

No Uncertain Terms

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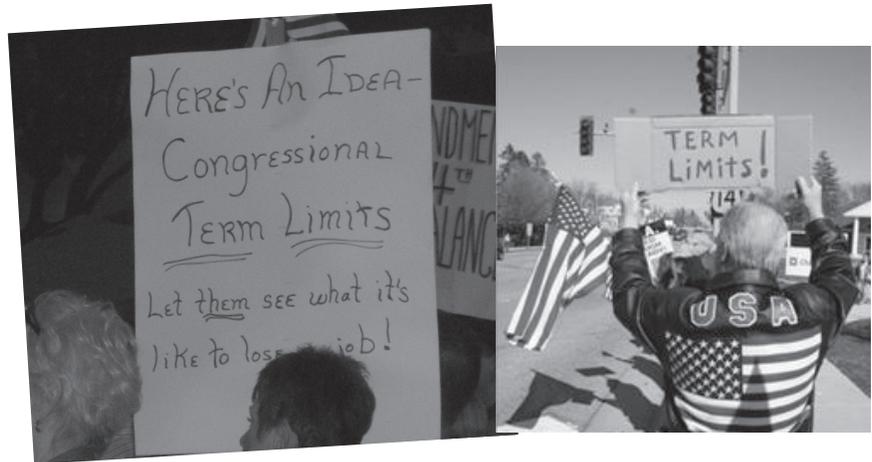
Arizona Legislature Adjourns Without Foisting Term Limits Repeal on Ballot

The Arizona state legislature wrapped up its regular session on April 29 without sending a term limits repeal measure to the ballot.

A hotly debated bill requiring police to check the documentation of suspected illegal immigrants was a major focus of state lawmakers in recent weeks, and also spurred national controversy, especially after being signed into law by Governor Jan Brewer. Even without such a distraction, politicians' frequently renewed attempts to weaken or repeal legislative term limits in states that have them often wither in the face of the popularity of term limits among voters. Still, every once in a while career politicians throw caution to the wind and force voters to troop to the polls to shoot down an anti-term-limits ballot measure.

Thus, on March 1 the Arizona state senate went so far as to pass a so-called "good-government" measure (SCR 1007) to repeal legislative term limits that had been endorsed by none other than former U.S. Supreme Court Justice Sandra Day O'Connor. The vote was 18-11. Newspapers like the Arizona Republic urged the state house to follow suit, bemoaning the fact that term limits "keep legislative leaders from consolidating their authority and gaining clout," and gesturing frantically at the calendar as the session drew to its close.

SCR 1007 was only one of a relentless stream of bills introduced in Arizona and many other states to assault term limits. Recent propos-



Tea partiers protest out-of-control government, root for term limits.

als have also faded this year in Arkansas, Florida, Maine, Nebraska, and South Dakota. Proposals to gut term limits in California, Colorado, Michigan, Missouri, Ohio and Oklahoma are still out there. The strongest effort seems to be in California, where career politicians are determined not to take "no" for an answer no matter how many times they fail to trick voters into passing a measure to weaken term

limits that the politicians pretend is something else.

More positive efforts to broaden the reach of term limits have been proposed this year in Louisiana (to set term limits on statewide elected officials) and New Mexico (to limit state legislative tenure).

Mandatory rotation in office

(Continued on Page 3)

USTL Airs TV Ad in Michigan

U.S. Term Limits ran a 30-second TV commercial in the Lansing viewing area this April to alert voters that Michigan lawmakers were gearing up once again to assault state legislative term limits.

Several bills have been floating around in both the house and senate chambers to weaken or repeal term limits. The TV spot aired as the House Judiciary Committee con-

sidered a resolution to weaken term limits that is sponsored by State Representative Mark Meadows.

Advocates say the proposal "keeps" the term limit on "total" legislative service, since no more than 14 years could be served in both legislatures under the revision. But since the entire 14 years could be served in just one cham-

(Continued on Page 3)



President's Corner

BY PHILIP BLUMEL

Does your Congressional candidate support the term limits bill?

Ask! 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.

For the first time since the era of the Contract with America, we have a popular U.S. Senator, Jim DeMint of South Carolina, sponsoring a term limit amendment. He has 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—winner of the Republican primary and leader in the plling against his Democrat opponent—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. I will do my best to convince our presidential candidate on the GOP side to adopt the issue as well.”

Another Senate hopeful—also leading in a Republican primary—is Florida’s Marco Rubio. But he is so far ducking the question of whether he will actually cosponsor the DeMint bill, or just likes talking about it.

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

U.S. Term Limits urges all voters to ask their Congressional candidates where they stand on Senator Jim DeMint’s amendment to limit senators to two terms and representatives to three terms in office. We have to nail them down on this before the election.

Ask them and let us know. We’ll make sure term limits supporters in their states know their answer.

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*

USTL Airs Ad (Cont'd from page 1)

ber under the proposal, it would in fact lengthen maximum tenure in the state house from 6 years to 14, and in the state senate from 8 years to 14 years. The point of term limits laws is, of course, to limit an office-holder's tenure in a specific elective office, not in some hypothetical combination of two or three or ten offices.

"It is no secret that once legislators begin facing the end of their terms, they begin squirming like fish on a hook trying by any means to stay in office," observes USTL president Phil Blumel.

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Meadows repeats the oft-heard complaint that "term limits law eliminates experience from the leg-

islative process." But perhaps what many incumbents really dislike is the range of experience that candidates often bring to seats opened up by term limits.

One interesting race in Michigan is that for the 11th state senate seat, now open because of term limits. Among the candidates is former State Representative Leon Drolet, director of Michigan Taxpayers Alliance, who is campaigning on an anti-tax, anti-porkbarrel message. Drolet's resume also includes helping to write a constitutional amendment to curb government's power to grab private homes, which seems like relevant experience to us. The seat is also being pursued by another former state representative as well as a current one.

Meanwhile, Phil Power, a term limits foe who writes for Michigan papers, applauded freshmen for bucking politics as usual even as he ignored the role of term limits in such cage-rattling. "Michigan's fiscal year doesn't start till October 1," noted the columnist, "but delaying a budget that long leaves other units of government in limbo.



Leon Drolet.

So [the freshman legislators] started preparing resolutions that would require lawmakers to adopt a balanced budget by July 1 or get docked a day's pay for every day they miss the deadline."

He went on to cheer the freshmen lawmakers for another "novel" effort: trying to weaken term limits. A reader of the column observed that although Power argues that Michigan needs "need to change the term limit law to allow legislators to stay in office longer...it is the freshmen caucus that is challenging the way things are done in Lansing. Doesn't anyone see the contradiction?"

Arizona (Cont'd from page 1)

has always been popular with the public, even as pundits and politicians dismiss the relevance of this constraint on power. But with support for term limits flourishing so adamantly in tea party rallies and even political campaigns across the country this electoral season, consigning the reform to the dustbin of history has become ever less plausible.

An American Spectator article by David Bass notes that although they are "seldom acknowledged by the Republican Party establishment, calls for term-limiting politi-

cians have been a consistent undercurrent of the tea party movement. Activists are tired of professional politicians opening the barnyard door for special interests to feed at the stimulus trough—and equally tired of those incumbents spending half-a-century doing it."

In Bloomberg News, Caroline Braun suggests that despite the reluctance of congressmen to term-limit themselves, a public that persists in demanding congressional term limits might well find a way to impose them. "The public is mad as hell at Washington: at

the corruption, the underhanded deals, the earmarks, the sense of entitlement that comes with lifetime employment. If we don't want to take it anymore, we can do something about it.... With public approval of Congress at an all-time low and support for term limits at an all-time high, it's time to seize the day. What can you do? Sign the petition on the USTL Web site [at www.TermLimits.org.] Contact your senator or representative and tell him your vote is contingent on his support for term limits."

No argument here.

Term Limits

CALIFORNIA



California's career politicians work overtime to remind us of why their latest attempt to gut term limits is a bad idea. Columnist Dan Morain notes that in addition to the proposed measure to bloat maximum tenure in either chamber to 14 years (state assemblyman are currently limited to six years, state senators to 8 years), "This year, politicians, including former Speaker Karen Bass, are raising money for a ballot measure that would kill the [Proposition 11] redistricting measure before the first lines are drawn." Prop 11 was a successful 2008 ballot measure to take drawing state legislative districts out of the hands of state lawmakers—who like to rig the districts to dampen electoral competition—and give the job to an independent commission. Adding insult to injury, on February 26, her last day as speaker, this same Karen Bass submitted pay hikes and promotions for twenty staffers... even as most state workers in the cash-strapped state are accepting unpaid furloughs and pay cuts.



FLORIDA

Palm Beach Mayor Lois Frankel is being coy about whether she intends to pursue a third term, despite massive local opposition to hints that she is thinking about trying to get around the two-term limit on her office. She tells reporters: "I don't have an obligation to commit to you what I'm going to be doing in a month, six months, a year from now with my life." Changing the city charter to lengthen the mayor's maximum tenure would require voter approval. Jac Wilder Versteeg, an editorial writer for the Palm Beach Post, says that while an effort to weaken term limits would look self-serving on Frankel's part, it looked the same for Bloomberg in NYC, too, "But he won." (Bloomberg, of course, "won" his right to a third term by avoiding a new public vote on term limits.)



LOUISIANA

Three cheers for Representative Simone Champagne, who has sponsored a bill (HB 51) to set three-term limits on the lieutenant governor and other statewide elected officials in Louisiana. Currently, the governor is the only statewide official whose tenure is limited—to two consecutive terms. Representative Rick Hardy's bill (HB 101) would impose a three-term limit on district attorneys, sheriffs and judges. Another bill (HCR 63), sponsored by Representative Nick Lorusso, calls for a constitutional convention to enact congressional term limits.



MARYLAND

A bill by freshman State Representative James King to limit lawmakers and state officials to two consecutive four-year terms "has virtually no chance of passing," according to Annapolis commentator Eric Hartley, who notes an irony: "The bill was heard... by the Rules and Executive Nominations Committee, chaired by 81-year-old Hattie Harrison. A Democratic delegate from Baltimore since 1973, she has led that committee since 1979. Under the rules, not only will the bill not necessarily get an up-or-down vote in the House, but Harrison doesn't even have to let it come up for a vote in her committee."

in the News

MICHIGAN



State Representative Mark Meadows says his push to lengthen term limits to 12 years in both chambers by increasing the length of individual terms from two years to four in the house and from four to six years in the senate “isn’t about getting re-elected. It is about the fact that nobody has any experience here, and you see some bad things occur because people don’t know why we did things a certain way.” Alas, the theory does nothing to explain the bad things occurring in the U.S. Congress, whose members are not subject to term limits.

NEW YORK



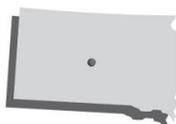
A reform group headed up by former NYC Mayor Ed Koch is drafting a “Contract With New York,” which purportedly includes nonpartisan redistricting and a “promise” to curb state spending among its goals. Not on the agenda is term limits for state officials, a reform that is “regarded as politically impractical right now,” according to a New York Times report. Most voters want term limits; the public at large wouldn’t be a stumbling block. Of course, what is meant by the term “impractical” is that career politicians won’t be happy about being term-limited. They never are. But that’s no reason for a “reform” group to abstain from pushing for term limits anyway and keeping the issue on the front burner.

NORTH CAROLINA



A few more political candidates have been signing the bonded term limits pledge sponsored by the Pinehurst, North Carolina, organization Alliance for Bonded Term Limits. Recent signers include GOP congressional candidates James Taylor, Frank Deatrach and Todd Gailas. The John Locke Foundation has a YouTube video about bonded term limits that features Deatrach and Gailas. Visit <http://bit.ly/ar6nNY>.

NORTH DAKOTA



Tory Otto, a member of Citizens for Responsible Government, has filed a petition with the secretary of state for a ballot measure to term limit elected state officials. If the wording is approved, he’ll need to collect 26,000 signatures. “Once this is approved you can expect us to be very visible in North Dakota,” Otto says.

TENNESSEE



By a 4-2 vote, Lebanon City Council overrode Mayor Philip Craighead's veto of term limits legislation, limiting mayor and council members to two consecutive terms. The state legislature must approve the charter change, and the council must then act again to ratify it.

UNITED STATES



Reporter Graham Moomaw observes that the more unpopular entrenched political incumbents become, the more popular term limits become: “Politicians are staying in Congress longer and longer, but in an election year with a noticeably anti-incumbent mood, some Washington outsiders are challenging the idea of making a career out of public service.” According to Maryland State Senator Andy Harris, who is running for Congress, that body “has evolved into an insulated institution where power is wielded by a few to benefit themselves and their special interest friends. A discussion of congressional term limits is timely and would benefit the entire country.”

Curtis Wilkerson (1926-2010)

We were saddened to learn of the passing of Curtis Wilkerson, a widely respected champion of term limits in the Show Me State. Wilkerson, a veteran of World War II, was an educator and farmer who served in the Missouri House of Representatives during the 1980s. In the next decade he helped bring term limits to the whole state legislature. He recalls in a memoir how he came to limit his own tenure as a lawmaker:

I began a study of term limits for career politicians, blissfully ignorant of how unpopular I was to become among them. Infected with careerism as they are, they believe that their wisdom is superior....

As I began to make speeches in support of term limits to small groups around the state, I encountered a problem. Among the many questions I was asked about term limits, one was asked over and over: "How many years have you served as a state representative?"

My answer was: "At the end of the session, I will have served eight years."

In my speeches, I had recommended eight-year terms for the house and two four-year terms for the senate.

I soon discovered that you must do what you preach. I held a news conference and announced that I would retire at the end of my eighth year.

He goes on to recount the term limits petition drive of the early 1990s, in which he had a major role:

Since the general assembly itself had no interest in presenting any legislation to support term limits, it was necessary to secure citizens' signatures to get this issue on the ballot.

Hundreds of citizens get signatures so that voters had the opportunity to support term limits. During the summer months, all



Curtis Wilkerson.

through the state, in parking lots, streets, I worked with these volunteers in getting the required number of signatures for ballot voting.

The sun was torrid, but volunteers worked in the heat and secured the number of signatures necessary to place the issue on the ballot.

Term limits proponent John Thompson remembers Curtis Wilkerson as a "true warrior in our movement to create citizen legislatures—particularly in Missouri.... He self-limited as a state legislator and he and his wife Romalee made many personal and financial sacrifices to see term limits become a reality in the state. He led by example."

THE DAY URIBE'S REFERENDUM DIED

By Gustavo Silva Cano

Last Friday, Colombia was paralyzed. Everyone was listening to the radio, or watching the news on TV, waiting for the Constitutional Court's decision on the referendum. Here at Princeton, I spent the entire day sitting in front of my laptop, listening to online radio stations and following the hundreds of tweets on the issue....

I had been waiting since 11 AM, and six hours later the deci-

sion still had not come out. I was nervous, but I also wanted to take a break from all that, and I thought about doing something else. My roommate and I decided to watch an episode of "Damages," a legal drama with Glenn Close, and for a while my brain stopped thinking about the referendum. However (unlucky me!), when I opened my Twitter after that, I read that some news outlets had already leaked the decision: the Constitutional Court

had voted 7-2 against the referendum, and President Uribe would be unable to run for a third term. Period.

And so the exhausting wait was over. Years of uncertainty about a third term for President Uribe had come to an end. Mauricio Gonzalez Cuervo, the president of the Constitutional Court, finally

(Continued on Page 7)

A Tale of Two Countries: Nicaragua and Columbia

According to a Wall Street Journal column by Mary O'Grady, "supporters of Nicaraguan President Daniel Ortega were [recently] in the streets of Managua...firing on a hotel, burning cars, and otherwise trying to intimidate opposition members of Congress. The mob was mobilized because the legislature is standing in the way of a Hugo Chávez-style power grab by Mr. Ortega... If Mr. Ortega gets tenure in Nicaragua you can bet he will be eager to promote the values of his close allies, Cuba and Venezuela, on the isthmus in exchange for their help in holding onto power...."

"Mr. Ortega's term is up in January 2012, and according to Article 147 of the constitution he is barred from running for president again. For three years he tried to get Congress to change that. He failed. So in October he went to Nicaragua's Supreme Court alleging that since congressmen can be re-elected, he's the victim of discrimination.

"The Sandinista judges on the court's constitutional panel waited until the opposition judges had gone home for the day, called in three Sandinista judges from other court panels as alternates and held a vote. The court ruled the prohibition on re-election 'inapplicable.' Mr. Ortega promptly declared himself a candidate for 2011."

We're still in suspense about what will happen in Nicaragua, but it appears that a presidential incumbent's coup against term limits has been averted in Colombia, in large part thanks to that incumbent's willingness to accede to the rule of law. On page six is an excerpt from commentary published in late February by Gustavo Silva Cano, a student from Colombia who observed events from the U.S. as they unfolded in his country.

Uribe (Cont'd from page 6)

appeared in front of the dozens of journalists that had gathered in the Palace of Justice, and read the decision. When Judge Gonzalez said the word "inexequible" (i.e., that may not be done or executed, unconstitutional) in reference to the referendum, the people in the auditorium clapped and shouted with joy. Many more had gathered outside the Palace of Justice, and they started dancing and singing once the decision became official. The nation was relieved. The constitution and the republic had been saved....

Later, at 7 PM, Mr. Uribe addressed the country...and with just a few notes before him, he gave a heartfelt speech saying that he would comply with the court's decision. "The rule of law...demands that all citizens submit themselves to the law, but especially the ruler," the president said....

At that moment, I felt very proud of my country. The Constitutional Court had given a remarkable proof of institutional independence and President Uribe had shown once again that he is a true democrat, a statesman in every sense of the word. In 2007, when Venezuelans voted against a referendum that would have erased all limits on presidential reelections, President Hugo Chavez simply chose to ask them again....

None of that happened in Colombia. There was a popular petition for a referendum, Congress made some changes and later approved it, the President signed it, and the Constitutional Court finally said it couldn't be done. That, dear reader, are checks and balances in action.... The country's political establishment had spent so much energy on this referendum business that it was hard to believe that nine



Columbia President Álvaro Uribe.

judges had the power to block it. But so says our constitution, and the respect for those fundamental rules is what makes the Colombian polity work.

To read Gustavo Silva Cano's entire report, visit bit.ly/azs5HN at ColombiaReports.com.

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“[Senator Robert] Byrd, 92, represents the kind of permanent ruling class the Founding Fathers feared. They would not recognize today’s Leviathan as the same federal government they created and to which they gave enumerated powers.”

—Caroline Braun, Bloomberg News

see p. 1