

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3835

To establish a national advisory referendum on limiting the terms of Members of Congress at the general election of 1994.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1994

Mr. HOEKSTRA (for himself, Mrs. FOWLER, Ms. SHEPHERD, Mr. FINGERHUT, and Mr. TORKILDSEN) introduced the following bill; which was referred to the Committee on House Administration

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## A BILL

To establish a national advisory referendum on limiting the terms of Members of Congress at the general election of 1994.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Voter Oppor-  
5 tunity To Inform Congress Effectively (V.O.I.C.E.) on  
6 Term Limits Act of 1994”.

7 **SEC. 2. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—The Congress finds that—

1           (1) the right of citizens of the United States to  
2           vote is a fundamental right;

3           (2) the right of citizens of the United States to  
4           have an effective voice in the decisionmaking proc-  
5           esses of the Congress is grounded in the right to pe-  
6           tition and is a fundamental part of American democ-  
7           racy, and Congress should provide an opportunity  
8           for citizens to express their views on important pub-  
9           lic issues;

10          (3) there is an increasing public sentiment and  
11          demand for limiting the terms of Members of Con-  
12          gress; and

13          (4) voters in 15 States have already voted and  
14          approved State laws to limit the terms of their con-  
15          gressional delegations, and voters in other States  
16          have expressed their interest in having the oppor-  
17          tunity to also vote on term limits for Members of  
18          Congress.

19          (b) PURPOSES.—The purposes of this Act are—

20               (1) to give the citizens of every State the oppor-  
21               tunity to have a voice on whether or not the terms  
22               of Members of Congress should be limited; and

23               (2) to conduct a national nonbinding referen-  
24               dum on term limits at the 1994 general election,  
25               thereby having an opportunity to study the feasibil-

1       ity of conducting national nonbinding referenda on  
2       other important issues in the future.

3 **SEC. 3. DEFINITIONS.**

4       As used in this Act—

5           (1) the term “nonbinding referendum” means  
6       the placing on the general election ballot in every  
7       congressional district and delegate or resident com-  
8       missioner district in 1994 the advisory question de-  
9       fined below, the results of which shall be properly  
10      tabulated and certified as described herein, but  
11      which results shall not be legally binding on any per-  
12      son or institution;

13          (2) the term “advisory question” means the  
14      National Advisory Referendum on Term Limits, the  
15      language of which is contained in section 4(b) of this  
16      Act;

17          (3) the term “general election” means the elec-  
18      tion at which Federal officers are elected in 1994;

19          (4) the term “Federal office” means Members  
20      of the United States House of Representatives and  
21      Senators, Delegates to the United States Congress,  
22      and Resident Commissioners of the territories of the  
23      United States; and

24          (5) the term “State election agency” means the  
25      official agency of each State and territory charged

1 with the legal responsibility for conducting general  
 2 elections within that jurisdiction.

3 **SEC. 4. PROCEDURES FOR NATIONAL VOTER OPPORTUNITY**  
 4 **TO INFORM CONGRESS EFFECTIVELY ON**  
 5 **TERM LIMITS NONBINDING REFERENDUM.**

6 (a) IN GENERAL.—This Act shall have the effect of  
 7 placing on the 1994 general election ballot in every con-  
 8 gressional district, and delegate and/or resident commis-  
 9 sioner district, in the United States, the District of Colum-  
 10 bia and the territories of the United States, the advisory  
 11 question concerning term limits for Members of Congress.

12 (b) ADVISORY QUESTION; BALLOT TITLE AND LAN-  
 13 GUAGE.—Not later than August 1, 1994, the Clerk of the  
 14 United States House of Representatives and the Secretary  
 15 of the United States Senate shall jointly certify to the ap-  
 16 propriate State election agencies for inclusion on the 1994  
 17 general election ballot in each congressional district, the  
 18 following ballot title and question:

“NATIONAL ADVISORY REFERENDUM ON TERM LIMITS

“Should Congress approve a constitutional amend-  
 ment to limit the number of terms that a Member of the  
 United States House of Representatives and United  
 States Senator can serve in office?

“Yes No”.

19 (c) PREPARATION OF BALLOTS.—

1           (1) PROCEDURES.—The procedures for printing  
2           and preparation of the ballots containing the advi-  
3           sory question shall be the same as provided in each  
4           State and territory for conducting the elections of  
5           the Members of the United States House of Rep-  
6           resentatives and Senators, and Delegates or Resi-  
7           dent Commissioners.

8           (2) ADVISORY QUESTION.—In each congres-  
9           sional and delegate district, every general election  
10          ballot shall include the advisory question contained  
11          in subsection (b). Should there be no general elec-  
12          tion scheduled to be held in any particular congres-  
13          sional or delegate district, a ballot shall nonetheless  
14          be prepared for the voters of said district to be able  
15          to participate in the nonbinding referendum in the  
16          same manner as all other districts where a general  
17          election is being held. The costs of printing, dissemi-  
18          nating and tabulating the ballots with the advisory  
19          question for those congressional or delegate districts  
20          where a general election would not otherwise be held  
21          in November 1994, shall be reimbursed by the  
22          United States upon submission by the State election  
23          agency of the actual costs of conducting the  
24          nonbinding referendum in those districts. All reim-  
25          bursements to State election agencies for the costs

1 of conducting the nonbinding referendum in congres-  
2 sional districts which would not otherwise be con-  
3 ducting a Federal election in November 1994, shall  
4 be made from the franking accounts of the Con-  
5 gress, with equal amounts drawn from the franking  
6 accounts of the House of Representatives and the  
7 Senate to reimburse the States for such expenses.  
8 The Clerk of the United States House of Represent-  
9 atives and the Secretary of the United States Senate  
10 shall be responsible for ensuring the proper applica-  
11 tion for and reimbursement of said expenses.

12 (d) TABULATION AND CERTIFICATION OF VOTING  
13 RESULTS.—The State election agencies shall tabulate the  
14 results of the voting on the advisory question in the same  
15 manner as is customary for tabulating the results of elec-  
16 tions of the Members of the United States House of Rep-  
17 resentatives and Senators. Said results shall be officially  
18 certified pursuant to the customary laws and procedures  
19 of each jurisdiction.

20 (e) TRANSMISSION OF CERTIFIED RESULTS TO THE  
21 CONGRESS, ALL MEMBERS, AND COMMITTEES ON THE  
22 JUDICIARY.—The official, certified election results of each  
23 jurisdiction's nonbinding referendum on the advisory ques-  
24 tion shall be certified by the State election agency to the  
25 Clerk of the United States House of Representatives and

1 the Secretary of the United States Senate in the same  
2 manner and at the same time of the certification of elec-  
3 tion of Members of the House of Representatives and Sen-  
4 ate at the 1994 general election, said results to be certified  
5 by county, congressional district and statewide totals. The  
6 Clerk and the Secretary shall be responsible for transmit-  
7 ting to each Member of the respective House of Congress  
8 the results of the nonbinding referendum from all jurisdic-  
9 tions. The results shall also be taken under advisement  
10 by the respective Committee on the Judiciary of the House  
11 of Representatives and Senate, with recommendations for  
12 response reported back to the full House and Senate with-  
13 in 6 months of the general election.

14 (f) COMMENTS REGARDING PROCEDURES FOR FU-  
15 TURE NONBINDING REFERENDA.—Within 90 days of the  
16 date of the general election, the State election agencies  
17 shall forward to the Clerk of the United States House of  
18 Representatives and the Secretary of the United States  
19 Senate their comments or suggestions regarding changes  
20 or improvements in procedures for conducting national  
21 nonbinding referenda in future general elections. All such  
22 comments shall be referred to the respective committees  
23 on the Judiciary of the House of Representatives and Sen-  
24 ate.

1 **SEC. 5. EFFECTIVE DATE.**

2       This Act shall become effective immediately upon  
3 passage.

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