

# No Uncertain Terms

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT • JULY/AUGUST 2018 • VOLUME 26 • No. 4

## Arkansas Supporters of Stricter Legislative Term Limits Submit 135,590 Signatures

Their web site says: “We did it!”

Arkansas Term Limits reported collecting over 135,000 signatures, about 60% more signatures than the 84,859 signatures required to send constitutional amendments to ballot. The amendment for which they have collected petitions would impose ten-year term limits on service in the state legislature as a whole. July 6 was the deadline for turning in the petitions.

When petition signatures are audited by a government body, some usually end up being disqualified for one reason or another. The petitioners hope that the 50,000-signature margin for error will be more than enough to compensate for any tossing of individual signatures.

The measure would give Arkansas voters a chance to rectify a gutting of term limits put over in 2014. The 2014 ballot measure had been foisted by lawmakers as an “ethics” reform. But the real — and carefully hidden — purpose was to lengthen their maximum tenure in office.

The law that voters passed in 1992 limited house members to three two-year terms and senators to two four-year terms. The 2014 law would enable lawmakers to serve 16 years, all in a single chamber. (The maximum tenure can be even longer in some cases, because reapportionment of districts every ten years results in two-year senate terms for half of incumbent senators. These two-year senate terms are



not counted toward the 16-year term limit.)

The short version of the 2014 ballot title claimed that it was “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.” In the even more cluttered 156-word official ballot title, voters were told that the

(Continued on Page 3)

## Pledge Signer William Timmons, Who Fought for South Carolina Term Limits Bill, Wins Congressional Primary

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 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 the president “was a really interesting moment. I mean, 85 percent

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# President's Corner

BY PHILIP BLUMEL

Almost there. Just one more step.

We've made great progress toward term-limiting school boards in Florida. The question will indeed be on the November state ballot. Now it's up to the voters.

Because of the supermajority requirement for passing term limits in this state, at least 60% of Florida voters must say Yes to Amendment 8 in order for the eight-year term limit on school boards to become law. Prospects are good. In fact, according to a Clearview Research survey conducted in March of this year, 68% of Florida voters support two-term limits on school boards. So despite the cumbersomeness of the initiative process in the Sunshine State, we have an excellent shot at passing this measure and giving parents more control over the education of their children.

For a while, efforts to impose term limits on Florida's school boards proceeded on two tracks: through the Florida Constitutional Revision Commission, which meets every twenty years to propose constitutional changes for the ballot, and through the state legislature.

The legislative bill was quickly diluted into a three-term rather than two-term limit on school boards, and in any case did not reach ballot in any form. But thanks to the passionate sponsorship of Erika Daniels — a member of the CRC who is also a school board member — and the support of 26 other CRC members, Florida Amendment 8 with its strong eight-year term limit did make it to ballot.

In addition to imposing school board term limits, this education-themed amendment would also remove charter schools from the jurisdiction of local school boards and impose a civic-literacy requirement on schools.

I agree with U.S. Representative Ron Desantis, who observes in an article for U.S. Term Limits ([bit.ly/2JycSsJ](http://bit.ly/2JycSsJ)) that in 2016, almost 40% of school board incumbents ran unopposed — evidence of the competition-smothering advantages of incumbency. According to Representative Desantis, no elected office “is ever better off when run by career politicians.... I am confident [that Amendment 8] would bring new energy and ideas to school boards, which too often suffer from the same unnamed incumbency that paralyzes Congress.”

If you live in Florida, please join me in casting your vote for Amendment 8.



Visit our Facebook page at [on.fb.me/U0blkG](http://on.fb.me/U0blkG).



Visit [bit.ly/2HYQO9B](http://bit.ly/2HYQO9B) to sign up for updates about U.S. Term Limits.



Visit [youtube.com/ustermimits](http://youtube.com/ustermimits) to subscribe to our videos, e.g., “Our Plan to Term-Limit Congress” at [bit.ly/2KCQWwL](http://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*

## Arkansas Term Limits (Cont'd from page 1)

measure would be “establishing term limits for members of the General Assembly.”

Neither of the 2014 ballot titles informed voters that the goal of the politicians was to 1) change existing term limits and 2) change them for the worse — much worse. The buried and evasive wording did succeed in misleading many Arkansas voters. The dishonesty was so glaring that a *Democrat Gazette* editorial labeled the mendacious amendment “The Outrage of the Year.”

The Arkansas Term Limits web site (ArkansasTermLimits.org) notes that as a result of the deception, “Arkansas now has the weakest term limits in the nation.” If the proposed amendment makes it to the November ballot and is approved by voters, Arkansas would,



instead, have the toughest legislative term limits of those 15 states with term-limited legislatures.

The Arkansas Term Limits Amendment would limit representatives to three two-year terms (six years) and senators to two four-year terms (eight years), matching the shortest-in-nation legislative term limits of Michigan. In addition, though, no person would be elected “to any term that, if served, would cause the member to exceed a total of ten (10) years of service in the General Assembly.”

The amendment counts two-year terms and partial terms in this ten-year limit. And it prohibits the General Assembly from sending any further amendment about state legislative term limits to the ballot.

## Timmons Wins Primary (Cont'd from page 1)

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 re-election 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 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 “co-sponsor 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.”



State Senator William Timmons.

# Term Limits



## ARIZONA

*Carefree, AZ.* Vice Mayor John Crane has managed to defeat the voters of Carefree in his quest to overturn the term limits that they approved in 2011. The law limited mayoral tenure to three consecutive two-year terms, and limited the total tenure of persons serving as both council member and mayor to five consecutive terms. Crane's lawsuit contended that as a non-chartered municipality, Carefree lacks authority to impose these term limits. The judge in the case agreed and prohibited Carefree from imposing term limits.



## CALIFORNIA

*Camarillo, CA.* Camarillo Citizens for Term Limits ([camarillotermlimits.com](http://camarillotermlimits.com)) has gathered enough valid signatures to post a term-limits question on the November ballot. If voters approve, the measure will impose lifetime limits of two four-year terms on council members. A competing, council-referred measure would impose a weaker limit of three consecutive four-year terms.

*Chico, CA.* By a 4-3 vote, in early July the Chico city council sent a charter amendment to the November ballot that would limit council members to three consecutive four-year terms. After two years out of office, a council member who had reached his term limit could run again for the same seat.

*Long Beach, CA.* Long Beach Mayor Robert Garcia is proposing a charter amendment to weaken the two-term limits on the mayor and council members. Currently, an incumbent may win a third term through a write-in campaign despite the term limits. The proposed change would permit a third term without a write-in campaign, but would prohibit a fourth term by any method (at least until a further weakening of the law is proposed).

*National City, CA.* In a June 5 election, voters approved each of two competing term limits measures, Measure B (with 51% support) and Measure C (with 55% support). Since both measures won majority support, it's the higher vote-getter of the two, Measure C, which becomes law. Currently, only the mayor is term-limited: to three four-year terms. Measure B would have imposed maximum tenure of two terms on council members and on the mayor, while also, controversially, resetting the term-limits clock for the mayor so that he could serve two more terms. (He is currently serving his third.) Measure C limits council members to three terms without affecting the mayor's three-term limit.

Better would have been a two-term limit on council members and mayor without any resetting of mayoral term limits. But Measure B's provision to pad the otherwise-termed-out mayor's tenure was so obnoxious, it's hardly surprising that some friends of term limits found the three-term limits easier to accept than the two-term alternative.

*Pinole, CA.* With 79% saying No, town voters squelched Measure P to repeal term limits of three consecutive four-year terms on city council members. The vote was held in early June. Pinole voters had passed the term limits in 2008 with a 73% majority.

*Santa Monica, CA.* Campaign organizer Mary Marlow says that a petition to post a question about term-limiting council members has gained more signatures than she's "ever seen collected" for a petition in Santa Monica. "We had overwhelming support for people signing the petition. We didn't get that many people that were either against it or didn't know how they felt." Signature gatherers needed to collect about 10,500 valid signatures; they turned in more than 19,000 signatures. On July 5, the city clerk certified the measure for ballot. If voters approve, Measure TL will impose a lifetime limit of three terms on council members.



## FLORIDA

Now that Amendment 8 has emerged from Florida's Constitution Revision Commission and will be on the November ballot, Erika Donalds is heading a political committee called 8isGREAT to promote its passage. The ballot question includes eight-year term limits on school board and other education reforms. "As school board members, we are convinced that fresh ideas and diverse opportunities for innovation are essential to creating a system of public education that works for every student," says Donalds, the

# In The News

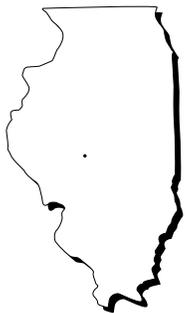
Commission member who did the most to promote Amendment 8. “When it comes to the policy necessary to deliver that change, Amendment 8 is Great!”

*Miami-Dade County, FL.* In late June, Miami-Dade commissioners gave up (for now) the idea of referring a ballot measure to repeal the term limits that voters had approved in 2012. Some members were hoping to see a repeal before they could be termed out in 2020.



## GEORGIA

*Johns Creek, GA.* On May 8, the governor of Georgia, Nathan Deal, approved a charter amendment to term-limit the mayor and city council members of Johns Creek. Unable to directly enact term limits without the okay of the state legislature, the city council had asked state lawmakers to authorize limits of two consecutive terms. Terms served before January 1, 2020 will not count toward the term limit.



## ILLINOIS

Republican legislators have prepared a People’s Pledge to be signed by Illinois house members in support of legislative term limits and ending Mike Madigan’s tenure as house speaker. (See [FireMikeMadigan.com](http://FireMikeMadigan.com).) “Mike Madigan has been in office for over 47 years, driving Illinois into the ground and personally profiting along the way,” said Joe Woodward, political director of the House Republican Organization. “With The People’s Pledge, Illinois voters can hold candidates for state representative accountable by demanding they support term limits for lawmakers and constitutional officers and oppose Madigan as House Speaker.”

*Chicago, IL.* Former Governor Pat Quinn is leading a petition drive to term-limit the mayor of Chicago. (See [TakeChargeChicago.org](http://TakeChargeChicago.org).) The petition needs 52,519 valid signatures to qualify the term limits question for the ballot. About 50,000 signatures have been collected, but Quinn wants another 50,000 by the August 6 submission deadline as a buffer against any challenges of individual signatures. Another obstacle: The city has approved three advisory questions for the ballot and claims that no more ballot questions are legally allowed, preventing the term limits question from being posted even if enough valid signatures are gathered. Quinn disputes the claim.



## LOUISIANA

*Mandeville, LA.* The Mandeville town council wisely decided against posting a charter amendment to the November ballot to ask voters to let the current mayor, Donald Villere, run again by excluding any partial term (regardless of length) from being counted under the town’s three-term limit on mayoral service. After winning office in a special election in 2010, Villere served more than two years of his predecessor’s term. Less wisely, the council also declined to refer a measure to shorten the mayor’s maximum tenure to two terms.



## NEW YORK

GOP gubernatorial candidate Marc Molinaro says that if elected, he will serve no more than two terms as governor. The current incumbent, Andrew Cuomo, is pursuing a third term. Molinaro favors two four-year terms as the maximum tenure for the governor and other statewide offices, and six two-year terms for state senators and assembly members. He says that advancing term limits in the legislature would be a top priority in a Molinaro administration. Although Cuomo has also declared support for legislative term limits, he has done little to promote the reform.

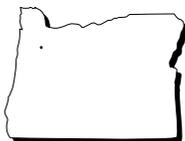


## OHIO

*Whitehall, OH.* In 2002 and 2013, voters said No to requests by the city council to repeal term limits on the council. Now, in 2018, having referred yet another term limits question to the November ballot, council members stress that they are only asking for a lengthening of tenure — from two terms to three terms — not repeal. “It’s something voters should decide,” contends the council president, Jim Graham. Of course, incumbents rarely feel the same urgency about giving voters a chance to shorten term limits.

(Continued on Page 6)

# Term Limits In The News (con't)



## OREGON

*Douglas County, OR.* In May, the Oregon State Court of Appeals upheld a finding that county term limits are unconstitutional. In 2014, voters had passed a limit of two terms with 70% support. The person who brought the appeal, John Parker, Jr., is considering a further appeal to the Oregon Supreme Court. “I think it’s wrong,” Parker said “The people spoke, they spoke loudly, and they spoke not just loudly, but on a high voter turnout.”



## TEXAS

*Arlington, TX.* Arlington voters may get to decide this November whether city council members and the mayor should be limited to three two-year terms. Petitioners report having collected 11,433 signatures, which they submitted to the city on July 9. The number of valid signatures required to send the question to ballot is 8,612, or 5 percent of registered Arlington voters.



## AFRICA

Research by Dan Posner and Dan Young finds that although presidential term limits in African countries are sometimes distressingly flouted, when honored they have a stabilizing effect. According to a lengthy *Washington Post* article, “Posner and Young assert that once a country’s president respects term limits, future presidents are very likely to do the same. During the years between 1990 and 2015, they found that ‘In the ten instances where a predecessor had stepped down in the face of a two-term limit, every single president who followed chose not to push for a third term.’ ” (“In Africa, presidential term limits are working,” [wapo.st/2Jj56C0](http://wapo.st/2Jj56C0).)



## BURUNDI

The president of Burundi says he will step down when his current term ends in 2020. However, as Reuters reports, in May “voters in the small central African nation approved changes to the constitution that would theoretically allow Nkurunziza to stay in power until 2034. The opposition said the vote was marred by intimidation and fraud — a charge the government denied. Rights groups also raised the alarm.” Voters were harassed for refusing to register to vote, for refusing to join the ruling party, and even for refusing to help pay for the elections.



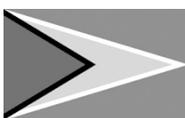
## CONGO

Congo President Joseph Kabila won’t run for third term in the country’s December elections — according to Prime Minister Bruno Tshibala. But the president himself has refrained from clearly agreeing to abide by the term limit. Moreover, a presidential election was supposed to have been held in November of 2016, but was delayed, so that Kabila’s tenure has already been stretched beyond the two terms that the constitution permits. In February of 2017, the Brookings Institution ([brook.gs/2JM5ME5](http://brook.gs/2JM5ME5)) skeptically reported that the election was “set” to take place by the end of 2017. Didn’t happen.



## GAMBIA

The new president of Gambia, Adama Barrow, expressed support for restoring presidential term limits during a June ceremony to swear in members of a Constitutional Review Commission. “I hold the view that a two-term limit for head of state should be entrenched in the new constitution,” he said. The country’s presidential term limits had been scuttled in 2005 by the dictator Jammeh, who went on to lose the 2016 presidential election to Barrow but for several weeks refused to accept defeat. Jammeh is now living in exile.



## GUYANA

The Caribbean Court of Justice, which hears appeals from Guyana and other member states in the region, has ruled 6-1 in favor of the presidential term limits added to the Guyana constitution in 2000. A suit to throw out the term limits had been pursued by Cedric Richardson, whom some people suspect is acting on behalf of Bharrat Jagdeo. Having served a partial term and two full five-year terms as Guyana’s president (1999-2011), Jagdeo is disqualified from seeking a third term under the constitutional provision that his own signature made possible.

# **WHAT WE'RE SAYING**

## **No Issue Unifies Like Term Limits**

“I’ve found that no issue unifies like term limits. The people of Florida, regardless of party affiliation, have reached the same verdict Benjamin Franklin did centuries ago: rotation in office is the lifeblood of our republic. No elected office, whether federal or local, is ever better off when run by career politicians.

“That’s why I support eight-year term limits for all school board members. I am confident this proposal would bring new energy and ideas to school boards, which too often suffer from the same untamed incumbency that paralyzes Congress.

“In Washington, where I am finishing my third and final term in the House, we do not have the luxury of using checks and balances to pass term limits. The same D.C. power brokers who’d be affected by congressional limits are the ones whose votes we need to pass it. Florida is fortunate not to be in this predicament. Our citizens can vote directly on school board term limits and will have that opportunity this November.”

— **“No issue unifies like term limits,” Congressman Ron DeSantis (who has introduced the U.S. Term Limits Constitutional Amendment in the U.S. House of Representatives), U.S. Term Limits, May 30, 2018, [bit.ly/2JycSsj](http://bit.ly/2JycSsj)**

## **Incumbents Winning Primaries That Didn’t Even Happen**

“Thanks to the power of incumbency in Congress, a huge portion of races are decided in advance. Political pundits don’t have to bother discussing every race going on because few are competitive.

“Of the 121 congressional primary elections held earlier this week [of June], 48 of them didn’t really happen... Around 40 percent...never even took place because entrenched candidates — mostly incumbents — won their primary election simply by filing to run for office.”

— **“6/5 Primary Recap: Incumbents Win, Challengers Lose...Again,” Austin Sekel, U.S. Term Limits, June 6, 2018, [bit.ly/2JMnTu4](http://bit.ly/2JMnTu4)**

## **The Chicago Way of Killing a Vote on Term Limits**

“[Former Governor Pat] Quinn faces long odds in getting his term-limit proposal on the November ballot. He has yet to collect the legally required number of petition signatures, and the City Council — in another classic Chicago Way tactic—already has filled up the ballot with three other referendum questions.

“By state law, in the judgment of the mayor’s office, there can be no more than three referendum questions on a ballot — so Quinn is out of luck. Quinn, though, contends the three-question limit pertains only to non-binding advisory questions, not to legally binding questions such as his.

“We’re skeptical of Quinn’s term-limit proposal, but we deplore the way the City Council and mayor routinely deny voters the ability to weigh in on difficult and controversial matters by filling the ballot with fluff questions.”

— **“Pat Quinn and the Chicago Way game of term limits on mayors,” editorial, *Chicago Sun-Times*, July 2, 2018, [bit.ly/2KVKjOW](http://bit.ly/2KVKjOW)**

## **Problem: Board’s Corruption, Incompetence.**

### **“Solution”: End Board’s Term Limits!!!!**

“Pensacola City Councilman Brian Spencer is sponsoring a slick little move to eliminate term limits from the recently embattled Downtown Improvement Board [DIB].

“Readers might recall that the DIB hasn’t exactly been a fan favorite of downtown business owners, workers and visitors due to the agency’s disorganized mismanagement of a new downtown public parking system.

“Add to that recent revelations that DIB executive director Curt Morse was receiving a six-figure salary with a luxury car allowance, all while mixing a taxpayer-funded phone number with his personal custom boat business, and there are clearly more problems than just parking over at the DIB....

“With business owners and mayoral candidates openly talking about eliminating the DIB, it may not be the brightest idea for the city council to vote on something like ending term limits and establishing an unchecked authoritarian parking czar in downtown Pensacola.”

— **“Pub crawls to public meetings!,” Andy Marlette, *Pensacola News Journal*, June 10, 2018, [on.pnj.com/2M3Y06i](http://on.pnj.com/2M3Y06i)**

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**— Austin Sekel  
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