

No Uncertain

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT

June-July 2000 • VOLUME 8 • NUMBER 6

Terms

Getting Things Done

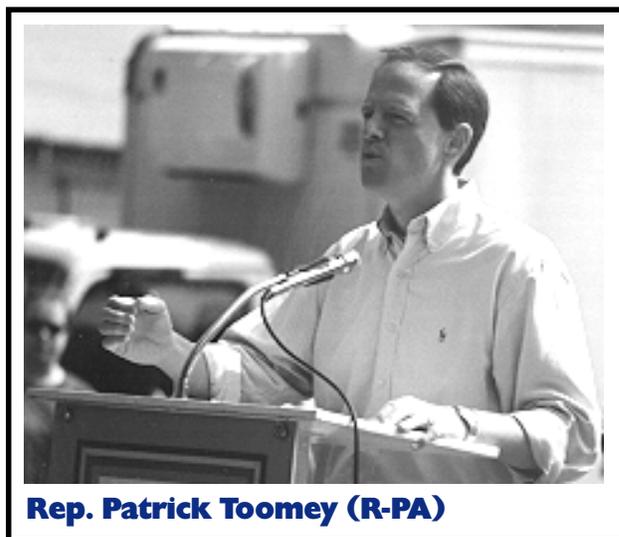
Freshman Self-Limiter Rep. Toomey Passes Budget-Restraining Legislation

Career politicians like to claim that term limits are a bad idea because it takes so long to learn the ropes — going so far as to joke that it takes a year or two just to find the bathroom.

But the commitment and determination of citizen legislators like Rep. Patrick Toomey (R-PA) prove them wrong time and time again. Toomey, who has limited his time in

office to three terms, recently sponsored legislation that would earmark \$4 billion of this year's expected surplus to pay down the federal debt. And even though his initial plan of setting aside \$10 billion of the surplus for debt reduction was trimmed down by Republican Party leadership, Toomey's efforts paid off.

"We have not had a



Rep. Patrick Toomey (R-PA)

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The Weasel King

USTL Airs New Nethercutt Ad

U.S. Term Limits began airing a new TV ad in Spokane, WA, in late April, highlighting term-limits pledge breaker Rep. George Nethercutt's (R-WA) continuing fundraising hypocrisy.

His latest fundraising report shows that the ethically-challenged incumbent has continued his heavy reliance on special interest political action committees (PACs) for the bulk of his campaign resources, to the tune

of 63.5%. This contradicts his promises to accept only a third of his contributions from PACs.

The ad points out that he has also voted to raise his own pay three times and taken trips to Florida, Bermuda and London, paid for by special interests.

All this is further evidence that Nethercutt has completely lost touch with the voters who sent him to Congress in 1994 as a citizen legislator. ■

Message from the National Director

“Animal House”

“Animal House” was a movie about the crazy antics of a college fraternity. But if you live in Massachusetts, you don’t have to buy a ticket to the movies, just stroll down to the state capitol and take a peek at your legislators. Amidst the shouts of “Toga! Toga! Toga!” and drinking and partying, you’ll see an orgy of spending by entrenched politicians.

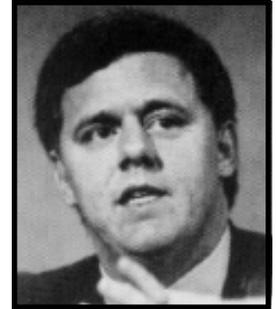
Bay State lawmakers partied, drank and slept their way through a spending spree recently where they added nearly \$200 million to state spending. House Speaker Thomas Finneran admitted the session might be confused with a keg party. But another legislator defended himself, “I’m a responsible drinker,” he says. Perhaps he IS more responsible when it comes to drinking than when spending the people’s tax dollars.

Is this a legislature of rookies who just don’t know any better? Nope. These are elite professional politicians arguably doing what they do best —

partying and spending our tax money.

Sure, Massachusetts’s voters presented legislators with a petition for a constitutional amendment for term limits. The state constitution says the legislature must vote on it. But lawmakers ignored the constitution and refused to even hold a vote on the measure. No doubt they had a big night on the town planned and couldn’t be bothered by their constitutional duties.

Career politicians are wilder than college students. And we need term limits in Massachusetts. ■



Self-Limiter Passes Debt-Reducing Bill

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surplus like this in over 30 years,” Toomey told the *Washington Times*. “My bill takes the money off the table. We could be debating surpluses for years to come, and this is not the end of the story.”

Toomey’s ability to get such groundbreaking legislation passed demonstrates that

the most innovative ideas usually come from those with a fresh perspective on the games politicians play — and nothing ensures a continual supply of new ideas like term limits.

In fact, although Toomey is a freshman legislator, his record of fiscal restraint has been drawing comparisons to another hero of the term limits movement, Rep. Tom Coburn (R-OK), who has

shaken up the House repeatedly with his calls for fiscal accountability.

A bold citizen legislator like Toomey is refreshing when the current strategy of most of his colleagues seems to be one of simply marking time, trying not to rock the boat before the next election. Toomey can’t afford to wait around — his term limits pledge gives him an incentive to get things done right now. ■

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Term Limits Redefine State, National Legislative Races

by William M. Welch and Kathy Kiely, *USA Today*

Faced with forced early retirement from the state Assembly, California Democrat Susan Davis is trying to move up instead of out. She's challenging an incumbent Republican for a seat in Congress.

If not for term limits, "I might have been encouraged to stay on," Davis says.

In California and other states that capped legislative tenures over the past decade, many veteran state office-holders are seeking higher office in Washington as they reach those legal limitations.

"Before they might say, 'Gee, why take a risk?' I'll wait until (the congressional seat) opens up," says Paul Jacob, national director of U.S. Term Limits, the national group that has fought for term-limit laws. "Now they've become political entrepreneurs because they have to."

In the 18 states that limit legislative terms, 39 legislators (2.2 per state) have filed as candidates for Congress, Jacob says. In the 32 states without term limits, 57 legislators (1.8 per state) are running for Congress.

This trend is proof of the law of unintended consequences. Not only do term limits assure turnover in the statehouses, they are emboldening qualified, capable challengers for other offices.

California is setting the pace. Five Golden State legislators at or near the end of their maximum terms are running for the U.S. House this year.

One of them, state Sen. Hilda Solis, a Democrat, has already become the first challenger to defeat an incumbent member of Congress. She beat Rep. Matthew Martinez, an 18-year veteran, in the primary March 7 for the Los Angeles-area 31st District seat.

"Certainly now we're starting to see the impact on term limits in California, seeing members mov-

ing from the Assembly to the Senate and other seats," Solis says. "It's getting very competitive and very costly. I'm not quite sure that's what the public expected."

Since 1990, 18 states have enacted laws or adopted amendments to their constitutions that limit the maximum length of service for members of their legislatures.

In 11 of those states, the limits have been in place long enough to begin forcing retirements. And in seven of those — Arizona, Arkansas, Florida, Montana, Ohio, Oregon and South Dakota — this is the first year that members of at least one chamber are barred from seeking another term.

Nearly all of those states also tried to limit the tenures of their members of Congress. But the Supreme Court ruled 5-4 that term limits for Congress are unconstitutional, and Congress has rejected all efforts to amend the Constitution to apply limits to itself.

This year's field of challengers from the statehouses is demonstrating that members of Congress

are not as shielded from term limits as they may have thought.

"I'm not sure that we fully did anticipate this," Jacob says.

Advocates of term limits see the trend as a healthy force for turnover in Congress, even if it is an unanticipated and indirect one.

Because of the considerable power of incumbency, only a small fraction of the 435 House members typically have serious competition for re-election. In 1998, 98.3% of members who sought re-election won. No one who had been in office more than six years lost. The re-election rate for House

Since 1990, 18 states have enacted laws or adopted amendments to their constitutions that limit the maximum length of service for members of their legislatures.

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members is always high, even in times of political turmoil. It has fallen below 90% just once in the past quarter century.

This year, term limits at the state level have made it easier for Democratic and Republican leaders in Washington to recruit experienced candidates. In fact, term-limited state legislators can be ideal candidates: proven political winners with wide name recognition, reliable voter bases and networks of contributors already in place.

"The strongest people we can recruit for office are people who have held elective office in their state assemblies," says Erik Smith, communications director for the Democratic Congressional Campaign Committee, which is trying to capture a House majority. "Term limits, combined with a better outlook for Democrats winning the U.S. House, have helped us recruit better challengers."

Candidates rarely cite term limits as their motivation for seeking another office. That isn't what voters want to hear. Still, many acknowledge that term limits were a factor or a motivation:

- In Ohio, two Republican state legislators who were being forced from office because of term limits collided in a nasty and expensive primary fight for the nomination to replace GOP Rep. John Kasich, the House Budget chairman who made an unsuccessful bid for the presidential nomination.

The nominee, Pat Tiberi, says local Republican officials might have been less likely to endorse him over his more senior opponent, state Sen. Gene Watts, if

Tiberi had the option of staying in the state House. "I would have been happy to stay on as leader of the Ohio House," he says.

Term limits are forcing retirements in Ohio's legislature for the first time at the end of this year. Tiberi says there already has been an exodus of lawmakers who are securing new careers before their final

This year's field of challengers from the state-houses is demonstrating that members of Congress are not as shielded from term limits as they may have thought.

terms expire. "It's been unbelievable, almost one a month in the last 16 to 18 months," he says.

- In Florida, some of the most closely watched congressional races feature state legislators, including Republicans Adam Putnam and Bill Sublette, who are seeking open seats now held by their party, and Democrats Elaine Bloom and Patsy Kurth, who are challenging GOP incumbents.

Putnam is seizing the opportunity to leave before hitting the limits. The certainty of future

ouster, he says, "has some impact" in his calculations to run this year.

Bloom found herself forced into retirement after 18 years as a state representative. Florida's eight-year limit began ticking for her in 1992. Now she is challenging Republican Rep. Clay Shaw, who has held the seat since 1980 and is chairman of the Ways and Means subcommittee on Social Security. Shaw had no opponent two years ago.

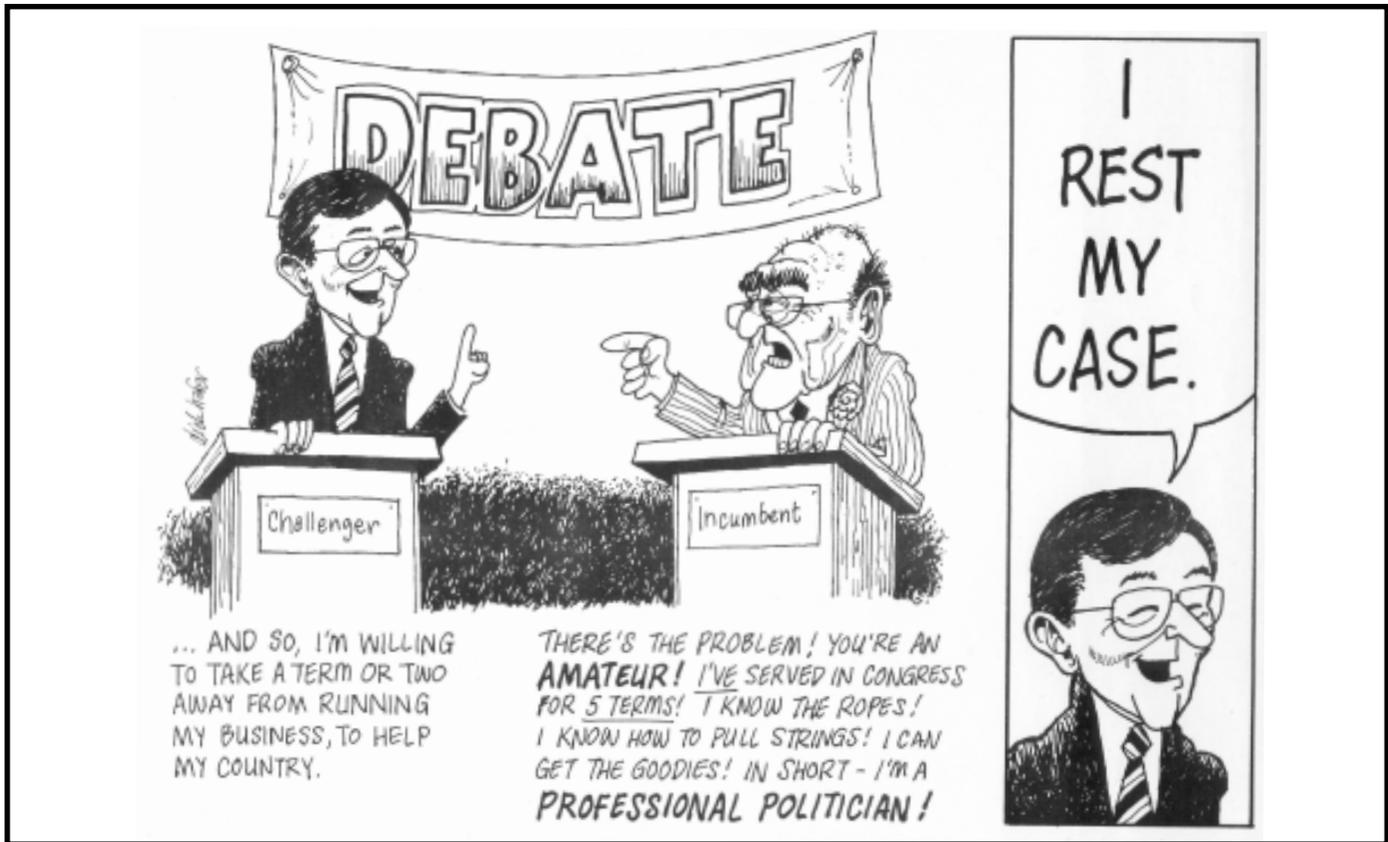
"I've been urged for many years to run against Clay Shaw," Bloom says. "Term limits gave me the opportunity to think about it."

- In California, Democratic state Sen. Adam Schiff is challenging Republican Rep. Jim Rogan, who could be vulnerable because of his prominent role as a House prosecutor during President Clinton's impeachment trial. Two other Assembly members, Republican Jim Cunneen and Democrat Mike Honda, are facing each other for the seat being vacated by GOP Rep. Tom Campbell.

Davis is taking on Republican Rep. Brian Bilbray in a San Diego district. She says the campaign is the logical next step in a political career that began with the school board. But she says she might have stayed in the Assembly where she chairs a powerful economic committee, if she was permitted to.

"It's possible that I might have done that," Davis says. "I think six years in the state Assembly is a short amount of time." ■

Reprinted from *USA Today*



The Weekly Radio Commentary of the U.S. Term Limits Foundation



“Racketeers”

Some years ago, Congress passed legislation giving the government far-reaching powers to battle organized crime. The law is known as RICO, for Racketeer-Influenced and Corrupt Organizations Act. RICO has often been used to harass people on a mere suspicion of wrongdoing that has nothing to do with “organized crime.”

Well, now a new kind of “organized crime” is bringing RICO full circle. The criminal enterprise being investigated? Congress itself. Sounds like an open-and-shut case.

Are congressmen really racketeers? Democrat Patrick Kennedy is using RICO to sue Republican Tom DeLay for scheming to “extort political contributions from individuals and entities with interests before Congress ...” Ouch. That’s a new one. Career politicians bullying folks for contributions? Somebody hand me the smelling salts.

And now Republicans are scouring public records to unearth fundraising shakedowns by Democrats. No one in official Washington seems too shocked by the charge that top-ranking Republicans are racketeers—or for that matter, that so are Democrats. Polls show most Americans believe congressmen are more likely to use their power to “help friends and hurt enemies” than to achieve a “fair result.”

The Washington Post editorialized, “... both parties could be said to ‘extort’ money from business, with varying degrees of crudeness. Success against Mr. DeLay would therefore trigger a barrage of copycat litigation.”

By all means, let’s put a stop to this before the entire Congress gets carted off to the hoosegow. On second thought, where’s Janet Reno when you really need her? ■

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They Said It

If the Shoe Fits, Wear It

“Colorado’s 62nd General Assembly adjourned recently amid lamentations from some quarters that the state’s term limits, which cap representation at eight years in both the House of

Representatives and state Senate, are far too strict and serve to drive talented lawmakers out of office far before their time, much to the people’s disservice.

“Hogwash.

“The argument that Colorado’s term-limits law is in need of liberalization would be more compelling if every lawmaker under Denver’s Capitol dome were, in fact, a modern-day Pericles. In fact, quite the opposite obtains.”

—*The Daily Sentinel* (Grand Junction, CO)
May 5, 2000

THE WIZARD OF ID PARKER & HART



“We’ll miss some of the great legislators who are retiring,’ [Sen. John Andrews, R-Englewood] said. ‘But we need to remember that none of us are indispensable. Even the most honorable public servant, over a long tenure, tends to become captured by a government viewpoint.’”

**—*Denver Post*
May 4, 2000**

Gephardt may keep term limits

“Aides . . . say [House Minority leader Richard (D-MO)] has an ‘open mind’ about maintaining term limits for committee and subcommittee chairmen [should he become Speaker]. And, to the extent that GOP rules are challenged by Democrats, the aides say, he would consult with Republicans before making a change.”

—*Roll Call*
April 10, 2000

Giving the Voters Some Credit

“Did voters understand what was at stake when they approved term limits for Missouri’s legislators back in 1992?

“You betcha, they did. They deliberately, intentionally and willfully ordered the plug pulled on lawmakers after eight years in the Senate and eight years in the House.”

—*The Joplin Globe* (Joplin, MO)
May 8, 2000

Candidate Spotlight:

Gary Morsch – Kansas Congressional District 3

People Before Politics

Professional politicians complain that term limits robs Congress of experience, but they have the wrong kind of experience in mind. We need much less of the kind of experience long-time incumbents bring to the table — special-interest favors, back-room deals and compromise after compromise — and more of the real-life experience offered by people like Gary Morsch, candidate for Kansas's third congressional district.

In 1992, Morsch left a successful private practice as a skilled physician to found Heart to Heart International, a medical relief organization based in Kansas that, during its first seven years, delivered more than \$160 million of medical supplies and pharmaceuticals to people in need throughout the United States and the world.

"Most of the world is amazed at what Heart to Heart has accomplished in providing so much help

to so many people," wrote Dean Nelson, Ph.D., in the prologue to Morsch's and his book about international and community service. "What amazes me more, though, is how it cuts across every conceivable human barrier in providing a means for people to discover why they were put on this planet."

Through his years of helping others, Morsch understands the needs



Dr. Gary Morsch

of real people better than career politicians ever could. Now he's ready to bring this expertise to Washington, where he plans to serve the people of his district and of the United States for three terms, before he returns to his groundbreaking work in private-sector charity. By signing the U.S. Term Limits Declaration, Morsch shows he understands that people who stay in Congress too long inevitably end up serving themselves instead of the people who put them there.

"I believe Americans yearn for leaders with integrity, leaders who will put people before politics, and leaders who will articulate a vision for the unique role that America can play in this world. I envision policies that will strengthen the family, support the most precious thing we have — life, and continue our prosperity through the twenty-first century." ■

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**– Gary Morsch
candidate for Kansas's
3rd Congressional District**

Yes, There's a Reason For Term Limits

by Steve Kraske

In his eight years in the Missouri House, Steve McLuckie of Kansas City has earned respect as a thinking, well-intentioned lawmaker.

But few things in the Democrat's career may have earned him as much appreciation as what McLuckie did Thursday.

He mowed down state Sen. John Schneider.

A 31-year lawmaker from Florissant, Schneider is one of those lawmakers known as much for his arrogance as for anything he's accomplished during his unending career.

A 1990 newspaper profile quoted colleagues saying that Schneider believes "there aren't enough of him to go around." The story said the senator was known for speaking out on issues even when he was unprepared.

You know the type.

That's why many people view the Democrat as a poster boy for term limits. Even people who dislike the concept, such as McLuckie, get second thoughts when they view the unrelenting, white-haired Schneider.

Term limits was the issue that drove McLuckie and Schneider into their head-on collision. Schneider, an ardent term-limits foe, wants Missouri voters to revisit the law they adopted in 1992 that limits lawmakers to eight years in one chamber. The law will force dozens of lawmakers from office in 2003.

Schneider wants the limit extended to 12 years, though his real motive may have been nestled in the bill's fine print. Some lawmakers thought Schneider was looking for a way to allow all lawmakers to serve an additional 12 years.

He went about his task in a peculiar way. Angry that the House hadn't set a hearing on his plan,

Schneider stepped onto the Senate floor and proceeded to call the House's leader, Speaker Steve Gaw, a wimp.

Not long after the word echoed off the Senate's marble walls, Schneider apologized.

"I embarrassed myself," he said.

But his problems were just beginning. Schneider soon found that many House members weren't

I suspect that voters understood exactly what they were doing [when they voted for term limits]. A term limit, senator, is a fairly simple concept. They know about guys like you.

buying his central argument that proponents of the term-limits law fooled the voters.

Schneider asserted that Missourians were never told that they were curbing their own options by adopting term limits. After eight years, that is, they no longer could re-elect incumbents such as himself.

"That is the lie that they sold," Schneider said.

But I suspect that voters understood exactly what they were doing. A term limit, senator, is a fairly simple concept. They know about guys like you.

McLuckie certainly does after working eight years in the same building. Incensed by the "wimp" remark, he decided to confront the powerful senator when the bill finally surfaced in a House committee.

"People see that legislators come up here and become arrogant and say and do anything," McLuckie told Schneider in a rare public rebuke.

"Your behavior this week shows you have a problem.

"When that kind of behavior and arrogance is displayed," he continued, "that's why people wanted term limits."

Give Schneider credit. He ate his crow without salt: "If you don't learn humility serving here, there's something wrong."

McLuckie's remarks raced around the Capitol. A lobbyist bowed as McLuckie passed and uttered, "I'm not worthy." Colleagues slapped him on the back.

The House Critical Issues Committee kicked Schneider again, defeating his bill by 16-2. Unlike Schneider, the House members hadn't forgotten that term limits passed with 75 percent support.

They also hadn't forgotten that former House Speaker Bob Griffin went to prison for bribery a few years ago as a direct result of his spending too many years in the Missouri Capitol's friendly confines.

Griffin came to believe he was invincible.

Term limits are no panacea, and eight years may be too brief a time.

But with Missouri's recent history, it's difficult to make a case they aren't needed. Schneider can count himself as a big reason why. ■

Reprinted from the *Kansas City Star* (Kansas City, MO)