

No Uncertain Terms

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Missouri is Latest State to Call for a Term Limits Convention

On May 17, the Missouri General Assembly passed a resolution applying for a single-subject Article V convention to propose an amendment imposing term limits on the U.S. Congress. Missouri thus becomes the third state to formally call for a Term Limits Convention, after Florida and Alabama.

Thirty-four states must pass similar term limits resolutions in order to trigger an amendment convention for congressional term limits. Once the convention has proposed a term limits amendment, it must be ratified by 38 states to be added to the U.S. Constitution.

Article V of the Constitution enables the states to bypass Congress, whose members have proven reluctant to submit a congressional term limits amendment to the states for ratification.

U.S. Term Limits President Philip Blumel observes: “Eighty-two percent of Americans support term limits on Congress, including huge majorities of Democrats, Republicans and Independents. This is a rare, truly nonpartisan issue with national appeal.” Polls of national support for



Senator Denny Hoskins and Representative Chuck Basye.

congressional term limits typically show that 75% or more of respondents want this reform.

The resolution for a Term Limits Convention was supported by both Democrats and Republicans, and it was easily passed by both chambers of the Missouri legislature. On May 15, the resolution passed the house by a vote of 101 to

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President Trump Stresses His Continued Support for Congressional Term Limits

President Donald Trump has reiterated the support for term limits that he voiced during the presidential campaign.

On April 30, Trump told his 50 million Twitter followers: “I recently had a terrific meeting with a bipartisan group of freshman lawmakers who feel very strongly in favor of Congressional term limits. I gave them my full support and endorsement for their efforts. #DrainTheSwamp.” Term limits would indeed help drain the swamp of corruption in Washington.

The president, as president, does not play a direct role in the enactment of a congressional term limits amendment.

But President Trump can certainly continue to make the case for the congressional term limits supported by the vast majority of Americans. He can help set the terms of the term limits debate and he can continue to remind Americans of the pressing need for congressional term limits and urge them to grassroots action.

Twitter measured the reaction to Trump’s single term-limits tweet: soon 40,600 people had “talked about it”; 27,360 had “retweeted” it; 115,440 had “liked” it.

Mike Gallagher, a freshman representative from Wisconsin who attended the meeting with President Trump, said that although there is “a lot of work ahead,” the discussion with

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**Salute to the
Life of Rense
Johnson p. 7**



President's Corner

BY PHILIP BLUMEL

It's impossible! What's impossible? Well, changing the law of gravity or any law of nature is impossible. Laws of nature are here to stay. But what about human-made institutions? Is it "impossible" to create new institutions or to improve existing ones?

We would still be subjects of Britannia if the Founding Fathers of the United States had accepted such a counsel of defeatism. Instead, they crafted the Declaration of Independence and then the U.S. Constitution, to which latter document 27 amendments have been added over the years. History is replete with "impossible" social changes that happen when enough people take appropriate action to make them happen.

Imposing term limits on the U.S. Congress falls into the category of tough-but-possible. Yet when incumbents and candidates voice their support for this very popular reform, "realists" who oppose congressional term limits are quick to announce how impossible or virtually impossible achieving this reform must be.

For example, in answer to President Trump's reiteration of his support for congressional term limits, the *Washington Post* published an article with the harrumphing headline, "Sorry Trump, but congressional term limits will never happen." (Hmm. The author doesn't sound sorry.) Commentary in the *Tampa Bay Times* informed the governor of Florida, a candidate for U.S. Senate who has made congressional term limits a big theme in his campaign, that "Rick Scott's term limits idea" is "Hugely popular and highly unrealistic."

Presumably, achieving congressional term limits would be just like altering the law of gravity. After all, most congressional incumbents don't like the idea of being term-limited!

It is good, then, that we have an example of a legislature within these united states that was term-limited even though voters could not directly impose the limits themselves through a citizen initiative. The leader of that successful effort to achieve an "impossible" dream was Rense Johnson (see page 7).

It is also good that when it comes to the goal of term-limiting the United States Congress, we have a great tool bequeathed to us by the Founders: the Article V provision enabling states to propose a constitutional amendment without the cooperation of Congress. Now Missouri has joined the list of states calling for a Term Limits Convention (see page 1).

This is doable, and we're doing it.



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Visit youtube.com/ustermimits to subscribe to our videos, e.g., "Our Plan to Term-Limit Congress" at bit.ly/2KCQWwL.



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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*

Trump (Cont'd from page 1)

the president “was a really interesting moment. I mean, 85 percent of the American people support term limits. I think we’ve got to get at that source of the problem, which is that people only care about their reelection and getting reelected [more] than doing the work of the people.”

In an op-ed published in *The Hill*, Congressman Gallagher wondered how it can be “that Congress has a stunning 96 percent incumbent reelection rate, yet it simultaneously has a lower approval rating than cockroaches, colonoscopies, and Genghis Khan? The American people feel Congress as an institution is broken and failing to do its fundamental job, yet the structural advantages of incumbency are so great that few people ever get fired from this job.”

Although on the right side of an institutional divide here, Congressman Gallagher supports term limits of 12 years in the U.S. Senate and 12 years in the U.S. House, despite the existence of a well-established resolution, the U.S. Term Limits Constitutional Amendment, which would impose stricter limits on House members. The U.S. Term Limits Amendment has been introduced in the Senate by Senator Ted Cruz and in the House by Representative Ron DeSantis.

In 2016, candidate Donald Trump was specific about the maximum congressional tenure he endorsed: three terms (six years) in the House and two terms (12 years) in the Senate, i.e., the same congressional term limits promoted by U.S. Term Limits. “Decades of failure in Washington, and decades of special interest dealing, must come to an



Missouri's Call (Cont'd from page 1)

34. Two days later, it passed the senate by a vote of 24 to 6.

The resolution states that it “constitutes a continuing application in accordance with Article V of the Constitution of the United States of America until the legislatures of at least two-thirds of the several states have made applications on the same subject.”

Blumel highlights the roles played by Senator Denny Hoskins and Representative Chuck Basye, who, Blumel says, “have been an integral part of the process in Missouri.

end,” Trump said then. “We have to break the cycle of corruption, and we have to give new voices a chance to go into government service.”

As of May 2018, 266 congressional incumbents and candidates in 2018 campaigns (including pre-primary candidates) have signed the U.S. Term Limits Amendment 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.” The pledge is provided to every candidate for federal office.

One signatory is Arthur Halvorson, a veteran candidate who was running for Congress in Pennsylvania’s 13th congressional district this year. (He lost the crowded May 15 primary.) “The U.S. Congress is being run by a cartel of career politicians and the special-interest lobbyists who’ve bought them,” he stated on his campaign web site.

“Rather than heavy-handed federal restrictions on free speech and campaign finance,” he told the *Daily American*, “the best

way to restore integrity to Congress is through mandatory term limits, and bans on former congressmen and staffers from taking positions as lobbyists. I’m staunch advocate of the citizen-legislator model envisioned by our country’s founders. Once elected, I will serve three two-year terms in Congress and no more, although I would support term-limit legislation that would permit up to four terms. I will also refuse the congressional pension and other needless perks that breed complacency and opportunism in Washington.”

Their efforts helped make Missouri the third state in the nation to call for a convention for the exclusive purpose of proposing term limits on Congress.

“We are working on other battleground states we hope will follow the lead of Missouri, Alabama, and Florida. The progress here today has laid the groundwork for future successes.” The progress here today has laid the groundwork for future successes.”

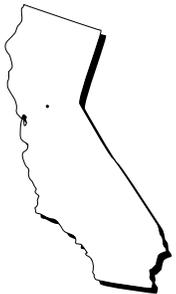
Term Limits



ARKANSAS

The group Arkansas Term Limits is making a final push to secure the 84,859 valid signatures that it must submit by July 6, 2018 in order to post a term limits measure on the November 6 ballot. So far, more than 70,000 signatures have been collected. The measure would limit state lawmakers to a maximum tenure of 10 years in the legislature overall; within the chambers, it would limit house members to three two-year terms and senators to two four-year terms. And it would also prohibit lawmakers from sending any term limits measures to the ballot. In 2014, the legislature referred a measure with a deceptively worded, cluttered ballot measure that enables lawmakers to serve up to 16 years in the legislature — all of which may be served in a single chamber.

Visit arkansastermlimits.org for more details about the history of the term limits struggle in Arkansas and to print a term limits petition.



CALIFORNIA

Menifee, CA. On April 4, the Menifee town council voted 3-2 to place a question to abolish term limits on the ballot; if it passes in November, the repeal would take effect in 2020. Council members and the mayor can currently serve only two consecutive four-year terms, but can run again for the same seat after two years out of office. Voters passed the term limits in 2010.

Pinole, CA. On June 5, Pinole voters will have the uninvited opportunity to support Measure P, which would repeal an ordinance imposing term limits of three consecutive terms on city council members. A No vote says No to scuttling the term limits that voters passed in 2008 by a 73% majority.

Santa Monica, CA. The local group Santa Monicans for City Council Term Limits is running a petition drive to post a ballot question on restricting city council members to a lifetime limit of three four-year terms. The web site santamonicatransparency.org provides information about the effort.



FLORIDA

Florida's Constitution Revision Commission, which had been considering a measure to term limit school board members, has in fact sent such a measure to ballot as part of Amendment 8. If Amendment 8 passes it would, among other reforms, limit members of school boards throughout Florida to two consecutive four-year terms.

Palm Beach Gardens, FL. On August 28, Palm Beach Gardens voters will consider three ballot questions that a judge had tossed from a March ballot for being misleadingly worded. One of the questions asks whether council members should be able to serve a maximum of three consecutive terms instead of two consecutive terms. Playing along with the desire of council members to pose the unpopular ballot questions during an election with the lowest possible turnout, local elections supervisor Susan Bucher had objected to placement of the questions on the August ballot instead of on the more poorly attended March ballot. And she does not now object to their being asked on the August ballot instead of on the ballot of the best-attended election, the November general election.



ILLINOIS

Niles, IL. Niles Mayor Andrew Przybylo is limited to two four-year terms, as enacted in 2013 by 83% of the vote. But he says he wants to run for a third term after his current term ends in 2021. He says he wants a referendum that would not “undo” the law, but simply allow him to run for a third term. It is unclear whether he understands this to mean an exception to the two-term limit for himself alone or a lengthening of maximum tenure to three terms for all future mayors as well. Either way, the two-term limit would indeed be undone at least temporarily.



LOUISIANA

Livingston Parish, LA. As decided 7-0 on March 23 by the Livingston Parish, Livingston voters will decide in November whether to limit council members and the parish president to three terms in office. The proposed charter amendment was unanimously referred to ballot by the parish council.

In The News



MAINE

New Gloucester, ME. Less than a year after local voters enacted a term limits ordinance, the selectboard of the town ruled 3-2 on April 2 that the term limits are “invalid.” Selectboard Member Stephen, who dissented, said he was “absolutely disgusted” by the vote. “To me, this is a cold slap in the face to the voters. The people wanted it, and the people who didn’t want it just changed the vote of the people, and it stinks.” KeepMeCurrent.com reports that Selectboard Chairwoman Linda Chase, “who was set to be term-limited this year under the ordinance, also voted to find it invalid. Chase had already taken out nomination papers to run for the board again before the ordinance was voted invalid.” In late March, Chase had suggested that although she was “allegedly” termed out, this could change as a result of a citizen’s petition. Apparently, appealing to the people has proved unnecessary.



MISSOURI

In early April, the Missouri senate gave its initial approval by a 20-12 vote to a state constitutional amendment to lengthen maximum tenure to 16 years. As the AP story puts it, legislative service would “still” be capped “at 16 years, but lawmakers could serve all of that time in one chamber.” This is a standard obfuscation in describing what is happening to a term limit on a specific legislative seat, which would not “still” be limited to eight years under the measure. The bill (SJR 27) also aimed to exclude all previous terms from being counted toward the new term limit. Should it ever become law, incumbents who have already served eight years in one chamber (or 16 in both) would be able to start the term limits clock fresh and serve up to another 16 years. However, the house did not also pass the resolution before the legislature ended its regular session.



NEW YORK

Utica, NY. The Utica Common Council has rejected efforts to undo legislation that last year’s council passed to lengthen term limits from eight to twelve consecutive years on council members and other officials. Because last year’s council bypassed voters with its action, at that time an uproar ensued. In the wake of the uproar, one council member had a change of heart and voted with a new majority to rescind the tenure expansion. But because of alleged procedural error, the legal validity of this rescinding was called into question; so the matter was tabled until a new common council — the current one — could be seated. This current council has ignored calls to reverse the previous council’s action and to instead let Utica voters decide whether to lengthen the term limits.



UNITED STATES

Florida Governor Rick Scott has made congressional term limits a prominent theme in his campaign for U.S. Senate to the extent that his first two major TV campaign ads are focused on term limits. Scott is taking on long-time incumbent U.S. Senator Bill Nelson. “There’s over 41,000 zip codes in America,” says the termed-out governor in the first ad of the campaign. “In all but one zip code, they want term limits on Congress.” The exception is Washington, DC, “where all the career politicians are. In Washington, they say term limits can’t be done. That’s nonsense. We don’t work for them. They work for us.” As one reporter has pointed out, the Scott campaign could probably survive a Fact Check noting that there’s more than one zip code in DC.



BURUNDI

Having already violated his constitutional term limit in 2015 in order to serve a third term (an act which provoked bloody civil conflict), Burundi President Pierre Nkurunziza has now won a sham referendum authorizing him to rewrite the constitution and run for office yet again. The new constitution would also stretch the length of an individual presidential term from five years to seven years.

Critics of the regime say that its democratic trappings are meaningless. As one opposition leader, Evarist Ndayimpenda, told *The New York Times* (nyti.ms/2IEkf1g): “Already we have no parliament, no judiciary, no governance. All of this is just a machine of the ruling party, and it revolves around one man.” Yolande Bouka, a University of Denver professor who studies the region, believes that other African dictators impatient with restraints on power like term limits will tend to emulate Nkurunziza. “I think people have said, ‘If Burundi can get away with this, so can we,’ ” she says.

WHAT WE ARE SAYING

Why School Boards Need Term Limits

“There has always been a battle between parents and local special interests [like the building industry] to gain the attention and favor of school board members.

“In response, Florida voters repeatedly pressed the Constitution Revision Commission to put school board term limits up for a vote. The commissioners listened and now Amendment 8, which includes term limits for school board members, will be on the November ballot....

“The need for reform has become urgent, because the age of big-money school board races is now upon us. This is incredibly dangerous as once candidates are on a school board and have demonstrated they are reliable to special interests, the financial contributions automatically follow. We’ve found that over 80 percent of Florida school board incumbents are routinely re-elected, while many runs unopposed and elections are not even held.”

— **“It’s time for term limits for all school board members in Florida,” Philip Blumel, *The Florida Times-Union*, May 5, 2018, bit.ly/2Lbk92S**



Mr. President, Drain This Swamp

“Common sense would dictate that [President Trump] double down on the issues that got him elected. Fundamentally, that means finding ways to blow up and reorder the nation’s dysfunctional political system.

“Term limits would do just that. And Americans would love President Trump for getting the limits enacted.”

— **“To drain the swamp, Trump should make congressional term limits a top priority,” Bryan Dean Wright, *ZlotoNews*, May 3, 2018, bit.ly/2KzR9AZ**

A Plague in Both the Houses

“[T]he seniority system has become a plague on the people’s right to direct and responsive representation in Congress. I support term limits. I have announced that I will term-limit myself to six years of service in the House. Such a pledge is an asset to the 1st District, not a liability. That frees me to make the hard choices, the tough votes, and deliver the honest talk that our perilous national condition requires. Any young man, intent on building the long-term political career [envisioned by my opponent], will be captured by the current system of party loyalty and lobbyists from the moment he enters the hallways on Capitol Hill.”

— **“Send this statesman and citizen to Washington, D.C.,” Dave Leroy (signer of U.S. Term Limits Amendment Pledge to support and cosponsor congressional term limits), *Idaho Statesman*, May 11, 2018, bit.ly/2LhBEia**

Chinese Government’s Contempt for the Chinese People

“Jack had been working with [his Chinese] tutor for almost two years when the announcement came down about the President no longer having term limits. Here is how Jack described their next session:

“‘At our first meeting after the announcement my tutor seemed dejected, and to my surprise he started explaining the change to me, clearly assuming that I hadn’t heard about it. When I told him that I had heard about the change — that indeed, it was front-page news all over the world — he grew very angry. “No one told us about it!” he exclaimed. “No one explained it to us! I still have no idea why they are doing this!” I didn’t know what to say. He has never said anything remotely like this before. Then finally, he stopped being angry and said sadly, “Living in China is like having a mask on your face. You can’t see the world. You can’t even see China!”’”

— **“The King of Masks: How the ‘Xi change,’ in China is causing an invisible earthquake,” Martha Bayles, *The American Interest*, April 9, 2018, bit.ly/2JtX6zr**

Ballotpedia Study: Term Limits Shake up *Status Quo*

“A Ballotpedia analysis of over 20,000 state legislative elections showed term-limited state legislative seats were almost twice as likely to change party hands as non-term-limited seats.

“Ballotpedia looked at the 890 seats in 15 states held by a term-limited legislator from 2010 to 2011 and from 2013 to 2016. Of those, 120 (13 percent) were replaced by an officeholder from a different political party. Over the same time period, 19,642 non-term-limited state legislative seats were up for election. Of these non-term-limited seats, 1,329 seats (roughly 7 percent) changed partisan control.”

— **Impact of term limits on the partisan control of state legislative seats, 2010-2011 and 2013-2016,” Ballotpedia, bit.ly/2IzX48s**

How Rense Johnson Helped Term-Limit the Legislature of Louisiana, a State Without Citizen Initiative Rights

In the state of South Carolina, where voters lack the right of citizen initiative, freshman State Senator William Timmons proposed a bill this year to term-limit state legislators. Lawmakers did not end up referring the question to ballot. Normally, however, such a bill would never even have gotten a legislative hearing. This one was passed unanimously by a senate subcommittee.

Explaining how he accomplished this critical — and unprecedented — first step, Timmons said: “I asked a hundred times.” Knowingly or not, he was echoing the example of another term limits proponent who demonstrated the virtue of dogged persistence: Rense Johnson (1924-2015).

Rense Johnson was born in Ohio and spent the last years of his life in Oklahoma. But during much of his adult life, he resided in Louisiana, in consequence of which voters there benefited from his crusade during the 1990s to term-limit the Oklahoma legislature. As founder of Louisiana Citizens for Term Limits, he faced a challenge that had never been overcome before: he needed to convince state lawmakers to help pass term limits *on themselves*.

Like South Carolina, Louisiana is a state in which citizens lack a statewide right of citizen initiative. So Louisianans could not place a term limits question on the ballot by conducting a petition drive. Rather, it was up to lawmakers to voluntarily refer such a question themselves.

Rense and his fellow crusaders did what Timmons would one day do. They asked and kept asking. They lobbied legislators and they encouraged voters in each member’s individual district to pressure their representatives. In 1995, the appeal succeeded, with 81 percent of senators in favor in the key vote.

By a 76 percent majority, voters then passed the legislatively referred ballot measure, which limited tenure in each chamber to three consecutive four-year terms.

The strategy was one of “intense and unrelenting personal lobbying prior to and during the session, coupled with pressure at the grassroots in the legislators’ individual districts,” Rense would reflect (<http://bit.ly/2IzIttG>). “An important factor was the fact that each legislator was facing an election that fall, and as one senator told us, ‘They’re all nervous.’ Legisla-

tors became increasingly aware of the power of the issue as state and national publicity spotlighted it.

“The strategy worked dramatically. In each house, once it became evident that term limits would pass, even some opponents voted yes, reluctant to face voters in the fall with a ‘no’ vote to explain. Many had said it couldn’t be done. At a meeting before the session began, one of our own legislative leaders gave us only a 15 percent chance of success. The day before the final Senate vote (the tougher of the two houses) I didn’t think we had the votes. We had all underestimated the power of the grassroots pressure and publicity, and their effect on the legislators. On that final vote in the Senate, six of the 13 who had opposed us changed their vote to ‘yes.’ Three of those took the podium and spoke for us. A seventh, who had planned to change his vote to ‘no,’ stayed hitched instead.”

The lessons?

“A relatively small group of people who believe in the importance of what they are doing can have a disproportionate impact on events,” Rense said.

“This is magnified when strong public opinion supports the objective.

“Public sentiment must nevertheless be mobilized, which is why the grassroots organization is so important. Politicians respond to pressure from back home.”

After winning in Louisiana, Rense Johnson fought to achieve term limits on a national level, establishing the site TermLimits.com as his online base of operations. When he died in 2015, his family kindly let U.S. Term Limits take over the web address as we pursue the same goal, following the same strategy.



Rense Johnson.



A bumper sticker produced by Citizens for Term Limits. USTL has inherited its web address.

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— Rense Johnson
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