

No Uncertain Terms

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USTL's Phil Blumel, Lt. Gov. Kinder Tell Missouri Lawmakers: "Leave Term Limits Alone"

This May, U.S. Term Limits President Phil Blumel joined Missouri's lieutenant governor at a press conference shortly before the end of the legislative session to explain why weakening state legislative term limits is a bad idea.

In April, the state senate had voted 29-4 for a constitutional amendment to replace Missouri's current eight-year term limit -- although it remains popular with voters (see p. 2) -- with a 16-year term limit that could be split in any proportion between the two legislative chambers. The amendment would double the maximum permitted tenure in a given legislative seat. (Although term limits on elective office always consist of a curb on service in a particular seat, for polemical purposes lawmakers usually pretend that such revisions would "keep" a mythical "combined" legislative term limit.)

Blumel urged members of the house not to echo their colleagues in the other chamber.

USTL Welcomes Costello, Farago, Skvarla to Board

Three new members of the board of U.S. Term Limits are also old friends of term limits.

Two of the new members, Bob Costello and Paul Farago, have served on our board previously. The third, John Skvarla, founded Alliance for Bonded Term Limits, which recently merged with USTL.

Bob Costello is a managing director of BBW Capital Advisors, which manages bank investment portfolios. He has been national

field director of Americans for Limited Government. From 2006 to 2008, he was president and CFO of the Sam Adams Alliance. In 1994, Bob founded Americans for Limited Terms (eventually renamed Americans for Limited Government) and became its first president. From 2002 to 2004, he was president of SocialSecurityChoice.org.

Paul Farago served as a board

(Continued on Page 3)



Peter Kinder (left) and Phil Blumel.

"We are told by some politicians here, as in other capitols where this has been tried, that they only wish to put it on the ballot to let the voters decide. But the voters, who spent time and energy and money to put

(Continued on Page 3)

Term Limits Petitions Pour In

Petitions supporting Senator Jim DeMint's Congressional term limits bill are pouring into USTL headquarters. With a term limits amendment now before the Senate, U.S. Term Limits is putting a renewed emphasis on its national petition effort.

By mail and online, citizens have been adding their names to the list of those who have officially called for 6-year and

(Continued on Page 7)



President's Corner

BY PHILIP BLUMEL

Help me out with my math here. Something's not adding up.

In a 2011 vote of the Missouri State Senate, 88 percent of the legislators approved an amendment to abolish their voter-approved eight-year term limit and replace it with a cozier and flabbier 16-year limit.

In a 2011 poll, 77 percent of Missourians said that they oppose precisely this change. Please note this is about the same percentage (75 percent) who voted to approve the current term limits law back in 1992.

How can these lopsided figures be reconciled?

Well, maybe the mystery is not so hard to solve.

The respondents to the new USTL-commissioned poll believe they understand the disconnect. A full 78 percent of 500 likely Missouri voters polled told Pulse Opinion Research that lawmakers who voted to lengthen the terms are "primarily interested in keeping themselves in power," including 65 percent of Democrats, 78 percent of Republicans and 89 percent of independents.

Currently, the Missouri state constitution limits state senators to two four-year terms in office and limits state representatives to four two-year terms. These caps were enacted in 1992 with 75 percent of the vote, going into effect in 2002.

The state senate voted to waste its time and the people's money by forcing a vote. We get it: the politicians want to keep their jobs, indefinitely. Everybody else, though, wants to keep an electorally competitive, vibrant democracy. Even if the amendment rolling back term limits had had made it to the ballot, the people would have crushed it.

Visit Phil Blumel's blog at pblumel.blogspot.com. Check out our Facebook page at on.fb.me/18fXE1.

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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*

Missouri Term Limits (Cont'd from page 1)

this reform on the ballot, are not asking for a revote. The politicians are not hearing demands for a revote from their constituents....

“We are told also that the new 16-year limit is really not a significant change, since even now a politician can serve eight years in one chamber and then serve eight years in the other. But in running for the other chamber, politicians are not doing so as incumbents, with all the advantages that incumbency en-

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Rally your neighbors in support of term limits for Congress.

**Download the flyer at :
www.termlimits.org**

tails; they must face another challenger in a competitive election.

“This is precisely what the politicians want to avoid. Its goal of reducing electoral competitiveness is precisely why the new 16-year limit is a significant change, and significantly bad. SJR 12 is a re-run of an old sitcom we’ve seen over and over again in other states. Every year, politicians in numerous states float proposals to overturn voter-approved term limits. Usually, these proposals get shot down.

“In some cases—such as Maine and South Dakota in recent years—the proposal slips through and gets to the ballot, where they are overwhelmingly rejected by the people. In no state have the people overturned or weakened state legislative term limits at the ballot box. Missouri will not be the first.”

Lieutenant Governor Peter Kinder added, “By bringing in new blood and ensuring a regular turnover of folks.... I think we’ve gotten a lot of new talent that used to be frozen out when people would be here for 20, 30, 40 years.”

Blumel noted that the lieutenant governor has supported term limits since his first bid for public office in 1992, when he won election to the state senate on the same ballot that featured the legislative term limits question. Missouri voters approved the term limits law with a 75 percent majority, and recent polling confirms continued wide support for the law (see p. 2). The limits went into effect in 2002.

Missouri’s 2011 legislative session ended without further action by the house.

USTL Welcomes (Cont'd from page 1)

member of the Cascade Policy Institute, an Oregon free-market think tank, from 1994 to 2000, and has also been a board member at the National Association of Manufacturers and Americans for Limited Government. Since 1988, Paul has been an officer-director of a small foundation that supports grants for educational projects promoting economic liberty. In 1986, while managing a family-owned manufacturing firm, he was elected as a delegate to the White House Conference on Small Business.

John Skvarla became the first president and chief operating officer of Restoration Systems in 2005, and currently serves as the firm’s chief executive officer. His professional career began with the

practice of law in 1973, when he served first as an associate, then partner, of a boutique business and tax firm. In 1978, John founded and became senior partner of the Raleigh, NC-based law firm of Skvarla, Wyrick and Robbins.

He is the author of *The People’s Prescription for What Really Ails America’s Health Care System*, published in 1994, and the founder of the Alliance For Bonded Term Limits, established in 2009. ABTL asks political candidates who pledge to voluntarily limit their tenure in office to bolster that pledge by legally contracting to give away a large financial sum should they renege.



Bob Costello

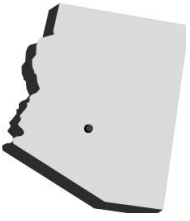


Paul Farango



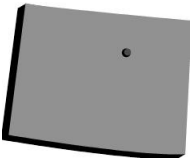
John Skvarla

Term Limits



ARIZONA

Governor Jan Brewer is mumbling about possibly pursuing another term even though she is constitutionally term-limited. “The Constitution is not really clear,” she told reporters. “It’s never been challenged.” The relevant passage of the Arizona Constitution states: “No member of the executive department shall hold that office for more than two consecutive terms.... No member of the executive department after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term.” As blogger Matthew Hendley puts it, “that whole ‘any part of a term served’ thing kind of ruins Brewer’s theory.”



COLORADO

Pam Zubeck believes that the controversy over political trickery marring last November’s El Paso County election—the politicians’ phrasing a ballot measure to make it seem to be asking for brand-new term limits, instead of for watered down limits—isn’t going away any time soon. Still, commissioners will keep obfuscating and stonewalling. “The argument against a new ballot question is getting help from Clerk and Recorder Wayne Williams, a former commissioner,” she writes in the Colorado Springs Independent. “He says the county could save up to \$300,000 by bypassing the November 2011 election, and that he’d support giving voters another crack in November only if 39,000 to 47,000 people say they were mistaken in their votes. That’s the difference between the yes and no votes on the three questions last fall—even though only half of that difference, plus one, would have to switch for the measures to fail.” Of course, there’s no way for the tens of thousands to “say” that they got hornswoggled except via a re-vote—this time with the ballot question worded unambiguously.



DELAWARE

Delaware State Senator Michael Katz has introduced a bill, SB 61, to impose a 12-year term limit on lawmakers. “When I look around Legislative Hall, I’m taken by the big plaques honoring members who have served 20 years or more,” Katz says. “It used to be a rarity, but now it’s becoming commonplace. I’ve always thought that serving in the legislature should be more a form of community service than a career.” Yes, but why not six- or eight-year term limits?



FLORIDA

A survey conducted for the Miami Herald shows that voters disdain Miami-Dade commissioners’ slate of pseudo-reform proposals, which the commissioners reluctantly set forth only after voters had recalled the mayor by a huge margin. When voters considered the six charter proposals on May 24, they defeated five out of six. The proposal that succeeded, barely, requires county politicians to wait two years after leaving office before becoming paid lobbyists. Among the measures that failed is a 12-year-term limit that would have kept current commissioners in place as late as 2024; voters and vocal reformers want eight-year limits. Mayoral candidates and others say they will continue to press for reforms.

in the News

FLORIDA



Palm Beach Post editorial page editor Randy Schulz blasts Burt Aaronson for gearing up to do “what voters in 2002 told he couldn’t do: run for another term on the Palm Beach County Commission.” Aaronson is hoping that a court challenge to county term limits will enable him to run anyway. Schulz writes: “It’s one thing to vote against what seems to be the will of your constituents. But the 2002 vote against term limits is on the record. Even if the courts allow Commissioner Aaronson to run, should he? Moreover, Palm Beach County’s single-member districts mean that Commissioner Aaronson—and Commissioner Karen Marcus, if she ran—would have to persuade only one-seventh of the electorate. Term-limit advocates elsewhere only could fume.”

ILLINOIS



The Village Council of Downers Grove, Illinois, has “made term limits official,” implementing, finally, what voters have twice approved—in November and April, each time with more than 75 percent of the vote. Mayors will be limited to two consecutive four-year terms, village commissioners to three consecutive four-year terms.

LOUISIANA



In October, Thibodaux, Louisiana, voters will consider three-term limits for the mayor. The Houma Today’s “Cheers and Jeers” department says that while it won’t pass judgment “on the merits of term limits, it is good to see the city put the issue in the hands of the voters.” New Mayor Tommy Eschete says: “This is what the people want. I heard this a lot on the campaign trail.” Of course, the measure follows the pattern of politician-referred term limits in that it requests a relatively lax limit, a maximum of three rather than two terms.

MASSACHUSETTS



Four Methuen commissioners are vocally opposing charter revisions promoted by the other five and asking voters to reject the changes. For one thing, the new charter would end term limits. The minority reports: “All our efforts failed and the majority’s charter totally eliminates term limits, which only weakens the taxpayer’s influence, provides the equivalent of perpetual re-election for incumbents and kills any real chance for new thoughts and ideas.” The dissenters’ attempts to require approval by the city council for contracts or approval by the voters of bond issues and zone changes were also shot down, as was an attempt to reduce the number of signatures required to petition the council.

NEW YORK



By a 5-4 vote, Putnam County lawmakers passed retroactive term limits of four three-year terms. The recent conviction of a former state senator on corruption charges seems to have been the clincher. To explain their support for term limits, two of the legislature members (called council members in other locales) mentioned Vince Leibell, who had been in office sixteen years when he entered his guilty plea. Legislator Sam Oliverio says: “That fiasco, the terrible Leibell fiasco would have never happened [if his office had been term-limited]. He would have been denied running for office years ago.”

A Tale of Two States: Nevada and Delaware

Nevada Lesson: With Term Limits, Not Waiting Around

After freshman Assemblyman Mark Sherwood, R-Henderson, called Ways and Means Chairwoman Debbie Smith by her first name and accused Democrats of refusing to hear Republicans' bills during a late-night April 19 session, veteran Assemblyman William Horne finally had had enough.

"I am typically not one to throw out the freshman card, but you have to be here a little while before accusing someone of messing with your bills, or not hearing your bills, and calling this procedure a farce," said Horne, D-Las Vegas. "It is not a farce. It is not a game. It is not a TV show. This is your first night of being here past 11."

Sherwood is the prime example of the new breed of freshman legislators.

These freshmen, particularly the Republicans, don't follow tradition or stay silent while their elders run the show. They don't subscribe to the theory that you have to go along to get along and don't hesitate to question experienced legislators and their policies.

In this memorable first year of the Legislature operating under term limits, freshmen of both parties no longer have to wait for a couple of sessions before rising to power and engaging in the debate....

Largely because term limits ended the careers of many veteran legislators, 18 freshmen were elected to the 42-member Assembly....

Sherwood says: "With term limits, you have to step up sooner... We don't have the luxury of waiting two sessions before you ask questions. It doesn't mean we don't respect the institution. But the paradigm has shifted. You no longer have to pay your dues before it's your time."

—excerpted from "Freshman legislators speaking their minds," *Las Vegas Review-Journal*

Delaware Lesson: Without Term Limits, Lots of Waiting Around

Senator Michael Katz [has] introduced legislation that would limit service to 12 consecutive years in either chamber of the General Assembly....

[I]n many cases, voters don't have a choice because many incumbents face no or nominal competition.

- Sen. David McBride, a New Castle-area Democrat, hasn't had a general election challenger in the 13th District since 1986. He was elected to the Senate in 1980 and re-elected in 1982 without a general election opponent, election records show.

- Sen. Dorinda "Dori" Connor, R-Penn Acres, hasn't faced an opponent since winning the seat long held by her late husband in 1997.

- Senate President Pro Tem Anthony DeLuca, D-Varlano, hasn't been challenged since he was first elected in 1998 to the 11th District.

- Senate Majority Whip Margaret Rose Henry, D-Wilmington East, and Rep. Melanie George, D-Bear, haven't faced a primary or general election opponent since the 2002 primary.

- Until 2008, Rep. Clifford "Biff" Lee, R-Laurel, had gone five straight elections without a challenge in the 40th District. Lee, a 20-year veteran of the House, fended off Democrat Barbara Hudson in 2008 and faced no opposition in 2010.

—excerpted from "Incumbents skeptical of term-limits proposal," *Wilmington News-Journal*

Term Limits Petitions (Cont'd from page 1)

12-year term limits for the House and Senate, respectively. If you haven't yet done so, please sign the petition at www.termlimits.org. Then, send a link to the petition around to your family, friends and associates.

Also, be sure to sign and return

Colorado Pols Trick Voters

Busted! It appears many El Paso County, Colorado, voters woke up surprised that they had voted last November to weaken their 8-year term limits law to a 12-year limit. Now there is a move afoot to hold a revote.

The El Paso politicians used a common titling and language trick that led voters to believe they were limiting terms, when in fact they were weakening them. County

each new petition you receive by mail. We need to overwhelm Congress with calls for term limits and rally our neighbors to the cause.

USTL staff, meanwhile is busy preparing huge stacks of petitions to be delivered to Capitol Hill.

politicians acknowledged to the *Colorado Springs Independent* that they had chosen their wording "strategically." Then, after the ruse had come fully to light, they dug themselves a deeper hole by admitting to the Gazette they copied the scheme from other counties.

The veterans on the commission hoped this issue would fade away. Instead the clamor has grown to the point where the commission agreed

Local Term Limits Battle Breaks Out In Florida

County Commissioners Burt Aaronson and Karen Marcus told the Palm Beach Post they will run again if a current effort to overturn Palm Beach County's voter-approved 8-year term limits law in the courts is successful.

In doing so, the two longtime incumbents would be directly defying the will of the voters expressed in the 70 percent approval of the citizen-led term limits initiative in at the ballot box in 2002.

The citizen group that originally put the term limit on the ballot in 2002 has reformed to protect the law and have been popularizing the fact that Marcus hasn't faced a general election challenger in

nearly 20 years. Aaronson, 83, has already 'retired' in that he collects a full pension from the state as well as his salary as a commissioner.

Four other commissioners who would otherwise have been term limited by the new law have been indicted for corruption and had to leave office, three of them for prison.

Palm Beach County Elections Supervisor Susan Bucher said she would not accept paperwork from Marcus or Aaronson to run again in defiance of the law.

However, Marcus and Aaronson are pinning their hopes on a politician-led effort from Broward



Petitions from fed-up taxpayers.

to hold a two formal hearings on the subject the week of June 27.

The citizens have two allies on the commission, as Darryl Glenn and Peggy Littleton agree a second vote should be held as soon as possible. But they need one more vote to refer a new ballot question, as county citizen initiatives are not permitted in Colorado.

For more information, see the new citizen website at <http://www.elpasocountytermlimits.com/>

County that is making its way through the courts. In Broward County, where term limits passed with an astounding 80 percent of the vote, a friendly and politically active judge -- whose husband is the term-limited former mayor of Fort Lauderdale -- struck down Broward County commission term limits.

Broward is appealing to defend the people's law, but an adverse decision at the appellate level later this year could be used by Marcus and Aaronson for a basis for a legal challenge of the Palm Beach law. Broward is confident of the success of their term limits law at the Supreme Court, but Aaronson and Marcus are not planning on waiting to find out.

A local website has been launched to follow the controversy, www.pbctermimits.com.

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“I think we’ve gotten a lot of new talent that used to be frozen out when people would be here for 20, 30, 40 years.”

—Missouri Lieutenant Governor Peter Kinder

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