

No Uncertain Terms

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U.S. Senate Majority Leader Harry Reid Plots to Trash Nevada Term Limits

There they go again: career politicians gearing up for yet another run against term limits. This time in Nevada, where the state's legislative term limits law is due to go into effect in 2010.

According to the Las Vegas Sun, in early March U.S. Senator Harry Reid, the Majority Leader, convened a secret (or almost-secret) meeting with Nevada Democrats to discuss the possibility of launching a legal challenge to the state's term limits law, a challenge that would ultimately be decided by the state supreme court.

Nevada's term limits law was passed in 1994 and again in



Harry Reid ponders challenging Nevada term limits.

1996 (this time minus term limits on judges). It limits assemblymen to six two-year terms, senators to three four-year terms. Although Reid's meeting was attended only by Democrats, the Sun notes that "Republicans are also interested in

overturning term limits."

The 12-year caps are among the most generous in the country. In other states, legislators seeking to expand six-year or eight-year term limits often say that twelve years is all they need to have enough time to figure out their job. The scheme to undo term limits in Nevada is one more proof, if any were needed, that it's any term limit at all that vexes the typical specimen of *Careerus Politicanus*, not some particular term limit.

Congressmen, alas, are not term-limited. So Harry Reid isn't

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South Dakota Voters to "Get a Chance" to Repeal Term Limits

That's how an article in one South Dakota paper, the Argus Leader, puts it: "South Dakota voters will get a chance in November to reconsider their 1992 decisions to limit legislators to eight years of continuous service" after the House voted 55-14 to pass SBJ1, a bill to post a ballot measure asking voters to repeal the term limits.

Finally the voters in South Dakota will get an opportunity to let monopolistic-minded incumbents re-entrench themselves.

Of course, voters had not exactly been clamoring for this opportunity. And incumbents are rarely so eager to "give voters a

chance" to revise other aspects of state government voters aren't clamoring to change.

Singing an old song, lawmakers in the state tell reporters they're concerned about loss of "experience" and "institutional memory."

But every so often, inquiry into lawmakers' motives turns up an incumbent who admits that he is mostly concerned about losing his job. An example is state Senator Ed Olson, in the legislature for 16 years and about to be termed out of the senate. He doesn't want to go, and he doesn't want to run for a seat in the house either. "I'd be a



South Dakota politicians are fighting to repeal that state's term limits law.

newbie," he says.

So Olson plans to spend the rest of his term on his new top priority: traveling the state to persuade voters to repeal the state legislative term limits they passed

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President's Corner

BY PHILIP BLUMEL

Wow. This may be a new speed record.

Mere weeks after California voters defeated the politicians' gambit to cripple the Golden State's legislative term limits, State Senator Roy Ashburn proposed a constitutional amendment to kill them outright. To try to escape the conflict-of-interest charge, Senator Ashburn casts his proposal so that it would not take effect until 2016.

Most often, term-limited incumbents decorously wait for at least the next electoral season to roll around before again trying to con voters into unraveling term limits laws. But it seems that Ashburn is not a traditionalist.

California Assembly Speaker Fabian Nuñez has also climbed aboard this never-parked bandwagon. But Nuñez's proposal would double term limits rather than get rid of them altogether. Contrary to what was so blatantly the case with Prop 93, his new proposal, like Ashburn's, would not apply to incumbents about to be termed out of office.

According to the Los Angeles Daily News, this concession to political reality means Nuñez has "seen the light." Better late than never, he is now a genuine reformer! We don't quite agree that a career politician's pragmatically tweaking the same old proposal to undo the term-limits reform is refreshingly idealistic. But opinions are what make horse races, I guess.

More congenial to our way of thinking is the attitude of a legislator like Bob Schaffer, who voluntarily pledged to limit his tenure in office as a congressman and kept his promise. In a TV commercial that aired out in Colorado, we took the trouble to thank Congressman Schaffer for keeping his promises. The ad also shows students thanking Schaffer for his support for charter schools (an issue USTL takes no stand on).

You'd think you could just say Thanks without getting in hot water, but not so. USTL does not endorse candidates for office, and the ad was not an endorsement of Schaffer's candidacy for U.S. Senate. But that didn't stop Citizens for Responsibility and Ethics in Washington from filing a complaint with the FEC, alleging that we had violated federal election regulations.

We take solace from the passing grade our ad got from a "truth test" conducted by KUSA-9 News, a Denver station. Thank you—if we may say so.

P. Blumel

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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*

Reid Schemes to Kill Term Limits

(Cont'd from page 1)

in danger of being termed out of office. But he would like Nevada Democrats to hold onto their jobs anyway, so that he doesn't have to contend with a crowd of newly unemployed legislators running for such other offices as, say, the U.S. Senate. Vigorous electoral politics is all about boat-rocking; if you like the boat the way it is, you don't want it to be rocked.

Moreover, Reid is coming up for reelection in 2010. By supporting the repeal of term limits he may be able to curry favor with local Nevada elected officials who could help Reid's reelection effort.

Las Vegas-based commentator Erin Neff, who opposes term

limits, says the issue is currently a "dormant" one, akin perhaps to the controversy over depositing nuclear waste in Yucca Mountain. "Term limits are so popular 70 percent of the public approved the measure the first time it was on the ballot that anyone seen as against them, and, worse, trying to overturn an election, might be in that valley of political death."

Eighteen Nevada lawmakers, including Senate Majority Leader Bill Raggio, a Republican, and Assembly Speaker Barbara Buckley, a Democrat, will be serving their final terms, if reelected this November and term limits survive any 11th-hour challenge.

South Dakota Voters' "Choice"

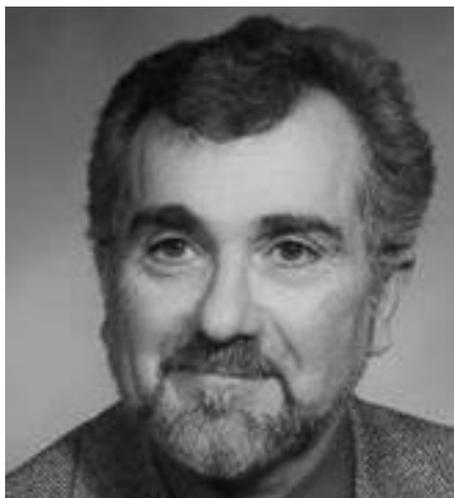
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in 1992. He'll be collaborating with the sponsor of the repeal measure, Senator Bill Napoli. Napoli will take on the western part of the state, Olson the east, trying to convince voters allegedly eager to scrap term limits that the term limits didn't work the way they were supposed to.

Yet more than a third of the 70 members of the South Dakota House of Representatives will not be returning next year thanks to term limits.

And a March 2008 poll of South Dakota voters conducted by Pulse Opinion Research shows continued wide and bipartisan support for term limits. Sixty-four percent say they don't want the limits lengthened or eliminated.

US Term Limits President



State Senator Bill Napoli is a leader in the South Dakota anti-term limits drive.

Philip Blumel notes that to rationalize foisting the ballot measure on voters, "politicians claimed that the citizens of South Dakota wanted an end to term limits. Clearly, they don't. The purpose of Question J is to please career politicians and lobbyists, not the voters."

Cameroon President Discards Term Limits

Even as Zimbabwe dictator Robert Mugabe notoriously flouts election results and bullies political opponents, the Big Bosses of other troubled African nations less in the news have also been aspiring to permanent rule—by trying to undo term limits.

The most recent example is Cameroon, where a rubber-stamp parliament this April voted to eliminate term limits on President Paul Biya, who rose to power in 1982 and is currently serving his second seven-year term as an elected chief executive.

The repeal means he will be able to run again in 2011 and if reelected could rule at least until 2018. He'll be 85.

The drive to drop presidential term limits was widely unpopular in the country and even fueled rioting. But Biya says folks want him to stick around and that term limits are undemocratic and unconstitutional anyway.

Cameroon's opposition Social Democratic Front (SDF) Party boycotted the term limits debate. According to SDF leader Joseph Banadzem, "The whole issue is a complete fraud. We do not want to legitimize it by taking part."

Instead of devoting themselves to the public good, "the regime is only concerned about one individual—President Paul Biya—and the effort to prolong

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Term Limits



ALASKA

The Kenai Peninsula Borough wants a superior court here to throw out the term limits law that voters just passed in October. The Alaska borough claims the term limits are unconstitutional. Two ballot measures limited tenure on the borough assembly and the school board to two consecutive terms. But because the measures are both retroactive and also apply to members running for re-election in 2007, some incumbents were reelected in districts where majorities also supported the term limits.



CALIFORNIA

Here's a happy sequel of the defeat of California lawmakers' recent attempt to weaken their term limits: a swoosh of downward mobility that is encouraging local electoral competition as termed-out lawmakers seek new employment. It seems candidates are choosing to run even for offices not yet "available"; i.e., even when the incumbent still wants the job and had counted on the usual merely nominal reelection campaign. Mary Piepho, on the Danville board of supervisors, finds herself facing a challenge from a former boss, the very man who encouraged her to run for the seat. "It came as a total shock," she says.



FLORIDA

For the third time, activists in Coral Gables have asked city commissioners to put a term limits measure before the voters. If not, the term limits proponents say they'll petition voters to post the question. Vincent Damien explains why he wants the reform: "The stagnation, the waste, the questionable expenditures, failure to manage the budget and failure to manage personnel are all symptoms of a fat cat and self-satisfied commission."



MICHIGAN

A panel of leaders at a forum called "Michigan Leaders Speak" has discovered that term limits are a problem! (A current reform proposal being floated would junk term limits.) "You can't legislate with people you don't know. You can't deal with people you don't have a relationship with," says panelist Phil Power, president of Center for Michigan, a "think and do" tank. State Senator Gilda Jacobs says term limits render lawmakers "impotent. We don't have time to maintain these relationships to get things done."

But we suspect that laws are still being passed in Michigan also that partisan conflict is not anything new. An online response from a reader nails it: "'Term limits are the problem.' We have had them for years, why no gridlock until last fall if it is caused by term limits? 'Lobbyists have too much influence on term limited legislators.' So, the longer they are in Lansing with the lobbyists, the less influence the lobbyists have on them?'"

in the News

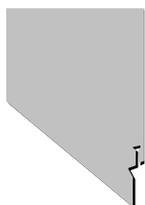


MISSOURI

State Rep. Gayle Kingery says previous efforts to dilute eight-year term limits failed because “constituents do not like us messing around with the numbers.” So what does he ingeniously propose as the cure for this reluctance? “Keeping” the 16-year general-assembly maximum but allowing legislators to serve the total in either house. Apparently voters are not expected to notice that an officeholders permissible tenure in office would be doubled under such a proposal. This is the same trick California voters sound-

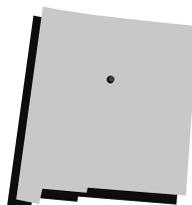
ly rejected earlier this year

NEVADA



Nevada politicians may be huddling behind closed doors to scheme against term limits (see front page). But Mrs. Carolyn Goodman, wife of three-term Las Vegas Mayor Oscar Goodman (he can’t run for a fourth), is very open indeed about her opposition to term limits and even has a sort of strategy for opposing them. At a downtown groundbreaking ceremony she announced that the “worst thing that ever happened to this city and this nation is term limits,” which certainly gives us a new perspective on the Civil War, Pearl Harbor, 9/11, Hurricane Katrina, etc. The mayor jumped in to suggest that maybe Mrs. Goodman was intoxicated. She denied it. “I’ve had one drink. You’re the one with the drinking problem.” Then she urged fellow foes of term limits to join her in lying down in the middle of the street to block traffic in protest.

NEW MEXICO



Albuquerque’s mayoral term limits have been tossed out by a judge who asserts that they don’t square with the state constitution. According to the Albuquerque Journal, Judge Linda Vanzi “found unconstitutional the City Charter provision that says an individual is ineligible to run after two consecutive terms.” In her view a local government isn’t allowed to adopt qualifications for local office not specified in the state constitution.

NEW YORK



Mayor Bloomberg vigorously denied an anonymous rumor that he was seeking a way to run for a third term. With such the wreckless sourcing and skimpy follow-up, it’s hard to know whether the report was an unsubstantiated rumor promoted by the media or a trial balloon by an-out-of-touch staff. Bloomberg has been a steadfast supporter of term limits and New York’s taxpayers should commend him for that commitment.

WISCONSIN



In early April a referendum in the town of Fond du Lac to repeal term limits got clobbered. Sixty percent of the 4,000 or so residents said *nyet* to it. Resident Eric Franson sums up: “It’s stupid. This was on the ballot 10 years ago.”

Despite Politicians' Worst Efforts, Support for Term Limits Still Strong Around the Country

The endless efforts of career politicians to undo term limits are a both a gratuitous drain on voters' resources and darned annoying. In California, career politicians are already hatching a sequel to their latest deceptive attempt to stomp the term limits. Incumbents in other states may wait for more than a few weeks before rebooting their anti-democratic efforts, but are no less relentless.

But let's put these reactionary efforts in context.

First, it's the politicians and special-interest allies who constantly connive to quash the caps, not voters generally. So efforts to unravel term limits at the ballot box typically fail. That's no cause to relax, of course; when politicians can't honestly persuade us to undo term limits, they go all out to dishonestly trick us into it.

Second, we're more likely to notice efforts to kill term limits than efforts to impose them in large part because the statewide term limits movement was so widely and rapidly successful in the 1990s.

That scale of sweeping success can't be repeated today for institutional reasons. Most states that today lack term limits on legislators and many state officials also lack the right of citizen initiative. So the further spread of statewide term limits depends on the further spread of initiative rights.

Meanwhile, term limits continue to be popular and new term limits proposals continue to appear all over the nation. Even when a candidate's avowal of sup-

port for term limits is suspect, the professions of support show the continuing appeal of the issue and the potential for reform. A sampling:



Citizen activist Vincent Damian is working for term limits in Coral Gables, Florida

• In Coral Gables, Florida, citizen activist Vincent Damian, president of the Coral Gables Action Committee, is trying a third and final time to persuade city commissioners to put a term limits question before the voters. Otherwise he'll head up a petition drive to post it. "The individual commissioners ran to do public service in the best interest of the city and we thank them for their service. Years and years as a commissioner unfortunately jaded their outlook. New blood is needed, not just now, but on a regular basis."

• Also in Florida, congressional candidate Richard Emmons of the Term Limits for the United States Congress Party (nice name) is one of five candidates currently vying for a seat about to vacated by Representative Gus Bilirakis. He says if elected, whenever he has the chance he'll bring up "the fact that we need to pass term limits."

• Louisiana lawmakers will consider a three-term limit on members of the Public Service Commission, education boards and a few other entities created by the constitution. Two bills to amend the constitution passed muster in a senate panel and now must be

approved by the full legislature and by the voters in November.

• In Indiana, the town council of Sellersburg is acting to place term limits on three boards, including a Police Commissioners Board created in 1984, in order to be compliant with Indiana statute. Until now no members of the boards have been term-limited.



Boston City Councilor John Tobin wants term limits for the mayor and fellow councilors.

• Even as Boston Mayor Thomas Merino ponders a fifth run for office in 2009—the city has seen only three mayors since 1968—City Councilor John Tobin has ordered a hearing on his proposal to impose a 12-year limit on the mayor and fellow councilors.

He is concerned that entrenched incumbents "become beholden to special interests and not their constituents." The newspaper *Boston Now* talked to Philip Blumel, president of US Term Limits, about the issue. "When you have someone with that name recognition and power," says Blumel, "their support from the special interests in the city is automatic and it becomes very hard to have competitive elections. The more people you have churning in and out of your city commission and mayor's office, the more people have first-hand intimate, direct knowledge of how that government works."

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Yonkers, NY, county legislator Gordon Burrows wants a maximum of five two-year terms for county lawmakers.

● In Yonkers, NY, county legislator Gordon Burrows would like to see county lawmakers limited to five two-year terms. “We are starting to get to a system where the career politicians are just too influential. When that happens, nobody wins but the big campaign contributors and the special interests.”

● In Erie County, NY, lawmakers Michele Iannello and Kathy Konst, citing their constituents’ frustration with entrenched county government, have proposed 12-year term limits for the Erie legislature.

● In Oklahoma, where the tenure of state lawmakers is capped at 12 years, a House bill to term-limit state officials including the attorney general to the same maximum has emerged from committee and will be considered by the full chamber. Attorney General Drew Edmondson has taken pains to badmouth the bill. One of its backers, state Senator Randy Brogdon, observes that the AG’s stated policy “is to avoid commenting on pending legislation. It is very disappointing that in this case he is deviating from his usual practice.”

(Full disclosure: we were no fans of Edmondson to begin with. An enemy of citizen control of government, the AG is seeking to imprison former US Term Limits president Paul Jacob and two other citizen activists for the “crime” of supporting a 2005 Oklahoma citizen initiative. See FreePaulJacob.com for details.)

● Pennsylvania voters still remember a notorious back-room legislative pay raise (later repealed in response to public furor). So some candidates for the state legislature mutter at least lukewarm support for term limits, like a few of those running for the suddenly available seat of Representative Tom Yewcic—after a mere 53 years in office, he’s packing it in. In another Pennsylvania race, Gary Hornberger is a more enthusiastic reformer, insisting it’s “critical that we enact term limits. The way state government operates today...you spend years working your way, patting backs, providing favors, and if you’re one of the fortunate ones, you get to the top.”

● Jackson, TN, councilman Frank Neudecker has an idea: term-limit the mayor and council mem-

bers. He says there are plenty of competent people who could serve. Councilman Johnny Dodd thinks he has a better idea. “Let’s do a trial on [Neudecker’s] district and see how it works out,” says Dodd, adding that he’d like to occupy his seat as long as possible.



Matt Shaheen made term limits a centerpiece of his campaign for the Commissioners’ Court of Collin County, Texas.

● Matt Shaheen, a first-time candidate for the Commissioners’ Court of Collin County, Texas, defeated the incumbent in a runoff election. Shaheen says voters “are concerned about term limits and property tax relief,” top issues of his campaign. His website features a petition to term-limit county commissioners.

Cameroon President Discards Term Limits (Cont’d from page 3)

his stay in office.”

The term-limit-trashing legislation also expands Biya’s political powers and safeguards him from prosecution should he ever leave office.

According to SDF chairman John Fru Ndi, “It is a bill that gives him unlimited power and more seriously, Cameroonians cannot charge him for anything he did while he was in power, so he is covered. So he can kill, he can loot, he can do anything. When he leaves government, you will not charge him.”

Ndi has also accused Biya of rigging the 2004 parliamentary elections so as to give himself an unassailable major-



Cameroon’s President Paul Biya recently had his cronies in the Cameroon Parliament to relax presidential term limits as well as provide Biya with immunity from prosecution should he ever leave office.

ity. In recent years, presidential term limits have also been overturned in Uganda and Chad. But similar attempts failed in Malawi, Zambia and Nigeria.

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“The worst thing that ever happened to this city and this nation is term limits.”

— Carolyn Goodman, wife of term-limited Las Vegas Mayor Oscar Goodman

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