

No Uncertain Terms

The Newsletter of the Term Limits Movement

July/August 2005 • Volume 13 • No. 4

Who's Minding the Store?

BY NICK ZAHN

The other day, I stopped at a convenience store to pick up some soda. When I brought it up to pay, the young woman behind the counter was engrossed in a book. "Hold on," she said. "I just need to finish this one part."

I said OK. I thought maybe she meant she'd finish reading the particular sentence she was on. And then a bit of time went by.

Now, I'm a pretty amiable guy, but either she was a slow reader, or she just didn't feel like stopping any time soon.

As I waited, I looked around and noticed that unshelved merchandise was scattered in the aisles. The floor looked grimy. Heck, the counter right in front of her ought to have been wiped down. This particular employee had plenty she could be doing aside from reading a book.

She didn't seem as though she owned the place. Clearly, her employer couldn't trust her to mind the store.

Sounds ridiculous, right? Well, voters in Maine are in a similar predicament.

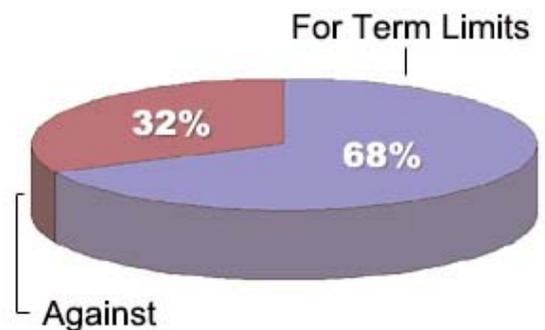
During this legislative session, the Maine legislature oversaw the introduction of several measures to weaken term limits.

But that's not all. In the last of week of May, the body abruptly turned its collective back on legislation to increase terms from the current limit of eight years to twelve—because it wasn't enough. Instead, the house and senate voted on a bill to eliminate term limits ENTIRELY.

On May 31, the Senate voted 21 to 14 to ask voters to get rid of the limits. The House agreed the next day at 85 to 16. It looked likely that there would be a referendum on the November 2006 ballot to rescind term limits on legislators in Maine.

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A clear message from the voters...



..is ignored by Maine's politicians.

INSIDE

Go West! Fighting for term limits in Oregon

Florida legislators rejoice...but not for long

Give me a D! for dumb

And more....



Not Even Sporting

BY PAUL JACOB

In sports, it would be a scandal were one team (let's call them the Incumbents) to write the rules under which they and their opponents (say, the Challengers) played. It would be even worse if the Incumbents, after each season, went back to re-rigging those rules.

Yet, that's American politics today, now that the First Amendment has been nullified by Congress's Bipartisan Campaign Reform Act, commonly known as McCain-Feingold.

The First Amendment reads, "Congress shall make no law . . . abridging the freedom of speech, or of the press. . . ." But today, incumbents in Congress decide by law how much individuals may give to candidates. And how much Political Action Committees may give.

And how much you may give to a PAC. And whether non-profit groups may mention a candidate's name or even show the bum's likeness anywhere close to an election. (They may not.)

Further, Congress takes upon itself supposedly "tricky" issues like how to silence 527s, or whether blogs should be regulated. Or churches.

Of course, money and speech — like water — are known to find their way. Thus, the congressional assaults on political speech can never cease, and Congress never rest. Which is why the high court actually encouraged the incumbents in Congress not to stop with McCain-Feingold, but continually to tinker with the election laws to drive out any "outside" or "unregulated" new money or speech that makes it through the current maze.

In sports, this would be a scandal. An outraged Congress would even hold hearings!

In politics, it is business as usual.

This is Common Sense. I'm Paul Jacob.

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Westward, ho! Oregon could become the 16th state with legislative term limits.

Oregon Term Limits Supporters File Initiative

Oregon could become the 16th state with state legislative term limits if activists in the state are successful in placing a new initiative on the ballot. The initiative would restore the term limits that were passed by a 70 percent vote in 1992, but arbitrarily struck down by the Oregon Supreme Court in 2000.

Longtime term limits supporter and former U.S. Term Limits board member Paul Farago and Portland attorney Eric Winters are spearheading the effort, which will require the collection of more than 100,000 petition signatures of registered voters by July of 2006 to place the constitutional amendment before the state's voters.

Stay tuned for more on the fight for term limits in Oregon....

While Legislators Celebrate, Florida Citizens Prepare Campaign to Defend Term Limits

Term limit supporters from across the state of Florida are organizing to fight the legislature's 2006 ballot measure that would, if passed by voters, weaken the state's voter-enacted term limits law.

Legislators are seeking to serve 50 percent longer than under the current 'Eight is Enough' law—and they're pretty excited about the possibility.

At right, Rep. Jenifer Carroll, R-Jacksonville, hugs Rep. Baxter Troutman, R-Winter Haven, after approval of HJR 1177 on March 31, 2005—a joint resolution that calls for an amendment to the state constitution which would change legislative term limits from eight to twelve years.

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FOUR MORE YEARS, NO MATTER WHAT THE PEOPLE SAY: Legislators rejoice on the house floor.

OUTRAGEOUS STORIES: HIGHLIGHTS FROM COMMON SENSE



The Texas Cheerleader Massacre BY PAUL JACOB

Give me a D! What does it stand for? Dumb.

The world's most famous cheerleader group, the Dallas Cowboy Cheerleaders, calls Texas home. The state's voters twice sent a former cheerleader (our current president) to the governor's mansion. With all this experience with cheerleading, you'd expect less . . . jeerleading.

And yet the lower house of Texas's legislature recently passed a bill banning "sexually suggestive" routines by pep squads at high school events.

Now, I'm certainly not advocating suggestive routines, but this may be in the eye of the beholder. For starters, stuff hundreds of adolescent males into a stadium or field house, parade adolescent girls in short skirts past them, and, well, you get the idea.

But I have a different suggestion. Is this really a matter for any legislature?

In my day, when teen behavior went too far, it was up to the parents and school administrators to supervise. Did we have to lobby the legislature to tell the kids to tone it down a bit?

Give me an N! For No.

The Republic has somehow survived years of fight songs, human pyramids, and raging hormones. Since high school girls picked up pom-poms in the early 1930s, we've weathered the Great Depression, a world war, disco, and reality TV.

The law is overkill, to boot. State law already prohibits public lewdness by students. Perhaps that's why no member of Texas's upper house has signed on.

So why did Texas reps pile onto this law? Peer pressure?



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It seems that most folks in the capitol doubt the earnestness of voters when they limited legislators to four consecutive terms totaling eight years in 1993. Apparently, a vote of 68% in favor just wasn't convincing enough.

But while the legislators overwhelmingly agreed they wanted to kill term limits, their own greed for power and their fear of the voters in future elections proved to be a big problem.

Maine's newly formed Don't Touch Term Limits group began to put elected officials on notice that this issue was going to be a key one in the 2006 elections. The group asked to meet with the governor, who could veto the legislation to put a term limits repeal on the ballot. A veto from the governor would seriously undercut the legislators.

Governor Baldacci originally signaled that he would sign a measure putting changes to term limits on the ballot. Then legislators switched to a bill that would put a complete repeal to voters. Baldacci was no longer certain he would sign it.

The governor's thinking may have been further complicated by the fact that former State Senator Rick Bennett, a leader of the Don't Touch Term Limits group, was being discussed as a possible Republican challenger to Democrat Baldacci in 2006—the same election where voters would see the legislature's term limits assault on the ballot.

Maine activists made a real difference. You can rest assured that any convenience store they were running would have great service, good products and be spic-and-span.

Legislators also couldn't agree on how blatant they should be in making the self-serving change—though many times these disagreements are just for show, for gracefully surrendering to an awakened public. But they'll be back, with one of the bills carried over to next year's session.

But even though the legislators were stopped, they did damage. The amount of misspent effort to push the issue this far has further eroded public trust in its representation. Confidence in elected officials continues to diminish. People are doubting whether, when push comes to shove, our elected officials have the capacity to make the right decisions.

Quite simply, can they can be counted on to do their job?

We expect our legislators to mind the store. We expect their time in office to be spent working on the people's business, not in pursuit of their own personal gain. There is a clear conflict of interest when politicians meddle with term limits. It's never a surprise to us that they are in opposition to the limits. They always have been. The limits came from the people and are in place in spite of every effort mounted against them by legislators and special interests.

Voters realize this and think it unseemly for legislators to attempt to change term limits. In a recent US Term Limits poll of 500 Maine voters, 83% agreed with the statement that "Since term limits were passed by Maine voters, it is not legitimate for state legislators to weaken term limits. Instead, any such change should come from the voters who created the law."

If voters, or for that matter, if legislators wished to change the term limits law, the initiative process by which it was enacted is still available to all.

What legislators need to be reminded of—yet again—is that they are there to do the people's business. Just like that convenience store employee reading her book on company time, legislators need to remember whom they are working for.

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FACT: During a meeting last year of the National Conference of State Legislators, the hottest topic in the salons and hallways was how to get rid of term limits. In addition, the year before, this same group named Idaho Speaker of the House Bruce Newcomb "Legislator of the Year" for his leadership in attacking term limits.

Everyday Free Enterprise

BY PAUL JACOB

What makes America free and prosperous?

The free enterprise system, where people can start their own ventures. Where people can freely beat a path to the door of the guy with a better mousetrap. A place where value and service are more important than connections and politics.

Unfortunately, some people turn their back on this bounty. Who? Well, look at Wal-Mart's enemies, the unions and grocery competitors who are trying to keep Wal-Mart out of new areas and away from their customers, so customers don't have a choice about where to shop. Washington, DC's council has banned big stores that sell food (think Wal-Mart). Similar regulations were passed by the Maryland General Assembly.

Why? Apparently because Wal-Mart sells for less. According to one survey in my area, by as much as 25 percent less. That adds up. I don't know about you, but I really like paying less. It sure beats paying more.

James Lowthers, President of the United Food and Commercial Workers Local 400, says that "Wal-Mart is the biggest threat to our members' way of life." Seems Wal-Mart's nonunion labor is cheaper, and so is Wal-Mart's overall system.

Rather than out-compete Wal-Mart, the unions and local grocery stores seek to outgun Wal-Mart in the halls of power.

Now, if you choose to boycott the store and shop elsewhere, well, that's your right. But don't use the government to dictate where consumers may shop. Let the marketplace decide, not arbitrary regulations that mock free enterprise and turn business into politics.



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During the now-adjourned legislative session, a citizen group called Don't Touch Term Limits lobbied legislators to abandon their attack on the voter-enacted law. The group is headed by Palm Beach businessman George Blumel and comprised of term limits activists from across Florida. They reminded Florida's politicians that term limits came from voters, not legislators, and publicized a poll commissioned by the U.S. Term Limits Foundation that found support for term limits even higher today than in 1992, when 77 percent of Floridians voted for the initiative.

But arrogant legislators ignored the public and followed their own self-interest.

After passing the amendment, legislators celebrated, hugging each other on the floor of what was supposed to be the people's House. Their glee will be short lived.

"This vote won't be forgotten," said Blumel. "It shows just how arrogant and out-of-touch these legislators are to ignore the 77 percent of us who voted for term limits."

Don't Touch Term Limits will now re-constitute itself as a ballot measure committee to lead the charge against the legislators' measure. As news has spread of the legislative action, more and more activists have come forward shocked at the arrogance in Tallahassee and ready to help fight.

Another group, Florida Citizens for Term Limits, led by Max Linn of St. Petersburg, has come back to life. The group was active in 2000 when term limits first took effect, urging citizens to run for office and take advantage of the open seats being created.

"I was shocked by this slap at the people of Florida from people who are supposed to represent us," Linn said recently. "I hope to help defeat the legislators' power grab and, after that, I think Floridians need to look at making our term limits tougher."



**EIGHT IS ENOUGH:
Florida's term limits are under attack.**

Under the 'Eight is Enough' term limits law, legislators must take a break after eight consecutive years in either the House or Senate, though they can always run for a seat in the other chamber. A number of supporters have suggested making the eight-year limit a lifetime ban for each chamber, rather than a limit on consecutive terms, or not allowing legislators to go from one house to the other without a break in service.

Voters will have the last word at the ballot box in November of 2006. With term limits so popular, legislators won't be celebrating then.

Visit www.ustl.org for more term limits news!

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**Why are these politicians smiling?
Find out on page three...**

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