

No Uncertain Terms

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT • MAY/JUNE 2019 • VOLUME 27 • No. 3

UPDATES: Georgia Call for Term Limits Convention Is Half-Done; Arizona Call Must Be Redone; New Signers of USTL Term Limits Pledges

Resolutions calling for a Term Limits Convention have been blocked or half-blocked in two states where U.S. Term Limits had high hopes for passage this year. We failed to cross the finish lines not because we lacked the necessary votes, but because certain legislative leaders refused to even hold a vote on the resolution.

Georgia. Although the Georgia senate passed a resolution calling for a Term Limits Convention, it was blocked in the house when Speaker David Ralston refused to schedule a vote before Georgia's 40-day legislative session for 2019 ended on April 2.

But the senate passage of the resolution lives. The resolution can still be passed by the Georgia house without a new vote by the senate. Although the legislature has adjourned for the year, the full session is not yet over. It's a two-year session that continues in 2020.

"I know it's not the result that our activists from Georgia were looking for," says USTL Executive Director Nick Tomboulides, "but we are very much still alive in Georgia, and we get to carry our senate passage over to the 2020 session.... We can put our focus on winning the house. We can send our



grassroots organizers. We can send our canvassers into house districts, get more members on the pledge. 2020 is an election year, so I think the incentive is even greater to do this."

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Florida Lawmakers Who Defend Term Limits

This March, U.S. Term Limits recognized 25 Florida legislators as Champions of Term Limits.

The award recognizes lawmakers who have shown "a steadfast commitment to restore citizen government through term limits."

Florida state representatives who received the Champion of Term Limits honor in 2019 are Mel Ponder (HD 4), Cord Byrd (HD 11), Jason Fischer (HD 16), David Smith (HD 28), Anthony Sabatini (HD 32), Geraldine Thompson (HD 44), Anna Eskamani (HD 47), Rene Plasencia (HD 50), Tyler Sirois (HD 51), Randy Fine (HD 53), Cary Pigman (HD 55), Melony Bell (HD 56), Dane Eagle (HD 77), Spencer Roach (HD 79), Byron Donalds (HD 80), Toby Overdorf (HD 83), Rick Roth (HD 85), Mike Caruso (HD 89), Chip LaMarca (HD 93), and Bob Rommel (HD 106).

On the senate side, Senators Aaron Bean (SD 4),

Dennis Baxley (SD 12), Ed Hooper (SD 16), Debbie Mayfield (SD 17), and Ben Albritton (SD 26) were honored.

State Representative Anthony Sabatini, a Republican, not only signed the U.S. Term Limits Pledge to protect state legislative term limits; he was also the lead sponsor of HJR 229, the constitutional amendment to term limit school boards (which unfortunately did not make it to ballot during the recent legislative session). USTL Executive Director Nick Tomboulides reports that Sabatini did an excellent job shepherding the bill, and that Sabatini would like to term-limit every elective office in Florida. "He is pretty determined on this issue," Nick says.

Geraldine Thompson, a Democrat, is a former state senator who recently won a seat in the house. As a state senator, in 2016 she provided the deciding vote in committee to advance the resolution to call for a Term Limits Convention. Since then she has traveled to Georgia and Arizona as an ambassador for U.S. Term Limits, educating other lawmakers on the issue. She

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**Latest dirty trick
of Arkansas's career
politicians p.7**



President's Corner

BY PHILIP BLUMEL

"Not Me for Congress." That's my slogan. My non-campaign slogan.

I've considered running for Congress. Perhaps you have too. I seem to have the right kind of background. At 53, I've been a successful financial planner for many years. I've held minor public office. I've managed successful ballot initiative campaigns. I've served on the boards of charities and other organizations. I speak on public policy issues.

I've also been asked to run — asked more than once. It's flattering and it makes you think "Gee, why not?"

Well, I'll tell you why not. Congress is not a place to honorably serve your country so much as a place where aggressively ambitious career politicians linger for decades helping themselves and their cronies.

In a healthier representative democracy, our politicians would consist of a wide range of successful individuals from various walks of life. Congress would be place where citizen legislators could step away from their vocations for a few years, achieve something real and substantive during those few years, and then go back home.

But without congressional term limits, most successful people do not run unless they want to be career politicians. The rest of us bow out, in part because of the impossible odds against beating an incumbent. The advantages of incumbency are so great that since 1970, about 95% of all incumbents running for the U.S. House have won. Challengers usually lose against incumbents, who enjoy overwhelming electoral advantages that have little to do with the content of their character or their track record in office. In most cases, taking on an incumbent is very much a long shot.

It's just not the kind of investment that prudent individuals tend to make.

Robust term limits would radically improve things by regularly prying seats open to competition. With regular competitive elections, successful and qualified individuals would be much more willing to make the investment. And with no calcified seniority system blocking their progress, once in Congress they'd have a better chance of making solid contributions to the commonweal in a finite amount of time.

Perhaps I will run for Congress one day. But let's get the congressional term limits first. Will you help?



Listen to Phil Blumel and Nick Tomboulides every week on the No Uncertain Terms podcast. Sign up at termlimits.com/podcast. See our Facebook page at on.fb.me/U0blkG. Visit termlimits.com/petition to sign up for email updates about U.S. Term Limits.

MAY/JUNE 2019

A publication of

**US TERM
LIMITS FOUNDATION**

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For the latest developments on term limits across America, visit our web site on the Internet at www.termlimits.org

No Uncertain Terms is published bimonthly. Third class postage paid, Washington, DC.

POSTMASTER:
Send address changes to:
U.S. Term Limits Foundation
1250 Connecticut Avenue NW
Suite 200
Washington, DC 20036

"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*

Florida (Cont'd from page 1)

has also been working to help advance the bill to term-limit school boards in the state.

All of the honorees have signed pledges vowing to protect eight-year term limits in Florida from efforts to lengthen or repeal them. Some, like Senator Aaron Bean and Representative Geraldine Thompson, played key roles in helping Florida become the first state in the nation to call for congressional term limits in 2016.

"Florida is without question the term limits state," says Nick. "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."

At the U.S. Term Limits site, Nick has written (bit.ly/2Wapf8I) about the correlation between legislative term limits in the Sunshine State and its sunny economic prospects. "When eight-year term limits were passed pundits and capitol elites said rookie politicians would run Florida into the ground. Most people who work in Tallahassee are still saying this today. We have watched the opposite happen. Florida is flourishing under citizen-led government while states with career politicians — and Congress — pile up mountains of red ink and careen toward bankruptcy."

UPDATES: GA, AZ Signers (Cont'd from page 1)

Arizona. Arizona's state legislative session was extended into late May largely because the senate proved reluctant to pass the budget that had been approved by the house. Earlier in the year, the house had also passed a resolution calling for the Term Limits Convention. But despite all the additional time, the senate never seemed to get around to a vote on the resolution.

Unlike Georgia's legislative session, that of Arizona does not continue in 2020. A bill passed in just a single chamber in 2019 cannot be carried over to the 2020 session. So in 2020 we'll have to start from scratch.

We did receive enough pledges from senators to assure us that we had the votes to pass the Convention resolution in the Arizona senate. And term limits supporters in the state were certainly pouring on the pressure. But as the session sputtered to a close, senators were not allowed to vote on the resolution.

On a recent episode of the No Uncertain Terms podcast, "Triple Trump" (termlimits.com/podcast), Nick and USTL President Phil Blumel laid the blame squarely at the feet of State Senate President Karen Fann. Nick quoted a letter to Fann penned by a champion of term limits in the house, Jay Lawrence: "It would be bad for everyone if such a popular bill were derailed by Republican leaders two years in a row," Lawrence wrote, "and bad for the overall environment here in the state house if popular bipartisan bills that cleared the state house got stuck in a desk drawer in the state senate."

A single-subject Article V amendment convention can be convened by the states to consider a congressional term limit amendment to the U.S. constitution once two thirds (34) of the states call for such a convention. It would then be the job of the convention to send an amendment to the states for ratification.

New Pledge Signers. We don't expect a great many new signatures on our various Term Limits Pledges until we get further along in this election cycle. Still, a steady stream of candidates and incumbents have been taking the Pledge.

Currently, 65 members of Congress have signed a Pledge in support of the U.S. Term Limits Congressional Amendment (three two-year terms maximum in the U.S. House, two six-year terms maximum in the U.S. Senate).

A total of 44 congressional candidates have signed this Pledge so far in 2019. In three special elections for Congress this year, 35 candidates have signed the Pledge. We also have nine early-bird candidates running to win a seat in the 2020 election who have already signed.

Excluding states where resolutions calling for a Term Limits Convention have already passed (i.e., excluding Florida, Missouri, and Alabama), 163 state lawmakers have signed our Pledge to support the Term Limits Convention.

Among candidates for state legislatures, 23 who are campaigning for off-year elections have signed the Term Limits Convention Pledge. Five candidates in special elections have signed it.

Term Limits

ARIZONA

Carefree, AZ. The town of Carefree can now feel carefree about its term limits law. The term limits were passed by voters in 2011, twice protected by voters when local politicians sought to lengthen term limits, and, finally, judicially obstructed when a superior court judge barred the town from keeping a term-limited official off a primary ballot. Governor Doug Ducey recently signed into law a bill that makes crystal-clear that citizen-enacted local term limits are fully enforceable in every Arizona town in which they have been enacted.

CALIFORNIA

Oxnard, CA. Local activist Aaron Starr, who has run petition drives before, has five possible ballot measures on his plate at the moment. One of them, the Oxnard Term Limits Act, would limit council members and the mayor to two consecutive four-year terms. If he gathers enough signatures, the measure would likely appear on the November 2020 ballot.

CONNECTICUT

Litchfield, CT. By a vote 39-6, attendees of a town meeting okayed a proposal by the board of selectmen to reduce the length of a term on the local board of education from six years to four years. (It's a little town: 1,251 people.) Board of Education Chairwoman Gayle Carr was opposed, saying more frequent elections "would create instability" on the board.

FLORIDA

Florida's legislative session ended May 4. A bill to impose eight-year term limits on school boards had made its way through one committee after another, but finally foundered in the senate. State Senator Dennis Baxley told the Tampa Bay Times: "It's a pretty tough call for incumbents. Incumbents are unlikely to vote for anything against incumbency."

In an op-ed published in the *Orlando Sentinel* (bit.ly/2W9yQwt), USTL Executive Director Nick Tomboulides observed that in the last two election cycles, "between 80 and 90 percent of school board incumbents on the ballot were re-elected. Nearly half of them ran unopposed, a humiliating statistic for those who claim 'elections are term limits.'"

In 2018, Florida's Constitution Revision Commission had placed a multi-part question on the ballot that included eight-year term limits for school boards, but the state supreme court ultimately squelched the measure. "The court based its decision entirely on defects it found in the school choice language, not on anything having to do with term limits or civics," Nick noted. A term limits question posted by the commission might have had a better chance of surviving any judicial assault if it had been on the ballot as a separate question.

ILLINOIS

It's re-confirmed: Illinois voters support term limits for Illinois lawmakers. According to a survey conducted in mid-March by the Paul Simon Public Policy Institute, 84 percent of Illinois voters support term limits for all lawmakers and 85 percent support term limits for legislative leaders.

Niles, IL. Although Mayor Andrew Przybylo had been making noises about challenging his term limit so that he could run for a third term (and had sought an advisory opinion on how he might evade the term limit), he now says that he will not try to secure an exemption. He gives a bad reason: he's decided not to run because he's "tired," not because he realizes he doesn't want to undermine the term limit.

Rolling Meadows, IL. Aldermen in Rolling Meadows have referred a measure to the March 17, 2020 ballot to limit alderman to two consecutive four-year terms.

MICHIGAN

Warren, MI. Attorney Jim Kelly has filed a lawsuit on behalf of council candidate Connor Berdy to challenge the practice of some incumbents who seek to evade local term limits on council seats by simply running for another seat on the council. Council members are limited to three four-year terms. Berdy says: "Term limits exist so they can keep fresh, new ideas coming to city council. But when you have these same people running over and over again, finding loopholes and technicalities, that doesn't help the people."

MISSOURI

In mid-May, the Missouri legislature referred a measure to the ballot asking voters whether executive officials (lieutenant governor, attorney general, secretary of state, state auditor) should be limited to two four-year terms. Missouri

In The News

state legislators, the governor, and the state treasurer are already limited to eight years in office. The measure will appear on the November 2020 ballot unless the governor moves it to an earlier ballot.

NEW YORK

In keeping with the endless incumbency that characterizes elective offices in the great state of New York, Governor Andrew Cuomo has announced that he is running for a fourth term as governor. The next election for his seat won't be happening until 2022, so the action seems intended to preemptively discourage prospective challengers. "I think I'm making a difference in the state of New York," says Cuomo. "I believe that in my heart."

Dutchess County, NY. Dutchess County Executive Mark Molinaro has signed legislation to non-retroactively term-limit the county executive, county legislators, and the comptroller to a maximum of 12 years — six two-year terms for the legislators, three four-year terms for the county executive and comptroller.

New York, NY. Governors and state lawmakers may be entrenched in the Empire State, but in the Big Apple electoral competition is obliging election officials to scramble. The *Gotham Gazette* reports that the campaign finance board "is gearing up for what is likely to be the biggest and most competitive municipal election in its 30-year history. In 2021, 35 of the City Council's 51 incumbents, as well as the mayor, comptroller, and all five borough presidents, will be ineligible for reelection due to term limits...." "500 Candidates Expected for 2021 Election Cycle," the headline informs us.

PENNSYLVANIA

Pennsylvania's constitution states that members "shall receive such salary and mileage for regular and special sessions as shall be fixed by law, and no other compensation whatever," and shall receive no increase in pay during the same term in which the increase was voted for. In an op-ed for *Lancaster Online* (bit.ly/2Hz2jG7), Roy Minet enumerates the sins of Pennsylvania lawmakers, including exorbitant lining of pockets via perks and automatic pay raises, which flout the constitution in letter and spirit. He says that HB 815 (bit.ly/2HyiaER), "a 'term limits' bill...is worth supporting, even though in its present form it just imposes a periodic one-term vacation." If approved by voters, the proposed constitutional amendment would impose a maximum of three consecutive terms for state senators and six consecutive terms for state representatives.

TEXAS

Arlington, TX. This just in about the impact of term limits, enacted last year in Arlington thanks in part to the unrelenting efforts of local publisher Zack Maxwell: "With term limits in place, Arlington voters suddenly had a plethora of choices in this years municipal elections," reports the *Fort Worth Star-Telegram*. So...electoral competition and voter choices are increased by term limits. Now we get it!

BOLIVIA

President Evo Morales is running for a fourth term in office, without constitutional authority to do so. In 2016, voters rejected his referendum to amend the constitution so that he could stand for another five-year term. Nothing daunted, Morales took his case to an obliging court, which ruled that preventing him from running again would "violate his rights." The election will be held on October 20 of this year, with a runoff in December if necessary.

EGYPT

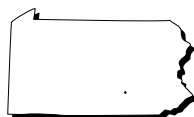
After Egypt's parliament referred amendments to expand the powers and tenure of the nation's president, Abdel Fattah el-Sisi, voters approved the measures in April by an 89 percent majority. Only 44 percent of the electorate participated, despite a three-day voting period (April 20-22) and other inducements. Opponents of the measures were not allowed to

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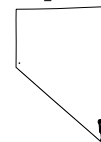
Upcoming Events at which U.S. Term Limits will be Represented



June 28-29
Young Americans for Liberty
Memphis, TN



July 11-13
Netroots Nation
Philadelphia, PA



July 17-20
FreedomFest
Las Vegas, NV

Term Limits In The News (con't)

campaign freely against them. The four-year presidential term has now been lengthened to six years. Before the amendments, el-Sisi had been serving his second and constitutionally last term in office. But this term is also lengthened to six years, and he will also be able to serve a third term of six years as well. If he is reelected and there are no further elongations of presidential tenure, he would not have to step down until 2030.

ISRAEL

In April, Benjamin Netanyahu apparently won his bid to be elected to a fifth term as prime minister—though only apparently, as he failed to secure a governing coalition and new will be held. During the campaign, an opposing candidate, Benny Gantz, chastised him for reversing his prior support for term limits on his office. “When I was one of the initiators and backers of the direct election law,” said Netanyahu in 1997, “I asked that a clause be added limiting a prime minister to no more than two terms. If you don’t get it done in your first term, you might do what you need in the second term. But you don’t need more than that. Get things done and then go home.”

“I want to see some action.”

Here’s just some of what you’re missing if you are not catching each episode of our weekly podcast, genially hosted by USTL President Phil Blumel and USTL Executive Director Nick Tomboulides.

Episode 38, May 6, 2019. Are term limits for justices of the Supreme Court a good idea? Phil explains why he is now on board with the idea, Nick why he never was not. Also, why people who see Congress in action may become a lot less worried about “losing experience” in consequence of term limits. “Nearly every congressional hearing can be seen as free advertisement for the term limits movement,” Phil remarks. “All the arguments about the irreplaceability of these wise and experienced individuals suddenly seem to fall away. Perhaps, instead, what we’re seeing are insulated politicians who don’t face serious electoral competition....”

Episode 39, May 13, 2019. Where do Democratic presidential hopefuls like John Hickenlooper, Julian Castro, John Delaney stand on term limits? Also, Phil discusses his Hill op-ed on “Why better candidates don’t run for Congress.” And Nick trounces the notion that “lobbyists love term limits” (a painfully counterfactual contention right up there, or down there, with “We already have term limits, they’re called elections”).

Episode 40, May 20, 2019. Phil and Nick attend the 2019 Republican Liberty Caucus, and various GOP luminaries profess their support for term limits. Liberty Caucus member Sue Moore says term limits have “worked really well in Colorado. It gets new people involved all the time, and I think it actually keeps our state legislature and our other elected officials fresh.” She also agreed with Nick that a ten percent approval rating for Congress seems suspiciously high.

Episode 41, May 27, 2019. With Episode 41, we have now produced as many episodes of the No Uncertain Terms podcast as there were presidents of the United States after the election of George Herbert Walker Bush. Speaking of presidents, is President Donald Trump — all joking aside — for or against presidential term limits and congressional term limits? Phil: “It was helpful for him to talk about it, but I want to see some action.”



The Podcast of the Term Limits Movement

Triple Trump

Trump looking to run for a third term?

Episode 41



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Arkansas Career Politicians Like Term Limits Too! Really!



We apologize for the misleading headline.

No, what's really happening is that anti-term-limit Arkansas lawmakers know that there is a good chance that a very tough term limit law will be posted to the 2020 ballot. This is the same citizen-supported ten-year maximum on overall legislative service that reached the state ballot in 2018, but that the Arkansas Supreme Court then arbitrarily rendered irrelevant.

As an avowed “antidote” to the robust citizen initiative, Arkansas career politicians have referred a term limits measure the title of which, “The Arkansas State Legislative Term Limits Amendment” (bit.ly/2HzSNIW), is almost the same as the citizens’ tough term limits measure, “The Arkansas State Legislative Term Limits Initiative” (bit.ly/2HEmwd). The latter would limit house members to three two-year terms, state senators to two four-year terms, and total legislative tenure to 10 years.

If you live in Arkansas, you will want to vote in 2020 for the ballot question with the word “Initiative” in the title and that limits tenure to three terms in the house, two in the senate, 10 years of total legislative service. Tape a note to your refrigerator.

A misleading 2014 “ethics” measure has already expanded the maximum tenure of incumbent lawmakers to up to 16 or 20 years in a single seat, doubling or more than doubling the maximum tenure possible under the term limits law that had been in effect since 1992.

The present incumbent-supported measure, introduced as SJR 15 by State Senator Alan Clark, would allow incumbents who have reached the terminus provided by that slack term limit to sit out a term and then serve another 12 years. So even though at first partial glance Clark’s law would apparently “reduce” the maximum tenure of lawmakers from 16 years to 12 years, it would in fact expand the maximum possible time in office of current incumbents. The switch from a lifetime term limit to a consecutive term limit would be the means of a further drastic weakening of the state legislative term limits that voters approved in 1992.

A house sponsor of the bill, Jim Dotson, sort of acknowledges the skulduggery of the career politicians’ 2014 ballot measure, but not the skulduggery of the current proposal to weaken term limits. “This would be to give the voters an option — if anybody felt as if they had had no say or they were tricked by the Legislature by some strange reason in the existing term limits — to give them an opportunity to vote on another option or leave it the same like it is right now.”

Not every Arkansas lawmaker is averting his gaze from the travesty. “It’s self-serving legislation. It’s not fair. It’s not reasonable,” says State Representative John Walker.

“We’re calling that the lifetime politician amendment,” says Tom Steele, chairman of Arkansas Term Limits.

The situation might, incredibly, have been even worse.

As Paul Jacob, president of Citizens in Charge and a board member of U.S. Term Limits, points out, “Clark’s constitutional amendment originally contained a provision taking term limits for state legislators out of voters’ hands by banning use of the initiative process to propose changes. Thereafter, only legislators could address the length of their own careers.” This provision was eventually snipped out of the bill “as too obviously and arrogantly anti-voter.” For now.

Help us rein in the career politicians!

Visit termlimits.com/donate to support our mutual cause.

No Uncertain Terms

The Newsletter of the Term Limits Movement

A Publication of the U.S. Term Limits Foundation

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Washington, DC 20036

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**“Perhaps I will run for Congress one day.
But let’s get the congressional term limits first.
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**— Phil Blumel
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