

No Uncertain Terms

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Joining Senate Push, Congressmen Introduce Term Limits Measure in U.S. House

“Americans know Washington has long forgotten the citizen legislator vision of our Founders,” says Congressman Joe Walsh. He believes that if we are to “have any hope of ending business as usual in D.C., we must first change the process.”

In early July, Representatives Joe Walsh, Jeff Duncan and David Schweikert (all freshmen) introduced a constitutional amendment in the U.S. House of Representatives to limit the tenures of House members to three two-year terms and Senators to two six-year terms—the same term limits provided for in the companion Senate bill introduced by Senator Jim DeMint and several co-sponsors.

“We can start this reform with term limit legislation,” Walsh says. “Term limits encourage competitive elections and a consistent influx of new leaders bringing a

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TIME IS UP!

Bombshell in Broward: Appeals Court Reaffirms County Term Limits; “It’s Over,” Moans Ousted Pol

Broward County Commissioner John Rodstrom, 20-year veteran of his post, is disappointed. He can’t run for reelection in 2012 as he had planned.

On August 10, the Fourth District Court of Appeals reinstated the county’s term limits law, which had been struck down in 2010 as unconstitutional by Broward County Circuit Judge Carol-Lisa Phillips, wife of term-limited

former Fort Lauderdale Mayor Jim Naugle.

Rodstrom and others supporting the suit had hoped to benefit from a Florida Supreme Court decision issued in 2000 determining that five “constitutional officers” (sheriff, elections supervisor, tax collector, court clerk and property appraiser) could not be term limited. They hoped that this interpretation would be stretched to

encompass county commissioners as well. The appeals court stated, however, that the state constitution “expressly cedes power to a county charter when it comes to the creation of a county’s governing body.”

“I’m going to retire,” Commissioner Rodstrom told Channel 10’s Bob Norman in the wake of the ruling. “The court has spo-

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President's Corner

BY PHILIP BLUMEL

On August 10, the Florida Fourth District Court of Appeals reversed a lower court decision that had overturned voter-approved term limits in Broward County.

The court ruled that county commissioner term limits are constitutional in Florida. The decision applies directly to other counties, like Palm Beach County, within the Fourth District. It also applies, indirectly, to other counties in Florida, since politicians in other counties had been hoping to use Broward as a precedent to topple their own term limits.

Florida's county commissioner term limits laws are thus safe (for now) from attack by local politicians via the courts.

Friends of term limits watching the case have been expecting county term limits to win at the Florida Supreme Court level. But the appellate court case worried us. The fear was that local politicians would try to use an adverse appellate decision as an excuse to void local term limits laws before the case even got to the Florida Supreme Court. Two Palm Beach County commissioners, for instance, had announced intentions to do just that. Their scheme is now dead.

The appellate court's decision is a great victory for the voters and a bitter loss for professional politicians. I live in Palm Beach and have been active in the term limits movement here, so I'm especially relishing the win.

To be sure, we need to enact term limits nationally as well as locally—to limit the tenures of our congressmen as well as those of our commissioners. That's a longer road, but we're making progress, as shown by our second big story this issue: the introduction of a term limits bill in the U.S. House to complement Senator Jim Demint's bill in the U.S. Senate.

Like its companion bill, the amendment introduced in the House would limit the terms of House members to six years (three terms) and senators to 12 years (two terms). For the first time since the early 1990s, a serious term limits bill has been introduced in both houses.

Polls show that support for term limits is at its highest level ever. Some 78% of Americans tell pollsters they support congressional term limits. Now is the time to make it happen.

Visit Phil Blumel's blog at pblumel.blogspot.com. Check out our Facebook page at on.fb.me/18fXE1.

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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

Term Limits Amendment (Cont'd from page 1)

range of different experiences and new ideas to Congress.

“Keeping the same members in Congress year after year will yield the same results: runaway spending and a sky-high debt that has led the United States to the verge of insolvency. It’s time to put an end to this. It’s time to bring in new members with fresh ideas, ready and eager to serve. It’s time to pass a term-limit amendment.”

At least two thirds of each chamber must approve the amendment before it moves on to the states, three fourths of whom would then have ratify it before it can become part of the Constitution.

Overcoming these hurdles, although doable, is “no easy task,” observes USTL President Phil Blumel. He invites all citizens who



A supporter “hits the road” for term limits.

wish to encourage the process to sign USTL’s online petition (www.termlimits.org) in favor of congressional term limits, to ask their congressional representatives to sign the U.S. Term Limits pledge to support the amendment (ustermimitsamendment.org), and to consider making a contribution to U.S. Term Limits to help us fight

for its passage.

The battle for congressional term limits is “one of the most important political battles of our generation,” Blumel emphasizes. “Let’s take it all the way to the finish line.”

Florida Term Limits Restored (Cont'd from page 1)

ken. The voters have spoken. It’s over.”

But Rodstrom was already well aware that the voters had spoken. In 2000, with an 80% majority Broward voters passed the term limits law that restricts Rodstrom and other county commissioners to three four-year terms. It’s been true for eleven years that he would be barred from running for reelection in 2012.

Moreover, back in 2000, Rodstrom proclaimed his support of the term limits law. His decision to take the voters to court would come only as the end of his two-decade tenure drew nears. Only then did the alleged constitutional dilemma mysteriously emerge as fodder for a last-ditch effort to remain in office.

“I’m going to retire. The court has spoken. The voters have spoken. It’s over.”

Broward County Commissioner Ilene Lieberman, who had also been considering a reelection bid despite the impending conclusion of her legally authorized tenure, is also belatedly acceding to the voters’ decision.

In Palm Beach County, which also falls under the jurisdiction of the Fourth District, the ambitions of two commissioners who had

been gearing up for a reelection bid, Burt Aaronson and Karen Marcus, have also been foiled. Politicians in counties like Polk County outside the Fourth District had been hoping to use Broward as a precedent to lengthen their own term-limited tenures.

The new ruling is a big blow for Florida politicians seeking to kill term limits, but the battle may not be quite over; the appellate court ruling has been appealed and will be heard by the Florida Supreme Court. The appeal was lodged by Bill Scherer, the politically-connected lawyer who helped Rodstrom file his challenge.

Term Limits

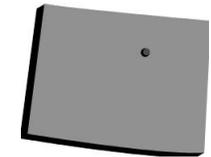
ALASKA



The Kenai Peninsula Borough Assembly has weakened a local term limits law that had been repeatedly affirmed by citizen initiative. The Kenai voters endorsed a two-term limit, with a single term defined as a three-year term or any part of a three-year term. The new ordinance, which takes effect October 14, will not be vetted by voters. It excludes partial terms from the limit, stating that “no person who has completed two consecutive full terms on the assembly may serve another term or portion of a term until a period of 180 days has passed since the end of his second consecutive full term of office.”

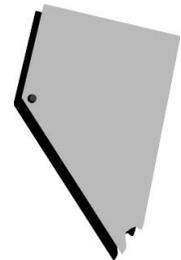
Borough Mayor Dave Carey vetoed the measure; but on August 16, the assembly overturned his veto by a vote of 8-0. Clam Gulch resident JoAnn Odd says the issue of assembly term limits “keeps coming back like a vampire every two years. I’d like to know how much time you have spent trying to thwart the will of the people.... It is easy for you to sit in an office, write up an ordinance and get it on the ballot. We, the people, have to stand out in the weather...to get the initiative on the ballot and you ignore it.”

COLORADO



In response to anger over a misleading 2010 ballot initiative to pad their maximum tenure, Colorado Springs commissioners have agreed to post a new measure asking voters whether they wish to retain the new three-term limit (a Yes vote) or restore the two-term limit (a No vote). The wording is explicit enough this time around, but critics of the deceptive 2010 ballot measure observe that since it applies only to officials winning office “in any election held after the Nov. 6, 2012 general election,” it will grandfather in two of the commissioners responsible for that deceptive ballot measure. “To allow people that were part of that decision process to not suffer the consequences of a poorly worded question is unconscionable,” says Commissioner Darryl Glenn.

NEVADA



On August 17, the Las Vegas City Council decided by a vote of 6-1 to lengthen the maximum tenure of planning commissioners from two four-year terms to three four-year terms, saying they wanted to allow planning board members to stay in power as long as council members can. They retreated from a decision to eliminate the planning board term limits altogether after Mayor Pro Tem Stavros Anthony and many voters objected.

NEW YORK



Will actor Alec Baldwin run for mayor of New York City? He says he won’t be a candidate in 2013; but he tells the New York Times that he is seeking to enroll in a masters program in politics and government to “help me better understand what the fiscal imperatives of that job are.” He’s still unhappy with Mayor Bloomberg for conspiring to overturn the city’s two-term limit on local officials without voter approval. “All the Bloomberg supporters look at me and say, ‘What do you got against Bloomberg?’ Well, I don’t have anything against Bloomberg, but there are term limits. The whole point is, whether you liked him or didn’t like him, he’s got to go.” Regarding City Council Speaker Christine Quinn, who colluded with Bloomberg: “I think it absolutely, positively disqualifies her. She totally betrayed a huge constituency here in the city.”

in the News

NEW YORK



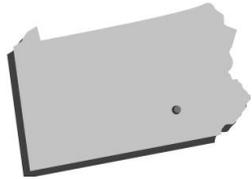
A Clarkstown, NY, group has gathered more than the 3,000 signatures needed to place a term limits question on the ballot, and done so earlier than expected. “Most of the people that we met were in favor of our term limit petition. I think the significance of hitting our number early is that we have a 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.

OKLAHOMA



Dustin Rowe, former mayor of Tishomingo and a candidate for U.S. Congress, says he won’t “patronize” Oklahoma voters by promising to limit his terms in office should he win. “I am committed to this fight, and I am not willing to put a time limit on it.” Rowe deserves credit for declining to mislead voters to abet his election chances. But he is wrong to imply that a candidate subject to term limits puts a time limit on his championing of worthwhile political goals. He’s being asked about term limits because one of his competitors for the GOP nomination, State Representative George Fraught, has pledged to serve no more than three terms in the U.S. House should he win.

PENNSYLVANIA



The Citizens Alliance of Pennsylvania (CAP) has launched an initiative to reform the state legislature, and term limits is among their recommendations. CAP hopes to recruit candidates who agree with their reform agenda. “The goal of the Ben Franklin Project is to stock the General Assembly with 70 legislators—55 in the House and 15 in the Senate—who foreswear the trappings of office, particularly the state pension, while pressing...term limits and part-time status for lawmakers,” the group says in a press release. “To meet the goal, CAP will be recruiting and screening potential candidates for the General Assembly, and those who pass muster will receive the training and financial assistance they need to wage a successful campaign.”

UNITED STATES



Congress recently acted to lengthen the tenure of FBI Director Mueller even though he had reached the term limit for the post. Senator Rand Paul, who initially protested the accommodation, says he is still “opposed to changing the term limits on this important position, which serve as a safeguard and check against the significant power of the position.” He is “not opposed to Director Mueller and will not oppose his renomination, but I do oppose the idea that term limits should be changed when it is convenient.”

UNITED STATES



Some weeks before billionaire Warren Buffett gained notoriety by urging the government to grab more of the income of successful investors, he offered a more reasonable proposal: tie the federal debt limit to a limit on tenures of congressmen. In a July 7 appearance on CNBC, he said the “could end the deficit in five minutes. You just pass a law that says that anytime there is a deficit of more than 3 percent of GDP all sitting members of Congress are ineligible for reelection.” Boom, it’s done. Or at least, boom, no more deficits greater than three percent of GDP. Alas, “you,” i.e., congressmen, would be loathe to pass such a law. But at least Mr. Buffett’s thinking—on this question—is in the right ballpark. Perhaps he can spend some of the billions that he’s eager to unload on the cause of term-limiting the Congress?

THEY SAID IT! Term Limits Work, So Incumbents

Jon Fleischman: People support term limits because they distrust politicians

“California’s elites (especially newspaper editorial boards) have expressed pleasure with a new research paper released by the Center for Government Studies that is critical of term limits for, among other things, not achieving the proponents’ desired goal of proponents of creating a citizen legislature under which ex-pols go back home to live under the laws they helped create....

“The CGS study asserts that because many termed-out legislators tend to find other positions within government, they do not actually return to private life. With all due respect to CGS, I can name dozens of former legislators that I know of who actually have reached their term limits and are back home. Either way, the one thing we know termed-out state legislators are not doing—is continuing to serve in the state legislature....

“In seeking to weaken term limits, adversaries of the reform fail to confront key reasons why voters imposed them in the first place. Californians passed term limits because they believe that most politicians in this state are self-serving, and have pursued an ultra-liberal policy agenda for California that does not enjoy the support of most California voters.

“Have term limits fixed the problems with the state legislature? Unfortunately, they have not. We still have a plethora of self-serving politicians....

“The tax-and-redistributive policies in the state capital have reached epidemic levels, to the point where it is damaging the economy as a whole. Voters are in no hurry to reward a political class that they believe is doing a poor job. In a recent Los Angeles Times/University of Southern California survey, respondents gave a paltry 25 percent approval rating to the legislature, and a whopping 59 percent disapproval rating.

“Instead of focusing on how to give politicians more time to serve in the legislature, perhaps more attention should be given to improving its work product. But therein lies the challenge. While the people, across a broad spectrum, disapprove of the job the legislature is doing, California’s political elites want more of the same.”

—excerpted from CapitolWeekly, bit.ly/oIcws4

Ron Kaye: Business and labor agree on something: get rid of term limits

“Ah, the good old days before term limits, how sweet it was—and cheap for special interests.

“Back then, political hacks held their Assembly, Senate or other public offices [in California] more or less for life unless they got caught up in a bribery or sex scandal. Even then, it was 50-50 whether they would get re-elected as long as they stayed out of prison.

“Term limits grew out of the failure of our political leaders to do their jobs as public servants for the best interests of their constituents, an effort to try to break the political gridlock that was running California downhill. Sadly, the slide of the state has continued unabated to the point that we are in endless crisis.

“So business and labor have found common ground: Let’s get rid of term limits and go back to the way things were....

“Business and labor have come together to pour millions into a ballot measure next June to sell us on the idea that giving legislators 14 years in the house of their choice is better than making them serve eight years in the Senate and six in the Assembly.

“[Both businessmen and union officials] argue it’s so tiresome having to educate and re-educate the political hacks on what business and labor want as they move from one house to the other....

“We have experience and stability in Sacramento, but it isn’t working. It’s same the people over and over unless they find an opening in Congress or the L.A. City Council....”

—excerpted from Fox & Hounds Daily, bit.ly/pj2OQt

and Special Interests Hate Them

Kieran Lalor: Term limits the only way to achieve true ethics reform in New York state government

“The ethics legislation recently passed by both houses of the New York State Legislature is a step in the right direction, but more significant strides need to be made to drain the swamp....

“Recent history shows that the longer a legislator stays in Albany the more likely he is to become corrupt. Limiting the terms of assemblyman and state senators to four two-year terms would help eliminate the most flagrant violators of the public trust. Additionally, term limits would keep a single member of the Assembly, accountable only to voters of one district, from amassing more power than anyone else in state government....

“Albany legislators are in session less than 80 days per year but make a base salary of \$79,500. In addition to a full-time salary for part-time work, more than 95 percent of legislators (202 out 212) get paid a ‘leadership’ stipend of between \$9,000 and \$41,500. Stipends are ‘earned’ for chairing committees, even if the committee meets only three or four times per year. Some entirely partisan positions like Republican Conference Secretary and Democrat Majority Whip come with a taxpayer-funded stipend.

“In addition to the \$2.5 million taxpayer dollars wasted annually on legislator stipends, the practice of giving stipends undermines the integrity of the legislature. Because party leaders control who gets a paid ‘leadership’ post, they can influence how a legislator votes. The mere possibility that a legislator’s vote could be purchased by a party leader empowered to grant or withhold a five-figure stipend should be enough to do away with the practice. Taxpayer-funded bribery is unconscionable.

“Finally, state government will never be ethical so long as we allow legislators to tax the hardworking to subsidize the politically connected through ‘member items,’ Albany’s version of pork.

“Like stipends, member items are a tool for party leaders to control legislators and ensure only those willing to go along to get along get anywhere in Albany.

“Until we dramatically limit the length of time and amount of tax dollars legislators can spend on themselves and their friends, Albany will remain an ethical wasteland, productive citizens and businesses will flee, and our once-great state will continue to decline.”

—excerpted from The Poughkeepsie Journal, bit.ly/rft57z

Matt Mayer: Term limits not the problem

“Every year, someone pens a column blaming term limits for alleged Statehouse dysfunction. The latest missive comes from Thomas Suddes in “This is your legislature on term limits” (Forum, July 10). Suddes warns us “experience is the best teacher.” Suddes had to inconveniently note that current Ohio House Speaker William Batchelder first began serving in the 1960s.

“Before faulting term limits, writers should make sure the data actually support their conclusions....

“To see whether term limits (i.e., inexperience) is indeed to blame for Ohio’s alleged legislative ills, I looked at the legislative experience by member and General Assembly for five different terms: 1971-1972, 1981-1982, 1991-1992 (the last one before term limits), 2001-2002 and 2011-2012 (the current one).

“The average years of experience for members for those terms are: 4.16, 7.41, 9.36, 4.24 and 6.54. Term limits cut the average by more than half just 10 years later. After term limits, as Suddes correctly noted, those wily politicians began the practice of jumping back and forth and back between the House and Senate. This bouncing practice resulted in the average rising by 54 percent over the last 10 years, so that the average now is only 12 percent less than the average in the halcyon days of 1981-1982 (ironically, just before the partisan passage of Ohio’s collective-bargaining law).

“In terms of institutional experience, the total years of experience over those five terms was: 549, 978, 1,235, 560 and 863. Again, the total years of experience today is only 12 percent less than the total experience in 1981-1982. So much for inexperience being responsible for today’s Statehouse ills.”

—excerpted from Cleveland Plain Dealer, bit.ly/oeoQDI

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—Congressman Joe Walsh

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