

104TH CONGRESS
1ST SESSION

H. R. 2115

To establish a national advisory referendum on limiting the terms of Members of Congress at the general election of 1996.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 1995

Mr. HOEKSTRA (for himself, Mrs. FOWLER, Mr. HILLEARY, Mr. SANFORD, Mr. TATE, Mr. UPTON, Mr. HUTCHINSON, and Mr. HANCOCK) introduced the following bill; which was referred to the Committee on House Oversight

A BILL

To establish a national advisory referendum on limiting the terms of Members of Congress at the general election of 1996.

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 1995”.

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 23 States have already voted and/
14 or approved State laws to limit the terms of their
15 congressional 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 1996 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 1996 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 1996;

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 1996 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 June 1, 1996, 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 1996
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 questions 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 QUESTIONS.—In each congres-
9 sional and delegate district, every general election
10 ballot shall include the advisory questions 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. States shall be reimbursed at
18 4 cents per voter, or an estimated \$5,000,000 for
19 the costs incurred in placing the questions in sub-
20 section (b) on the ballots in November 1996. There-
21 fore, this bill authorizes \$5,000,000 for these pur-
22 poses. All reimbursements to State election agencies
23 for the costs of conducting the nonbinding referen-
24 dum shall be made from the franking accounts of
25 the Congress, with funds drawn from the franking

1 accounts of the House of Representatives and the
2 Senate in proportion to the total funds appropriated
3 to each House for franking, to reimburse the States
4 for such expenses. The Clerk of the United States
5 House of Representatives and the Secretary of the
6 United States Senate shall be responsible for ensur-
7 ing the proper application for and reimbursement of
8 said expenses.

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

17 (e) TRANSMISSION OF CERTIFIED RESULTS TO THE
18 CONGRESS, ALL MEMBERS, AND COMMITTEES ON THE
19 JUDICIARY.—The official, certified election results of each
20 jurisdiction's nonbinding referenda on the advisory ques-
21 tions shall be certified by the State election agency to the
22 Clerk of the United States House of Representatives and
23 the Secretary of the United States Senate in the same
24 manner and at the same time of the certification of elec-
25 tion of Members of the House of Representatives and Sen-

1 ate at the 1996 general election, said results to be certified
2 by county, congressional district and statewide totals. The
3 Clerk and the Secretary shall be responsible for transmit-
4 ting to each Member of the respective House of Congress
5 the results of the nonbinding referenda from all jurisdic-
6 tions. The results shall also be taken under advisement
7 by the Committee on the Judiciary of the House of Rep-
8 resentatives and the Committee on the Judiciary of the
9 Senate, with recommendations for response reported back
10 to the full House and Senate within 6 months of the gen-
11 eral election.

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

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