

COLORADO UPDATE

Term Limits Safe, Thanks to Colorado Speaker; Legislators Vote Down Extension Measure

In Colorado, a bill designed to weaken term limits sailed out of a House Committee but was ultimately voted down in the full House under pressure from U.S. Term Limits and the Speaker of the Colorado House of Representatives.

Speaker Dean urged his troops to abandon their plans to scrap the voter-imposed term limits law. He argued that the measure — a bill that would have allowed state legislators to serve

50% longer in each house — places the legislature in a bad light.

U.S. Term Limits subsequently aired radio ads congratulating Speaker Dean on his successful fight to save term limits. It's encouraging to know there's at least one politician willing to defend the citizens' votes.

Term limits have been in effect in Colorado since 1990, when voters passed a term limits initiative by 71 percent of the



Colorado State Capitol

vote. Their current limits stand at eight years in both chambers. ■

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BETRAYING OREGON

Politicians Pave Way to Sue Voters

Schemes that would end term limits in Oregon continue to circulate through the legislature like so many bad pennies.

Most recently, the Oregon House of Representatives passed a bill designed to give legislators an opportunity to sue voters to overturn Oregon's voter-enacted term limits law.

This bill would allow legislative candidates running in 2002 to file

for office in May instead of waiting until September when the current filing period starts.

This latest proposal follows legislative attempts to repeal term limits outright, as well as ending internal limits of six years for representatives and eight years for senators.

Speaking out against the legislature's actions, U.S. Term

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MESSAGE FROM THE NATIONAL DIRECTOR

Is This Seat Taken?

Ah, women . . . you can't live with them and you can't live without them.

What's that got to do with anything? Not much, just thought I'd use an easy trick to get men shaking their heads in agreement.

I'm not much for the battle of the sexes — I'm generally for peace. But while I don't think a person's gender matters when picking the best candidate to represent us in public office, it is troubling to consider how difficult it is for new people to break into politics.

Numerous studies show that women do as well as men once incumbency is taken into account. One study by the National Women's Political Caucus found, "[O]ur political system is tremendously biased in favor of incumbents . . . Since at one time all officeholders were men, women did not start with a level playing field."

In states without term limits, there is less turnover and

far fewer open seats, so women candidates constantly have to overcome the power of incumbency. Take New Jersey, for example. The state has fallen from 10th in female representation back in 1974 to 43rd today. Without term limits, every member of the State Assembly ran for reelection two years ago — not a single seat was open.

Term limits break up entrenched incumbency — the good ole boy network. So is there any indication term limits help women? Sure, under term limits Arkansas and Missouri have set records for the number of women legislators. Four of the five states with the highest percentage of women in the legislature have term limits. Just a coincidence? Hardly. ■

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Limits National Director Paul Jacob alerted Oregon voters about this legislation.

"It adds insult to injury that legislators are spending their precious time reconfiguring the election process so they can sue the voters of Oregon that much sooner," Jacob said.

He also warned legislators that they should start working on behalf of the voters rather than against them. He said they should stop using governmental resources and tax dollars to at-

tempt serving in office for life.

Senator Ted Ferrioli of John Day is confident that term limits are working and said that voters will rebuff legislative efforts to rid themselves of their own limits.

If term limits are left alone, Oregon voters will have an opportunity to elect 24 new legislators to office in the 2002 election.



Oregon State Capitol

Seventy percent of Oregon voters passed term limits in 1992. ■

NO UNCERTAIN TERMS

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Being an Incumbent Has Many Benefits

The Los Angeles Times

April 7, 2001

The contest for mayor of Los Angeles is growing increasingly tense as Tuesday's election approaches, with much of the heat generated by attacks on the records of the most experienced candidates. But the assaults have not masked an essential truth: In politics, incumbency almost always provides a crucial boost.

Its benefits are immeasurable: a battle-tested army of aides, ready attention from the media, and that most important political asset of all, access to money.

The age-old practice of leapfrogging from one office to the next has grown more urgent and necessary as politicians face term limits, which guarantee them unemployment if they can't win a new job.

Gone are the days when a city councilman like Joel Wachs could hold the same job for nearly 30 years. (Wachs, a mayoral candidate, is banned from running again for the council.) Nowadays, politicians appear to be searching for their next job almost as soon as they are elected.

Los Angeles' election next week represents only the latest example. Among the candidates who are currently or were until recently in office: U.S. Rep. Xavier Becerra, state Controller Kathleen Connell, City Atty. James K. Hahn, former Assembly Speaker Antonio Villaraigosa and Wachs, all running for mayor; City Council member Laura Chick, aiming for city controller; and former state Sen. Tom Hayden, running for City Council.

"I've seen guys over the years leave local office telling the voters they're going to the state level, where they're really needed," said Bob Mulholland, campaign advisor to the state Democratic Party. "Then several years later, they're running for county supervisor saying that's where they're really needed. . . . The vast majority of people running for office are in another office."

Ask political consultants and others whether they would prefer to work for incumbents or novices and the answer is nearly universal: incumbents. By far.

First and foremost, they say, is the sheer ability to raise money. Many politicians already have a cadre of special-interest groups, lawyers, lobbyists and others willing to contribute in the name of

access.

"If you're Jimmy Hahn or Joel Wachs, you have Rolodexes the size of oil drums of people you've helped for decades," said Ace Smith, who is running the campaign of businessman Steve Soboroff. "You just dial for dollars."

Second, these consultants and others say, is the related benefit of name recognition. First-time candidates like Soboroff must spend a tremendous amount of their precious campaign contributions on advertising just to introduce themselves to voters.

"The advantage of incumbency is amazing," said Rick Taylor, a veteran Los Angeles political consultant. "There is no dollar figure you can put on it."

Additionally, incumbents typically have far more experience with the issues — or at least with finessing their answers — than outside candidates.

At a recent mayoral debate, for example, Wachs said he was so busy with city business that he didn't have time to prepare. He didn't need it.

"We were asked questions for an hour and a half. By my experience, I was able to answer every question," Wachs said. "I didn't have to hire a staff to tell me what to say."

And that suggests another benefit to incumbency: Elected officials often ask their prized staff members to

take a leave from their government jobs to help on the campaign. Other aides use their vacations or evenings and weekends to work on their bosses' races.

"They have a million-dollar staff," said Taylor, the political consultant, referring to incumbents. "To have those people with that kind of knowledge and resources . . . they know where the bodies are buried. They know every issue you've ever done."

"My own staff has been trying to get the city's sign ordinance for weeks," Taylor said. "If I was a councilman, my staff would have had it in minutes."

Not only are staff members likely to pitch in, but so are other officeholders with whom incumbents have developed relationships. For example: Sen. Barbara Boxer and Gov. Gray Davis have endorsed Villaraigosa, with whom they worked when he was Assembly speaker.

"The age-old practice of leapfrogging from one office to the next has grown more urgent and necessary as politicians face term limits, which guarantee them unemployment if they can't win a new job. Nowadays, politicians appear to be searching for their next job almost as soon as they are elected."

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It all boils down to a substantial difference between the campaigns that can be waged by incumbents and by the average first-time candidate.

So Ken Gerston, who is running for City Council against Hayden, is sending out lots of glossy mailers — with pictures of his family and parents. Even his wife is out knocking on doors. Council candidate Jack Weiss, who is running against Gerston and Hayden, is trying potholders, the traditional political gimmick.

Compare that with the efforts of incumbents, blessed with the benefits of their current offices: Councilman Wachs sent out city directories to voters far outside his district — at taxpayers' expense — before city ethics laws came into effect and prevented it. Council member Chick, the city controller candidate, teamed up with Wachs to sponsor a motion to increase the budget for graffiti removal across the city; Connell, the state controller running for mayor, held a state hearing in Los Angeles on the hotly contested development at Playa Vista.

Councilman Mike Feuer, who is running for city attorney, wrote a highly publicized proposal to ban small, easily concealed handguns and to require purchasers of other firearms to provide a thumbprint. Hahn, the city attorney aiming for mayor, made local and statewide headlines when he sued Southern California Gas and other natural gas suppliers, accusing them of a massive conspiracy to eliminate competition, drive up prices and exploit deregulation of the electricity industry.

In the world of campaigns, there is nothing better than earned media — free television and radio exposure — as opposed to paid media or costly advertisements.

As an incumbent, “you have more reason and opportunity to be public . . . on interview shows, in newspapers, on television,” said Steve Afriat, a political consultant handling Chick's campaign for controller. “You advise incumbents on where to put priorities in terms of the message they want to present to voters.”

There is, however, a fine line for incumbents between political work and legitimate city business. It is a line that sometimes gets crossed, particularly in City Hall, but most politicians are too busy doing it themselves to challenge a competitor on it. The city's Ethics Commission attempts to clarify

those lines before, during and after city elections. Laws governing political activity were created to ensure a more level playing field for outside candidates, according to Ethics Commission Executive Director LeeAnn M. Pelham.

City officials, for example, cannot use or authorize the use of city offices, stationery, telephones, cars or equipment for any campaign activity. They cannot engage in any fund-raising or campaign activities during paid city time. They cannot knowingly solicit contributions for or against political candidates from any city officials or employees and they cannot receive, deliver or attempt to deliver a political contribution in City Hall or any other city office building.

“There's no reason, in my view, that city officials can say they're clueless about this,” Pelham said.

The well-defined law explains why Mayor Richard Riordan recently walked reporters outside his City Hall office to discuss his support for several candidates in Tuesday's election. Just being on the safe side, his staff explained.

Starting With a Clean Slate

But there are some disadvantages to incumbency. Incumbents have records for their opponents to plumb; they lack the new candidate's clean and uncontradicted slate. The sharpest accusations against Hahn, for example, have centered on the Rampart police scandal and other matters that occurred on his watch. Former Speaker Villaraigosa and Rep. Becerra have come under fire for their involvement in the case of convicted drug dealer Carlos Vignali, whose sentence was commuted by former President Bill Clinton during his last hours in office.

Another major disadvantage for a current incumbent is time. Spend too much time on the campaign, and your performance in office is criticized. Spend too much time doing your job, and the campaign suffers.

“I can't make it to every mayoral debate,” Connell said recently. “But I think the people realize that I have a significant and demanding job.”

Hahn said: “I have two full-time jobs . . . It's been difficult. I spent a lot of time last year on the Los Angeles Police Department consent decree. I'm sure my campaign staff would like me to have done other things than be held up in a confer-

ence room for days at a time.”

For those running incumbents' campaigns, such time conflicts can be frustrating. But for those on the outside, it's a definite plus.

“We get a lot of his time,” said Parke Skelton, the campaign consultant for the otherwise unemployed Villaraigosa. “He doesn't have the interference of an elected office. I would say that's the primary advantage.”

But if you ask Villaraigosa, he'll tell you straight: “Would I prefer to be speaker right now? Absolutely, because of the advantages I see with the other candidates. If I call a press conference on the Police Department's consent decree, no one shows up. If you do it as speaker, everyone's there. . . . And, you can raise more money if you're already in elected office.”

(Not that Villaraigosa has suffered much: His tenure in the Assembly paved the way for endorsements, substantial campaign money and valuable alliances with labor and other organized groups.)

Newcomers often have only one way to offset the advantages of incumbency: a hefty bank account.

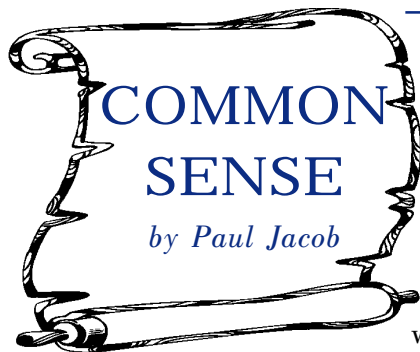
Soboroff, a commercial real estate broker, has put more than \$680,000 of his own money into the mayoral campaign. He says he has been forced to work harder raising money and spreading his message — and his name — to mostly disinterested voters.

Soboroff tailored his campaign to maximize his outsider qualities: “a problem solver, not a politician.” (Soboroff isn't exactly an outsider, however. He served as an unpaid advisor to Riordan, who has endorsed him, and he is a former city Recreation and Parks Department commissioner. He headed into the race's final week as one of the top three candidates, according to a Los Angeles Times poll.)

“I think it's healthy,” Soboroff said recently, referring to his candidacy. “. . . I have this incredible amount of passion and energy and willingness. . . . I'm advantaged because I don't need the job. I'm not term-limited out.”

Still, Soboroff complains these days of tendinitis in his arm. An occupational hazard, perhaps. He got it, he says, from shaking so many hands on the campaign trail. ■

Reprinted from *The Los Angeles Times*



**THE WEEKLY RADIO COMMENTARY OF
THE U.S. TERM LIMITS FOUNDATION**

Eight is Enough

If the career politicians were going to stop term limits anywhere, they were going to stop them in Florida.

The “Eight is Enough” term limit initiative passed with 77 percent of the vote. But that wasn’t good enough for the politicians, who spent years suing the voters to stop term limits. Finally the Florida Supreme Court said no, the voters knew what they were doing; the term limits stand.

But no career politician worth his salt is going to let the voters enjoy their democratic victory unmolested, right? So now the Florida careerists not only want to extend their potential stay in office from 8 years to 12: they also want to increase the length of each individual term. Under a proposed ballot measure, house terms would be 4 years instead of 2; senate terms would be 6 years instead of 4.

Senate Majority Leader Tom Rossin, the measure’s sponsor, says that, quote, “one reason the Senate is more [deliberative] than the House is that we have 4 years instead of 2. You’re not looking over your shoulder saying, ‘Am I going to get in trouble?’”

Uh, excuse me? Get in trouble with whom — the voters? The logical conclusion of this sort of reasoning is that the politicians should just serve for life, and never have to concern themselves with those pesky voters at all.

Max Linn, president of Florida Citizens for Term Limits, has the best response to this kind of malarkey. He says: “Eight is enough and borders on too much.” ■

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THEY SAID IT

Limits Increase Diversity

“ Thanks to openings created by term limits, Latinos now hold 20 seats in the [California] Assembly, compared with just four in 1991; less than a handful represent majority Latino districts.”

—*Los Angeles Times*
May 20, 2001

More Women in Legislatures

“ Experts point to several causes of women's underrepresentation in New Jersey and elsewhere. Most states do not have term limits, so turnover is low, giving women fewer chances to break into the legislatures. Five of the 10 states with the most women in their legislatures have term limits.”

—*Newark Star-Ledger*
April 22, 2001

Fewer Seats are Safe

“ Tim Hodson, director of the Center for California Studies at California State University Sacramento, said last year's election of Democrat Hilda Solis of Rosemead to Congress should send the message to House members that term limits have forever altered their comfortable political world.

Solis, a state senator facing term limits, concluded that her best shot at extending her career lay in taking on an incumbent Democratic House member, Matthew Martinez, in the primary. She won easily.

“The idea that a sitting legislator decided to challenge a House member of the same party has not sunk in,” said Hodson, a former state Senate redistricting consultant.”

—*San Diego Union Tribune*
May 21, 2001

“When asked his thoughts on legislative term limits, Missouri Senate Pro Tem Peter Kinder observed, ‘Nothing concentrates the mind like the thought of your hanging at sunrise.’”

**—*St. Louis Post Dispatch*
May 27, 2001**

Win-Win for Voters

“ A legislator voting for either bill would be assisting in his own death. If he votes for term limits, he's voting himself out of a job. If he votes for initiative, the first thing that would make it to the ballot would be a proposal for term limits. It's a lose-lose situation for them, but a new world for the masses.”

—*Topeka Capitol-Journal*
April 27, 2001

Voters Watching DC Council

“ [The Washington, DC, City Council argues] that the term-limits law is anti-democratic and would strip the city of valuable institutional memory and leadership at a time when both are most needed. . . .

The term-limits law doesn't shut the door on all sitting politicians; elected officials who term out can compete for other positions. . . . The citizens created just enough room for what they wanted — skillful pruning. Consequently, expect them to continue to support term limits without equivocation.”

—*Washington City Paper*
March 23, 2001

Term Limits Supporter Won't Run Again

By Lesley Stedman
The Courier-Journal
(Louisville, KY)

Rep. Brent Steele, R-Bedford, has announced that he won't seek a fifth term in the Indiana House because he wants to adhere to the term-limits stand he took during his first campaign.

Like many Republican candidates elected in the GOP landslide of 1994, Steele ran radio ads calling — unsuccessfully — for limits on the number of terms legislators serve.

"I was for them then and after being (at the legislature) for eight years, I'm even more convinced I was right," said Steele, 53, who serves as the House minority whip. "People get too concerned with politics and not policy. It's a pretty polluted process, and the only way I see changes is term limits. I believe people should get out every so often and let the process begin fresh."

Steele, an attorney and one of the most conservative members of the House, plans to leave after his current two-year term ends Dec. 31, 2002. That means he'll serve through next year's legislative session, scheduled to begin in January.

Steele told local political officials last week about his decision, which gives potential candidates about nine months to consider the office before the filing deadline for next year's election.

So far, he said, he hasn't heard from anyone who wants to seek the position.

"This is a decision people need to think about, go to their families and talk about and pray about," Steele said. "I want to see a full-blown primary race like there is supposed to be."

When Steele first ran and won the District 65 seat in 1994, the district was considered one that leaned Republican. Steele said yesterday that about 51 percent of the district's voters are Republicans.

But the new legislative maps, approved by this year's General Assembly and drawn to comply with population data from the 2000 census, make the district far more Republican. Steele

said about 59 percent of the new district's voters are Republican.

The new House District 65 includes northern Jackson and Lawrence counties, most of Brown County and southwestern Bartholomew County.

Before the change, the district also included parts of Washington and Monroe counties.

Steele said he accomplished several of his original goals during his four terms in office, including:

- * Changing the law so that people convicted of murder who disfigure, torture, mutilate or burn their victims are eligible for the death penalty or a life sentence without parole.

- * Establishing a new salary system for Department of Natural Resources professionals.

- * Setting visitation guidelines for divorced fathers who are not awarded custody of their children. Although the General Assembly did not pass that legislation, the effort prompted the state Supreme Court to establish its own rules.

Steele said he regrets that he has been unable to change the state's system for doling out the Build Indiana Fund money that comes from lottery profits and gambling tax revenue.

Currently, lawmakers designate money for local projects that are included in the state budget. Typically, members of the majority parties — Republicans in the Senate and Democrats in the House — are given high spending limits.

"It's a bad system," Steele said. "They've turned it into political pork, which is wrong."

Still, Steele said it's time to let someone else give the legislature a try. "I served the right amount of time, in my mind," he said yesterday. "I rose in leadership. I didn't leave anything on the table. ■"

Reprinted from the *Courier-Journal*

**"People get too concerned with politics and not policy. It's a pretty polluted process, and the only way I see changes is term limits. I believe people should get out every so often and let the process begin fresh."
— Rep. Brent Steele, Bedford, KY**

MISSOURI UPDATE

Term Limits Bickering Rears its Head Again

Missouri legislators have greeted a term limits extension with enthusiasm. But as the full Senate, along with a House committee, passed a 12-year extension measure, a local opposition group launched a radio blitz designed to protect voter-enacted term limits.

Missouri Term Limits, the group behind the successful 1992 amendment that limited lawmakers' lifetime terms to eight years in each chamber ran radio ads aimed at career politicians in Jefferson City. The ads asked voters to call key legislators and voice their opposition to the extension bill

sponsored by 30-year veteran Senator John Schneider.

Under Senator Schneider's bill, a legislator could rotate between 12-year terms in the House and Senate, or sit out one term and run for the seat he or she previously held. And the proposal would allow current members to serve an additional four years in office.

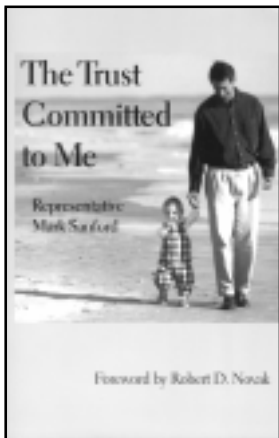
U.S. Term Limits Deputy Director Stacie Rumenap addressed members of the House Miscellaneous Bills Committee, saying, "It's unfair to undo the will of the people. For the average citizen, when they hear about this pro-

posal, it confirms the suspicion they have that legislators are just serving themselves."

The attacks seem to be working, as House members have begun to feel the heat from their constituents.

Recently, a fiscal committee saw the bill for what it truly is — The Career Politicians Protection Act — and refused to pass along the \$1.4 million in election costs to taxpayers.

It seems term limits supporters can breathe a little easier. The legislature adjourned on May 18 without acting on this self-serving bill. ■



A Testament to Principle

An excerpt from Rep. Mark Sanford's new book:
The Trust Committed to Me

“I argued that term limits were not, realistically, going to be passed by Congress unless candidates first led by example. The only way to get it done was to step up to the plate and make a personal commitment.”

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