

Florida's lesson on legislative term limits

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SPECIAL TO THE DEMOCRAT-GAZETTE

In 2005, the Florida legislature voted to refer an amendment to the following year's statewide ballot to weaken that state's 8-year term limits law, as Arkansas has done this year. The measure was deceptive, written and promoted to imply that it would simply reform or improve the popular term limits. The Republican-dominated legislature passed the referral overwhelmingly with little fanfare or public notice at first.

But when the public did notice, a firestorm broke loose.

Letters and phone calls arrived at legislators' offices, letters showed up in newspapers, and a political committee was formed by Republican activists. Candidates for legislative office made the anti-term limits vote a campaign issue, volunteers handed out palm fliers in the streets, the Palm Beach County Republican Executive Committee passed a resolution condemning the amendment, and money was raised for the November ballot showdown on term limits.

The volume of complaints was enormous. Florida Sen. Jim Sebesta (R-Tampa), who originally voted to put the anti-term limits amendment on the ballot, told South Florida's *Sun-Sentinel*: "I'm telling you I was

wrong. Boy, did I hear from back home. They told me not only 'no' but you-know-what-no."

By the end of the 2006 session, the Florida legislature cried uncle and, after a highly unusual second vote, overwhelmingly voted to take the self-serving measure off the ballot.

Will history repeat itself in Arkansas? It is starting to look that way.

Polling from 2013 suggests that 77 percent of Arkansans favor term limits. This is no surprise. State term limits passed originally in 1992 with 60 percent of the vote when term limits were untested. Familiarity bred contentment; when politicians tried to undo the limits in 2004 with a new referendum, 70 percent voted down the proposed amendment.

Now the politicians are attacking term limits again, but with a deceptive twist. In the 2013 session, Arkansas legislators voted to place an anti-term limits measure—euphemistically titled the Elected Officials Ethics, Transparency and Financial Reform Amendment—on the November 2014 ballot.

Legislators know they would lose another straightforward up-and-down vote, so they have written the referendum to say that the amendment "es-

tablish[es] term limits for members of the general assembly." Nowhere does it explicitly say that the amendment, if passed, would lengthen House term limits from 6 to 16 years and Senate term limits from 8 to 16 years. But that is precisely what it would do.

Also, it grants this lengthened limit to the very legislators that are voting for it, a naked conflict of interest.



Arkansans are unlikely to stand for this. In 1992 Arkansans placed term limits on the ballot through a 100 percent volunteer petition drive. Those citizens were organized and worked long and hard to establish Arkansas term limits. Will

they not be angry that self-interested legislators are again trying to undo their hard work in the streets with a simple legislative vote?

When the politicians attacked term limits again in 2004, the term-limits cadre of 1992 mobilized along with a lot of new blood and with Arkansas' positive experience with state term limits to back them up. To defend the popular law the Legislature made them—all citizens, with families and jobs—go back into the field to expend their time, energy and money. Will they not be frustrated that self-interested legislators are going to make

them jump through the same hoops again when all polling shows the people's views are unchanged?

Amongst the voting public in general, will it not be resented once it is known that this pleasantly named amendment is really a scam by politicians to trick them into voting against something they support?

There is no reason to expect Arkansans to sit this one out. There is still time for the Arkansas legislature to take the amendment off the ballot. If they do, the issue will fade and be forgotten as the 2014 election season gets underway, as it did in Florida.

If the proposal remains on the ballot, political leaders can expect to see volunteers and financial contributions diverted to fight the anti-term limits amendment that would otherwise go to candidates' campaigns. They can expect dissension in their party ranks and dwindling morale and enthusiasm for their campaigns. They can expect to lose the respect of the people. And they can expect to lose the vote as the scam is exposed.

The rumbling has already begun. Will the Arkansas Legislature listen?

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Outrage of the year

And it snuck right past us

THE STUFF that gets passed in the closing hours of a legislative session in the Great (and unnoticed) State of Arkansas . . .

There's no telling what all our shiftier legislators will put over on We the People while we're diverted by the happy prospect of the Ledge's finally closing up shop and going home so the whole state can breathe a sigh of relief, and the women and children can come out again.

This year, under cover of the usual last-minute rush to adjourn a regular session, our solons agreed to put a little ol' constitutional amendment on the ballot, one that won't do much of any importance (Quick! Look at that horse climbing the marble steps inside the Capitol!) except, uh, ahem, extend the term limits for state representatives from 6 to 16 years and for state senators from 8 to 16 years. The total time each could serve in both House and Senate combined would be 16 years, rather than the current 14 years.

But no need to bother your pretty little heads about that minor detail, dear voters. You just leave it to the honorables to look out for your interests (or at least their own), and you good people go on about your business. Move on, folks. Nothing to see here. Surely you've got pressing matters to attend to at home . . .

What an outrage. Also an act of insolence, arrogance and general sneakiness. To top it off, the honorables (that's a title, not a description) wrapped this power grab in a grab-bag of a proposed constitutional amendment called the Elected Officials Ethics, Transparency and Financial Reform Amendment.

There's no telling what a piece of legislation is by its mere title. The more

noble it sounds, the more ignoble its aim can be. For when Doctor Johnson, he of the English dictionary, defined patriotism as the last refuge of a scoundrel, he overlooked the rich possibilities for chicanery offered by words like Ethics, Transparency and Reform.

If this slick maneuver is an example of ethics, transparency and reform, what would trickiness, opacity and a return to the Bad Old Days be?

All told, this quiet end run around the letter and spirit of term limits is almost as outrageous as our failure to spot it earlier. Yep, your ever-observant editorialists here at the *Democrat-Gazette*, Arkansas' Newspaper no less, let it get by us without our sounding the alarm. Talk about sleepy watchdogs.

Our deepest apologies, Gentle Readers, for being asleep at the switch as this outrage went roaring right past us. Now that the sales tax on groceries is being whittled away, this proposition is a prime nominee for the next Shame of Arkansas.

We are so sorry to have missed this betrayal of the public interest back when it was committed. But not half as sorry as the voters of Arkansas should make every legislator who helped put it on the ballot. It deserves to go down in resounding defeat come Election Day 2014. Please, dear voter, make a note.

