

No Uncertain Terms

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A Dozen Signers of U.S. Term Limits Amendment Pledge Win Congressional Election Bids

U.S. Term Limits is pleased that the following successful candidates have formally pledged “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”:

U.S. Senator Tom Coburn (R-OK). Senator Coburn was the first member of Congress to sign the Pledge. He is a longtime supporter of term limits who abided by a self-limit pledge when he was in the U.S. House, stepping down from that body after three terms. (See page 6 for an excerpt from his book *Breach of Trust: How Washington Turns Outsiders into Insiders.*)



Congressman-elect David Schweikert (R-AZ). Schweikert told voters that if elected he would limit himself to no more than six terms in Congress, and would “push to limit the growth and size of government” and to “eliminate the terribly irresponsible and corrupting practice of earmarking or pork barrel spending.”

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Term Limits Referenda Win From Coast to Coast

Most state and local efforts to either term-limit career politicians or fend off assaults on term limits succeeded this November. Meanwhile, efforts by career politicians to loosen their term limit restrictions generally failed, with one conspicuous exception.

California. A measure to limit the water district board of directors of Santa Clara Valley to three consecutive four-year terms (with the right to run again after a four-

year hiatus) passed 75% to 25%.

A limit on Loomis council members to two consecutive four-year terms, including those who have



already served at least two terms as of August 1, passed with 55% of the vote.

A measure to lengthen tenure by permitting Roseville council members to serve three terms over a lifetime instead of two consecutive terms lost by 31% to 69%.

Four towns in the California county of Riverside offered term limits on the ballot, and each measure passed: in Murietta, a measure to limit council members to two consecutive four-year terms (67% to 33%); in Menifee, to limit council members to two consecutive four-year terms (82% to 18%); in Indian Wells, to limit the mayor and city council members to two consecutive four-year terms (79%

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President's Corner

BY PHILIP BLUMEL

It was another banner election year for term limits.

Across the nation on November 2, voters approved new term limits or defended or strengthened existing ones at the state and local level. Plus, about a dozen signers of the U.S. Term Limits Amendment Pledge won their Congressional races and will be pushing for term limits in the new Congress. Our front-page stories tell the tale.

We still have a lot of work to do—as voters and concerned citizens, we must continually remind those that we put into office that they have a mandate to slow down, halt, and reverse the growth of galumphing government.

In addition to slashing spending and taxes and pressing for repeal of Obamacare, the new majority should tackle the institutional incentives that encourage office-holders to accede to principle-polluting politics-as-usual. House Republicans have promised to tackle earmarks and porkbarrel spending. They should also restore term limits on committee chairman, which were first imposed in the 1990s but stripped in 2009 after the Democrats had regained majority control. And the new Congress should take the even bolder step of passing legislation to advance a constitutional amendment to term-limit their own tenures to three two-year terms in the U.S. House, two six-year terms in the U.S. Senate.

For the most part this November, measures to impose term limits succeeded while measures to weaken or repeal term limits failed. A glaring exception is El Paso County. El Paso politicians used a common titling and language trick that led many voters to believe they were limiting terms when in fact they were weakening existing term limits. County politicians acknowledged that they had chosen their wording “strategically,” i.e., deceptively.

Commissioner-elect Darryl Glenn told the *Colorado Springs Gazette* that he plans to hold a public meeting in January to determine whether voters feel that they were fooled by the deceptive language of the referendum. If so, he may push for a new ballot measure in the next election.

Stay tuned...

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*

Pledge (Cont'd from page 1)



Congressman-elect David Rivera (R-FL). In addition to USTL's Term Limit Amendment Pledge, Rivera has also signed the Club for Growth's pledge to support repeal of Obamacare.

Congressman-elect (maybe) Joe Walsh (R-IL). As we go to press, Walsh's congressional race has not been called, but he narrowly leads his Democratic opponent (by a few hundred votes).



Congressman-elect Michael Pompeo (R-KS). Pompeo has a history of active support for term limits. According to *National Journal*, after graduating from Harvard Law School he "volunteered to represent a group of Arkansas residents who were enmeshed in an ultimately unsuccessful attempt to uphold term limits for members of Congress."

Congressman-elect Frank Guinta (R-NH). Guinta argues that term limits will combat the too-common presumption among longtime office-holders that "rules don't apply to them." At a town hall meeting during his campaign, he told voters that America's political system "was not created to give any one person power for a long period of time" and that Americans would be better served if "you always had a new group of people" in power.



Congressman John Sullivan (R-OK). Congressman Sullivan is a member of the "congressional Tenth Amendment task force," the mission of which is to "disperse power from Washington and restore the constitutional balance of power through liberty-enhancing federalism." He introduced a House resolution challenging the constitutionality of Obamacare.

Congressman Frank Lucas (R-OK). Congressman Lucas declares his opposition to "spending initiatives that dramatically increase the size and scope of the federal government while adding to our already massive national debt."



Congressman-elect Tim Scott (R-SC). Scott is also a signer of Americans for Tax Reform's Taxpayer Protection Pledge to oppose tax increases, and he has promised to serve no more than four terms in the U.S. House.

Congressman-elect Jeff Duncan (R-SC). Duncan says his first vote as a freshman representative will be to "kick Nancy Pelosi out of the speaker's chair. Then we are going to get down to work" to repeal Obamacare and expand free markets and individual liberties. As a U.S. Constitution-carrying constitutionalist, Duncan believes that federal roles not specified in that founding document are "reserved for us as a state and us as a people."



Congressman-elect Mick Mulvaney (R-SC). Mulvaney recalls that before he got into government, "I opposed term limits.... After just three years in the [state] legislature, I have changed my mind.... Having seen government up close, I have learned my lesson."

Congressman Ralph Hall (R-TX). Congressman Hall, who in 2004 switched his partisan affiliation from Democrat to Republican, has supported a supermajority requirement for tax increases and a constitutional amendment to balance the federal budget.



Revolution from

A few years after leaving Congress in 2000, having completed the third term that he had promised would be his last, self-limiter Tom Coburn published Breach of Trust: How Washington Turns Outsiders Into Insiders. In it, Coburn recounted his experiences in Congress and sought to explain why the "Republican Revolution" of 1994 had foundered on the shoals of "practical" politics.

Although Coburn's account assesses the situation in the 1990s, much of his analysis is directly relevant to 2010. Will Republicans get it right this time? The following excerpt is drawn mostly from Chapter 10, "Revolution from the Bottom Up."

In the years after 1994, my [fellow Republican freshmen] often debated whether the public had voted for us or against the people who were currently in office. Many of my colleagues came to believe we were swept into office in what was largely a protest vote. From this basis, they defended a less risky approach to governing that would prevent us from overplaying our hand. After all, the argument went, the public was not really with us; they were only against the other guy—Clin-

ton and the Democrats.

I thought too many members hid behind this argument as they found it increasingly comfortable to govern like the regime we had replaced. I always believed that if the 1994 elections were only a protest vote, that vote still amounted to a reform mandate. In my mind, the real argument boiled down to a question not of whether we were handed a mandate but of whether that mandate was a reform mandate or an ideological mandate. In either case, the voters wanted us to fundamentally realign government, which gave us more than enough justification to govern boldly.

The vision of the founders

Yet I do believe that what the public wanted in 1994 was not so much a Republican—or partisan—revolution, but a revival of the revolution our founders started in 1776. Had my class and my party done a better job of continually reminding the public that we were trying to realign the federal government according to the founders' vision of limited government, we would have been much more successful. The implication of



Challenging the status quo.

John Adams's statement that the American Revolution had been won before the first shot was fired is that, in a democracy, no revolutionary or sudden changes can be thrust upon an unwilling public.

As I look back on my time in Congress, I'm convinced that change only occurs when groups of concerned citizens, which can be quite small, summon the courage to challenge the status quo. As anthropologist Margaret Mead said, "Never doubt that a small group of thoughtful, committed people can change the world. Indeed, it is the only thing that ever has." Or-

the Bottom Up



Photo by Cometstarmom courtesy of Flickr.

ganizations like Americans for Limited Government and the Heritage Foundation can play a critical role in educating relatively small groups of concerned citizens who can then convince the broader public of the founders' wisdom about the need for limited government.

Motivated citizens, principled leaders

What is also critical to the task of making the dramatic changes necessary to keep our nation strong beyond one or two generations is the courageous and inspired leadership of principled politicians. The

American Revolution occurred when small groups of motivated citizens worked with principled leaders to create a synergy for change.

Remember, a majority of colonists initially did not support breaking away from England and needed to be led, inspired, and motivated by principled leaders.

Yet at the same time, leaders like Adams and Madison benefited from a citizenry in which a relatively small number of highly committed people were educating others and laying the groundwork for the revolution. Eventually, small bands of concerned citizens working in concert with principled leaders persuaded a majority of colonists to support change.

It is no coincidence, therefore, that two of the major impediments to change in our system are an apathetic and uninformed electorate and an incumbent protection system that blocks principled people from entering politics.

Principles above politics

The tension between principles and politics is a clash of paradigms in Washington. The principled member is

working for the next generation. The political member is working for the next election so they can do "good things" for the next generation, but that perfect political moment is a mirage always beckoning on the horizon.

The choice between these two approaches is not an either/or proposition. Being principled does not mean a politician should rush into every crusade without analyzing the political environment any more than a general should send his troops into battle before studying the battlefield.

Likewise, members who tend to be highly political can still hold principled positions. The question is, which tendency will rule over the other? Will the very useful political tactics of framing a debate and staying on message, for example, be employed to obtain a principled end, or merely to obtain or retain power?

The daily choices politicians make between a principled or political approach determine what kind of members they will be. As Aristotle said, "We are what we repeatedly do."

Ballot Questions (Cont'd from page 1)

to 21%); in Hemet, to limit lifetime service to 12 years (89% to 11%).

In Fullerton, 80% of voters said Yes to limiting council members to three four-year terms.

In Laguna Hills, 74% said Yes limiting council members to two four-year terms.

Colorado. In the 8th judicial district, encompassing Larimer and Jackson, 70% of voters rejected Question 1A to lengthen term limits for the district attorney from two terms to three terms. In Washington County, 68% spurned a measure to eliminate term limits on the district attorney, as did 65% in Yuma County, 71% in Kit Carson County, 61% in Sedgwick County, 59% in Chaffee County, 70% in Logan County, 74% in Morgan County, 69% in Park County, and 66% in Phillips County. (Term limits on local officials were imposed statewide in Colorado, but with the proviso that they may be overturned locally if voters wish.)

In Eagle County, an attempt to lengthen the maximum tenure of county commissioners from two to three consecutive terms was defeated by 69%.



In El Paso County, however, ballot measures 1B through 1D to lengthen the tenure of county commissioners, district attorney, and other county offices passed with 61-63%. But there has been an uproar in the wake of its passage because the ballot summary did not clearly state that the measure would lengthen the existing term limits. Commissioner-elect Darryl Glenn says he may push for a new term limit measure for the November 2011 ballot if voters persuade him that they were scammed.

The ballot questions asked: "Shall persons elected to the office...be limited to serving three consecutive terms, a modification of the current limits permitted by Article XVIII, Section II of the Colorado constitution?" Before the election, Richard Wehner had observed that "it does make you wonder why it was not worded: 'Shall the number of terms served by county commissioners be increased from two to three?'"

Florida. In Wellington, Question 1, a proposal to lengthen the mayor's (individual) term of office from two to four years, passed handily; as did Question 2, which excluded a partial term served as an appointee from the time counted in consecutive two-term limit on service.

In Cape Canaveral, voters imposed two-term limits on mayor and council members by 70%.

Illinois. Eight-four percent (84%) of Downers Grove voters passed an advisory referendum to impose two-term limits.



In Naperville, 72% voted to limit the mayor and council members to three consecutive terms.

New Mexico (statewide). An attempt to permit count commissioners to stay in power for a maximum of three consecutive terms instead of two terms was clobbered 18% to 82%.

New York. New Yorkers restored the two-term term limits on New York City mayor and council members with 74% in favor...but the restoration won't fully arrive until 2021. Incumbents will still be allowed to run for a third term (and

no more); but from now on, newly elected council members will be confined to a maximum of two four-year terms. The new law also prohibits council members from legislatively altering their own term limits as they did in 2008.

In Clinton County, 72% of voters rejected a ballot measure to repeal 12-year term limits on county legislators. The result disappointed Legislator Sam Trombley, concerned "not only for myself, but for all future legislators."



He plaintively adds: "Now there is no real incentive for someone to run." We here at U.S. Term Limits would like to assure Mr. Trombley that, in light of the history of term-limited offices around the country over the past twenty years and more, he can be confident that his county will suffer no shortage of candidates for elective positions.

Nevada. Voters in Boulder City acted to limit council members to three terms in office and committee appointees to three terms, by 71% and 60% margins, respectively.



Ohio. Voters in the town of Stow capped council members' tenure at two terms by 75%, and their finance director to the same two-term limit by 73%.



Oklahoma (statewide). By 70% to 30%, voters imposed a lifetime limit of two four-year terms on the governor, lieutenant governor, attorney general, treasurer, labor commissioner, auditor and superintendent of public instruction. The same ballot measure imposes a limit of two six-year terms on

corporation commissioner.



Oregon. In Multnomah County, 51% of voters knocked down an attempt to repeal a term limit on county officials of two four-year terms with a 12-year period.



Pennsylvania. In Luzerne County, 55% of voters endorsed a home rule charter that includes a provision to limit the district attorney and the controller to three terms.



Tennessee. In Faragut, 91% acted to limit the tenure of alderman or of mayor to two terms, and limit the combined tenure of a person serving in both offices to three terms.



Texas. In Corpus Christi, 63% okayed a four-year increase in the time termed-out elected officials must wait before they may run again; the waiting period is now six years instead of two years.



Wisconsin. By overwhelming majorities, voters favored advisory referendums asking about state-wide term limits in Oneida County (85%), Lac du Flambeau (83%), and Arbor Vitae (87%). Term limit activist Dave Blunk is hoping that the electoral results will help persuade Wisconsin lawmakers to introduce a bill to impose state-level term limits.

*** Official final counts may differ slightly from the above numbers (in part because we've rounded up to whole numbers). But as you can see, whether a term limits question has passed is usually not a matter of great suspense.

74% of New Yorkers Again Support Term Limits

Reversing the decision of Mayor Michael Bloomberg and the New York City council to unilaterally lengthen term limits from two four-year terms to three four-year terms in 2008, New York City voters once again affirmed their support for two-term limits on Election Day 2010.

The term limits ballot measure succeeded even though many voters did not weigh in on it, perhaps not realizing that it was printed on the flip side of the ballot. According to the *Daily News*, 43% fewer people voted for Question 1 on the reverse side than voted for governor on the front side of the ballot.

The two-term limit on city officials was originally imposed by voters in 1993. In 1996, politicians asked New Yorkers to lengthen the term limits to three terms, but voters rejected the proposal.

In 2008, as Mayor Bloomberg approached the end of his second term, various polling—including a survey conducted by his own office—showed that New York City voters still overwhelmingly supported the term limits law that confined him to two terms. Rather than place a measure to lengthen term limits before the voters, then, Bloomberg conspired with city council members to undercut the law unilaterally. After they passed legislation to do so, the mayor ignored the backlash from voters to sign it.

“The way it was slammed through was rather distasteful and

disingenuous,” one voter, 54-year-old Gianni Sellers, told the *New York Times* after the November 2 election. “The voters have spoken on this before. I hope we don’t have to do it again.”

To make his conduct seem less contemptuous of the voters than it was, Bloomberg had promised back in 2008 to create a commission that would craft a new ballot measure to restore two-term limits after he had secured a third term as mayor. In 2009, he won that third term only barely, despite having spent tens of millions of his own personal fortune to blanket the city with campaign ads and despite having squared off against a Democratic opponent whose campaign was under-funded, haphazardly run, and only perfunctorily supported by his own party.

In any case, the promised commission did convene and submitted a ballot measure to restore two-term limits. This effort to satisfy voters also inspires controversy, however, for the passage of Question 1 does not restore the two-term limit immediately. Incumbents are still free to run for a third time; only office-holders elected in 2010 and later may not run for a third term.

Thus, unless another ballot measure intervenes to correct the problem, a full restoration of the city’s two-term limit will not occur until 2021, when the last of those council members voted into office in 2009 and who successfully run for reelection shall have served their third and final terms.

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“The voters have spoken on [term limits] before. I hope we don’t have to do it again.”

—Gianni Sellers, New Yorker

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