

Testimony in Support of SCR 4011

North Dakota Senate State and Local Government Committee

Good Morning Mr. Chairman and members of the committee,

Thank you for allowing me the opportunity to testify today in support of SCR 4011, a resolution to apply for Congress to call for a single-topic Article V Convention for the sole purpose of enacting Congressional term limits. In a time where our country remains divided by myriad issues, applying term limits to congress is the highest polling non-partisan issue in the nation, with 87% popular support. Any other reform with this level of support would have been implemented long ago, a Congressional term limit amendment has not been referred to the states because too many members of Congress are invested in their political careers. They wouldn't say it out loud, but many are convinced that they are irreplaceable.

So, our efforts have turned to the states. Under Article V, two-thirds of the states have the collective power to direct Congress to call a constitutional convention. If 34 states ask Congress to call a constitutional convention on a single topic, Congress must make that call. So far nine other states have called upon Congress to act, we hope that North Dakota becomes the tenth.

We worked with North Dakotan activists to first bring this same resolution before you in 2021. It failed miserably in the North Dakota legislature, despite the broad popular support for Congressional term limits among North Dakotans. The loss was so lopsided that it became evident that the disconnect between North Dakota voters and North Dakota legislators was dysfunctional. That loss was the driving purpose behind our support of term limits for North Dakota legislators in 2022. We remain here today imploring you to stand with the voters on this issue, and we won't leave until you do so. Once you pass the North Dakota convention call, we'll concentrate our efforts in other states.

I expect that you may hear arguments that a constitution convention is unsafe even if it is limited to a single issue. I want to address these concerns head-on by pointing to historical precedent and the reality of how Congress operates.

First, let me be clear: history has shown that Congress will act before the threshold for an Article V Convention is reached. When a constitutional convention is called, Congress loses its ability to draw the parameters of change, this is especially true when a convention could apply term limits retroactively. Congress has consistently acted to preempt such calls. For example:

- The 17th Amendment, which established the direct election of Senators, was proposed by Congress in response to 31 states preparing to call a convention. Congress intervened to avoid losing control of the process.

- If you go out tonight to enjoy an evening cocktail, you can toast to the Article V Convention process. The 21st amendment to repeal prohibition began with article V convention calls, and Congress preempted by reporting out a repeal of prohibition.
- The 22nd Amendment, limiting presidential terms, was a direct response to states threatening an Article V Convention. Congress acted before the convention could materialize and ensured that the amendment protected sitting officeholders, grandfathering Harry Truman.

Congress will not allow state legislators at convention, many of whom will want to move up to Congress, to dictate their future. If North Dakota and other states pass resolutions like SCR 4011, it will force Congress to act preemptively, and grandfather themselves in. Without this pressure, Congress has no incentive to limit their own terms. Hear me: There will NEVER be a convention to establish term limits on Congress.

The people of North Dakota overwhelmingly support term limits, and U.S. Term Limits will continue our efforts to demonstrate the importance of this issue in North Dakota until an Article V Term Limits resolution is passed. I've included a poll that shows that 74% of North Dakota voters approve of a resolution like SCR 4011, and 71% say they are more likely to vote for state legislators who support this effort. This is not a partisan issue; it is a matter of representing the will of the people.

In closing, I urge this committee to pass SCR 4011. By doing so, North Dakota will have the opportunity to join 9 other States that have passed this single-topic application and U.S. Term Limits will cheerfully move on to other states.

Thank you for your time and consideration.

Respectfully,

Scott Tillman



NORTH DAKOTA TERM LIMITS POLL: EXECUTIVE SUMMARY

US Term Limits survey conducted Sep. 9 through Sep. 10, 2022

by RMG Research Group.

500 likely Midterm Voters in ND participated in the survey.

Do you favor or oppose placing term limits on members of Congress?

Total		Gender		Age			Race		Party		
		Men	Wom	18-44	45-64	65+	White	Other	GOP	Dem	Other
Favor	88%	88%	88%	87%	87%	89%	88%	84%	90%	85%	88%
Strongly Favor	71%	67%	74%	52%	75%	71%	70%	75%	73%	60%	77%
Somewhat Favor	17%	21%	14%	35%	12%	18%	18%	9%	17%	25%	11%
Oppose	9%	9%	8%	7%	9%	9%	9%	14%	8%	13%	8%
Somewhat Oppose	4%	5%	3%	6%	4%	4%	4%	5%	4%	6%	4%
Strongly Oppose	5%	4%	5%	1%	5%	5%	5%	9%	4%	7%	4%
Not Sure	3%	3%	4%	6%	4%	2%	3%	2%	2%	2%	4%

Would you be more or less likely to support a candidate for state legislature if you knew he or she supports implementing term limits for members of Congress?

Total		Gender		Age			Race		Party		
		Men	Wom	18-44	45-64	65+	White	Other	GOP	Dem	Other
More Likely	71%	72%	70%	58%	71%	73%	70%	76%	71%	65%	77%
<i>Much More Likely</i>	40%	41%	40%	32%	38%	43%	40%	49%	39%	34%	50%

<i>Somewhat More Likely</i>	31%	31%	30%	26%	33%	30%	30%	27%	32%	31%	27%
<i>Less Likely</i>	6%	10%	3%	8%	7%	6%	6%	12%	6%	8%	5%
<i>Somewhat Less Likely</i>	3%	4%	2%	7%	2%	3%	3%	5%	3%	4%	2%
<i>Much Less Likely</i>	4%	6%	1%	1%	5%	3%	3%	7%	3%	4%	3%
<i>No Difference</i>	14%	13%	15%	26%	14%	12%	15%	4%	13%	21%	10%
<i>Not Sure</i>	9%	5%	12%	8%	8%	9%	9%	8%	10%	6%	8%

If the state legislatures of two-thirds of the states vote to call an amendment-proposing convention to recommend an amendment for term limits on members of Congress, would you want your state senator and state representative to vote yes or no on this bill?

Total		Gender		Age			Race		Party		
		Men	Wom	18-44	45-64	65+	White	Other	GOP	Dem	Other
Yes	74%	75%	74%	74%	70%	77%	75%	66%	76%	68%	77%
No	8%	11%	5%	4%	10%	7%	8%	10%	6%	12%	8%
Not Sure	18%	14%	21%	22%	20%	16%	17%	24%	18%	20%	15%

Methodology

The survey of 500 Likely Midterm Voters was conducted for USTL on Sep. 9-10, 2022. Field work for the survey was conducted by RMG Research, Inc. Certain quotas were applied, and the sample was lightly weighted by gender, age, and race. Likely voters were determined by a screening process within the survey.

The margin of sampling error for the full sample is +/- 4.5 percentage points.