

# Issue 2

## PROPOSED CONSTITUTIONAL AMENDMENT

**2** To amend Article V of the Ohio Constitution by the addition of new sections 8 and 9 as follows:

**Section 8:** No person shall hold the office of United States Senator from Ohio for a period longer than two successive terms of six years. No person shall hold the office of United States Representative from Ohio for a period longer than four successive terms of two years. Terms shall be considered successive unless separated by a period of four or more years. Only terms beginning on or after January 1, 1993 shall be considered in determining an individual's eligibility to hold office.

**Section 9:** In determining the eligibility of an individual to hold an office in accordance with this article, (A) time spent in an office in fulfillment of a term to which another person was first elected shall not be considered provided that a period of at least four years passed between the time, if any, in which the individual previously held that office, and the time the individual is elected or appointed to fulfill the unexpired term; and (B) a person who is elected to an office in a regularly scheduled general election and resigns prior to the completion of the term for which he or she was elected, shall be considered to have served the full term in that office.

If adopted by a majority of electors voting on this amendment, each provision of this amendment shall be deemed severable from the others, and a finding that a provision is invalid shall not affect the other provisions.

A majority yes vote is necessary for passage.

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|  | Yes | <b>SHALL THE PROPOSED<br/>AMENDMENT BE ADOPTED?</b> |
|  | No  |   |

### EXPLANATION AND ARGUMENT FOR THE PROPOSED AMENDMENT

Issue 2 will limit the terms of members of the U.S. Congress from Ohio. Representatives will be limited to four consecutive two-year terms. U.S. Senators will be limited to two consecutive six-year terms. After serving their limited terms, members must sit out for at least four years before returning to the same office.

Since 1951 the President's terms have been limited. The terms of Ohio's governor have been limited since 1954. These proposed Congressional limits are designed to work in much the same way.

Issue 2 does not immediately throw any current incumbents out of office. The terms that count toward limitation will begin with this election.

This amendment does not prohibit an incumbent member of Congress from running for other offices. It simply prohibits members of Congress from making a career out of holding the same office for a lifetime. If the voters choose to return an incumbent to a position previously held for eight consecutive years, they may do so after the incumbent has sat out of office for a four-year "rest period."

This amendment will not affect Ohio's "clout" on Capitol Hill. Congressional clout is defined as having members who chair powerful congressional committees. These committee chairs are granted based on seniority. The way the current seniority system works, and given the Ohio delegations average seniority at 12 years per member, the chances of gaining any significant committee chairs in the next ten years is extremely remote.

Continued research shows that incumbent members of Congress outspend challengers in elections by significant margins. This making "voting incumbents out" of office very difficult because elections are not competitive. By limiting terms of Congress, open-seat elections will occur more often. These elections will give more citizens the chance to run for Congress without having to challenge well-financed incumbents.

Committee For the Amendment

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### ARGUMENTS AGAINST THE PROPOSED AMENDMENT

Term Limits will damage our representative democracy

- The people already control who stays in office through their right to vote.
- Term Limits would force out qualified legislators and deny choice to the voters.
- Term Limits would decrease the power of Congress, the most directly representative branch of federal government.
- Term Limits will deny citizens their right and responsibility to make decisions about a candidate's values and ideas. Democracy is based on citizen participation.

Congressional Term Limits would hurt Ohio

- Ohio's clout in Washington would be greatly reduced if Ohio adopts congressional Term Limits independently of the other states or adopts limits that are more restrictive.
- Term Limits would raise the constitutional question of whether a state has the power to limit terms of a federal officeholder and involve Ohio in costly lawsuits.

Built-in "lame duck" problem

- Term Limits will ensure more lame duck legislators. Legislators may not be effective or responsive to the electorate in their last allowable terms.
- Re-election pressure is a necessary component of our democratic system. Accountability is based on the fact that legislators have to face the voters at election time.
- Lame duck legislators could be tempted with offers of future jobs or other benefits.

Worsens existing problems

- Term Limits will discourage competition. Incumbents will still have extraordinary advantages in elections like free mailings, name recognition, and media access. Why run against an incumbent when you can wait and run for an open seat?
- Term Limits will force even more reliance on unelected staff and lobbyists, because new legislators have limited knowledge of the complexities of government finances, services, and programs.

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