

No Uncertain Terms

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT • March/April 2010 • VOLUME 18 • No. 2

Arizona Lawmakers Seek to Shred Term Limits

On January 19, 2010, the Arizona state senate judiciary committee passed a resolution sponsored by Republican Carolyn Allen to scrap legislative term limits. If endorsed by the legislature as a whole, its fate will be decided at the ballot box.

In 1992, Arizona voters had approved 8-year legislative term limits (four consecutive 2-year terms on house and senate) with a 74% majority. The law does not impose a lifetime ban; after two years in the wilderness, a termed-out lawmaker can run again for the same seat.

“What are lawmakers thinking?”

Tea Parties, Term Limits, Elections and Scott Brown

The victory of a little-known GOP Massachusetts lawmaker in a January special election for U.S. Senate would probably not have occurred but for 1) growing nationwide discontent (vividly manifested by the Tea Party movement) over runaway spending and interventionism, including the push for a socialist takeover of the healthcare industry; and 2) the fact that the seat was now open because of the death of Edward Kennedy, who had held it since 1962. Whatever the mood of the electorate, incumbents

asks USTL president Phil Blumel. “Not about their constituents, you can be sure.”

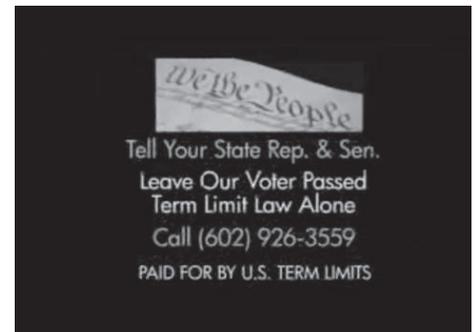
Indeed, Allen herself says she does not think the public is yet “ready” for repealing term limits. “The public probably still thinks it’s a good idea.”

Allen insists that her own impending exit under the term limits law is unrelated to her support for its repeal. Asked for her rationale, she repeats the oft-heard, oft-rebutted laments about the loss of “institutional memory” and how lobbyists allegedly gain much more power in term-limited legislatures.

always wield enormous advantages over challengers.

Some pundits and Democratic politicians sought to downplay the significance of Brown’s victory,

**Blaming
Everything on
Term Limits
page 6**



USTL aired this TV ad in Arizona defending term limits.

“Regular turnover in office makes the job of a lobbyist much harder,” Blumel replies. “In fact, being a lobbyist, one of the main things

(Continued on Page 3)

noting that Democratic candidate Martha Coakley had run a bumbling campaign and arguing that this was just one of several idiosyncratic local considerations derailing the normal course of events in this Democrat-leaning state.

But all elections are local except when they’re national. The Massachusetts election was the third statewide contest in a row, following those in Virginia and New Jersey, in which GOP candidates

(Continued on Page 3)



President's Corner

BY PHILIP BLUMEL

So...Congress is more unpopular than ever...and the incumbent reelection rate in 2010 is still likely to be 90%+.

According to a new poll by CBS News and the New York Times, just 8 percent of Americans want the members of Congress to be reelected. Eighty percent say members of Congress are more interested in serving special interests than the people they represent. And 75 percent disapprove of the job Congress is doing.

These numbers complement perfectly the latest (October 2008) national polling on term limits, which shows that 83 percent of Americans support term limits on their elected officials.

So does this mean that incumbents will get clobbered in the 2010 elections? Maybe. But the track record is that nearly all the change will occur in competitive open-seat elections. Even in dramatic years of political change, like 1992-94 and 1996-98, Congressional incumbents win overwhelmingly in spite of the mood of the country that is clearly manifested in competitive races.

The Massachusetts message delivered by the Scott Brown victory (see p. 1) was made possible only by the opening up of Ted Kennedy's U.S. Senate seat. In other anticipated upsets—Rand Paul in Kentucky and Marco Rubio in Florida, for example—it is the open seats that are giving voters their voice and giving challengers a chance.

Only an institutional reform like term limits can fix the institutional problem of entrenched incumbency. Without term limits, voters can still take advantage of open seats as they occur to meaningfully express their will. But with term limits, it will not require crisis, retirements and luck to bring about change. Instead, there will be rolling open seats in every district in the nation, drastically improving the people's representation on a regular basis.

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

March/April
2010

A publication of
US TERM LIMITS
FOUNDATION

73 Spring Street, Suite 408
New York, NY 10012
(703) 383-0907
info@ustl.org

For the latest developments on term limits across America, visit our web site on the Internet at www.ustermimits.org

No Uncertain Terms is published bimonthly. Third class postage paid, Washington, D.C.

POSTMASTER: Send address changes to:
U.S. Term Limits Foundation, 73
Spring Street, Suite 408, New York,
NY 10012

“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*

Elections and Scott Brown (Cont'd from page 1)

gained traction by targeting the fiscal irresponsibility of incumbent Democratic regimes. Only in the last weeks of the campaign did it become clear that Scott Brown had a shot at winning, at which point everybody in the Bay State eager to deflect Obamacare etc. leapt into action.

The Massachusetts election was the third statewide contest in a row, following those in Virginia and New Jersey, in which GOP candidates gained traction by targeting the fiscal irresponsibility of incumbent Democratic regimes.

Brown is a middle-of-the-road Republican—which often means left of center, especially in a state like Massachusetts. He was not an ideal pick for free-marketeers, therefore. Still, he was parsecs better than Coakley. And he pledged loud and clear to be the 41st vote against Obamacare in the U.S. Senate.

An irony of the outcome is that Ted Kennedy's own partisanship had helped make it possible. Back

Arizona (Cont'd from page 1)

you do as a lobbyist is maintain long-term relationships with legislators that you have confidence in, and continue to fund them."

U.S. Term Limits has aired a commercial in the Grand Canyon State alerting citizens to what their lawmakers are up to. "Unemploy-

ment: putting one Arizona family after another in financial crisis. Their plan?" asks the narrator. "Kill the term limits passed on legislators.... Arizona's state budget: \$5 billion in the red. Their priority? More pay, pensions and privileges for themselves. And they wonder why voters are angry. Tell them to

in 2004, seats of U.S. senators from Massachusetts vacated before the end of the term were filled by gubernatorial appointment, not special election. Kennedy advocated switching to special elections, which is what friends of democracy would prefer also. But his chief motive was to prevent the Republican governor from appointing a Republican fill-in should the junior senator from Massachusetts, John Kerry, win the presidency.

The mostly-Democratic Massachusetts state legislature obliged, and the law was changed: a special election would now be mandatory, and no interim appointment by the governor would not be permitted even to fill the seat until the special election could be held.

But then, just before his death in the summer of 2009, Kennedy urged the state legislature to empower the governor to appoint an interim Senator to serve until the special election. Again, the still-mostly-Democratic body complied, even though many of the same lawmakers supporting the 2009

revision had insisted in 2004 that it would be glaringly undemocratic for the governor to appoint a U.S. Senator for even the several-week run-up to a special election.

Despite the flip-flop, the law requiring the special election itself remained in place. And not even a Democratic supermajority in the U.S. Senate was able to impose Obamacare on the nation before Massachusetts voters could select their next senator, term limits advocate Scott Brown.



U.S. Senate candidate Scott Brown at a Tea Party protest.

revision had insisted in 2004 that it would be glaringly undemocratic for the governor to appoint a U.S. Senator for even the several-week run-up to a special election.

Despite the flip-flop, the law requiring the special election itself remained in place. And not even a Democratic supermajority in the U.S. Senate was able to impose Obamacare on the nation before Massachusetts voters could select their next senator, term limits advocate Scott Brown.

leave our voter-passed term limits alone." Watch a video of the ad at Youtube: bit.ly/a2VZlw.

Term Limits



ARKANSAS

Gilbert Baker, an Arkansas state senator running for U.S. Senate, supports a two-term limit on U.S. senators, and says that if elected he would serve only two terms. “I’m not going to change my mind,” the Republican says. He also supports a constitutional amendment to balance the federal budget.



CALIFORNIA

Majestic Realty received an exemption from environmental laws in order to build a football stadium in Industry, California. Two months later, the developer contributed \$300,000 to the ironically misnamed political committee Californians for a Fresh Start, which is working to weaken state legislative term limits. Regardless of the merits of the stadium (or the environmental laws), the donation smells like a quid pro quo.



CALIFORNIA

The San Diego board of supervisors formally certified that enough petition names had been gathered to post a ballot question to term limit their own tenures to two four-year terms. It’s not so remarkable that they would let this go through without any attempt at obstruction, but other government bodies have fought underhandedly to stop threats to monopolistic power despite any glaring conflicts of interest. No new members have been seated on the board since 1995.



COLORADO

A story about Colorado legislators being termed out of office reports the lament of the Joint Budget Committee chairman, Representative Jack Pommer, who is upset that budget cuts are needed in these recessionary times. “I would rather go out in a flurry of wanton spending. It’s a little frustrating. There’s a lot of things that we set in motion [in prior years] that would have been beneficial to the state but also saved us money, and now we’re cutting them all back.” Pommer is not referring here to tax cuts and spending cuts, i.e., actual money-saving measures. He means the sort of government spending that liberals like to call “investment.” Sounds like term limits are doing their work here.



FLORIDA

Florida State Senator Mike Bennett now says that he will amend the ostensibly pro-local-term-limit part of his bill to weaken term limits in the state legislature. As currently written, SJR 598 would impose 12-year term limits on county and municipal officials. After talking to a lobbyist for the Florida League of Cities, Bennet says he will drop mandatory term limits on local offices in favor of granting voters the power to impose local term limits if they wish. That deference to local control sounds fine if he follows through. But Florida voters would still stuck with the bad part of the bill, the undercutting of state legislative term limits by stretching maximum tenure from 8 years to 12.



FLORIDA

West Palm Beach Mayor Lois Frankel is calling on the city’s charter review commission – stacked with Frankel supporters – to provide cover for abolishing city term limits and permitting her to run for a third term. The negative response from citizens and the press has been instantaneous and the very first meeting of the commission was postponed.

in the News



GEORGIA

Jere Wood, the four-term mayor of Roswell, Georgia, has been proposing mayoral term limits since his first term (we didn't believe it at first either). Only now has the city council accepted his idea, albeit by passing a three-term limit on consecutive mayoral terms rather than the two-term limit Wood prefers. Members of appointed boards and commissions will also be limited to three terms. Alas, the city council did not term limit itself (nor did Wood ask them to).



ILLINOIS

A Republican candidate for Illinois governor, Bob Schillerstrom, says he will serve only one term if elected. "I seek one term as governor to take on Springfield culture and get Illinois back on track. But I have no interest in becoming a fixture in state government." He also wants to limit house members to six terms, senate members to four terms, and statewide officials to two terms.



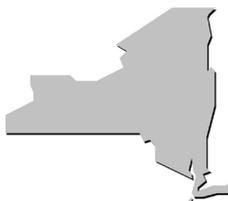
MICHIGAN

Freshmen representatives Timothy Bledsoe, Democrat, and Bill Rodgers, Republican, have tag-teamed to co-sponsor reform bills only one of which should see the light of day. The Rodgers bill would oblige lawmakers to pass a balanced budget by July 1 of each year, after which lawmakers' pay would be suspended until the budget does pass. Yes, let's stop paying federal lawmakers too who fail to pass balanced budgets. But Bledsoe's is a term-limit-diluting proposal that would allow lawmakers to serve up to 14 years.



MISSOURI

State Representative Jason Smith has proposed a constitutional amendment to impose two-term limits on the lieutenant governor, attorney general, secretary of state and state auditor. The proposal resembles one supported by Term Limits for Missouri, which has been circulating a petition. TLM's Ed Martin says, "We started gathering petitions last year after the petition had been approved. It is an all-volunteer effort and, without help from other groups, is unlikely to get enough signatures. Rep. Smith's [resolution] is a needed change and Term Limits for Missouri supports his effort."



NEW YORK

Governor David Paterson voiced support for term limits on lawmakers and state officials, and two thirds of voters agree with him, according to a Siena Research Institute survey. But they still don't want him to run for reelection, and looks like they are going to get their wish. In the wake of a new scandal for the Paterson administration, the incumbent has announced that he will not seek election in his own right. Just as well. As soon as lawmakers squealed, Paterson dropped state legislative term limits from his halfhearted reform proposals.



CANADA

The Tories seem to making headway with their push to term-limit members of Canada's national senate to two or three terms, and to convert it to an elected body. Senators are currently appointed (by the prime minister) and can serve until age 75. The reforms are controversial and have been bitterly resisted. But with the prime minister's recent appointments of members hospitable to them, they just might happen.

Arizona Politicians Blame Everything on Term Limits

by Robert Robb

If Arizona were to dry up and blow away one day, people around here wouldn't blame global warming. They'd blame term limits....

Term limits supposedly have given Arizona a Legislature too inexperienced to handle big problems, such as the budget. They are also argued to have radically shifted power from elected legislators to staff and lobbyists, who aren't booted out after eight years.

None of these arguments survives even the lightest of scrutiny or analysis.

Term limits were adopted by voters in 1992. They first started giving legislators the boot in 2000.

According to data compiled by the indispensable Arizona Capitol Times, there has been a very slight increase in the number of new faces in the Legislature since term limits took effect. In the five elections beginning in 2000, there has been an average of 25 new faces in the 90-member Legislature each session. In the five elections prior to 2000, the average was 23.

However, the increase resulted primarily from big turnover the first two elections after term limits took effect. In

the past three elections, there was an average of just 19 new faces. That's below the average of 22 newbies since one-man, one-vote was imposed in 1966 until term limits took effect.

Nor is there a shortage of budget expertise in the Legislature. In the history of the state, there's never been a legislator with more budget experience than Senate President Bob Burns, who served as appropriations chairman in both the Senate and House. Current Senate Appropriations Chairman Russell Pearce held the same position in the House. Rep. Tom Boone, who has a lot of influence in budget matters, is a former chief financial officer for a large school district....

But it doesn't take a decade to get up to speed on state issues or even something as complex as the budget. Former Senate President Ken Bennett, who served in the term-limit era, was as knowledgeable about the budget as any president in my experience, which goes back to the late 1970s. Current House Speaker Kirk Adams, although a relative newbie, is as knowledgeable as any speaker during that period.

The problem isn't knowl-



Robert Robb

edge; it's the magnitude of the deficit. Critics could choose 90 of their most like-minded friends, give them the assignment of reconciling \$10 billion of spending with \$7 billion of revenue, and they would quickly descend into dysfunction.

If anything, there's been more staff turnover since term limits. The existence of a shadowy permanent legislative staff pulling the strings on naïf legislators is a myth. Lobbyists are keen calculators of self-interest and never reticent to act on it. And they uniformly oppose term limits.

Excerpted from an op-ed published February 26, 2010 in the Arizona Republic.

Senate Hopefuls Lead with Term Limits

With Congressional approval ratings at historic lows, support for term limits at all-time highs and tea partiers in the streets holding term limits signs, it seems like there is no better time to press for Congressional term limits.

What is missing so far is political leadership. But that might be changing.

For the first time since the Contract with America era we have a popular U.S. Senator, Sen. Jim DeMint of South Carolina, sponsoring a term limit amendment. He's attracted only three senate cosponsors so far and two of those are leaving the Senate, but several potential new ones are currently campaigning for a Senate seat using term limits as a leading campaign theme.

Start with Kentucky. There, Senate candidate Rand Paul – leading in the polls both against his Republican primary opponent and likely Democratic challengers – has pledged to make term limits his number one issue if elected.

“Term limits is the preeminent issue of our campaign,” he said. “I will travel to Frankfort and other legislatures to try to get them to act on this issue so we have both Congress and the state legislatures working on it.”

But he won't stop there.

“I will do my best to convince our presidential candidate on the GOP side to adopt the issue as



Senate candidate Rand Paul supports term limits.

well,” Paul said. “I think this is vital in pushing this issue forward.”

Another Senate hopeful – also leading in a Republican primary – is Florida's Marco Rubio. Rubio says he's seen term limits work when he was Speaker of the House in Florida's legislature. In fact, he was term-limited out of office. His first-hand experience has led him to believe the U.S. Congress should be term limited too.

“We should be the party of term limits,” Rubio told National Review. “We should be the party that says it's not natural for any human being to serve more than half his adult life in the U.S. Congress.”

In Illinois, state senator and former Illinois GOP Chair Gilbert Baker is in a tough primary fight. He's hoping term limits put him over the top.

“We have got to return to the spirit of a citizen legislature,” Baker said. “One way to get back to that, I am going to push for a

two term limit in the United States Senate.” To emphasize the point, Baker promised that whether he is successful or not, he personally would leave after his two terms. “Twelve years is long enough.”

Other term-limits advocates include Stephen Fincher (R), a leading candidate to succeed retiring Rep. John Tanner (D-Tenn.) and Iraq War veteran Tommy Sowers (D), a long-shot candidate against Rep. Jo Ann Emerson (R-Mo.).

U.S. Term Limits urges all voters to ask their Senate candidates where they stand on Sen. Jim DeMint's amendment to limit senators to two terms and representatives to three terms in office.

“Ask them,” said U.S. Term Limits president Philip Blumel. “And let us know. We'll make sure term limits supporters in their states know their answer.”

We might want to nix the note about Hughes in the ILLINOIS section of the newsletter:

“As expected, Mark Kirk handily won the GOP nomination for U.S. Senate from Illinois, defeating his closest challenger Patrick Hughes by a landslide.

With 98% of precincts reporting, Kirk led with 56% of the vote to Hughes's 19%. “

No Uncertain Terms

The Newsletter of the Term Limits Movement

A Publication of the U.S. Term Limits Foundation

73 Spring Street, Suite 408

New York, NY 10012

NONPROFIT
ORGANIZATION
U.S. POSTAGE
PAID
XXXXXX
PERMIT NO. XX

Inside No Uncertain Terms...

ARIZONA ARROGANCE...1

MESSAGE IN MASSACHUSETTS...1

ENDLESS INCUMBENCY...2

TERM LIMITS IN THE NEWS...4

BLAMING DEMOCRACY...6

SENATE CANDIDATES LEAD...7



“If Arizona were to dry up and blow away one day, people around here wouldn’t blame global warming. They’d blame term limits.”

—Robert Robb

see p. 6