

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1073

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

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## IN THE SENATE OF THE UNITED STATES

JULY 26 (legislative day, JULY 10), 1995

Mrs. HUTCHISON (for herself, Mr. BROWN, Mr. FRIST, Mr. INHOFE, and Mr. MACK) introduced the following bill; which was read twice and referred to the Committee on Rules and 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 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          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 1996 general election and  
25               thereby provide 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, the  
9       results of which shall be properly tabulated and cer-  
10      tified as provided in this Act, but shall not be legally  
11      binding on any person or institution;

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

15          (3) the term “general election” means the elec-  
16      tion at which Federal officers are elected in 1996;

17          (4) the term “Federal office” means Members  
18      of the House of Representatives and Senators, Dele-  
19      gates to the Congress, and Resident Commissioners  
20      of the territories of the United States; and

21          (5) the term “State election agency” means the  
22      official agency of each State and territory charged  
23      with the legal responsibility for conducting general  
24      elections within that jurisdiction.

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

4 (a) IN GENERAL.—This Act shall have the effect of  
 5 placing on the 1996 general election ballot in every con-  
 6 gressional district, and delegate and resident commis-  
 7 sioner district, in the United States, the District of Colum-  
 8 bia, and the territories of the United States, the advisory  
 9 question concerning term limits for Members of Congress.

10 (b) ADVISORY QUESTION; BALLOT TITLE AND LAN-  
 11 GUAGE.—Not later than June 1, 1996, the Clerk of the  
 12 House of Representatives and the Secretary of the Senate  
 13 shall jointly certify to the appropriate State election agen-  
 14 cies for inclusion on the 1996 general election ballot in  
 15 each congressional district, the following ballot title and  
 16 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”.

17 (c) PREPARATION OF BALLOTS.—

18 (1) PROCEDURES.—The procedures for printing  
 19 and preparation of the ballots containing the advi-  
 20 sory question shall be the same as provided in each

1 State and territory for conducting the elections of  
2 the Members of the United States House of Rep-  
3 resentatives and Senators, and Delegates or Resi-  
4 dent Commissioners.

5 (2) ADVISORY QUESTION.—

6 (A) IN GENERAL.—In each congressional  
7 and delegate district, the general election ballot  
8 shall include the advisory question. If there is  
9 no general election scheduled to be held in a  
10 congressional or delegate district, a ballot shall  
11 be prepared for the voters of that district con-  
12 taining the advisory question. The voters in the  
13 district shall vote on the nonbinding referendum  
14 in the same manner as all other districts where  
15 a general election is being held.

16 (B) REIMBURSEMENT.—States and terri-  
17 tories shall be reimbursed at 4 cents per voter,  
18 or an estimated \$5,000,000 for the costs in-  
19 curred in placing the advisory question on bal-  
20 lots in November 1996. There are hereby au-  
21 thorized to be appropriated \$5,000,000 to reim-  
22 burse costs as provided in this subparagraph.  
23 All reimbursements to State election agencies  
24 for the costs of conducting the nonbinding ref-  
25 erendum shall be made from the franking ac-

1 counts of the Congress, with equal amounts  
2 drawn from the franking accounts of the House  
3 of Representatives and the Senate to reimburse  
4 the States for such expenses. The Clerk of the  
5 House of Representatives and the Secretary of  
6 the Senate shall be responsible for ensuring the  
7 proper application for and reimbursement of ex-  
8 penses under this subparagraph.

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

16 (e) TRANSMISSION OF CERTIFIED RESULTS TO THE  
17 CONGRESS, ALL MEMBERS, AND COMMITTEES ON THE  
18 JUDICIARY.—The official, certified election results of each  
19 jurisdiction's nonbinding referendum on the advisory ques-  
20 tion shall be certified by the State election agency to the  
21 Clerk of the House of Representatives and the Secretary  
22 of the Senate in the same manner and at the same time  
23 of the certification of election of Members of the House  
24 of Representatives and Senate at the 1996 general elec-  
25 tion. The results shall be certified by county, congressional

1 district, and statewide totals. The Clerk and the Secretary  
2 shall be responsible for transmitting to each Member of  
3 the respective House of Congress the results of the  
4 nonbinding referendum from all jurisdictions. The results  
5 shall also be taken under advisement by the respective  
6 Committees on the Judiciary of the House of Representa-  
7 tives and the Senate, with recommendations for response  
8 reported back to the full House and Senate not later than  
9 6 months after the general election of 1996.

10 (f) COMMENTS REGARDING PROCEDURES FOR FU-  
11 TURE NONBINDING REFERENDA.—Not later than 90 days  
12 after the date of the general election of 1996, the State  
13 election agencies shall forward to the Clerk of the House  
14 of Representatives and the Secretary of the Senate their  
15 comments or suggestions regarding changes or improve-  
16 ments in procedures for conducting national nonbinding  
17 referenda in future general elections. All such comments  
18 shall be referred to the respective committees on the Judi-  
19 ciary of the House of Representatives and Senate.

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