

Chair & members of the committee my name is Becky Stockton and I reside in Helena. I come before you today as an opponent to HB 639 but a proponent of our legislative consecutive term limits that is in our Montana Constitution.

HB 639 is what we call a lifetime ban for citizens to participate in our citizen legislature while our present term limit in our Constitution is called a consecutive term limits. This is where a citizen legislator serves 4, 2 year sessions for a total of 8 years in the House and 2, 4 year sessions for a total of 8 years in the Senate, then you can run and serve again back into the other chamber after serving your 16 years. HB 639, would limit young legislators from serving later in their prime of life.

Voters of this state have voted twice on this issue in 1992 & 2004. In 1992, CI-164 was presented and the voters approved, 264,174 FOR, 130,695 Against. Then in 2004, a referendum was presented to the voters to extend term limits for legislators from 8 years in a 16-year period to 12 years in a 24-year period. The voters said they like to keep our present consecutive term limits in our Constitution because 299,162 voters voted "Against", 136,931 voters voted "FOR" this referendum. Both times, 70% of the Montana voting public like our present consecutive term limits.

Since we have had our constitutional consecutive term limits in our Constitution, it has given our young people the ability to run for a legislative seat. These young legislators have brought forth new ideas and issues that are important to Montana. Example, Rep. Daniel Zolnikov with his digital privacy bills, because the youth have been raised totally in this new digital age Montana was the premier state to bring a digital privacy bill last session well before the rest of the nation. This was and is greatly needed in Montana. Rep. Sarah Lazsloffy brought us attention to the human trafficking that has been occurring in our state. Those are just a few examples. I thoroughly enjoy seeing Montana being on the cutting edge on these issues.

Per a Gallup poll in January 2013, 75% of Americans support congressional term limits. When the numbers are broken down 65% of Democrats, 79% of Independents and 82% of Republicans support term limits. Those are pretty high statistics.

Elections are NOT term limits. Did you know that nearly 80% of state legislative incumbents receive no challengers in their primaries?

I have heard many times in this legislative body that legislators are against term limits because it brings a lack of experience to the legislature but that logic is never applied to the governor, or the president because it simply is not true.

There is an article that was posted on the James Madison Institute, on March 25, 2015, that states since terms limits was instituted in Florida in 1992 that state government has shrunk. I will submit the article for the committee to read.

Did you know that the text of HB 639 is exactly the same as HB 601 that Representative Tom Berry presented before this committee 11 days ago on March 20<sup>th</sup> and this committee tabled that bill on 3/24/2015? On February 24, 2015, Senator Bradley Hamlett presented SB 383 to totally repeal our present day consecutive term limits. The committee voted this down too, 9 to 3 with eight Republicans and one Democrat voting to table the bill immediately after hearing the bill. I am asking the committee to do the same on HB 639 and table it. For those reasons, please keep the present consecutive term limits and not propose a lifetime ban after 16 years that is presented in this referendum.

Orlando Sentinel

“Since term limits took effect, state government has shrunk”

March 25, 2015

By Dr. Randall G. Holcombe

When Floridians voted to term-limit Florida's state legislators in 1992, one of the commonly heard objections was that it would shift the power in state government from elected legislators toward legislative staff, lobbyists or both. Those groups would benefit from a growing state government, so one might have predicted that the size of Florida's state government would have increased as a result of term limits. However, my new research shows this isn't the case at all.

In fact, by several measures, Florida's state government has actually shrunk since the imposition of term limits.

Critics of term limits make several thoughtful arguments. One theory holds that they deprive the Legislature of the benefits of experienced leadership, and that legislators are forced out before they can really learn the ropes. (Interestingly, I haven't heard this argument made about term limits for governor.) One consequence of an inexperienced legislature is that legislators rely more on their staffs, and are more easily swayed by lobbyists. Legislative staffs have more power, and lobbyists have more clout, following this line of reasoning.

As government employees, legislative staff tend to favor government spending and government programs, but because staffers work for legislators, they do defer to the preferences of their employers. The turnover in the legislature, with no term limits for staff, could shift the balance of power. Staff members can — and often do — remain in their jobs for decades, even as term limits push their bosses out of office on a regular and predetermined schedule.

According to this reasoning, lobbyists, whose job is to ask their government to do (or not do) specific things for them, also fill part of the vacuum created by an inexperienced legislature. While many advocate for government cutbacks, overall, they are viewed as a force for larger government. If lobbyists have more power due to an inexperienced legislature, they should get their way more often, and government should grow.

This argument makes sense in theory, but a look at the data tells a story of shrinking, rather than expanding, state government since Florida's term limits took effect.

State government appropriations as a percentage of gross state product continually grew through the 1980s and '90s, reaching a peak of 11.86 percent of GSP in the 1994-95 budget, shortly after the passage of term limits. By 2000, state appropriations fell to 10.38 percent of GSP, by 2007 to 9.24 percent, and by 2014 to 9.26 percent of GSP. In an era of government growth, Florida's state budget is 22 percent less, as a share of state income, than it was 20 years ago.

State government employment shows a similar trend, peaking at 1.25 percent of the state's population in 1997, and falling to 0.95 percent by 2012. Measuring the size of government by either spending or employment, there has been a remarkable downsizing of Florida's state government since term limits were enacted — even while nationwide, the trend has been toward bigger government.

Florida was hit harder than most states after the 2008 downturn because of the bursting housing-market bubble and the state's heavy reliance on tourism. The state's fiscal conservatism and fiscal responsibility were especially evident then, as it maintained a balanced budget and cut expenditures to match the fall in tax revenues while holding the line on taxes. State government appropriations for the 2006-07 fiscal year were \$73.9 billion, and fell to \$66.2 billion in 2008-09 — a decline of more than 10 percent.

These numbers certainly don't prove that Florida's state government has been shrinking because of term limits. But they do provide some evidence against the hypothesis that term limits result in a shift of power toward legislative staff and/or lobbyists. Before the implementation of term limits, the trends in state spending and state government employment were up. Afterward, the trend has been down, consistent with the views of the fiscally responsible Legislature that Floridians have elected.

Some Floridians will applaud their state government for its fiscal conservatism; others will criticize it for shortchanging public services. But Floridians have consistently elected fiscally conservative governors and legislators, and an examination of Florida's budget history since term limits were passed makes it difficult to argue that term limits have eroded the Legislature's power.

*Randall G. Holcombe is DeVoe Moore professor of economics at Florida State University and senior fellow at the James Madison Institute in Tallahassee.*