

No Uncertain Terms

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT • NOVEMBER/DECEMBER • VOLUME 27 • No. 6

Voter Education Campaigns by U.S. Term Limits Help Pledge Signers Win Seats in Mississippi and Louisiana

U.S. Term Limits worked hard this year to tell voters in states with off-year elections which candidates had pledged to support term limits and which had not. The strategy has borne fruit in the final election results in both Louisiana and Mississippi.

Louisiana. In Louisiana's election system, there is no true primary but rather a general election in which all candidates of all parties participate, followed by a runoff between the top two candidates if the top vote-getter has not won outright. Twenty-two candidates who had pledged to support an Article V Term Limits Convention won their seats outright on October 12. Another 22 pledge signers advanced to the runoff held on November 16.

In a state where no candidates for the state legislature had signed the U.S. Term Limits Convention Pledge before the election season began, by election day 144 candidates had signed it. Of those 144 pledge signers, 34 won seats in the state legislature. In 16 close races where U.S. Term Limits conducted voter education efforts, 11 of 16 pledge signers (69%) won seats.

The victories of 34 pledge signers "means that one quarter of the entire Louisiana legislature has now signed on the dotted line to endorse the term limits convention," observes USTL Executive Director Nick Tomboulides. "It's tremen-

dous progress. It gives us a foundation upon which we can build to get this done in the 2020 session."

Mississippi. In Mississippi, where 63 candidates signed the U.S. Term Limits Convention Pledge during the campaign, 20 signatories were elected to the state legislature on November 5.

As we reported in our last issue, U.S. Term Limits was also very active in this state, letting voters in key districts know which candidates supported term limits.

In the November 11 installment of the No Uncertain



Newly-elected Louisiana State Rep. Charles Owen, one of many candidates who pledged to support a Term Limits Convention.

(Continued on Page 3)

Latest Campaign to Save Michigan Term Limits Features 18-foot Hog Representing Power-Hungry Politicians

The big pig (termlimits.com/pig) is the symbol of the politicians — not all of them, just those determined to weaken or kill Michigan's state legislative term limits in order to hog more power.

Most voters, in Michigan as elsewhere, support term limits as a reasonable constraint on political power. They must do periodic battle with those officeholders who see term limits as nothing but a terribly annoying inconvenience.

For many years now, the Michigan group Don't Touch Our Term Limits has helped call the attention of Michigan voters to the latest in an endless series of assaults on state legislative

term limits by Michigan voters and their allies. The group includes veteran champions of term limits

active in the 1992 term limits campaign—as a result of which term limits were passed with 59% of the vote — as well as newer members who understand the benefits of state legislative term limits.



(Continued on Page 3)

Term Limits on the Ballot p.4



President's Corner

BY PHILIP BLUMEL

The answer is: politicians, not voters. The question is: who supports weakening state legislative term limits in Michigan?

I wish the politicians in Michigan weren't so darn repetitive. Every other session, there's a plot being cooked up to convert the state's tough legislative term limits into mush. It's not voters who are behind this. The public at large is not agitating for an end to term limits. As ever, the latest push is of, by, and for incumbents.

U.S. Term Limits recently commissioned a poll by Pulse Research to double-check whether voters in the state are still with us on this term limits thing. They are: 69% of Michigan voters oppose any changes to state legislative term limits, a percentage higher than the 59% of voters who restricted house members to three two-year terms and state senators to two four-year terms back in 1992.

Most voters like term limits, know that term limits work, and believe that lawmakers are working to undo term limits solely for their own personal benefit, not to help the people of Michigan.

There is a conspiracy afoot. It's between the leaders of both chambers of the legislature and the largest and most powerful lobby in the state, the Chamber of Commerce. Also part of the cabal is a faux grassroots group called Voters, Not Politicians. (Shouldn't that be the other way around?) According to the reports we're hearing, the cabal is mulling a proposal to "limit" lawmakers to 20 years in a given seat, more than doubling the current maximum tenure of six years in the house and eight years in the senate. They apparently also hope to package the assault on term limits with various pleasant-sounding reforms that voters like in order to lull them into accepting the assault on term limits.

If you live in Michigan, I have a job for you. Don't let them get away with it.

Visit our Facebook page at on.fb.me/U0blkG and termlimits.com/petition to sign up for email updates about U.S. Term Limits.

Visit termlimits.com/donate to become a contributing partner.



LISTEN TO THE WEEKLY NO UNCERTAIN TERMS PODCAST, HOSTED BY PHIL BLUMEL AND NICK TOMBOULIDES AND FEATURING AN ARRAY OF MOVERS AND SHAKERS IN THE TERM LIMITS MOVEMENT AS THEIR GUESTS. VISIT THE EPISODE ARCHIVE AT TERMLIMITS.COM/PODCAST. SUBSCRIBE THROUGH APPLE PODCASTS, STITCHER, GOOGLE PLAY, OR PODBAY.FM.

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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*

MS and LA Pledge Signers Win (Cont'd from page 1)

Terms podcast (Episode 65), U.S. Term Limits Executive Director Nick Tomboulides reminded listeners that “the Mississippi legislature has already called for a convention to write amendments. And in the first draft of that bill, term limits was supposed to be included.” Unfortunately, the term limits provision was not retained in the final version.

Now, however, “There is now a small army of fighters in the Mississippi legislature to push for a Term Limits Convention.”

Nick believes that in both Louisiana and Mississippi, there is a strong chance that in 2020 the state legislatures will pass resolutions calling for a Term Limits Convention. “It’s by no means a lock,” he stresses. “We’ve got to put a lot of grassroots energy and activism behind it. People in these states need to get active and talk to their legislators and visit the capital and such. But it’s a great foundation for us to build on in these states.”

USTL President Phil Blumel agrees, saying that the election results in both states “are evidence that our current strategy is working.”

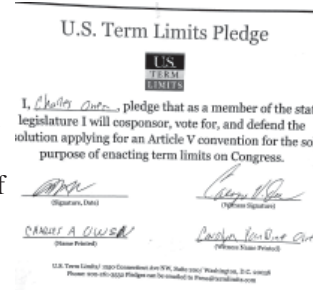
At both state and federal levels, we continue to gain

new signers of our term limits pledges.

At present, 69 members of the U.S. Congress have pledged “to cosponsor and support the U.S. Term Limits amendment of three (3) House terms and two (2) Senate terms and no longer limit.” And 120 current candidates for Congress who are not also incumbents in Congress have signed the same pledge.

Including the winners of the recent state legislative elections in Mississippi, Louisiana, and Virginia, 248 elected legislators in states that still need to pass the Term Limits Convention resolution have signed our pledge to “cosponsor, vote for, and defend the resolution applying for an Article V convention for the sole purpose of enacting term limits on Congress.”

So far, resolutions calling for a single-subject Article V convention limited to the subject of term limits have passed in three states: Florida, Alabama, and Missouri.



Michigan Hog (Cont'd from page 1)

Don’t Touch Our Term Limits must keep gearing up because year after year, Michigan incumbents keep plotting to weaken or repeal their term limits. Many simply dislike being limited to three two-year terms in the house and two four-year terms in the senate. Now a new campaign to gut the term limits is underway.

One leader of the current effort to undermine term limits is Senate Majority Leader Mike Shirkey, who has said that he wants to either lengthen term limits or repeal them. He would prefer the latter, if only a repeal measure had any chance with voters.

The legislative strategy currently in the works is to combine an assault on term limits with “good government” reforms proposed by a group called Voters Not Politicians. Also reportedly teaming up with Shirkey to figure out a way to hornswoggle Michigan voters is the Michigan Chamber of Commerce.

The contemplated measure to weaken term limits would appear on the November 2020 ballot if approved by legislators.

USTL Executive Director Nick Tomboulides has Shirkey’s number. “The same guy who calls his own legislature a failure, what was he saying two years ago when he was running for reelection?” Nick wants to know. “He said, ‘We have made tremendous strides in creating a positive business environment in Michigan that has resulted in the creation of 540,000 new jobs.’ He added, ‘Michigan has made a remarkable turnaround in the term limits era.’ Those are quotes.”

USTL President Philip Blumel agrees. “When he’s running for reelection, ‘This state is in great shape, thanks to us.’ But when he’s trying to overturn term limits, ‘This state is a wreck.

Thanks to term limits.’”

The legislative angle is not the only one being pursued. Other Michigan politicians are now taking court action to undo term limits. On November 20, eight former Michigan lawmakers filed suit contending that it is unconstitutional to prevent them from running again for their seats. They want a federal court to block enforcement of the constitutional amendment to term-limit Michigan lawmakers that voters passed in 1992.

A previous legal challenge of Michigan term limits on grounds of alleged unconstitutionality failed. But the plaintiffs hope that tweaking the legal argument will do the trick this time around. A lawyer for the plaintiffs, former Michigan solicitor general John Bursh, suggests that although state legislative term limits of some sort or another may be constitutional, the existing term limits are not. They are too strict. “There’s probably a healthy mix somewhere in the middle that would be perfectly constitutional,” Bursh says.

Of course, Michigan’s existing state legislative term limits are already “perfectly constitutional.” See section 54 of the Michigan constitution (bit.ly/33vJdtC), where one may find the following words: “No person shall be elected to the office of state representative more than three times. No person shall be elected to the office of state senate more than two times.”

Some politicians will always insist that slack, ineffectual term limits work best, second only no term limits at all. But the constitutionality of limits on power is not established by what incumbents would be happy to accept. Term limits are constitutional even if incumbents *really* dislike term limits and would *much* prefer feeble or nonexistent term limits.

Term Limits Election News

ALASKA

Palmer, Alaska. By 408 to 114, Palmer voters agreed to an advisory question on the October 1 ballot about whether “the Palmer City Council [should] consider enacting term limits for the mayor and council members.” The voters probably also agree that term limits should actually be enacted.

COLORADO

Boulder, CO. By 54% to 46%, voters assented to a November referendum to expand the maximum tenure of the county coroner from three consecutive four-year terms to five consecutive four year terms.

FLORIDA

Miami Beach, FL. By 55% to 45%, Miami Beach voters rejected a referendum on the November ballot to lengthen an individual mayoral term from two years to four years and to lengthen the mayor’s maximum tenure from three two-year terms to two four-year terms. Last July, Mayor Dan Gelber had promoted the measure as a way to reduce the frequency of campaigning, a frequency that he said was “not particularly consistent with the most elevated form of government.” Commissioner Mark Samuelian had countered that government “is at its best when its citizens are watching and engaged.”

ILLINOIS

Riverside, IL. The Riverside board of trustees referred a question to the March 2020 ballot that would limit the tenures of the village president and village trustees to three consecutive four-year terms. The October 17 vote sending the question to ballot also killed a similar measure, approved in April, that would have been retroactive — perhaps deferring to a statewide ban on retroactive term limits measures passed by the state legislature.

RHODE ISLAND

Westerly, RI. By 2,904 to 948, or about 75% to 25%, Westerly voters rejected a referendum on an October 10 ballot to eliminate term limits on town council members.

TEXAS

Sherman, TX. Sherman voters endorsed two charter amendments on the November ballot related to term limits. Because the length of an individual term on the city council was recently changed from two years to three years, one ballot question provides that a partial term on the council be regarded as a full term if it is longer than 18 months. Voters passed this measure by 81% to 19%. Until now, a council member had to serve only 12 months of an unexpired term before it was considered a full term to be counted toward the term limit.

The second amendment weakens council term limits by lengthening them from a maximum of two consecutive terms to four consecutive terms. This measure also passed, but more narrowly, by 53% to 47%. Until now, a council member could serve only two terms as a council member and only two terms as mayor. The amendment allows a person to serve four terms in any combination of the two positions, effectively doubling the maximum possible tenure in one position.

Term Limits In The News

CALIFORNIA

Oxnard, CA. The Oxnard city council has unanimously referred a question to the March 3, 2020 primary ballot to term-limit the mayor and city council members to three four-year terms. If the measure is approved, the mayor’s individual term will be changed from two years to four years, and the mayor and council members will be limited to three four-year terms. During the public comment period, one resident, Pat Brown, objected to lengthening the mayor’s term from two years to four years because not every candidate for mayor who seems fine turns out to be fine. “You think everything is going to be wonderful and then after two years you think, ‘Oh my God, how do we get rid of this person? They’re going to ruin the city.’”

Madera County, CA. Residents of Madera County have filed a ballot measure to limit county supervisors to two four-year terms. Petitioners must obtain about 3,800 signatures of registered voters in order to place the question on the No-

TERM LIMITS
for Madera County
SUPERVISORS!!

vember 2020 ballot. Visit the Facebook page of Term Limits for Madera County Supervisors (facebook.com/stopthegravytrain) for more information.

ILLINOIS

Riverside, IL. Village President Ben Sells broke a 3-to-3 tie vote of Riverside’s board of trustees to send a measure to the March 17, 2020 primary ballot that would limit the village president and trustees to three consecutive four-year terms.

TEXAS

Arlington, TX. Now finally dead (we hope) is a lawsuit to throw out the term limits that Arlington voters passed in 2018. Plaintiff Robert Johnson originally argued that voters had been “misled” by the wording of the petition to place the term limits question on the ballot. Although his lawsuit was dismissed in February 2019 by a lower court, Johnson has been trying to revive the suit by switching to a new claim, to wit, that the city of Arlington inadequately described the ballot question. On November 27, 2019, the Second Appellate District of Texas at Fort Worth ruled against him: “Because we may deny the opportunity to replead when it would only be used to belatedly raise new claims, and because allowing Johnson to raise the claim he proposes would likely be futile, we decline to remand the case” (see a PDF of the decision at bit.ly/33EmACY).

Voters limited Arlington council members and the mayor to three two-year terms. Three incumbents were unable to run for reelection in May because of the new law, which applies retroactively.

UNITED STATES

Three cheers for Florida State Representative Tommy Gregory, a signer of the U.S. Term Limits State Pledge who published a strong pro-term-limits op-ed in the *Sarasota, FL Herald-Tribune* (see bit.ly/31TQ5Qs).

“I recently signed the U.S. Term Limits pledge because, like the Founders and the American people, I believe in a citizen legislature and not lifelong politicians.... In my twenty-year career as a military officer, the role of short-term assignments became clear and powerful to me.

“As a military officer, you know that when you get a new assignment as the commander of a unit, the clock is ticking. You have to accomplish your assignment typically in 12 to 24 months. Infrequently, an assignment lasts longer than two years. Almost every military officer is on a two- to three-year cycle, and they all know it. There are a lot of positives to hearing the footsteps coming up behind you, to knowing that you’re going to be replaced soon. You want to leave a positive mark on the unit, as I now want to leave a positive mark on my community.

“And it works. Splendidly it works.

“This perspective is why there is such a disconnect for me when I hear people opposed to term limits because ‘you can’t get things done in only eight years.’...Eight years is more than enough, at the state level and at the federal level.”

By signing our State Pledge, Representative Gregory has committed himself to “take no action that would aid or abet the abolition or lengthening of term limits to which elected officials in Florida are subject.”

* * *

And a fourth cheer for Rand Paul. In early November, U.S. Senator Paul — a longtime supporter of term limits who has repeatedly introduced the U.S. Term Limits Amendment bill in the U.S. Senate and is a cosponsor of the current bill — formally signed the U.S. Term Limits Amendment Pledge, affirming his continued commitment to supporting a constitutional amendment to limit congressional tenure. “Senator Paul has been an outspoken proponent of term limits on Congress for a very long time,” says USTL President Philip Blumel. “It means a lot to us that he is willing to back that up with his pledge.” The U.S. Term Limits amendment pledge is provided to every announced candidate for federal office. It reads: “I pledge that as a member of Congress, I will cosponsor and vote for the U.S. Term Limits amendment of three (3) House terms and two (2) Senate terms and no longer limit.”

* * *

Also in November, presidential candidate Tom Steyer stressed his support for term limits during a televised Democratic debate. “If you want bold change in the United States, you’re going to have to have new and different people in charge. I’m the only person on this stage who will talk about term limits.... It’s time to push the power back to the people and away from DC.”

Steyer stressed that although he supports congressional term limits, other presidential candidates shy away from the subject. An exception is Andrew Yang, another businessman pursuing the Democratic nomination. “Right now legislators spend decades in DC trying to stay in power,” Yang noted on Twitter. “With term limits you would be free to vote on behalf of your constituents because you are returning home soon anyway.”



BOLIVIA

It looks like President Evo Morales has lost his bid to stay in power in Bolivia; in fact, he is no longer even residing in the country. Previously, Morales had been able to run for reelection despite losing a referendum to change presidential term limits because a compliant court ruled that term limits violated his rights. He may or may not have won a first-round victory in the recent presidential election with enough votes to avoid a runoff. Electoral fraud was widely suspected. Suspicions were confirmed by an audit of the vote count by the Organization of American States, which found substantial evidence of fraud.

The controversy has been attended by widespread protests, arson, and looting, culminating in the president's ouster. On November 12, Morales left Bolivia to seek asylum in Mexico after the military urged him to step down from power. But he has vowed to return, claiming to be the victim of a coup.

The antics of Morales and the situation in Bolivia are the subject of Episode 66 of the No Uncertain Terms podcast, the November 18, 2019 installment.

NIGERIA

Let's hope that this firm denial sticks: President Muhammadu Buhari's office has vehemently contradicted rumors that he is planning to alter the country's constitution so that he can run for a third term. According to presidential assistant Garba Shehu, "President Buhari intends to serve his full second elected term in office, ending 2023 — and then there shall be a general election in which he will not be a candidate. There is not even the faintest possibility that this will change. It is important to note that there was a past attempt to change the Constitution to allow for the-then incumbent president to stand for a third term. That attempt was wrong, unconstitutional — and rightly rebuffed. No such attempt will happen under this President. President Buhari is a democrat. He respects the Constitution."

Charles Pinckney: The Forgotten Originator of the Article V Convention

"There is a framer of the Constitution who has been so ignored by most constitutional scholars that his contributions at the Constitutional Convention have been virtually erased from our history. This framer not only contributed most of the provisions of Article V, but also, quite possibly, more provisions contained in the Constitution than were contributed any other delegate....

"Charles Pinckney was responsible for up to forty-three provisions found in the Constitution. With regard to Article V, he deserves to be recognized as the originator of the provision for calling a limited convention.... It is unfortunate that a man of such forethought, who arrived at the federal convention in Philadelphia with a complete constitution in his hands to present to the states, has been basically erased from our constitutional history."

— Ken Quinn, USTL Northern Regional Director, in "The Forgotten Framers and Originators of the Article V Limited Convention," U.S. Term Limits, bit.ly/37XCoo3



PLEASE SUPPORT THE TERM LIMITS MOVEMENT

HELP US REIN IN THE PROFESSIONAL POLITICIANS BY PASSING AN AMENDMENT TO THE U.S. CONSTITUTION THAT WILL IMPOSE TERM LIMITS ON BOTH THE U.S. HOUSE AND THE U.S. SENATE. PLEASE MAKE THE MOST GENEROUS CONTRIBUTION YOU CAN TODAY TO OUR NATIONAL GRASSROOTS EFFORT.

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THANK YOU FOR YOUR CONTRIBUTION.

USTL Adds Ian Phillips, Ron Hooper to Term Limits Team

We're always looking for good men and women to help us make term limits a reality, and we're fortunate enough to keep finding them. Two of the latest additions to the growing U.S. Term Limits team are Ian Phillips, our new Utah State Director; and Ron Hooper, our new Western Regional Director.

Ian Phillips has a degree in economics from the U.S. Air Force Academy and is a former officer in the Air Force, where he flew F-16s and F-117s. While assigned to the Pentagon, he worked with congressional delegations on the budget and with White House staff, press corps, and campaign staff to facilitate political events. Having retired from the military, he is now an adjunct professor at Weber State University as well as an airline pilot.

As Utah State Director, Ian is responsible for introducing U.S. Term Limits resolutions in the Utah legislature, securing sponsors, and identifying lawmakers who will see a term limits measure through to final passage. He will also work with volunteers seeking candidates and legislators to sign the Term Limits Convention Pledge.

"Utah is one of several states that will be a key focus for us in 2020," says National Field Director Scott Tillman. "It is also a state that previously passed our term limits on Congress resolution in the state house. We are building up momentum and looking forward to successes in both chambers this upcoming legislative session under Ian's leadership."

Ron Hooper is the former CEO of an international telecommunications firm and has helped a range of technology companies develop their business plans and marketing strategies, including Biztel/Dialnet, Avirnex Communications Group, and Litescape Technologies.

Ron believes that there is "one thing" that will put us back on track as a country "of the people," and that's term limits. We need to make it happen for ourselves and our families! I am proud to lead this effort in the western states." As Western Regional Director, he is responsible for introducing U.S. Term Limits resolutions in western state legislatures and for securing the sponsors and leaders who will see the resolutions through to final passage. Like Ian, he will work with volunteers seeking candidates and legislators to sign the Term Limits Convention Pledge.

"Ron brings a depth of knowledge and experience critical for building the teams, forging relationships, and strategic planning needed to help us get to the 34 states needed to trigger the term limits amendment convention," says Scott. "He is a valuable addition to our management team."

Both Ian and Ron can rely on wide public support for term limits. According to a 2018 nationwide poll on the subject conducted by McLaughlin & Associates, 82% of voters approve of constitutionally limiting the tenure of members of Congress.



Quinn in Wisconsin: Why We Need a Term Limits Convention

"I'm with U.S. Term Limits. And I'm here in support of AJR 77 [a resolution to call a Convention of States; see bit.ly/2qKVQUk] because one of the subject matters is a term limit amendment for Congress. This is an issue that has the overwhelming support of the American people. Eighty-two percent of Americans would like to see term limits on Congress....

"We currently have over 5,000 years of institutional knowledge sitting in Congress right now. What is it getting us? We heard earlier about the \$22 trillion in debts. We have an immigration crisis, a healthcare-cost crisis. We are able to keep the government functioning [only] through continuing resolutions, because they can't get their act together. This is nonsense. We need a functioning government.

We need to have term limits to get rid of these individuals who care more about their own self-interest in maintaining their power and replace them with citizens who know they have a short period of time to get the job done that their voters sent them to do. With term limits we can achieve that. It is not the silver bullet. But it will refresh our government so that we'll have new people with fresh ideas to provide solutions to the crisis we're facing."

— Ken Quinn, USTL Northern Regional Director, testifying before the Committee on Federalism and Interstate Relations of the Wisconsin legislature on November 13, 2019 (YouTube video at bit.ly/2R1yJj0)



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**— Florida State Representative Tommy Gregory,
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