

TO: The Honorable Tom Kessler, Chair
Members of the House Committee on Federal and State Affairs

FROM: Tyler Holmes
Westwood, KS

RE: Written Testimony in OPPOSITION of HCR 5022
A CONCURRENT RESOLUTION making application to the Congress of the United States for a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States establishing term limits for members of Congress.

Chair Kessler and Members of the Committee:

I oppose House Concurrent Resolution 5022 (as well as it's sibling, Senate Concurrent Resolution 1604). Both aim to call a convention of the states under Article V of the United States Constitution for the purpose of limiting the federal government's power through term limits on members of the US Senate and House of Representatives.¹ This proposal, which fails to endorse a particular duration of service suitable to Kansas, works against the explicit aims of the Resolution and ignores many well-researched and considered alternatives which *would* reduce the influence of special interests and improve representative governance.

HCR 5022 bemoans the influence of "powerful special interests, through spending by third party groups, campaigns or out-of-state donors." The Resolution goes on to argue against the "disproportional influence of special interests" and "the accumulation of inordinate power in members [of Congress] with longevity." These twin evils are apparently to blame for "a fundamental imbalance in our representative democracy," the erosion of "the people's trust in government," and the inability for "any citizen" to "be elected into office."

I agree that we find our democracy in a precarious circumstance. Polling from mid January suggests **77 percent of Americans think our political system needs major changes or needs to be torn down completely.**² Only four percent of respondents think our system does not need any changes. Yet the suggestion that term limits address the distorting influence of campaign finance, third party spending, and well-funded lobbying efforts, or make it easier for the common individual to run and win elected office, is unhelpful.

Look next door. In Missouri, there is no evidence the limits of service to eight years in each of the legislature's chambers has improved governance or reduced corruption since passage in the early 1990s. Former Speaker of the Missouri House John Diehl exchanged sexually inappropriate messages with a 19-year-old state House intern while on the job and is now trying

¹ SCR 1604 also endorses constitutional amendments to "impose fiscal restraints on the federal government, [and] limit the power and jurisdiction of the federal government".

² G. Elliot Morris, *New poll: Trump loses ground on immigration; Dems lead 2026 House vote by 8 points*, STRENGTH IN NUMBERS (Jan. 21, 2026), available at: <https://www.gelliottmorris.com/p/new-poll-trump-slips-on-immigration>.

to avoid a lengthy prison sentence after pleading guilty to wire fraud related to a government program.³ The legislature routinely overturns the will of Missourians, from restrictions on puppy mills, to campaign finance limits, to paid sick leave.⁴ Yet lobbyists only have more power and influence, as less experienced legislators rely on the special interest groups' paid representatives for institutional knowledge.⁵ Though popular, term limits are no help.

So what could this Committee do to improve governance, reduce the influence of outside groups and expensive campaigns, and make it more likely any one of us could run for office?

1. Restrict corporations from participating in elections. Since the Supreme Court's decision in *Citizens' United*, billions in dark money have infected our politics. Corporations are creations of state law and therefore have the rights assigned to them by Kansas statute. Therefore the Legislature has the power *not* to give corporate entities the right to pour money into politics.⁶ The Legislature should do so.
2. Create a public campaign finance system. If the Committee is concerned about too much money in politics combined with candidates and elected officials spending too much time fundraising, then it might consider a system of public matching funds. If a multitude of small-dollar donations come with access to matching or multiplied funds, candidates may feel less incentive to chase large donations over small ones.⁷ And maybe less impulse to do much chasing at all.
3. Advocate for more members of Congress. With the House frozen at 435 voting members for over a century, we have lost countless potential public servants who could have provided crucial knowledge and leadership. Under the most conservative reform proposal, the Wyoming Rule, where apportionment would be set by the size of the least populous state, Kansas would have a fifth member of congress today.⁸ Other proposals would give Kansas six representatives.⁹ Not only would a larger House eliminate fundamental unfairness across states and create more opportunities to get

³ Hancock, Jason, *Ex-Missouri House Speaker John Diehl seeks to avoid prison in COVID loan fraud case*, MISSOURI INDEPENDENT (Jan. 21, 2026), available at: <https://missouriindependent.com/2026/01/21/ex-missouri-house-speaker-john-diehl-seeks-to-avoid-prison-in-covid-loan-fraud-case/>.

⁴ Hancock, Jason, *'Kicked a hornet's nest': Missouri GOP repeal of voter-approved laws inspires backlash*, MISSOURI INDEPENDENT (July 28, 2025), available at: <https://missouriindependent.com/2025/07/28/kicked-a-hornets-nest-missouri-gop-repeal-of-voter-approved-laws-inspires-backlash/>.

⁵ Rosenbaum, Jason, Missouri term limit change would allow 16 years of service in either the House or Senate, St. Louis Public Radio (March 10, 2025), available at: <https://www.stlpr.org/government-politics-issues/2025-03-10/missouri-term-limit-change-would-allow-16-years-of-service-in-either-the-house-or-senate>. See also Implementing Term Limits: The Case of the Michigan Legislature, Citizens Research Council of Michigan (2017), available at: https://cremich.org/wp-content/uploads/rpt401_Term_Limits-1.pdf (Finding that in committee deliberations, Michigan legislators in both chambers rely on organized groups and lobbyists most for information).

⁶ Tom Moore, *Transparent Election Initiative*, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Aug. 7, 2025), available at: <https://corpgov.law.harvard.edu/2025/08/07/transparent-election-initiative/>.

⁷ Public Campaign Financing, BRENNAN CENTER (last accessed Jan. 27, 2026), available at: <https://www.brennancenter.org/topics/money-politics/public-campaign-financing>.

⁸ Uncapping the House - Pt. 1 - The Wyoming Rule, THE AMERICAN REDISTRICTING PROJECT (July 23, 2025), available at: <https://thearp.org/blog/the-wyoming-rule/>.

⁹ Uncapping the House - Pt. 2 - The Cube Root Rule, THE AMERICAN REDISTRICTING PROJECT (Oct. 16, 2025), available at: <https://thearp.org/blog/the-cube-root-rule/>.

elected, but Kansans would be better able to connect with their federal representatives. Each race might cost less, too.¹⁰

4. Eliminate single-member districts. Gerrymandered districts with first-past-the-post winners persevere a two-party system and therefore reduce voter choice and candidate willingness to participate. Moving to multi-member districts with ranked choice voting would encourage third parties and alternative candidacies, as well as produce more proportionate representation of the public.¹¹ At the federal level, this requires a statutory change,¹² while an amendment to Kansas Constitution Article 2, Section 2 would be necessary for state officials.

These measures would all allow for more, and more competitive elections between Kansans at the state and federal level. They would limit campaign donations to individuals and local groups, while incentivizing candidates to spend less time raising money and more time campaigning in the community. They would ensure each elected official got more than 50 percent of the vote, with the added bonus that each official would have competitors and teammates in their representation, incentivizing dedicated service that has to be collaborative at times.

I appreciate the Committee's recognition of the need for democratic reforms and its willingness to consider them. With respect, I recommend you consider some of the alternatives outlined above and vote against HCR 5022.

¹⁰ Enlarging the House, OUR COMMON PURPOSE (last accessed Jan. 27, 2026), available at: <https://www.amacad.org/ourcommonpurpose/initiative/enlarging-house-representatives>.

¹¹ *Enhancing Representation in Massachusetts: The Case for Preferential and Proportional Electoral Systems*, NEW AMERICA (March 12, 2025), available at: <https://www.newamerica.org/political-reform/briefs/enhancing-representation-in-massachusetts/>.

¹² H.R.4632 - Fair Representation Act, CONGRESS.GOV (accessed Jan. 27, 2026), available at: <https://www.congress.gov/bill/119th-congress/house-bill/4632>.