits Encourage the Good, Discourage the Bad

"But removing bad officials is only one benefit [of term limits]. A legislator who is committed to his or her own perpetual reelection often lacks the courage to stand up to the party bosses and influential interest groups that control the purse strings of campaign funding.

"On the other hand, one who is just passing through the legislature is less likely to treat legislating as a political team sport, and less likely to be impressed and influenced by the money in politics."

— **"Ohio is better off with term limits for state lawmakers," Maurice Thompson, *Columbus Dispatch*, May 4, 2015, bit.ly/1EREPFN**

Eight Is Enough

"[Ohio voters] originally imposed term limits on the legislature in 1992 with 68 percent of the vote. Recent polling shows that some 70 percent of Ohioans continue to approve of the 8-year limits, and brand new polling from Ohioans for Good Government show that 78 percent of voters oppose weakening term limits from 8 to 12 years.

"Nonetheless, that is precisely what a committee of the Constitution Modernization Commission in April voted to recommend to the legislature. Since the Commission is made up of legislators, former legislators and others appointed by the legislature, the commission is simply providing cover for a powerful handful of would-be professional politicians trying to hold on to their positions.

"But not all legislators are in on the scheme. As a former legislator, I have seen term limits in action and believe the citizens are right to defend their popular law from this attack."

— **"Ohioans right: Eight is enough," John Adams, *The Lima News*, June 1, 2015**

WHAT WE'RE SAYING

Unlimited Corruption

"When politicians undermine term limits, they always point out how much they've learned from spending decades in office. Citizens are supposed to forget all about the lousy policy and mismanagement because, hey, at least they're learning.

"But what is it, exactly, that legislators learn from being up there so long?"

"If the non-term limited New York State Legislature is any indicator, they're learning how to turn power into wealth while concealing it from the public...."

— **"Tenure and Corruption Go Hand in Hand in New York," Nick Tomboulides, *U.S. Term Limits*, July 7, 2015, bit.ly/1eXWguo**

Chronic Disconnect

"It's tough to tell who's more whiny and persistent: children on a road trip asking 'are we there yet?' or politicians asking citizens 'have you changed your mind yet?' about term limits.

"Every piece of data shows that, not only have people not changed their minds, but greater numbers are embracing term limits now than ever before."

— **"Citizens Launch Term Limits Campaigns in Three States," Nick Tomboulides, *U.S. Term Limits*, June 25, 2015, bit.ly/1CBvByK**

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**— Former Ohio Representative John Adams
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