

No Uncertain Terms

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USTL Asks Chicago Mayoral Candidates about Term Limits

Inquiring minds want to know: do candidates hoping to succeed the windy city's super-incumbent Mayor Richard M. Daley—whose 23-year entrenchment in the job will finally end in May of 2011, and only because he chose not to run for a seventh term—support mayoral term limits?

U.S. Term Limits has distributed a survey to all Chicago mayoral candidates asking whether they support term-limiting the mayor of Chicago, and if so, to how many (four-year) terms; whether they would support a binding referendum enabling voters to establish mayoral term limits; whether they support term-limiting other city-wide elected officials, and if so, to how many terms; whether they would support a binding referen-

dum to term-limit those other city officials; whether they support term-limiting city council aldermen, and if so, to how many terms; and whether they would support a binding referendum to term-limit aldermen.

USTL President Phil Blumel's January 5 cover letter notes that Americans have sent a loud and clear message that "they are sick of the same old political games and are ready for a return to constitutional principles and representative government. Enclosed with this letter is a U.S. Term Limits Candidate Survey, which every candidate for Mayor of Chicago will receive. We intend to publicize your responses, and make Chicago voters aware of where you stand on term limits."

The mayoral election is February



In May, Chicagoans bid adieu to the Daley dynasty.

22, 2011 (with a run-off on April 5 if no candidate receives more than 50% of the vote), and the new mayor's first term begins May 16, 2011. About ten candidates have their hats in the ring, including former White House Chief of Staff Rahm Emanuel.

Will New Yorkers Get the Chance to Restore NYC's Two-Term Limit Right Away?

In November of last year, New York City voters were finally given the opportunity—sort of—to reverse city politicians' unilateral weakening of the city's term limit law.

Councilman Eric Ulrich, New York Civic Director Henry Stern, 2010 Charter Revision Commission member Anthony Cassino and former Deputy Mayor Randy Mastro are among the NYC personages who would like voters to

have that opportunity for real. They are supporting a petition drive to get a referendum on the November 2011 ballot to close a loophole in

the 2010 ballot measure.

In 2008, Mayor Michael Bloomberg and the city council acted without voter approval to lengthen their maximum tenure from two terms to three terms. As a sop to offended democratic sensibility, the mayor promised that he would set up a commission to prepare a ballot measure to let voters

**Term Limits in Congress?
See Page 2**

(Continued on Page 3)



President's Corner

BY PHILIP BLUMEL

It was touch and go for a while there, but the John Boehner, the new Speaker of the House, has restored House rules limiting the number of year a member of Congress can serve as the chairman of a committee.

Under the new proposed rules, members will be limited to three two-year terms as committee chairmen. This rule had existed under the previous Republican majority, but was eliminated when Democrats took control of the majority in 2007.

In October, I wrote to Boehner about committee term limits, urging him "in the strongest terms possible to reinstate the rule mandating term limits for chairmen of committees of the House."

I pointed out that in 1995, one of the first acts by the first Republican-controlled House of Representatives was to establish term limits for committee chairs, which "had a very positive impact on the operations of the House. Beyond reducing the corrosive power of seniority, the term limits rule encouraged scores of younger members to take a more active role in shaping policy by offering the opportunity."

Restoration of the rule was not a foregone conclusion. Some Republicans had been making noises about "granting exceptions" to committee chair limits for, I guess, particularly important members. But permitting generous exceptions to the term limits rule would have amounted to burying it.

Speaker Boehner deserves the thanks of all Americans for doing the right thing despite the resistance of some longtime legislators in his own party. But the GOP—and Congress as a whole—should take the next step as well. They should back a constitutional amendment, as proposed by Senator Jim DeMint, to limit U.S. House members to three two-year terms and U.S. Senate members to two six-year terms.

Americans have long made clear that they want citizen legislators, not career politicians who hunker down in office for a lifetime. It's time to amend the Constitution to finally term-limit congressional service, and thereby begin to return government to the people.

Visit Phil Blumel's blog at www.termlimits.org/blog.

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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*

NYC Term Limits (Cont'd from page 1)

restore the two-term limit.

But the commission-crafted ballot measure that voters passed in November by a 74% majority was half-baked; voters endorsed it because the alternative was the even-worse status quo.

The law as it now stands does prohibit sitting council members from amending their own term limits as they did in 2008, and provides that Big Apple mayors and city council members elected from now on serve only two terms—but also allows all current incumbents to go ahead and serve three terms despite this “restoration” of the two-term limit. Absent any further revision of the law, the two-term limit likely won’t be fully in place until 2021.

On the other hand, if the new proposal garners enough signatures to reach the 2011 November ballot, and passes, the two-term limit would apply to current incumbents as well.

Ulrich knows that his colleagues on the city council can’t be too happy with him for supporting an immediate restoration of two-term limits, but told Queens Chronicle



Ulrich

that “this the right thing to do. The voters expressed three times that they want two terms for city officials and they got gypped again. In a democracy, people should have the right to be able to put things on a ballot; that’s the purest form of democracy. I think we can get enough signatures.”

Stern notes that the public “voted for term limits three times, but the incumbents managed to wiggle out whenever the sands start running out on their tenure. We want to finally chop the head off the snake.” (See page 6 for more commentary by Stern.)



Mastro



Cassino

“There are perhaps few men who can, for any great length of time, enjoy office and power, without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves; but they are apt to acquire a habit of looking with indifference upon the public interests and of tolerating conduct from which an unpracticed man would revolt. Office is considered as a species of property; and government rather as a means of promoting individual interests, than as an instrument created solely for the service of the People. Corruption in some, and in others, a perversion of correct feelings and principles, divert Government from its legitimate ends and make it an engine for the support of the few at the expense of the many. The duties of all public officers are, or at least, admit of being made, so plain and simple, that intelligence may readily qualify themselves for their performance, and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience.”

—Andrew Jackson, December 8, 1829, President’s Message to Congress

Term Limits



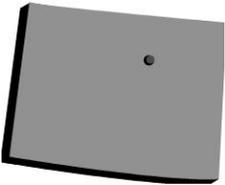
ARIZONA

Thanks to term limits, the Grand Canyon state is seeing unprecedented, or not-much-precedented, legislative turnover, what Associated Press reporter calls “near-record levels for the last half-century as majority Republicans begin the 2011 session on Jan. 10 with two-thirds majorities in both chambers.” There are 19 new senate members and 30 new house members.



CALIFORNIA

A group called San Diegans 4 Great Schools is gathering signatures for a ballot measure to reform the school board. One provision of this San Diego Unified School District Accountability and Student Performance Initiative (SDUSDAASPI for, uh, short) would impose term limits of three four-year terms on board members.



COLORADO

El Paso voters are still dismayed about the misleadingly worded referendum that tricked some of them last November into believing that the purpose of the measure was to establish term limits anew rather than to lengthen already existing term limits on county commissioners. The Colorado Springs Independent opines: “Forget the call for discussion. [El Paso County commissioners] simply should pass a resolution...that brings back the term-limit questions again in 2011 with ballot language clearly specifying that the question is between two or three terms, not just ‘limiting’ officials to three.”



FLORIDA

Broward Circuit Judge Carol-Lisa Phillips has tossed out term limits on Broward County commissioners, which had been in place for eight years after being imposed by county referendum. She claims that since the office of county commissioner is established by the Florida constitution, only an amendment to the state constitution can term-limit commissioners. The case is being appealed in the Fourth District Court of Appeals, whose decision will affect other counties in the appellate district.



ILLINOIS

In mid-December, the Downers Grove Village council voted 4-2 to post a term limit referendum on the April ballot. The measure would limit commissioners to three consecutive terms and limit mayors to two consecutive terms. In November, an advisory question on term limits was overwhelmingly passed by Downers Grove voters. Mayor Sadack says: “Eighty percent of the voters said they want term limits, and to not put the question on the ballot after what we got from residents would be a disservice.”



LOUISIANA

Louisiana Governor Bobby Jindal, thought to have national prospects, won national attention when he told Human Events that being a congressman should be a term-limited, part-time job. “Make them part time. Give them term limits. Don’t let them become lobbyists. When they have to live under the same rules and laws they passed for the rest of us, maybe you’d see some more common sense coming out of Washington, D.C. Instead, you got a permanent governing political class.” He added that if GOP members “don’t show they’re serious about shrinking the size of government, voters will go somewhere else.”

in the News



MASSACHUSETTS

Reporter Chris Daly proposes in an article for the Worcester Telegram & Gazette that it's "one thing for a politician to impose term limits on himself. It's another thing to actually follow through on that promise." Massachusetts State Representative Robert Rice's decision to honor his 2005 promise to serve no more than three terms is certainly newsworthy. "Asked about the self-imposed term limit, Mr. Rice said it was never a cornerstone of his original campaign. He said that had he planned to run again it wouldn't have upset his supporters. But when the time came he felt strongly that it was the right thing to do...."



MONTANA

Friends of term limits in Montana will want to keep a close watch on state lawmakers, several of whom are gearing up to assail the state's term limits law. Cody Bloomsburg with Community News Service tells USTL that "Kris Hansen has a draft ready for delivery for the referendum to repeal. And Roy Hollandsworth has a bill already referred to committee to change the constitution to make it 12 years instead of 8. There are a bunch more drafts on hold titled 'revise term limits,' but it's my guess those are just placeholders in case the other bills get killed."



NEBRASKA

Shenanigans are also afoot in Nebraska, where State Senator John Harms wants to do harm to the state's term limits law. State senators are currently limited to two consecutive four-year terms, although they may run again for the same office after four years out of that office. Harms tells Associated Press that he expects to introduce a constitutional amendment to let lawmakers serve three terms instead of two. He says, "It's a whole other game when you go into this thing of just how the system works, how the rules work, and how to learn to work with your colleagues and when you have to learn to give in a little bit, to get part of what you want to have, you don't learn that overnight...you just don't." Definitely sounds like a job.



NEW YORK

Out of reluctant deference to voter sentiment, Westchester County legislators have term-limited themselves by a vote of 10-6. Co-sponsor Gordon Burrows says: "Voters want performance from their elected officials, not performance." Legislators and the county executive are now limited to 12 years (six terms for legislators, three terms for the executive); and the clock doesn't start ticking until 2012, so the limits don't take effect until 2024. A USTL supporter noted recently that incumbent politicians, if and when they do pass term limits on themselves (a rare occurrence to begin with), almost invariably enact more generous term limits than voters would have.



SRI LANKA

Sri Lankan President Mahinda Rajapaksa persuaded parliament to scuttle presidential term limits just one day after the country's supreme court ruled that the constitution could be amended without any referendum. Alan Kennan, director for the International Crisis Group's Sri Lanka project, says: "The ability of Sri Lanka to bounce back from previous bouts of authoritarianism and undemocratic governments was because the president couldn't stay in power.... Something on the order of 75 per cent of the Sri Lankan government is controlled by the president, his brothers, or one of their sons, daughters and cousins."

Opinion

NYC Tries Again to Get to Two Terms

by Henry Stern

The following is excerpted from a two-part article on the history of term limits in New York City that appeared in the New York Sun on November 23 and 24, 2010.

The Charter Revision Commission was intended when it was appointed to offer the public the opportunity to decide the matter by offering the choice of a two-term or three-term limit. The Commission did offer that choice, but added a poison pill provision that the two-term limit not take effect until 2021, ten years into the uncertain future.

The effect of delaying the date by a decade was to create a loophole in the system which would allow every incumbent elected official who is not now on their third term to be eligible for one. In all, this means that 34 incumbents will again wriggle free from the two-term restriction that was thrice approved by the voters (in 1993, 1996 and 2010).

A group of New Yorkers has organized with the goal of closing this loophole and securing "Term Limits Now." To do this, the Charter must be amended to eliminate the provision which appears in the Commission's abstract as follows: "The new law would affect City officials elected after the general election in November, 2010 so that current elected officials would remain subject to the present three-term limit."

We believe there is no valid reason to exempt incumbents from the two-term limit. Indeed, they are the principal individuals the referendum was intended to affect in the first place.

Of course, it is entirely logical and predictable that these people want to stay in office as long as they can. We are in a period of high unemployment, and many of the legislators' prior experience is as neighborhood activists rather than as practitioners of more established professions....

Without extended discussion of the advantages of term limits, one comes to mind that is rarely mentioned. If there is a defined limit, candidates arise to run for the seat that will be open. If there is no limit, the incumbent is likely to run until he loses to a challenger, who may not be the best person to succeed him....

The principal reason for the petition drive, however, is not the difference between two and three terms, an issue which is certainly arguable. The motive is to protest the subversion of the public's vote for two terms, first by the self-serving Council vote in 2008, in which the incumbents extended their own eligibility, and the poison pill in the 2010 charter revision, in which the two-term alternative presented to the people was saddled with a ten-year delay in implementation.

Twice the insiders have frustrated the public's desire, expressed at the polls, for a two-term limit.

Too often in recent years, federal, state and local governments have expressed their disregard for the public by imposing new regulations and restrictions, while exempting themselves from compliance. There is a national sense that government is growing larger and increasingly less representative of the people and more beholden to the elites and lobbyists, whether on the left or the right....

This effort will not be easy. In order to get the referendum on the ballot we will need 30,000 signatures in the first round of petitioning and 15,000 in the second. If we succeed, it will be only the second public referendum brought before the people in New York City history, after Ronald Lauder's 1993 initiative that initially established term limits.

However, we are optimistic that the more New Yorkers who learn how they have been duped, the more will join us in righting this wrong.

Sun contributor Henry Stern is the president of New York Civic (nycivic.org), a group devoted to promoting what's good and critiquing what's bad in New York City and State political life.

Opinion

Treating the DC Disease

by Howard Rich

As our nation's capital slips further beneath the waves of partisan rancor and unprecedented red ink, voters of all parties overwhelmingly endorse term limits as one way to right the sinking ship.

Increasing numbers of Americans have begun to recognize the importance of refocusing our nation on its founding principles, none of which has garnered more support than term limits. According to a recent FOX News poll, 78 percent of all voters favor term limits—including 84 percent of Republicans and 74 percent of Democrats and Independents. Only 16 percent of voters oppose term limits. In today's era of political hyper-partisanship, those numbers are astounding.

Or are they?

Support for term limits has always been strong. In 2002, for example, voters in states that passed legislative term limits during the previous decade were still supporting them by huge majorities—ranging from 60% to 78%.

Given such strong and consistent public support, it's no surprise that the only successful attempts to undo legislative term limits in the modern era have come from legislative or judicial actions that overturned the results of popular elections. In 2008, New York City leaders arbitrarily tossed out the results of two citywide elections so that they could enjoy an additional term in office. A sop tossed to voters in a 2010 referendum

to "restore" the two-term limit infamously exempted all current incumbents.

So much for the argument that term limits are "anti-democratic."

A venerable feature of ancient Greek and ancient Roman government, the concept of term limits—or "mandatory rotation in office"—is in fact a staple of democracy. Championed by Thomas Jefferson and numerous Founding Fathers, term limits were designed to "prevent every danger which might arise to American freedom by [politicians] continuing too long in office."

"Nothing is so essential to the preservation of a Republican government," George Mason, father of the U.S. Bill of Rights, wrote in endorsing term limits.

Famed female historian Mercy Otis Warren vigorously protested the exclusion of term limits from the U.S. Constitution, predicting the corrosive influence that career politicians would wield over the populace in their absence. "There is no provision for [rotation in office], nor anything to prevent the perpetuity of office in the same hands for life; which by a little well timed bribery, will probably be done," she wrote in 1788.

Our government has moved well past "a little well timed bribery." Today, decisions in Washington are dictated almost exclusively by a corrupt pay-to-play culture in which powerful special interests (often taxpayer-funded interests)

leverage their access to career politicians in order to expand their slice of the public largesse. It's a favor factory, pure and simple.

Look at Fannie Mae and Freddie Mac: a pair of government-sponsored (now government-owned) mortgage giants able to use their relationships with career politicians to evade reform efforts in the years leading up to the real-estate crash. Having escaped accountability, Fannie and Freddie's reckless lending helped sow the seeds for America's recent financial collapse.

And look at government's "solution" to this ongoing financial collapse: draconian new regulations over the free market that give these same career politicians even greater power over the flow of capital.

Whose interests are being served by such an approach to governance? Clearly not those of the American taxpayers, whose personal and financial freedom shrinks with each new government power grab financed by borrowed billions.

Switching political parties may treat the immediate symptoms of Washington's disease, but without long-overdue reforms like term limits we will never actually treat the disease itself. Overwhelming majorities of Republicans and Democrats, liberals and conservatives, partisans and independents recognize this reality. It is long past time for our politicians to set aside their narrowly-construed personal interests and follow suit.

Howie Rich is the chairman of U.S. Term Limits and believes in effective plumbing of the Washington cesspool.

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“There is no valid reason to exempt incumbents from the two-term limit. Indeed, they are the principal individuals the referendum was intended to affect in the first place.”

—Henry Stern, president of New York Civic, on the battles over NYC term limits

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