

Approved: 2-10-94  
Date

## MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by Chairperson Marvin Smith at 9:00 a.m. on February 9, 1994 in Room 521-S of the Capitol.

All members were present except:

Committee staff present: Mary Galligan, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
Arden Ensley, Revisor of Statutes  
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:

Representative Doug Mays  
Representative Tom Bradley  
Jim Cates, Term Limits Coalition  
Sam Brownback  
Rob Mealy, for Hume for Congress  
Gene Bicknell  
Chuck Hale, United We Stand  
Jack Madden

Others attending: See attached list

Hearing on:

HB 2711 - imposing term limits on Kansas members of congress.

Representative Mays testified favorably on HB 2711 stating that term limits are favored by more than 70 percent of the public (Attachment 1). Fourteen states have limitations as a result of a ballot initiative. Kansas could be the first for the state legislature to pass such a bill.

Representative Bradley provided written testimony (Attachment 2) in which he said term limits are not an end in themselves to our problems of economy, taxes, and crime, but are a means to an end.

Jim Cates, Term Limits Coalition, testified that our congress has has many opportunities to change our approach and has failed. A new congress would automatically provide a steady influx of new ideas. Passage of HB 2711 would also help restore voter trust in our system and in turn provide another building block in restoring America (Attachment 3).

Sam Brownback testified that the President of the United States has a term limit of two consecutive terms and 28 states, including Kansas, limit gubernatorial tenure (Attachment 4). Mr. Brownback suggested HB 2711 be changed from six to ten years in the House to enable someone to become more effective as a representative and yet not lose touch with his or her constituency.

Rob Mealy, speaking for Hume for Congress, provided testimony in support of the concept of term limits because serving in a legislative body should be an honor and not a career (Attachment 5). He recommended an amendment to HB 2711 that would state the term limits for the Kansas delegation would go into effect when a majority of states that include those states with large populations have passed a similar law.

Gene Bicknell provided written testimony (Attachment 6) supporting HB 2711 but requesting an amendment that would allow the House of Representatives members to serve 12 years, the same as the Senate.

## CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on February 9, 1994.

Chuck Hale, United We Stand, in testimony said term limits must be viewed as a principle movement by the people to reintroduce the idea of public service for the public good. He listed these reasons for term limits: 1) turnover in membership and leadership to insure constant flow of new ideas, perspective and energy to congress; 2) choice of the people; 3) will weaken the incumbents advantages and enhance a challengers ability to mount a credible race; 4) scrapping the seniority system; 5) takes the politics out of re-districting (Attachment 7).

Jack Madden appeared before the committee to support the effort of Kansans to bring about a change in the term limits of elected U.S. Senators and U.S. Representatives (Attachment 8).

Written testimony was distributed by Bob Eye, independent candidate for Governor of Kansas (Attachment 9).

Dennis Hodgins handed out a list of state-by-state term limit initiative results (Attachment 10).

After extensive questions from committee to conferees, and there being no objection to working HB 2711, Representative Bradley made a motion to pass HB 2711 favorably from committee. Representative Farmer seconded. A call for division was made. The motion carried.

Representative Dawson made a motion to approve the minutes for meetings on February 3, 1994 and February 8, 1994. Representative Gilbert seconded. Motion carried.

The meeting was adjourned at 10:20 a.m. The next meeting is scheduled for February 10, 1994.

# GUEST LIST

COMMITTEE: House Governmental Organization & Elections DATE: 5-8-94

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Darrel King (UWSA)	009 SE 33rd	UWSA of KS
Joe Bingham	3421 NW 42nd Tr	UWSA of KS
Clude Holloway	302 SE 48th	UWSA of KS
Ray Schier	Topeka	CITIZEN
Jim KEELE	PROLA	BLE
NICK HAINES	KANJAS PUBLIC RADIO AT STATEHOUSE	
Lois Ann Beal	TOPEKA	WCTU
Donna McDaniel	Topeka	Sen. Burke's office
Elinor Zentler	RR1, Box 107 Eskridge	(UWSA)
Cedric Maege	Topeka	UWSA
VERN SURBER	RT 1 Box 86-47 BEAUFORT KS	RETIRED
John HARRIS	337 N SENECA <sup>WICHITA</sup> KS 67203	RETIRED
GENE BICKNELL	100 N. PINE <sup>66762</sup> PITTSBURG	BUSINESS MAN
Sam Brownback	6149 Brookfield Cir, Topeka	Attorney/Author
Jim Cates	6810 Oglesby	city
Chuck Able	2505 SE Foxman St	UWSA / FIC FOR KANSAS
Mark E Conboy	3248 SW Skyline Dr <sup>Topeka</sup> KS	UWSA of KS
Eric C. Davis	1815 SW Fairlane Rd	Terminator Coalition
Sue Davidson	196 Canyon View Dr Lansing	Citizen
Marlene Rees	119 Ethel Ln., Lansing	Citizen
Karen L. Wood	828 Blueberry Lansing	Citizen
Sandra Ridgeway	Marvin Smith Const. Co. 3247 NW Menoken	CITIZEN
Rob MEALY	1020 Franklin Ct	HOME FOR CONGRESS
Bertie L. Madden	1609 Justin Dr McPherson	Citizen
Harry Reser	GOVERNOR'S OFFICE	Topeka



## GUEST LIST

COMMITTED: House Governmental Organization & Elections DATE:

[illegible]

DOUG MAYS  
 REPRESENTATIVE, FIFTY-FOURTH DISTRICT  
 SHAWNEE COUNTY  
 1920 SW DAMON CT.  
 TOPEKA, KANSAS 66611-1926  
 (913) 266-4885  
 STATE CAPITOL—ROOM 426-S  
 TOPEKA, KS 66612-1504  
 (913) 296-7668



TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: TAXATION  
 LOCAL GOVERNMENT  
 JUDICIARY

## Testimony of Representative Doug Mays Regarding HB 2711

I come before you today to offer testimony on a subject fundamental to our form of government: the limitation of tenure in office by members of the United States Congress and Senate. I have been asked many times over the past year why I am so interested in pursuing an issue that has tacit support in the legislature and seemingly none among members of Congress. The answer is simple, and I believe obvious: the people of Kansas want it-- overwhelmingly. And while it can be argued that our system of government in practice is less a democracy than a republic, this issue stands out as one of basic governance and, therefore, must be treated with greater if absolute deference to the wishes of the people.

Since the very beginnings of this nation, the question of term limitations has been discussed. Many of the framers of the constitution, including George Washington and John Adams, advocated limited tenure in office. They feared, as best expressed by Eldrige Gerry, that the absence of "rotation of office" would lead to: **"..perpetuity of office in the same hands..to the exclusion of men of the best abilities from their share in the offices of government. By this neglect we lose the advantage of that check to the overbearing insolence of office, which by rendering him ineligible at certain periods, keeps the mind of man in equilibrium, and teaches him the feelings of the governed, and better qualifies him to govern in his turn."**

While in discourse with James Madison concerning the yet unratified constitution, Thomas Jefferson wrote: **"There is a great mass of good in it in a very desirable form: but there is also to me a bitter pill or two."** The pills that were bitter to Jefferson were the omission of a bill of rights and the failure to provide for rotation in office. Later with regard to incumbents, he has been quoted as saying, **"Few die and none resign."**

While the Bill of Rights became a reality, it was successfully argued, at the time, that term limitations were unnecessary. After all, who in their right mind would want to leave their home, family, business, and state for more than a few years. Indeed, for the first 150 years of our existence as a nation, this was the case. Members of Congress averaged only four years of service in the House of Representatives, and only six in the Senate. While it was an honor to serve in the federal legislature, it was also a sacrifice requiring only the grandest of motives. So much so, that nearly fifty percent of the members of Congress left office with each election.

*House Gov't Org + Elections  
 February 9, 1994  
 Attachment 1*

Things, however, began to change after World War I when the practice of voluntary rotation all but disappeared. Today the rate of returning incumbents is extremely high. Virtually any incumbent member of Congress who wishes to be reelected, with rare exception, will be. In the 1990 election cycle, for example, of the 405 members who sought reelection, 20 percent had no major party opponents. 60 percent had opponents who raised less than half the money of the incumbents. According to Common Cause, only 23 of the House seats were truly competitive. In the end, 96 per cent of all incumbents seeking reelection were returned. Startling as it seems, the turnover rate in Congress today is comparable to that of the British House of Lords, and less than that of the now defunct Soviet Politburo.

Candidate competition at the federal level, is a myth. An ideal, smothered by the overwhelming advantage of incumbency. Who among us can say with conviction that the Congress of the United States is today a citizen legislative body, a cross section of America, reflective of its hopes, dreams, aspirations. This was, after all, the vision of the framers of the constitution.

Sadly, to most Americans today, Congress is held in low esteem, the embodiment of an elite ruling class of individuals. 535 members-for-life, if they so choose, suppressed in their initial zeal by a seniority system worthy of the Hapsburgs, eventually and inevitably seduced by the perquisite luxury of their status. The irony, then, should come as no surprise that the very question of limiting tenure for members Congress, while most tenaciously resisted by those in power, is perhaps the issue most widely agreed upon and supported by the citizens of this land.

Term limits are favored by more than 70 percent of the public. They are supported by large majorities of both parties, in all regions, by both sexes, by whites, African-Americans, and Hispanics. Limitations have now been passed in 14 states, including nearly all of the states bordering Kansas. The saddest of all commentaries, however, is that, in every case, passage of these measures has been the result of a ballot initiative. Not one state legislature has voluntarily bowed to the will of the people on this issue.

It is my sincerest hope that Kansas, the birthplace of prairie populism, will be the first with the passage of HB 2711.

# TESTIMONY BEFORE GOVERNMENT ORGANIZATION OF ELECTIONS

TOM BRADLEY

## "TERM LIMITS - A TOOL FOR GOOD GOVERNMENT"

1. (Q) WHAT IS THE PURPOSE OF YOUR TESTIMONY?

(A) I have come before this committee to recommend the adoption of term limits.

2. (Q) WHY ARE YOU SUPPORTING TERM LIMITS?

(A) Initially I had doubts about term limits. At first, it appeared to be another "quick fix", long on rhetoric and short on substance. But after going door-to-door and talking to several thousand Topeka citizens, I have slowly changed my mind. When the statements and concerns of those citizens are distilled, a forceful and logical argument remains for term limits. The people are saying:

\*We want term limits. Yes, we return most incumbents to office, but this is largely due to the overwhelming advantages of incumbency (e.g., fund raising, higher name recognition, political organization, etc.) Term limits will help balance the scales.

\*We want campaign finance reform. Term limits are a simple and effective finance reform measure. We believe any other package of reforms will have loopholes and will eventually be circumvented.

*House Gov't Org. & Elections  
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Attachment 2*

\*We want our legislators to work more objectively on tough issues. Eliminating careerism and dependence on a legislative paycheck will encourage elected officials to make the hard decisions that are best for America in the long run. Term limits will put the focus back on what is good for the next generation, not what is good for incumbents facing the next election.

\*We want citizen legislators who will volunteer, serve well, and then go home. The potential of serving twelve years in the Senate and six in the House is enough.

Everyone understands that term limits do not automatically solve our problems of economy, taxes, and crime. Term limits are not an end in themselves, but a means to an end. When you build a house, you select good tools. Term limits are tools that will help us build a better government.

These actions are not those of an uninformed citizenry casting "knee jerk" votes, understanding not what they do. Rather, the citizens of the 52nd District are highly aware of the issues involved. I have no doubt they completely understand what they are doing when they support term limits. Term limits are the ultimate campaign finance reform measures.



3. (Q) WHAT HAS BEEN THE VOTING RECORD ON TERM LIMITS?

(A) At least fifteen states have approved term limits. Refer to Exhibit I for a listing by state.

4. (Q) WHAT IS THE STATUS OF TERM LIMITS FOR OUR SISTER STATES?

(A) All states surrounding Kansas have adopted term limits.

5. (Q) IS THE EFFORT FOR TERM LIMITS BIPARTISAN?

(A) Yes. In the past, both sides of the aisle have sponsored term limits. Currently, members of both parties have co-sponsored the bill. On a national level, members of both parties support term limits.

6. (Q) WHAT ARE THE HISTORICAL ROOTS OF TERM LIMITS?

(A) The debate over term limits dates back to the founding of America. George Washington, Thomas Jefferson, and John Adams encouraged term limits. Originally, members averaged only four years in the House of Representatives and six in the Senate; nearly fifty percent of elected officials left office with each election. Abraham Lincoln agreed to serve only one term in the House.

[ “The second feature I dislike, and greatly dislike, is the abandonment in every instance of the necessity of rotation in office...”---Thomas Jefferson ]

[ “To prevent every danger which might arise to American freedom by continuing too long in office the members of the Continental Congress .... it is earnestly recommended ..... that in their future elections of delegates to the Continental Congress one half at least of the persons chosen be such as it were not of the delegation next proceeding, and shall not have served in that office longer than two years.”-----Thomas Jefferson ]

[ “A rotation in all offices, as well as of representatives and counsellors, has many advocates, and is contended for with many plausible arguments. I can see no objection to it.” ---  
-----John Adams ]

Holding office must be thought of as a short-term service, not a life-long career. Term limits assure experience outside of government. With term limits, representatives will focus on policy-making rather than re-election.

7. (Q) WON'T LOBBYISTS BECOME STRONGER?

(A) Term limits will dramatically decrease the influence of lobbyists. Lobbyists are some of the biggest opponents of term limits because they will lose their close ties with long-time incumbents. For them, opposing term limits is simply good business.

8. (Q) WHAT ABOUT THE BUREAUCRACY?

(A) The bureaucracy was created by legislature, and has as much power as legislature gives it. New members are historically more distrustful of the bureaucracy. The longer a person serves, the closer his or her ties to the bureaucracy become.

9. (Q) WHO SUPPORTS TERM LIMITS AND WHO IS AGAINST THEM?

(A) It's basically the people versus the politicians. Term limits are supported by 80 percent of the American people. Support cuts across party, race, gender, and income levels. It's one of the few truly broad-based, bipartisan issues that almost everyone agrees on. Against term limits are arrayed the armies of incumbency: lobbyists, PACS, and special interests, all of whom have a vested interest in the status quo.

10. (Q) GRANTED, THE VOTERS ARE MAD AT POLITICIANS, BUT AREN'T THERE BETTER WAYS TO CLEAN IT UP?

(A) Term limits are a citizen-initiated response to a system in need of repair. Term limits are the one reform politicians can't circumvent. With term limits, it is the people who gain the greatest benefit of all: a government that is truly representative and truly accountable.

11. (Q) WON'T TERM LIMITS FORCE OUT THE GOOD PEOPLE AS WELL AS THE BAD?

(A) Good people are leaving now because the system rewards politics and not performance. Limits will encourage honest, open debate about the most pressing problems facing us today that incumbents consistently avoid.

# TLC FOR KANSAS

Term Limits Coalition

Box 4813

Topeka, KS 66604

Mr. Chairman and members of the committee, my thanks for the opportunity to speak in favor of HB:2711.

The concept of term limits is not a new one. History indicates our forefathers gave serious consideration to term limits when drafting our country's constitution. At the time, no one intended for those in Congress to view their service to the country as a career.

Over the years, no less than 140 bills have been introduced in Congress to limit terms. As everyone knows, those efforts have failed.

Efforts at the state level, however, have been more successful. In 1990 the voters of Colorado imposed term limits on members of their Federal delegation. Since then, 14 other states have followed suit. It is anticipated that by the end of 1994 more than half of our Congress will be serving under some type of term limitations.

Why is this bill needed?

*House Gov't Org. & Elections  
February 9, 1994  
Attachment 3*

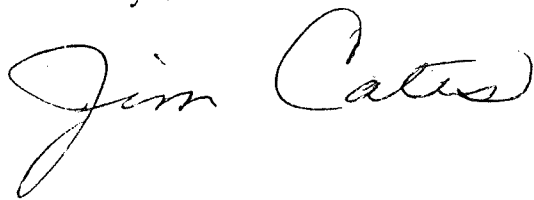
Everyone agrees Kansas has been fortunate over the years in having a very strong and influential Washington delegation. The fact remains, however, we are a nation in trouble.

Our deficit is still with us threatening the very essence of our country's economy. Crime in the United States continues to rise at a frightening pace. The national health insurance challenge has everyone searching for answers. Our Congress has had many opportunities to change our approach and has failed. A new Congress would automatically provide a steady influx of new ideas.

Term limits will not solve all of the problems in America. In addition to providing fresh ideas, however, passage will also help restore voter trust in our system. That trust, in turn, will provide another building block in restoring the America our forefathers anticipated.

I sincerely urge your support of HB: 2711.

Thank you.

A handwritten signature in cursive script that reads "Jim Cates". The signature is written in dark ink and is positioned below the "Thank you." text.



**Sam Brownback**  
**Testimony on House Bill 2711**

Mr. Chairman and members of the committee; thank you for this opportunity to testify in favor of House Bill 2711.

I support House Bill 2711 because I believe Congress should be a calling, not a career. Term limits would break the overwhelming advantage that the current system gives to incumbents. Incumbents have mail franking privileges; an incumbent can command media attention far greater than a challenger; an incumbent can raise funds for campaigns far in excess of his or her opponent. These advantages make it extraordinarily difficult to defeat an incumbent and in the end, take away voter choices because potential candidates give up when faced with such odds.

I have been a long time supporter of term limits. In fact, we enacted term limits in the bylaws of the Kansas Board of Agriculture while I was Secretary. We found at the Board of Agriculture that most of the delegates thought there should be regular turnover of Board of Agriculture members. It wasn't that they opposed the current board members, they just thought it would be good to get a regular influx of new people and new ideas. A number of people would not run for the Board of Agriculture because they felt the incumbent's stature and name recognition were so overwhelming that they were intimidated from running.

In my travels throughout the Second District, people are expressing a strong desire to regain control of their government through term limits. Many citizens of the District see term limits as a way of making government more "representative, responsive and responsible." I agree.

Term limits are not a new idea. They were included in the Articles of Confederation.

*House Govt Org. & Elections  
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Attachment 4*

In 1951, Congress saw fit to add the 22nd Amendment restricting the President of the United States to two consecutive terms. In addition, twenty-eight states, including Kansas, limit gubernatorial tenure.

It is time to add Congress to the growing list of elected institutions subject to term limits. Some will argue that if term limits were in place, Kansas would no longer benefit from the leadership and experience provided by Senator Bob Dole and Senator Nancy Kassebaum. With that concern in mind, I embrace the idea that term limits should not be enacted in Kansas until a majority of states approve similar legislation. But further, it is equally important to remember that good people like Senator Dole and Senator Kassebaum were immediately recognized as leaders at the national level. In fact, Bob Dole became a candidate for Vice President after only eight years in the Senate.

One suggestion that I have for the bill is that I do believe a longer tenure, 10 years rather than 6 years, in the House would be prudent to enable someone to become effective as a representative and yet not lose touch with his or her constituency.

Mr. Chairman and members of the committee, I support House Bill 2711 and the concept of term limits for members of Congress. This is an important principle that is in place in many of our elected positions and needs to be in place in the Congress of the United States to bring that institution back to the people.

I would be happy to respond to any questions.

# JOE HUME



FOR U.S. CONGRESS



930 SW NAISMITH PL., TOPEKA, KS 66606 913-273-7311

February 9, 1994

Government Organization Committee  
Kansas House of Representatives  
Topeka, Kansas

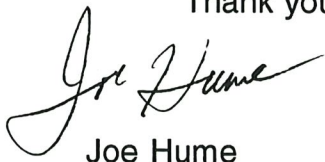
Re: HB 2711

Mr. Chairman, and Committee members, I am submitting this testimony as a statement of my support for House Bill 2711. I believe that the current make up of the U.S. Congress does not have the will to act on this issue. Many states are passing laws governing their own delegation's term, and I believe Kansas should consider this option. As a candidate for U.S. Congress I realize this bill might directly impact my own length of service. But I support the concept of term limits because I believe that serving in a legislative body is an honor, and should not be a career.

I am sure the public has made you as aware of their discontent with the legislative process, as they have myself. The public does indeed believe that their representatives are too far removed them. The public does want their representatives to have experienced the daily routine and struggle that they live with everyday. The public does want a citizen legislature, an ideal which has always been a cornerstone of democracy. Term limits will support that ideal.

I would also ask that you consider an amendment to House Bill 2711. Currently the bill states that term limits for the Kansas delegation should go into effect when a majority of the states have passed similar laws. I would ask for a debate on whether our limits should go into effect only when a majority of states that include those states with large populations have passed a similar law. The amendment would focus on that question. Six states, California, Texas, New York, Pennsylvania, Florida, and Illinois, make up 40% of the members of the U.S. House of Representatives and their committees. The question of whether Kansas would be harmed if we have term limits and these states do not needs to discussed before we take final action on this issue. The seniority system and the committee structure of the U.S. Congress will be effected by term limits. How that effects Kansas needs to be addressed. Ideally, all fifty states should have similar term limitations. This would create a more even field for members of Congress from small population states like Kansas.

Thank you for this opportunity to present testimony before the committee.

  
Joe Hume

*News Gout Org. + Elections  
February 9, 1994  
Attachment 5*

## Term Limits

Chairman Smith and members of the Committee, I would like to thank you for allowing me this opportunity to come before you to testify on HB2711.

I stand here today, not as a gubernatorial candidate, but as a citizen who's views reflect those of 80% of the people of this great state.

Over 200 years ago, our founding fathers envisioned a government administered by the citizens and established of the people. That government is based on the notion that citizens could take temporary leave of their employment to serve our nation, but would eventually return to their normal life after their public service.

Government today has evolved into a career for  
*House and Org. + Elections*  
*February 9, 1994*  
*Attachment 6*

professional politicians rather than a place for citizen participation. HB 2711 ends that trend by placing term limits on congressional terms. Fifteen states have implemented congressional term limits all through the initiative process. It is clear that where the decision is left to the will of the people, term limits become law. It is also clear that no legislative body has imposed term limits on itself because most professional politicians actually encourage public service as a career.

I support HB2711 which calls for congressional term limits of six years for members of the House of Representatives and 12 years for the United States Senate. However, I believe that the bill should be amended to allow U.S. Representatives to also serve 12 years, consistent with the tenure of service allowed in the Senate.

The President of the United States and the Governor of Kansas serve limited terms. Every public servant should be held to the same standards as our highest elected officials, including the amount of time they hold office. Kansas has a proud heritage of government reform. I urge you as representatives of our citizens to continue the process of reform in Kansas.

Respectfully Submitted,

Gene Bicknell  
February 9, 1994



I WANT TO THANK THE MEMBERS OF THIS COMMITTEE FOR PROVIDING ME THE OPPORTUNITY TO ADDRESS THIS VERY IMPORTANT ISSUE OF CONGRESSIONAL TERM LIMITS.

ON NOVEMBER 3, 1992, AMERICAN VOTERS IN 14 STATES PASSED TERM LIMIT INITIATIVES WITH AN AVERAGE OF 66% OF THE VOTE. NEARLY 22 MILLION PEOPLE - MORE THAN VOTED FOR ROSS PEROT IN ALL 50 STATES - VOTED IN FAVOR OF TERM LIMITS. IN THOSE 14 STATES TERM LIMITS RECEIVED A GREATER PERCENTAGE OF THE POPULAR VOTE THAN DID ANY OF THE PRESIDENTIAL CANDIDATES. TODAY 186 MEMBERS OF CONGRESS SERVE UNDER TERM LIMITS - INCLUDING THE SPEAKER OF THE HOUSE, THE HOUSE MAJORITY LEADER AND THE HOUSE MAJORITY WHIP.

TERM LIMITS MUST BE VIEWED FOR WHAT THEY ARE - A PRINCIPLED MOVEMENT BY THE PEOPLE OF THIS GREAT NATION TO REINTRODUCE THE IDEA OF PUBLIC SERVICE FOR THE PUBLIC GOOD. AN IDEA WHICH SEEMS TO HAVE ESCAPED A GREAT NUMBER OF OUR ELECTED REPRESENTATIVES. AS I'M SURE YOU KNOW, THE HOUSE OF REPRESENTATIVES WAS ENVISIONED AS THE PEOPLE'S HOUSE, WITH FREQUENT ELECTIONS AND SUBSTANTIAL TURNOVER TO ENSURE THAT THE SENTIMENTS OF THE CITIZENRY WOULD NOT BE LOST IN THE POLICY MAKING PROCESS. THE SENATE, ON THE OTHER HAND, WITH ITS LONGER TERMS, WAS TO BE A DELIBERATIVE BODY, MODERATING THE IMPULSES OF REPRESENTATIVES AND PRESIDENTS ALIKE. FOR THE FIRST 150 YEARS OF OUR COUNTRY'S HISTORY IT PRETTY MUCH WORKED JUST THAT WAY IN BOTH WASHINGTON AND THE STATE CAPITOLS. BUT

*House Gov't Org & Elec.  
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Attachment 7*

NOW, BECAUSE OF THE INCREASING LONGEVITY OF ITS MEMBERS, THEY ARE BEING COMPARED TO ENGLAND'S HOUSE OF LORDS!

THE MOST OFTEN USED ARGUMENT, IN OPPOSING TERM LIMITS, IS THAT WE WILL LOSE THE VALUABLE SERVICE OF EXPERIENCED LEGISLATORS. FORGIVE ME FOR SAYING SO, BUT GIVEN RECENT LEGISLATIVE EXPERIENCE, THIS IS A PROSPECT FOR WHICH WE MIGHT HOPE!

AN OVERWHELMINGLY IMPORTANT REASON FOR LIMITING TERMS IN THE CONGRESS HAS TO DO WITH A THING CALLED THE "CULTURE OF RULING". THIS IS SOMETHING FOUND INSIDE THE "BELTWAY" AND EVERY CAPITOL FROM ALBANY TO SACRAMENTO RIGHT THROUGH TOPEKA, KANSAS. IT MEANS THAT, NO MATTER HOW NOBLE ONE'S INTENTIONS, IT IS IMPOSSIBLE TO NOT BE INFLUENCED BY THE SOCIOLOGICAL ENVIRONMENT IN WHICH LEGISLATORS INVARIABLY FIND THEMSELVES. VIRTUALLY EVERYONE, WITH WHOM THEY ASSOCIATE, ARE IN THE POSITION OF REGULATING OTHER PEOPLE'S LIVES OR SPENDING OTHER PEOPLE'S MONEY! IT HAS AN INSIDIOUS AND CORRUPTING INFLUENCE UPON EVEN THE BEST PEOPLE. THIS IS NOT CORRUPTION IN THE CONVENTIONAL AND MOST OBVIOUS SENSE - SUCH AS THE KEATING FIVE AFFAIR - BUT IT IS THE COMPROMISE OF PERSONAL PRINCIPLES AND INTEGRITY IN ORDER TO JUST GET ALONG. THE LESS TIME A PERSON IS EXPOSED TO THIS, THE LESS CHANCE THERE IS FOR THAT INSIDIOUS PROCESS OF CORRUPTION TO OCCUR AND THE LESS CHANCE THERE IS THAT COMMON SENSE WILL BE REPLACED BY THE

7-2

"INSIDE-THE-BELTWAY" MENTALITY.

WE NEED TERM LIMITS FOR ALL OF THE FOLLOWING REASONS AND MORE:

- 1) TURNOVER IN MEMBERSHIP AND LEADERSHIP WILL INSURE A CONSTANT FLOW OF NEW IDEAS, PERSPECTIVE AND ENERGY TO OUR CONGRESS.
- 2) SIX YEAR LIMITS IN THE HOUSE AND TWELVE YEAR LIMITS IN THE SENATE ARE THE CHOICE OF THE PEOPLE. STUDIES SHOW THAT 60% OF THE PEOPLE FAVOR HOUSE LIMITS OF THREE TERMS OR LESS. IN FACT, A PLURALITY - 34% - FAVOR TWO TERMS. THE MOST RECENT SURVEY OF KANSAS INDICATES THAT 75% OF THE KANSAS VOTERS FAVOR TERM LIMITS.
- 3) TERM LIMITS WILL WEAKEN THE INCUMBENTS ADVANTAGES AND ENHANCE A CHALLENGERS ABILITY TO MOUNT A CREDIBLE RACE. ALONG THESE LINES IT WILL EXPAND OPPORTUNITIES FOR THE TRADITIONALLY UNDER-REPRESENTED GROUPS TO RUN FOR OFFICE. IN THE 1992 KANSAS CONGRESSIONAL ELECTION THE INCUMBENTS HAD A DISTINCT ADVANTAGE OVER THEIR CHALLENGERS - 8 1/2 TIMES MORE MONEY! \$6,355,021 TO \$743,050. THAT, IN LARGE MEASURE, WAS THE REASON THAT, NATIONWIDE, 93% OF THEM WERE RE-ELECTED.
- 4) THE SENIORITY SYSTEM DEMANDS THAT LEGISLATORS HOLD OFFICE FOR SEVERAL YEARS - EVEN DECADES - BEFORE BEING ABLE TO TRULY EFFECT THE POLICY PROCESS. TERM LIMITS WILL CHANGE THAT EQUATION BY SCRAPPING THE SENIORITY SYSTEM.

ABILITY, ENERGY AND MERIT WILL REPLACE RE-ELECTION AS THE CRITERIA FOR POLICY MAKING LEADERSHIP.

5) TERM LIMITS TAKES THE POLITICS OUT OF RE-DISTRICTING. TODAY INCUMBENTS HAVE A VESTED INTEREST IN HOW THEIR DISTRICTS ARE APPORTIONED EVERY TEN YEARS. IN SOME CASES THEY HAVE BEEN KNOWN TO EMPLOY PROFESSIONAL LOBBYISTS TO PROTECT THEIR INTERESTS BEFORE THE LEGISLATURE. TERM LIMITS WILL RETURN THE RE-DISTRICTING PROCESS TO ITS ORIGINAL INTENT - INSURING FAIR AND EQUAL REPRESENTATION FOR ALL CITIZENS. INCUMBENT OFFICE HOLDERS WILL NO LONGER HAVE AN INCENTIVE TO DEFEND THEMSELVES FROM CHANGING THE DEMOGRAPHICS OF THEIR DISTRICTS. REPRESENTATIVES CAN ONCE AGAIN BE CHOSEN AT THE ELECTION BOOTH INSTEAD OF IN A COMMITTEE ROOM.

THE RIGHT TO HAVE FAIR AND EQUAL REPRESENTATION WAS WHAT THE AMERICAN REVOLUTION WAS ALL ABOUT. ELECTIONS ARE THE VITAL LINK BETWEEN OUR PEOPLE AND THEIR GOVERNMENT. ELECTIONS EMBODY THE VERY PRINCIPLE OF GOVERNMENT BY THE PEOPLE, OF THE PEOPLE AND FOR THE PEOPLE.

DEBATES, AT THE CONSTITUTIONAL CONVENTION OF 1787, ABOUT THE LENGTH OF CONGRESSIONAL TERMS, WERE PROLONGED AND IMPASSIONED. OVER 200 YEARS OF DEBATE IS ENOUGH! WE NEED - NO - WE MUST - HAVE TERM LIMITS.

-5-

YOU HAVE THE DISTINCT PRIVILEGE OF BECOMING A PART OF  
HISTORY IN THIS GREAT STATE. LET'S RE-INVENT THE CITIZEN  
CONGRESS AND LET'S DO IT THIS YEAR IN KANSAS!

THANK YOU FOR YOUR KIND ATTENTION AND YOUR ACTIVE SUPPORT  
OF TERM LIMITS FOR KANSAS.

OS.

Where are the quality people?" Kunst asked. "We don't need any more party hacks. There's got to be some top-flight professors out there, entrepreneurs, housewives involved in their communities."

"If you don't kick out the incumbents now, when the mood is right, you never will."

Remember "The Year of the

In Missouri, Bond appears draw slightly more support from women than from men, even though both his Democratic and Libertarian opponents are women. About 49 percent of women and 46 percent of men said they favored Bond. Conversely, Rothman-Scrot was favored by 28 percent of women and 31 percent of men.

Political scientist G. said incumbents still hold the advantage.

Their success may also be a simple matter of voters making choices in the real world, G. said. The dream of a fresh, fantastic government often fades when the challengers make their pitches.

# Term limits supported by voters in Missouri, Kansas, poll shows

By RICK MONTGOMERY  
Staff Writer

Missouri voters seem eager to approve a state ballot issue that would limit terms for their representatives.

And Kansas voters wish they had the same opportunity.

A poll conducted by *The Kansas City Star* and KMBC-TV, Channel 9, showed that about three of four voters across Missouri support a proposal to restrict the terms of state legislators and U.S. congressmen to eight years and U.S. senators to 12 years.

No such issue will be on Kansas ballots. But if it were, 75 percent of Kansas voters said they would support term limits, 18 percent said they would oppose the measure and 7 percent were unsure.

"These efforts are coming up in all states, and they're very popular," said Dale Neuman, professor of political science at the University of Missouri-Kansas City.

The movement to elect independent presidential candidate Ross Perot feeds into the fervor, Neuman said. "It plays on this attitude. Incumbents are all part of the mess in politics."

## Yes to gambling

In Missouri, voters in November also will decide on a proposal to legalize riverboat gambling.

So far, the mood is "all aboard," according to the poll.

Fifty-six percent of respondents said they favored the idea of opening casino boats on the Mississippi and Missouri rivers. One-third of the voters disagreed and 11 percent were undecided.

The gambling measure fared best in urban areas. City voters favored the proposal by more than a 2-1 ratio. Rural voters were lukewarm — 47 percent supported it and 39 percent did not.

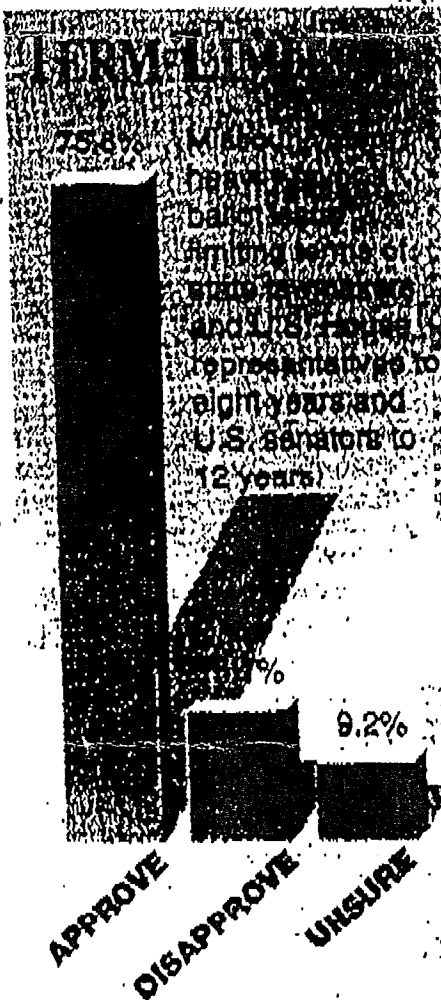
The more affluent the voters, the more likely they will vote for riverboat gambling, the poll indicated.

Sixty-seven percent of respondents with family incomes exceeding \$75,000 favored the proposal. But low-income households — earning \$15,000 or less — were split.

Support among middle-income brackets ranged from 50 percent to 65 percent. The support climbed with the income level.

"It's seen as an opportunity for revenue, growth and a little legal sin," Neuman said.

"You haven't seen much of an organized effort against it in this statewide campaign. Typically,



the opposition for these things organized at the local level where somebody actually tries to start (casino) up."

Staff writer Scott Canon contributed to this article.



# TERM LIMIT

## 1992 BALLOT RESULTS

<u>State</u>	<u>Yes</u>	<u>Votes</u>	<u>No</u>	<u>Votes</u>
Arizona	74%	1,026,830	26%	356,799
Arkansas	60%	494,326	40%	330,836
California	63%	6,578,637	37%	3,769,511
Colorado*	71%	652,322	29%	269,831
Florida	77%	3,625,500	23%	1,097,127
Michigan	59%	2,323,171	41%	1,629,368
Missouri	74%	1,590,552	26%	558,299
Montana	67%	264,174	33%	130,695
Nebraska	68%	481,048	32%	224,114
N. Dakota	55%	162,150	45%	129,930
Ohio	66%	2,897,054	34%	1,476,436
Oregon	69%	1,003,706	31%	439,694
S. Dakota	63%	205,074	37%	117,702
Washington	52%	1,119,985	48%	1,018,260
Wyoming	77%	150,113	23%	44,424
<hr/>				
Average/Total:	66%	22,574,642	34%	11,593,026

- *Term Limits received more votes in the 14 initiative states than presidential candidate Ross Perot received nationwide.*
- *Term Limits received a greater percentage of the vote in each of the 14 initiative states than did President Clinton.*

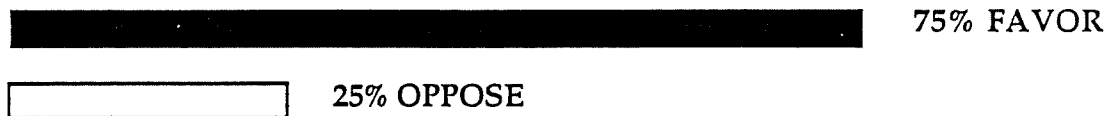
\*Colorado passed Amendment 5 in 1990.

# Opinion Polls on Term Limits

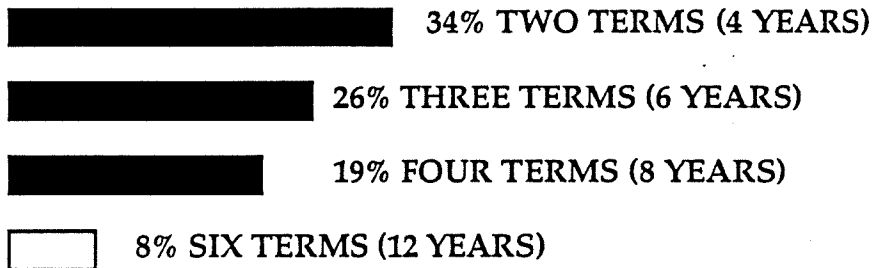
## National Taxpayers Union Foundation

The National Taxpayers Union Foundation recently commissioned a poll on Americans' responses to a number of political reform issues. The results show that citizens strongly favor strict term limits.

QUESTION: "Would you favor a constitutional amendment that would limit the number of terms a member of Congress could serve?"



QUESTION: "If limitations were passed on the number of terms a member of the U.S. House of Representatives could serve, do you think the maximum number of terms should be:"

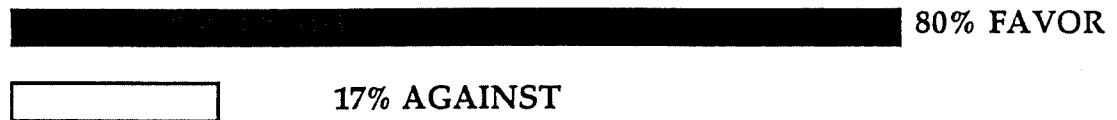


Published in Capital IDEAS, Volume 1, Number 1; September/October 1992

## Wall Street Journal/NBC News

Public dissatisfaction with the status quo was measured recently by a Wall Street Journal/NBC poll showing Americans strongly favor a limit on congressional terms.

QUESTION: Do you favor a limit on congressional terms?



Published in the Wall Street Journal, April 17, 1992.

FEBRUARY 9, 1994

THE HONORABLE MARVIN E. SMITH, CHAIRPERSON  
GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE  
KANSAS HOUSE OF REPRESENTATIVES  
ROOM 115-S  
STATE CAPITOL  
TOPEKA, KS 66612

THE FOLLOWING IS MY STATEMENT BEFORE THE GOVERNMENTAL  
ORGANIZATION AND ELECTIONS COMMITTEE, ROOM 521 SOUTH,  
STATE CAPITOL, TOPEKA, KANSAS ON FEBRUARY 9, 1994

I WANT YOU TO KNOW THAT I SUPPORT THE EFFORT OF KANSANS  
TO BRING ABOUT A CHANGE IN THE TERM LIMITS OF OUR ELECTED  
UNITED STATES SENATORS AND REPRESENTATIVES.

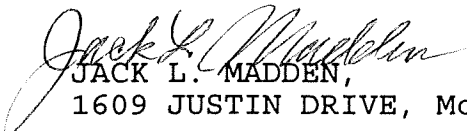
TERM LIMITS ARE NOT NEW TO THE UNITED STATES. THE IDEA HAS  
BEEN WITH US SINCE THE LATE 1770'S WHEN IT WAS ADVOCATED BY  
THOMAS PAINE AT THE CONTINENTAL CONGRESS. IT WAS DEFEATED BY  
JUST ONE VOTE. IF IT WOULD HAVE PASSED, IT IS NOT LIKELY WE  
WOULD BE HERE TODAY HAVING THIS MEETING.

THE 22ND AMENDMENT TO THE UNITED STATES CONSTITUTION LIMITS  
THE PRESIDENT TO NO MORE THE TWO TERMS. I AM OF THE OPINION  
THAT WE SHOULD LIMIT AND RESTRICT THE TERMS OF OUR ELECTED  
UNITED STATE SENATORS AND REPRESENTATIVES. THIS IS A NEEDED  
REFORM TO OUR GOVERNMENTAL PROCESS.

THE CURRENT ELECTED OFFICIALS ARE MORE CONCERNED WITH  
GETTING RE-ELECTED THAN DEALING WITH PROBLEMS THAT FACE OUR  
NATION. THE RHETORIC PUT FORTH BY THE MAJORITY OF THOSE  
SERVING IN WASHINGTON IS -"TELL THEM WHAT THEY WANT TO HEAR  
BUT DON'T DO ANYTHING.". DEFICIT SPENDING, FAILURE TO  
ADDRESS THE NATIONAL DEBT, CONGRESSIONAL EXEMPTIONS OR  
EXCEPTIONS TO LAWS THEY PASS AND IMPOSE ON US. TODAY WE HAVE  
ONE OF THE MOST EXPERIENCED LEGISLATIVE BODY IN THE WORLD,  
YET OUR PROBLEMS HAVE NEVER BEEN GREATER.

FIFTEEN OTHER STATES HAVE PASSED LAWS LIMITING TERM OF THEIR  
CONGRESSIONAL DELEGATIONS. THERE ARE OTHER STATES THAT ARE  
IN THE MIDST OF ATTEMPTING TO GET LEGISLATION PASSED TO DO  
THE SAME.

OUR FOREFATHERS DID NOT ENVISION THAT AN ELECTED OFFICIAL OR  
REPRESENTATIVE WOULD MAKE A CAREER OR A LIFETIME ENDEAVOR OF  
SERVING THE PEOPLE OF THIS COUNTRY. IN MY READINGS OF  
HISTORY AND THE CURRENT POLITICAL CLIMATE IT IS APPARENT  
THAT WE NEED TO MAKE A CHANGE. I HOPE YOU WILL BE A PART OF  
MAKING IT HAPPEN.

  
JACK L. MADDEN,  
1609 JUSTIN DRIVE, McPHERSON, KS 67460-1621

*House Gov. & Elections  
February 9, 1994  
Attachment 8*

# BOB EYE FOR GOVERNOR

Suite 209  
701 S.W. Jackson  
Topeka, Kansas 66603-3772  
Phone: 913-354-1224

February 9, 1994

TO THE HOUSE GOVERNMENTAL ORGANIZATION AND ELECTIONS COMMITTEE:

I have attached to this letter a copy of my press release of this morning, prior to the noontime rally on the south steps of the Statehouse today.

I will be speaking at this rally in favor of term limits both for members of the U.S. Congress and for members of the Kansas Legislature, for the reasons stated in this press release.

I had hoped also to be able to testify before you this morning on HB 2711 (imposing term limits on Kansas members of Congress). Unfortunately, a previous commitment to a client could not be rescheduled in time. I therefore rest my case for the moment before you with this press release and with the remarks I will be making at the noontime rally.

Thank you for considering my views on this matter in your deliberations today.

Yours very sincerely,



Robert V. Eye  
Independent Candidate  
for Governor of Kansas

RVE/OdeL

*House Gov't Org. & Elections  
February 9, 1994  
Attachment 9*

Paid for by Bob Eye for Governor  
Owen de Long, Treasurer



# BOB EYE FOR GOVERNOR

Suite 209  
701 S.W. Jackson  
Topeka, Kansas 66603-3772  
Phone: 913-354-1224  
Februrary 9, 1994

## BOB EYE ANNOUNCES SUPPORT FOR TERM LIMITS

Bob Eye, Independent candidate for Governor, today endorsed term limits for members of Congress and the state Legislature. The Kansas Legislature is considering a measure which would amend the Kansas Constitution to limit the terms of members of the United States Congress.

"Term limits is an idea whose time has come; everywhere that the electorate has had a chance to vote on this issue, term limits have carried the day," said Eye. "I urge the Kansas Legislature to allow voters of Kansas to pass judgment on this issue," Eye continued.

Eye noted that term limits for the offices of President and Governor have been in place for years, with no adverse effects. "It's interesting to note that the U.S. Constitution was amended to limit presidential terms in the wake of Franklin Roosevelt's fourth term, and the Kansas Constitution was amended as a result of Robert Docking's fourth term. Voters recognized that even with very successful and effective chief executives, there was a danger of establishing political dynasties. Roosevelt and Docking were clearly popular and effective leaders, but the power of incumbancy can frequently overwhelm the need for change. To a large extent, that is the driving force to limit the terms of other elected officials," Eye said.

"Incumbants are so powerful that sometimes there's no way to get them out of office. In Kansas that means many of the legislators who voted for classification and reappraisal (a disastrous property tax policy) are still in office. I'd consider term limits a good idea if only as a way to get rid of those who supported classification and reappraisal," Eye said.

"Our form of constitutional government is not threatened by term limits. The limits on chief executive terms demonstrate that. What does threaten our political system are the dynasties that evolve when legislators are able to attract the support of big-money interests and remain in office by outspending their opposition," Eye stated.

"Ideally, we should consider term limits a part of broad political reform, and also include limits on the expenditure of money by lobbyists, PACs, and candidates for public office," Eye noted.

Eye spoke to a rally of term limits supporters who gathered at the Statehouse today.

**FOR IMMEDIATE RELEASE**

Paid for by Bob Eye for Governor  
Owen de Long, Treasurer



## STATE-BY-STATE TERM LIMIT INITIATIVE RESULTS

State	Limits on U.S. Senators (6-Year Terms)	Limits on U.S. House Members (2-Year Terms)	Limits on State Senators		Limits on State Representatives (2-Year Terms)
			Limit	Terms	
Arizona	2 consecutive terms	3 consecutive terms	4 consecutive terms	2 years each	4 consecutive terms
Arkansas	2 terms	3 terms	2 terms	4 years each	3 terms
California	12 years within a 17-year period	6 years within an 11-year period	2 terms <sup>a</sup>	4 years each	3 terms <sup>a</sup>
Colorado	2 terms	6 terms	8 consecutive years <sup>b</sup>	4 years each	8 consecutive years <sup>b</sup>
Florida	8 consecutive years	8 consecutive years	8 consecutive years	4 years each	8 consecutive years
Michigan	2 terms within a 24-year period	3 terms within a 12-year period	2 terms	4 years each	3 terms
Missouri	2 terms <sup>c</sup>	4 terms <sup>c</sup>	8 years per chamber	4 years each	8 years per chamber
Montana	2 terms within a 24-year period	3 terms within a 12-year period	8 years within a 16-year period	4 years each	6 years within a 12-year period
Nebraska	2 consecutive terms	4 consecutive terms	2 consecutive terms	4 years each	Unicameral
North Dakota	2 terms <sup>d</sup>	6 terms <sup>d</sup>			
Ohio <sup>e</sup>	2 consecutive terms	4 consecutive terms	2 consecutive terms	4 years each	4 consecutive terms
Oklahoma			12-year lifetime service <sup>f</sup>	4 years each	12-year lifetime service <sup>f</sup>
Oregon	2 terms	3 terms	8 years <sup>g</sup>	4 years each	6 years <sup>g</sup>
South Dakota	2 consecutive terms	6 consecutive terms	4 consecutive terms	2 years each	4 consecutive terms
Washington <sup>h</sup>	2 terms within an 18-year period	3 terms within a 12-year period	8 years within a 14-year period	4 years each	6 years within a 14-year period
Wyoming <sup>i</sup>	2 terms within a 24-year period	3 terms within a 12-year period	3 terms within a 24-year period	4 years each	3 terms within a 12-year period

- a) Lifetime service -- maximum time is 14 years. Initiative passed in 1990.  
b) Terms are consecutive unless there is a four-year break. Applies only to terms starting after 1990. Initiative passed in 1990.  
c) Twenty-five states must adopt similar measures before these term limits take effect.  
d) No more than 12 years in one chamber or a combination of both. House members may run again after two-year break.  
e) Terms are consecutive unless there is a four-year break.  
f) Service does not have to be consecutive. Initiative passed in 1990.  
g) No more than 12 years of combined service.  
h) Terms served before November, 1992, will not count toward new limits.  
i) Limits constitutional officers to two terms within a 16-year period.

*Have sent to  
 Secretary  
 9/19/94  
 Attached 10*