

No Uncertain Terms

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62 Candidates Sign USTL Pledge To Support Congressional Term Limits Signer Bob Turner Wins Special Election in NY

So far in the 2011-2012 campaign season, 62 candidates for congressional office have signed the U.S. Term Limits Amendment Pledge, including 25 candidates for U.S. Senate.

The pledge, which USTL has submitted to all announced congressional candidates, commits signatories to support and co-sponsor a specific amendment to the U.S. Constitution limiting congressional terms. It reads: "I pledge that as a member of Congress I will cosponsor and vote for the U.S. Term Limits Amendment of three (3) House terms and two (2) Senate terms and no longer limit."

In mid-September, pledge signer

Bob Turner won a special election to the U.S. House following the resignation of Rep. Anthony Weiner. In 2010, Turner had lost to incumbent Weiner in a hard-fought campaign.

Among the other signers is U.S. Senate candidate Garry Glenn of Michigan, praised by U.S. Term Limits for "leading the way for other candidates for the U.S. Senate by being an early signer of the term limits pledge." When Glenn served as a county commissioner in Boise, Idaho, he proposed county-level term limits. Among other initiatives, he has collaborated with the



U.S. Senate candidate Colonel Mike McCallister of Florida with his signed USTL pledge to support congressional term limits. Four major GOP candidates for Senate have signed the pledge.

(Continued on Page 3)

USTL State Coordinators Promote Term Limits at the Grassroots

U.S. Term Limits is looking for a few good men and women to coordinate activism on behalf of term limits at the state level. Volunteers in several states have already offered their services.

In North Carolina, the USTL state coordinator is Don Spry

(drspry2@yahoo.com), who recently spoke about term limits at a campaign event for congressional candidate Illario Pantano. Georgia's state coordinator is Jim Erdy (jjerdy@bellsouth.net). Alabama's is Matthew Turney (termlimits@mattweb.us) and Rhode Island's

is Shawna Amitrano (samijam@cox.net).

See the upper left-hand corner of the termlimits.org home page, under the heading "State Battles," for links to state coordinator web pages.

The coordinators have been asking supporters of term limits to sign the online petition calling for

**Election 2011: local term limits
see p.6**

(Continued on Page 3)



President's Corner

BY PHILIP BLUMEL

In the last issue of No Uncertain Terms, we reported that the Florida Fourth District Court of Appeals had reversed a lower court decision to chuck voter-approved term limits in Broward County. The reversal of this obnoxious rescinding of the law is also good news for voters in other Florida counties where term-limited commissioners seek to glue themselves to their seats despite term limits.

Soon enough, though, news came of more brazen maneuvering and rhetoric from the career politicians. Politicians grasp for power like a drowning man gasps for air.

First was the not too shocking decision of some termed-out politicians to appeal the Fourth District decision to the Florida Supreme Court. Bill Scherer, acting for sitting Broward commissioner John Rodstrom and others, launched the appeal after losing at the appellate court level in August. The appellate court had decided—unanimously—that home rule charter counties do indeed have the right to customize their county commissions as they have long done.

Despite the politicians' rearguard actions, however, the high court is likely to respect the voter-enacted term limits. So, politicians are trying Plan B.

In Florida's Sarasota County, some commissioners want to post a referendum to replace the county's eight-year limits on their tenure with 12-year limits. It would include a new grandfather period for current commissioners so that current incumbents could serve twelve more years once the measure passes. (Sarasota voters had limited commissioners to two terms more than a dozen years ago, but, until now, a 2005 lower court decision has prevented the term limits from going into effect.) Perhaps the next edition of Webster's will use the commissioners' photos to illustrate the word "chutzpah."

Defenders of the referendum say it would resolve the "confusing" import of the Fourth District's determination. Confusing? The court has unambiguously affirmed voter-enacted term limits!

Term limits offer many benefits, the most basic of which is that they encourage regular, competitive elections. In Sarasota County, Commissioner Jon Thaxton, who intends to campaign in disregard to Sarasota's eight-year term limit, hasn't been opposed since he first ran in 2000. Over a decade.

But the proposed referendum isn't about the pros and cons of term limits; the voters considered these in 1998 and made their decision. Today the question is whether the clearly expressed will of the people can be blocked forever by lawyers and politicians determined to re-entrench political monopolies. With respect to that goal, they're not confused at all.

Visit Phil Blumel's blog at pblumel.blogspot.com. Check out our Facebook page at on.fb.me/l8fXE1.

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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*

Candidates Sign Pledge (Cont'd from page 1)

Mackinac Center for Public Policy to promote a tuition tax credit.

U.S. Senate candidate Adam Hasner, former majority leader of the Florida House, says that the term limits amendment is one of only two constitutional amendments he would support, the other being a balanced budget amendment. Hasner has also committed himself to serve for two terms at most should he win office.

“I’ve seen firsthand how term limits in Tallahassee have benefited the state of Florida, and how the lack of term limits in Congress has made it difficult to effect real change in Washington,” Hasner says. “That’s why in addition to taking the U.S. Term Limits Amendment Pledge, I have also made a personal commitment to the people of Florida to fight for Congressional term limits and to serve no more than two terms if elected.”

Another Pledge signer running for U.S. Senate, Virginia businessman and broadcaster Tim Donner, blasts “a political class which assumes power early in life and which is never burdened by earning a paycheck that doesn’t come from the confiscated wealth of productive Americans,” a situation that “is anathema to liberty and is sadly

becoming the norm in America.” In a podcast at blogtalkradio.com (bit.ly/s0rdAo), Donner says voters “overwhelmingly agree with me that lifelong members of Congress are not what the Founders had in mind and are not what the next generation needs to maintain freedom.”

USTL had also asked candidates to formally support congressional term limits in the lead-up to the 2010 election. Twelve of the pledge-signers running for Congress went on to win their contests, including eleven candidates for U.S. House seats and U.S. Senator Tom Coburn, who was running for reelection. Senator Coburn was

among the original sponsors of the congressional term limits amendment in the Senate.

Visit ustermlimitsamendment.org to click on an interactive map of the United States and see whether candidates in your district or state have signed the U.S. Term Limits Pledge. Clicking on your state calls up a list of 2012 pledge signers; you can then click on hyperlinked names to view pdfs of the signed pledges.

Candidates for the 2010 elections are also listed at the site with links to their signed pledges.



USTL State Coordinators (Cont'd from page 1)

congressional term limits and to tell friends and family about it (bit.ly/16NnY7); to distribute short flyers explaining term limits (bit.ly/rXwumi); to ask congressional candidates and incumbents to sign the USTL Term Limits Amendment Pledge (ustermlimitsamendment.org); and to ask state representatives to sponsor a resolution instructing their congressional delegation to vote for congressional term limits (see sample resolution text at bit.ly/sRLLSsu).

If you’d like to work with us as a coordinator in your state, please email ray@ustl.org.

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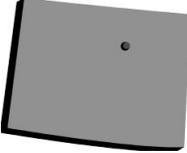
Term Limits

CALIFORNIA



A bill to switch all future measures qualifying for the June 2012 ballot to the November 2012 ballot instead has cleared both chambers of the California legislature. According to the bill's author, State Senator Lori Hancock, "Low turnout elections do not represent the needs, priorities and desires of the larger electorate." But the bill would not change the decision date for the two measures that have already qualified for the June ballot, including the measure to weaken term limits. And career politicians do hope to benefit from relatively low turnout with respect to a question like term limits.

COLORADO



Colorado commentator Ralph Routon remembers the adamant refusal of El Paso County commissioners to schedule a revote on term limits "after a deceptively worded question last November gave them an increase from two to three four-year terms and a chance for a bigger pension afterward, prompting conflict-of-interest concerns." The commissioners claimed that holding a special election to reconsider the question would cost the county too much, since few municipalities and school districts could share the estimated \$500,000 price tag. Therefore, a re-vote would have to wait until 2012. But now Colorado Springs and the state of Colorado have scheduled ballot measures. Rick Wehner, who championed the re-vote, tells Routon that in his view "the numbers presented to the public on the cost of placing term limits on the ballot were disingenuous and designed to deceive the public. Now that we know the number of issues coming on the ballot, and reduced county costs, our suspicions have been confirmed."

FLORIDA



The fact that the status of Florida's county-level term limits is still uncertain despite a dramatic judicial vindication of them (see p. 2) means that how competitive the next election will be is also still uncertain. For example, State Representative Evan Jenne says that he would consider running for the Broward County Commission if and only if term limits are upheld by the high court. If they are, the seat currently occupied by County Commissioner John Rodstrom would be up for grabs.

FLORIDA



The Florida Term Limits Blog (flatermlimits.blogspot.com) reports that Florida State Senator Joe Negron has sponsored a resolution calling for congressional term limits. It's a companion to the similar resolution sponsored by State Representative Matt Caldwell. "With a term limits amendment bill with cosponsors in both Houses of Congress for the first time since the mid-1990s, it is time for us to put the pressure on Congress anyway we can to cosponsor and vote for these bills," blogger and USTL President Phil Blumel writes. "One way is to have our state legislatures officially call for Congressional term limits." Those who want to help the effort along can consult Blumel's suggestions at bit.ly/sKUEhe, which can also be applied in other states.

in the News

ILLINOIS



The Illinois Republican State Central Committee has passed term limits on committee members with a 55% vote. “One of the legitimate criticisms, I think, historically of the party has been that it’s just a bunch of people that have been around for a long time,” says Chairman Pat Brady. “We wanted to make sure that we get new blood in.” But the rule is a weak one. A person could be deputy member for eight years and then a regular member for another eight years. The term limit takes effect in 2014, the next time committee members will be selected.

LOUISIANA



The *Times-Picayune* reports, “When qualifying closed Thursday afternoon, 40 sitting representatives and one newcomer secured election without opposition, as did 18 sitting senators and two newcomers to the upper chamber. That settles 41 out of 105 House races and 20 out of 39 Senate seats.” Although the paper blames “a new tendency for would-be candidates to wait for open seats forced by term limits” for the phenomenon of uncontested elections, uncontested elections are also commonplace in states without legislative term limits. (For example, see the New York Times’s chart listing 2010 election results for the NY state legislature at nyti.ms/djHX8S.) It is true that in un-term-limited states, candidates who are definitely planning to run for office are more likely to do so when the incumbent is running for reelection than is the case in states where seats must be vacated by law every six or eight years. But the lack of electoral competitiveness fostered by the advantages of incumbency is periodically corrected only under term limits.

NEW YORK



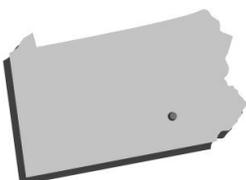
A Clarkstown, NY, group has gathered more than the 3,000 signatures needed to place a term limits question on the ballot, and done so earlier than expected. “Most of the people that we met were in favor of our term limit petition. I think the significance of hitting our number early is that we have a very large and strong group and following,” says Clarkstown Taxpayers founder Mike Hirsch. The measure would impose eight-year limits on town supervisor and town council members.

NORTH CAROLINA



Despite momentum to cap the tenures of legislative leaders, North Carolina lawmakers adjourned a special session without passing those term limits, supposedly because lawmakers could not agree on the number of terms to which the posts should be limited. The Senate’s bill called for eight-year limits; House Speaker Thom Tillis wants four-year limits, but has indicated that he would accept six. Tillis says a compromise could still be worked out but perhaps not before next May, in time to post a measure on the November 2012 ballot.

PENNSYLVANIA



Lehigh County commissioner Andy Roman advocates term limits on local officials, saying, “If you have across-the-board term limits, you need to be very responsive to the public. I think that’s good government.” If the commissioners okay it, the measure would go onto the spring or fall ballot of 2012 and, if passed, go into effect in 2013. The proposal would impose a three-term limit on commissioners, but it would also lengthen the tenure of the current county executive from two terms, a limit passed in 1989, to three terms. The clock would start from the time of passage for commissioners. But the county executive, have already been subject to term limits, would not benefit from a similar grandfather clause.

ELECTION 2011

Voters decided a number of local term limits questions this November, especially out west.



CALIFORNIA: Voters in the sparsely populated town of Vernon, the government of which has suffered notoriety for bestowing outsized salaries on its crony-club of elected officials, passed a term limits measure by a vote of 43 to 9 limiting council members to a maximum of ten years in office. The term limits question was one of a slew of reform-enacting measures brought to ballot after the town deflected attempts to disincorporate it. Although a dense industrial area, Vernon showed only 112 residents as of the 2010 census.

By a 76% majority, San Marino, voters approved term limits confining council members to two consecutive four-year terms. Termed-out members must wait two years before running again. Eighty percent of San Marino voters had approved an advisory term limits question in March 2009.

COLORADO: About 66% of Colorado voters in Colorado's Fifth Judicial District (comprising Clear Creek, Lake, Eagle and Summit counties) quashed a ballot question this November to lengthen the term limits of the district attorney, a measure that had been promoted by incumbent District Attorney Mark Hurlbert. Hurlbert is currently limited to a maximum of two terms in office. District Attorney Don Quick, of Colorado's 17th Judicial District, was also refused any expansion of his two-term limit—by a 62% majority in Broomfield County and a 71% majority in Adams County.

With a 65% majority, Douglas County, voters defeated a measure to increase the maximum tenure of their sheriff from two four-year terms to three four-year terms. Fort Lupton voters defeated a measure to lengthen council term limits from two terms to three terms. Platteville voters also defeated a measure to repeal council term limits.

FLORIDA: Voters in Holly Hill spurned a proposal to eliminate the mayoral term limit by a three to one margin, or 405 to 142. Some residents had characterized the election as a “power grab.”

GEORGIA: In Chatham County, 65% of voters rejected a ballot question to repeal term limits on the chairman of the Chatham County Commission. A local news station reports that Commission Chairman Pete Liakakis was “disappointed but not devastated.” The ballot question: “Shall the Act be approved which removes the term limitations on the office of chairperson of the Board of Commissioners of Chatham County?”

OKLAHOMA: Tulsa voters rejected a proposal to impose 12-year term limits on city councilors. It was not a stand-alone proposal but was bundled with other changes in the structure of local government. Councilor Roscoe Turner concludes that “people are afraid of change, and this just may have been too much.” But if distinct ballot questions are not posted separately, voters have no chance to say Yes to some and No to others.

OREGON: By a vote of 70% to 30%, Clackamas County voters passed eight-year term limits on Molalla City's mayor and council members.

TEXAS: Plano voters accepted an increase in the length of individual city council terms from three years to four years, which had been proposed as a cost-saving measure in response to state-mandated changes in elections, while also saying Yes to a decrease in the maximum consecutive terms a council member can serve from three terms to two terms. The net result is that the maximum tenure is now shaved from nine years to eight years. Voters in the town of McKinney passed similar measures.

WASHINGTON STATE: By 78% to 22%, Monroe voters passed an advisory question about term-limiting elected officials to two four-year terms or nine years. If the measure is enacted, termed-out officials would have to abstain from efforts to regain the former seat for eight years before trying again.

THEY SAID IT

Revive and Renew or Reject and Retreat?

State politicians still fighting term limits

“Term limits are intended to revive and renew the age-old American principles of government by our fellow citizens and rotation in office—the furthest thing from an elite, professional class. Nevadans were and are roundly sick of the brand of arrogance that treats public offices as the private property of the officeholders.

“Yet getting elected officials to abide by the restriction has been a chore.

“First, 17 years ago, the state Supreme Court peeled judges off of the term limits initiative, declaring voters would have to vote separately on term limits for the judicial branch -- which, as a naked and isolated provision, judges and attorneys managed to defeat.

“Then the high court ruled that voters couldn’t have meant for term limits to take effect immediately upon enactment. No, lawmakers and others who’d already been on the public payroll for decades were given an additional 12 years in office before term limits would apply to them.

“Then, just prior to the 2008 election, as the limits were about to kick in, several lawmakers convinced attorneys with the Legislative Counsel Bureau to challenge the validity of the amendment itself in order to preserve their cushy sinecures. They lost.

“This case is not about Mr. Mallory’s fitness or conduct in office, which have presumably been estimable. Instead, the relevant context here is the ongoing, 17-year campaign of Nevada’s political class to undercut the will of the voters, who overwhelmingly voted twice for term limits”

—excerpted from *Las Vegas Review-Journal*, bit.ly/uONrnn

Before Bloomberg, Giuliani

“The Sept. 11 attacks on the United States provided many political lessons. One that endures is that opportunists are ready to act, and not always for the public benefit.

“It was primary day in New York; the political parties were choosing candidates for that November’s citywide election. Term limits meant Republican Mayor Rudolph Giuliani was at the end of his contentious eight years in office. The former prosecutor’s most vivid impression on the public in the previous two years had been his bizarre public spats with his second wife and the abandonment of his U.S. Senate campaign after learning he was suffering from prostate cancer.

“Then two hijacked jets flew into the twin towers of the World Trade Center, one of which housed the city’s emergency response center, and Giuliani became a vivid, admired figure across the nation. He was decisive and authentic as he led recovery efforts. He briefly stepped on his goodwill by floating the notion of postponing the election of a new mayor in November so that he could remain mayor for a while longer. Authority mixed with soaring popularity can make sober judgment take flight.”—Kevin Rennie

—excerpted from *The Hartford Courant*, bit.ly/sZl63E

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“Term limits are intended to revive and renew the age-old American principles of government by our fellow citizens and rotation in office -- the furthest thing from an elite, professional class.”

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