

# No Uncertain Terms

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT • MARCH/APRIL 2019 • VOLUME 27 • No. 2

## One out of Two Chambers in Arizona and in Georgia Pass Calls for Term Limits Convention; Dirty Tricks in West Virginia

One down, one to go in Arizona and in Georgia.

In early March, both the Arizona house and the Georgia senate passed a resolution calling for an Article V Term Limits Convention. USTL President Phil Blumel and Executive Director Nick Tomboulides discussed the news in the March 11 episode of No Uncertain Terms Podcast, Episode 31.

With respect to Arizona, where HCR 2022 passed by 32 to 26 on March 4, Nick singles out for praise several stalwart supporters of the resolution. Representative Kelly Townsend, a Republican and sponsor of the resolution, was “just absolutely amazing on this,” Nick says. “But we also have to give a lot of credit to the Democrats out there. Representative Robert Meza, Representative Daniel Hernandez — we’ve given these guys champion of term limits awards before. They were under intense pressure from special interests, lobbyists to cave in and vote against this. But they both stood tall and they both stood strong.”

The situation in the Georgia legislature is the mirror image of Arizona’s.



Arizona House Majority Whip Kelly Townsend.

In Georgia the resolution (SR 237) has passed in the senate, but the corresponding resolution (HR 53) awaits final decision in the house. The senate journey started auspiciously with unanimous passage of SR

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## New Signers of USTL Congressional Term Limits Pledge

Almost every week, we see new signers of the U.S. Term Limits Amendment Pledge and/or sponsors of the U.S. Term Limits Constitutional Amendment. Currently, almost 70 members of Congress have signed the Pledge.

One memorable cosponsor is U.S. Senator Rick Scott, the former governor of Florida. Scott made term limits a central issue of his 2018 campaign for Senate. In fact, the first TV ads of his campaign focused on term limits. But he has not yet signed the Pledge. We wondered briefly whether he would be missing in action after the election despite the importance of congressional term limits in his campaign. But he soon signed on as a cosponsor of SJR 1, the Senate version of the amendment.

**First Annual National  
Term Limits Day p.7**

Scott has coupled term limits with a call to end

congressional pensions, which he and U.S. Senator Mike Braun hope to do with their proposed End Pensions in Congress (EPIC) Act.

“It’s time for term limits and it’s time to make those in D.C. realize that the era of career politicians is over,” says Scott. “Americans should not have to foot the bill for generous salaries and pensions for members of Congress, and I’m proud to be working on common sense solutions to make Washington work for families across the nation.

“I’m proud to be working to implement term limits for all members of Congress to make sure elected officials work for Americans, not for themselves. The only people who don’t understand why we need term limits are in Washington, D.C. But I wasn’t elected to represent them. I was elected to represent Florida families.”

We have seen strong support for congressional term

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# President's Corner

BY PHILIP BLUMEL

It's back to the drawing board in Arkansas.

The citizens group Arkansas Term Limits is going to bat again to give voters a chance to impose strict 10-year term limits on total service in the Arkansas legislature.

In mid-March, the group filed a proposed constitutional amendment with Arkansas's secretary of state. If petitioners gather enough valid signatures, voters can say Yea or Nay to the question in the 2020 election.

The amendment would limit house members to three two-year terms and limit senators to two four-year terms. But lawmakers would be capped at ten years of overall legislative service. Moreover, lawmakers would henceforth be banned from referring term limits measures to the ballot box themselves. Remember, it was a ramshackle and deceptive "ethics" ballot question referred by lawmakers in 2014 that led to Arkansas's current weak term limits, under which lawmakers may serve up to 14 years in a seat.

The tough term limit now being proposed in fact made it to ballot in 2018. But it was then kicked off that ballot by the Arkansas Supreme Court in consequence of a lawsuit filed by foes of term limits.

This year, petitioners must contend with a new wrinkle in the petition process. Until now, the popular name and ballot title of an initiative question had to be officially certified *before* proposers of a ballot question could begin gathering signatures. But now the certification must be done only *after* all the signatures have been meticulously gathered. What happens if the secretary of state then declines to certify the ballot title for some silly technical reason? It seems obvious that refusal to certify might be used as an excuse to keep the question off the ballot even if petitioners collect more than enough valid signatures.

Paul Jacob, president of the pro-initiative group Citizens in Charge — who hails from Arkansas himself — observes that the legislature there has passed countless anti-initiative statutes, "each designed to screw up the process more than the previous." The delay in ballot-title certification is just one more in a parade of impediments.

Disgusting, but par for the course when it comes to career politicians desperately protecting their turf. We've never let that stop us before, and we won't now.

And there are so many ways, with your help, that we can keep up the pressure and intensify it.



**Sign up for the No Uncertain Terms podcast at [termlimits.com/podcast](http://termlimits.com/podcast).**

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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*

## Arizona and Georgia (Cont'd from page 1)

237 in the Senate Rules Committee in late February. On March 7, the full senate chamber adopted the resolution by the comfortable margin of 31 to 20.

“Senator Bill Cowsert is the man in Georgia,” says Nick. “Cowsert is the guy that really took this thing from getting introduced on the State Senate floor, just over a week ago, and got it passed through the State Senate in a week. Which is a pretty remarkable feat that almost never happens. Cowsert is a genuine guy, he’s a true term limits believer. We wouldn’t be anywhere in Georgia without his help.”

Unfortunately, the news about the senate in West Virginia, where a decision had also been pending, would not be good. In the March 18 installment of the podcast, Nick and Phil report that a last-minute filibuster by a foe of term limits prevented a vote on the convention resolution from even being held.

The call for a Term Limits Convention passed on March 8 in the lower house by 55-42. A vote was then scheduled in the senate for the very next day, which also happened to be the very last day of the legislative

session. Not only that, the resolution was brought to the floor at just twenty minutes to midnight. At which point, Nick recalls, State Senator Michael Romano “just got up and started bloviating,” railing against term limits until midnight on the dot. The purpose was to prevent the vote from happening. If the vote had been allowed, the resolution probably would have passed. By USTL’s count, we had enough votes.

Phil: “It was heart breaking. I was watching the livestream and the guy just looked at his watch, real-



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## New Signers (Cont'd from page 1)

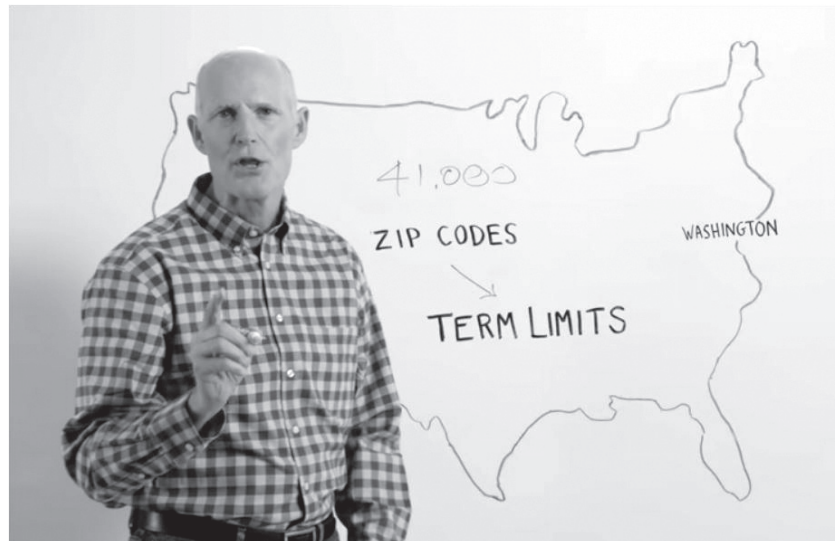
limits in a few special elections held since November.

An example is the 3rd congressional district of North Carolina. Because of the death of Representative Walter Jones, a special election ultimately to be decided on September 10 (after primaries on April 30 and any primary runoffs on July 9). On March 18, Kevin Baiko joined other candidates in pledging, as a member of Congress, to “cosponsor and vote for the U.S. Term Limits Amendment of three (3) House terms and two (2) Senate terms and no longer limit.”

Including Baiko, 12 current or former candidates in that NC race have signed the Pledge. The other signers are Sandy Smith, Phil Shepard, Joan Perry, Dana Outlaw, Greg Murphy, Jeffrey Moore, Phil Law, Timothy Harris, Francis De Luca, Chimer Davis Clark, Jr., and Gary Ceres.

Four other North Carolina candidates have also signed the Pledge. They are running in the state’s 9th congressional district: Jeff Scott, Stony Rushing, Stevie Rivenbark, and Matthew Ridenhour. The special election there will also be decided on September 10.

In Pennsylvania, 12 candidates hoping to fill the 12th congressional district seat of former Representative Tom Marino signed the Pledge: James Canning, Malcolm Derk, Kevin Ferrara, David Haire, Robert Jeffries, Fred Keller, Maria Montero, Joseph Moralez, Robert Noerr,



**During his 2018 Senate campaign in Florida, then-Governor Rick Scott reminded voters that term limits are popular throughout the country — except in Washington, DC.**

Chuck Risio, Matthew Timm, and Jeff Wheeland.

Eleven of these signers are now out of the picture. In early March, Pledge signer Fred Keller was chosen as the Republican nominee at a GOP convention rather than through a primary. Marc Friedenber, also selected at a party convention, won the Democratic nomination by default; no one else threw his hat in the ring. So in Pennsylvania’s 12th congressional district, it will be Keller versus Friedenber. This election is set for May 21.

# Term Limits

## FLORIDA

State Representative Anthony Sabatini has filed a resolution (HJR 229) proposing a constitutional amendment to impose eight-year term limits on county school board members throughout Florida. In early February, the amendment won unanimous approval from the House PreK-12 Quality Subcommittee, and it has since emerged from the Oversight, Transparency, and Public Management Subcommittee by a majority of 11 to 4. A companion bill (SJR 274) has been filed in the senate by State Senator Dennis Baxley. If approved by lawmakers, the term limits amendment would be on the 2020 ballot.

Term limits for county school boards is one of the goals mentioned by Erika Donalds's new organization to promote school choice in Florida, School Choice Movement. As a member of the Florida Constitutional Revision Commission, Donalds was primarily responsible for the ballot question on education reforms, including school board term limits, posted on the November 2018 ballot. (And then removed from the ballot by the Florida Supreme Court in response to a specious lawsuit.)

*Brevard County, FL.* U.S. Term Limits has honored four lawmakers from Brevard County as Champions of Term Limits. The recipients are State Senator Debbie Mayfield and State Representatives Rene Plasencia, Tyler Sirois and Randy Fine. "Florida is without question the term limits state," says USTL Executive Director Nick Tomboulides, who resides in Florida, on the occasion. "Our rejection of career politicians — and commitment to 8-year limits on so many offices — has helped establish our state as an economic powerhouse. Term limits have produced leaders who are more diverse, more fiscally responsible, and more accountable to the people."

## GEORGIA

Georgia Lieutenant Governor Geoff Duncan has endorsed a constitutional amendment to limit lieutenant governors to two consecutive terms. If the legislature approves the amendment, voters would see it on the 2020 ballot. Georgia governors are already limited to two consecutive terms. "The office of lieutenant governor is no place for academic tenure," Duncan says. "No lieutenant governor should consider this post a permanent home." The issue is not merely academic, since his immediate predecessor, Casey Cagle, occupied the office for 12 years (2007-2019), and Zell Miller did so for 16 years (1975-1991).

## HAWAII

Bills HB 102 and SB 311 have been introduced in the Hawaii legislature to propose a constitutional amendment to limit state legislators "to a maximum of six consecutive full terms [12 years] in the house of representatives and three consecutive full terms [12 years] in the senate." The proposal was introduced this January in the house by Bob McDermott, in the senate by Breene Harimoto and five others.

## ILLINOIS

In late January, Illinois state representatives filed a bill proposing a constitutional amendment to limit the tenure of the president and the minority leader of a chamber to a maximum of eight years in one position or 12 years in a combination of tenure in both positions (HJRC 12, [bit.ly/2Ddqxnh](http://bit.ly/2Ddqxnh)). The president and minority leader of the state senate are currently term-limited, as is GOP leadership in the house. All are a matter of rules that could be easily changed, unlike a constitutional amendment. Unfortunately, the chairman of the House Rules Committee is Greg Harris, an ally of long-serving Speaker of the House Mike Madigan. So the bill may be dead on arrival.

*Burnham, IL.* On April 2, Burnham voters will decide whether local officials will be limited to three four-year terms in office.

*Chicago, IL.* Former Illinois Governor Pat Quinn believes that last November's vote on two-term limits for the mayor of Chicago may yet be counted and allowed to take effect. Currently, the results are officially sealed because of a lawsuit contesting the legitimacy of the ballot question, which was nonetheless allowed to be posted. A few leaked results indicate that Chicago's voters overwhelmingly support mayoral term limits, however.

In the February 4 episode of the No Uncertain Terms Podcast



# In The News

(Episode 26), Quinn notes that opponents of term limits tried to keep the question off the ballot because of “something called the Rule of Three. In Illinois, there’s a statute that says that you can only have three referendums on the ballot. But it conflicts with the Illinois Constitution, which allows voters at the local level to put proposals on the ballot dealing with their mayor and their local officials in their terms of office.... It’s still being litigated, whether the Board of Elections in Chicago can count the votes and certify the results.... We want to set a precedent, a legal precedent that the constitution of Illinois means what it says. That people have a fundamental right to put a binding referendum on the ballot to have term limits on their local officials.”

*Hazel Crest, IL.* By 64 percent, Hazel Crest voters approved term limits of two consecutive terms on local officials just two years ago, in November of 2017. Nevertheless, the village board has referred a question to the April 2 ballot asking voters to slacken that limit to four consecutive terms—16 years. The referendum at least openly states that this is the purpose (a candor that we know cannot be taken for granted): “Shall the Village of Hazel Crest, Cook County, Illinois, replace the existing two (2) consecutive terms limit [with] four (4) consecutive terms limit for the offices of Village President, Village Clerk, and Village Trustee...?”

## IOWA

On January 29, State Senator Zach Whiting not only introduced Senate Joint Resolution 11 calling for a Term Limits Convention, but also SJR 4 to term-limit Iowa lawmakers. (See our front-page story on the progress of convention resolutions in various states.) Under SJR 4, state representatives would be limited to six years or three full terms. State senators would be limited to 12 years or three four-year terms. The limits would become effective after January 1, 2025. Whiting says that elected officials should not be seeking “perpetuity in elected office.”

## MASSACHUSETTS

*Attleboro, MA.* In early March, Attleboro council members unanimously rejected Mayor Paul Heroux’s proposal that the council ask the Massachusetts legislature to limit mayors to four two-year terms. Council members claimed that such a proposal must be decided by voters — and then, only if first proposed by a charter commission. Heroux replied that city charters have often been amended through special requests to the state legislature. To us it does sound like the council members were looking for an excuse to kill the idea. Heroux has pledged to limit his own tenure to no more than three two-year terms. On January 29, State Senator Zach Whiting not only introduced Senate Joint Resolution 11 calling for a Term Limits Convention

## MISSOURI

Good news: Freshman State Senator Tony Luetkemeyer has filed legislation, SJR 14, proposing maximum tenure of two terms for the lieutenant governor, secretary of state, attorney general and state auditor. Currently, among statewide officials only the Missouri governor and state treasurer are term-limited. Bad news: The same proposed constitutional amendment would clobber state legislative term limits. (See the text of the resolution at [bit.ly/2FfAzoI](http://bit.ly/2FfAzoI) on the Missouri senate web site.)

According to Mark Zinn in *News-Press Now*, Luetkemeyer’s constitutional amendment “affirms previous term limit enactments for legislators, stating no person shall serve more than 16 years total in the General Assembly, regardless of which house.” Affirms? Gutting term limits does not “affirm” term limits. Zinn should know better. And does, in fact; for his very next sentence states: “In 1992, voters approved term limits for lawmakers: four two-year terms in the House and two four-year terms in the Senate.” Sixteen years of maximum tenure in one legislative seat is twice as much as eight years of maximum tenure in that seat.

## NEW YORK

*Dutchess County, NY.* The Dutchess County legislature has passed term limits of 12 years on local officials: three four-year terms for the county executive and comptroller, and six two-year terms for legislators. Legislature Chairman Gregg Pulver, originally opposed to term limits, says they are needed in part to create pressure to impose term limits on higher offices.

(Continued on Page 6)



# Term Limits In The News (con't)

## PENNSYLVANIA

Freshman Representative Andrew Lewis has proposed 12-year, non-retroactive, consecutive term limits for lawmakers in each chamber of the state legislature. "I'd love it if it didn't grandfather so much time," says one cosponsor, Representative Mike Jones. "But we've got to be realistic, we've got to get the process started."

## TEXAS

*Arlington, TX.* In mid-February, a judge dismissed a frivolous lawsuit seeking to overturn a term limits measure that Arlington voters had passed in November. In Episode 28 of the No Uncertain Terms Podcast, we spoke again with local publisher and term limits activist Zack Maxwell about the victory. Although the election results are now secure, Zack is steeling himself for more shenanigans. "It's never over," he says. "It's never over when you're dealing with the Arlington city council." Next up: a "citizens committee" of good ole boys destined to recommend that the term limits be weakened or repealed.

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## More Arizona and Georgia (Cont'd from page 3)

ized it's midnight, and finished his meandering rant and that was it."

Nick: "It would've been one thing if the West Virginia Senate voted for term limits on Congress and we lost the vote, but that's not what happened. We had the votes and this sleazy move was orchestrated to deny the people a vote. He knew he couldn't win the debate so he used a sleazebag tactic to stop the debate."

Romano's constituents have been expressing their ire at the scurvy trick. USTL also wonders whether the senate leadership was complicit in blocking the vote.

In any case, the work goes on. In 2019, resolutions to call for a Term Limits Convention have also been filed in the Vermont house, the Maryland house, the Iowa senate, the Connecticut house, and the New

Hampshire house. In February, Floridian Nick Tom-boulides was in Utah, where he encountered a mysterious white and powdery atmospheric emanation and sought to rustle up support for the Term Limits Convention. (Check out Nick's on-site report in Episode 28 of the podcast.)

So far, three states have called for a single-subject amendment convention to produce a congressional term limits amendment: Florida, Arkansas, and Missouri. To convene an Article V convention of states, 34 states (two thirds) must pass resolutions calling for the convention. Once the convention sends an amendment to the states, 38 states (three-fourths) must ratify it in order for it to become part of the U.S. Constitution.

## How You Can Help

- The situation in Arizona and Georgia may have changed by the time this newsletter reaches you. The best way to get the very latest news:
  - 1) Subscribe to our weekly No Uncertain Terms Podcast. Visit [termlimits.com/podcast](http://termlimits.com/podcast) to subscribe through iTunes, Stitcher or GooglePlay, or to listen to the latest episode.
  - 2) Click into the U.S. Term Limits web site at [termlimits.com](http://termlimits.com) and click on the **CURRENT ACTIONS** tab at the top of the page. The options there will tell you what's pending in various states and, if you live in an urgent-action-needed state, will enable you to contact your representatives to ask for their support. Right now, we need your help especially in Arizona, Connecticut, Florida, Georgia, Maryland and Vermont.
- Also check out the **TAKE ACTION** tab at [termlimits.com](http://termlimits.com). Wherever you live and whatever time of year it is, there's always something you can do to promote the Term Limits Convention and other term limits campaigns.

**To join our team of Term Limits volunteers,  
visit [termlimits.com/volunteer-ustl](http://termlimits.com/volunteer-ustl)**

**To donate to Term Limits,  
visit [termlimits.com/donate](http://termlimits.com/donate)**



# National Attention for National Term Limits Day

You don't need the U.S. Congress to formally declare a day of commemoration in order to inaugurate one. In the case of the first ever National Term Limits Day, the antipathy of many congressmen for congressional term limits would have made it pretty tough to gather their support. So we skipped all that in favor of a unilateral private-sector declaration by yours truly, U.S. Term Limits.

And what better day on which to celebrate National Term Limits Day than February 27, the date on which the Twenty-Second Amendment to limit the U.S. president to two terms was formally ratified by the states?

On February 27, 1951, Minnesota ratified the amendment, making it the 36th to do so. Over the next few months, five other states also gave the amendment the nod. (In 1951, the United States had 48 states. Today, with 50 states, 38 states must ratify a proposed constitutional amendment in order to fulfill the requirement that three fourths of the states must ratify an amendment for it to become part of the Constitution.)

We called attention to the first annual celebration of this day with events in a dozen states, including Arizona, Alabama, Colorado, Georgia, Florida, Kentucky, Maine, Maryland, Michigan, New Hampshire, South Carolina and West Virginia. Activities included guided tours of state capitols, sign waves, public testimony, luncheons and dinners featuring discussions of term

limits, and even an online lecture about term limits (to students in Colorado).

An easy way to promote awareness of term limits and National Term Limits Day throughout the year is to wear a term limits T-shirt or cap, install a term limits sign in your yard, or post photos and messages about term limits to social media using the hash tag #termlimitsday. To buy signs and apparel declaring your support for congressional term limits, visit [termlimits.com/shop](http://termlimits.com/shop).

National Term Limits Day is beginning to be acknowledged in reporting about term limits. For example, a *Historic City News* editorial about term limits for Florida county school boards (see page 4) includes a postscript enjoining readers: "Remember: National Term Limits Day is February 27."

And when Brandon Moseley reported in a February 28 piece that Alabama State Representative David Wheeler had introduced a bill to term-limit Alabama lawmakers (see page 4), Moseley noted that "Wednesday was National Term Limits Day. On this date in 1951, the 22nd Amendment to the U.S. Constitution was ratified limiting the president of the United States to just two terms."

Will National Term Limits Day always be celebrated on February 27? USTL's digital director and Term Limits Day impresario, Stacey Selleck, suggests that we may one day wish to switch the celebration to the date on which we eventually achieve congressional term limits. (Visit [bit.ly/2EJVMqw](http://bit.ly/2EJVMqw) for Stacey's article on National Term Limits Day.)



**COMING IN THE NEXT NO UNCERTAIN TERMS:**  
**Read Executive Director Nick Tomboulides' public testimony before the Florida Legislative Committee on Term Limits for School Boards.**

**Can't wait? Visit [bit.ly/2FmHyfV](http://bit.ly/2FmHyfV) at the U.S. Term Limits web site to read the full text of his testimony now.**

# No Uncertain Terms

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**“It’s never over. It’s never over when you’re dealing with the Arlington city council.”**

**— Zack Maxwell  
see p. 6**