



The Voice of Small Business

Charles S. Owens, State Director  
National Federation of Independent Business  
115 W. Allegan / 6<sup>th</sup> Floor  
Lansing, MI 48933  
(517) 485-3409

**Testimony on Michigan Term Limits Law  
House Elections Committee  
Thursday, November 10, 2016**

My name is Charlie Owens and I am the State Director for the National Federation of Independent Business, an advocate for small businesses owners since 1943. Thank you for this opportunity to come before the committee and participate in this important discussion about Michigan's term limits law.

In 1992 Michigan voters passed a ballot proposal that amended Michigan's constitution to impose term limits on state legislative offices. As a result, Michigan House members were limited to serving no more than three two-year terms (six years total) and Michigan Senate members were limited to no more than two four-year terms (eight years total). In addition, the office of governor, lieutenant governor, secretary of state, and attorney general were also limited to not more than two four-year terms (eight years total). In the twenty years since term limits went into effect in Michigan, there has been much discussion as to their impact and suggestions that the terms of office should be lengthened or that the law should be repealed altogether. Since the Michigan term limits law is a part of the state Constitution, lawmakers cannot change or repeal it by legislative action, they can only vote to put a term limits question on the state ballot for the voters to decide and that is the purpose of the various resolutions before this committee.

Our organization, NFIB, is in the unique position of being the only business advocacy organization in the state that supported the original 1992 term limits ballot proposal and continues to support Michigan's term limits law to this day. It is our understanding that other business organizations either support changes to, or repeal of, term limits – or have no position on the issue. NFIB determines policy positions on issues by a survey-vote of the membership. As such, we have surveyed our membership on this issue numerous times over the years and each time our small business members have favored leaving the law as is. In light of this most recent discussion on term limits we updated our position via a survey of our members conducted in October. Once again, the results show strong support for leaving the current term limits law alone. When asked "Do you believe that Michigan's Term Limits Law is working as intended?" 64.2% said "Yes", 24.3% said "No" and 11.5% were "Undecided". When asked "Should Michigan's Term Limits Law be repealed?" 19.1% said "Yes"; 78.4% said "No" and 2.5% were "Undecided". When asked about lengthening

terms for state House and Senate members the results were similar with a thumbs down for making that change to the law. I have included the wording of the survey and the results with my testimony, as well as copies of previous surveys and results conducted over the years since term limits went into effect. The only time that our membership indicated support for repeal of Michigan's term limits law was in 2008, and that was in return for trading term limits for a part-time legislature. I have also included information on that survey and background with this testimony.

In addition to surveying our members, we have also conducted various polls of the general public to determine if our position was congruent with the attitude of the electorate at large. This includes a 2008 MRG poll and a recent google survey on the issue of term limits both of which are included with my testimony. In addition to our polling, there have been numerous polls conducted by others on this issue over the years. In general, if the question is straight forward in its approach – the response of support for the current term limits law closely mirrors that of our membership.

As to the question of whether term limits are a bane or a blessing in the pursuit of good governance, there is no shortage of spirited debate. We would like to confine our perspective, and that of our small business members, to an examination of the more than twenty years of experience Michigan has had with the current law. Within that frame of reference, it becomes clear that term limits have not been the disaster that was predicted. In fact, it is our opinion after working with the legislature over the last thirty years (before and after term limits) that there are many major policy accomplishments benefiting small business and the public at large that would likely not have been accomplished in the absence of term limits. While one of the most often heard complaints about term limits is the lack of experience they bring to the legislative process, the fact is that term limits have created the opportunity for many talented lawmakers to bring fresh experience and approaches to the table when dealing with the challenges faced by our state. Yes, term limits do create more work for organizations and individuals that are advocating for their constituents, however, this complaint is not likely to generate much sympathy with a general public that supports the term limits law. The difficult fact remains that most of the complaints about Michigan's term limits law comes from lawmakers themselves, lobbyists and academia. Once one steps outside the immediate vicinity of the state capital, the suggestion that term limits are bad for Michigan is met with a much calmer and skeptical general electorate – as evidenced by the surveys and polling previously mentioned.

Let me conclude by again emphasizing our support for the current term limits law and asking for your support in keeping it as it currently is written.

Thank you for the opportunity to present these views to this committee and thank you for your support of Michigan's small business owners.

## 2016 Term Limits Question

**Background:** In 1992 Michigan voters passed a ballot proposal that amended Michigan's constitution to impose term limits on state legislative offices. As a result, Michigan House members were limited to serving no more than three two-year terms (six years total) and Michigan Senate members were limited to no more than two four-year terms (eight years total). In addition, the office of governor, lieutenant governor, secretary of state, and attorney general were also limited to not more than two four-year terms (eight years total). After more than twenty years of experience with term limits, some are calling on voters to change Michigan's term limits law, or repeal the law in its entirety. Hearings are already being planned for the November "Lame Duck" legislature this year and it is possible that the legislature could put a proposal on the ballot in early 2017 to change or eliminate them.

Supporters of changing or eliminating Michigan's term limits law claim that term limits have caused a lack of institutional memory on many important issues that the state must consider. They point out that, before term limits, many legislators gained years of experience and insight into many complicated issue areas such as tax policy, health care, labor and criminal law. They further argue that this expertise has been lost and that, as a result, many term-limited lawmakers now rely more on "special interest" lobbyists with expertise on these issues. Supporters of changing or eliminating Michigan's term limits also believe that they have empowered state department bureaucrats who continue to stay in government agencies long after lawmakers are gone. They also say that the current terms of office are too short for lawmakers to accomplish any meaningful public policy. At a minimum, they suggest Michigan's term limits law should be changed to allow for a greater number of terms for state House and Senate office holders.

Opponents of changing or eliminating Michigan's term limits law believe that many of the arguments made against term limits are precisely the reasons why it is working. Opponents of changing Michigan's term limits law contend that ending the dynasty of powerful committee chairs and leaders has allowed more focus on the business of the people rather than political machine maneuvering. They claim that term limits actually diminish the power of "special interest" lobbyists because the turnover in office makes it less likely that they can wield long term influence over any one lawmaker. Opponents of changing Michigan's term limits law believe that term limits have ended the "career politician" era and replaced it with men and women who are more in touch with the electorate. They point out that many of the important policy changes in the last twenty years would not have occurred without term limits as most lawmakers would have been more concerned with getting continuously reelected.

1. Do you believe that Michigan's Term Limits Law is working as intended?

64% Yes

24% No

12% Undecided

2. Should Michigan's Term Limits Law be repealed?

19% Yes

78% No

3% Undecided

3. Should Michigan's Term Limits Law be changed to lengthen the terms of office for House members?

30% Yes

65% No

5% Undecided

4. Should Michigan's Term Limits Law be changed to lengthen the terms of office for Senate members?

26% Yes

69% No

5% Undecided

# NFIB/Michigan Member Survey Questions on Term Limits

## 2008 Michigan Member Ballot

### 1. Part-Time Legislature

Should Michigan amend its constitution to create a part-time legislature by limiting the number of days the Legislature could be in session?

Yes - 75.8%    No - 12.9%    Undecided - 11.3%

### 2. Part-Time Legislature: Term Limits

Should Michigan amend its constitution to create a part-time legislature, while also eliminating term limits and reducing legislative salaries?

Yes - 70.5%    No - 19.4%    Undecided - 10.1%

### 3. Part-Time Legislature: Term Limits Extension

Should Michigan's term-limit law be changed to retain the current 14-year lifetime limit on service (eight years in the Senate and six years in the House) but allow lawmakers to serve all 14 years in one chamber or the other?

Yes - 46.3%    No - 31.6%    Undecided - 22.1%

## 2001 State Ballot

### Term Limits for Public Office

#### 1. Should Michigan continue the current policy of term limitations on state elective offices?

Yes - 71%    No - 26%    Undecided - 3%

#### 2. Should Michigan's constitution be changed to lengthen the terms for state elective offices?

Yes - 31%    No - 64%    Undecided - 5%

#### 3. Should Michigan's constitution be changed to lengthen the current term limits on state House members from three terms (six years) to four terms (eight years)?

Yes - 37%    No - 58%    Undecided - 5%

#### 4. Should Michigan's constitution be changed to lengthen the current term limits on state Senate members from two terms (eight years) to three terms (twelve years)?

Yes - 28%    No - 67%    Undecided - 5%

## 1991 State Ballot

### Term Limitation for State Elected Officials

#### 1. Should Michigan change its Constitution to limit the number of terms a Legislator, Governor or the Lt. Governor can serve?

Yes - 77.4%    No - 17.6%    Undecided - 5%

#### 2. If you answered "Yes" to question 1, what do you prefer:

73.9% - Limit total time a Legislator, Governor or Lt. Governor can serve to 8 years.

23.0% - Limit total time a Legislator, Governor or Lt. Governor can serve to 12 years.

31.0% - Undecided

## 1991 Term Limits Question

Background: Michigan has no constitutional limit on the number of terms a legislator, governor or lieutenant governor can serve. (House members serve two-year terms, senators and the governor/lieutenant governor serve for four terms.)

Opponents of term limitation call the idea "undemocratic" since the public should be entitled to the same official for unlimited terms if they so wish. Opponents also state that this measure would eliminate quality people and halt good agendas. Further, Conant argue that limiting terms would discourage many who seek a public service career from running for office. Finally, opponents state that term limitation discussions would be unnecessary if voters would educate themselves and actually vote.

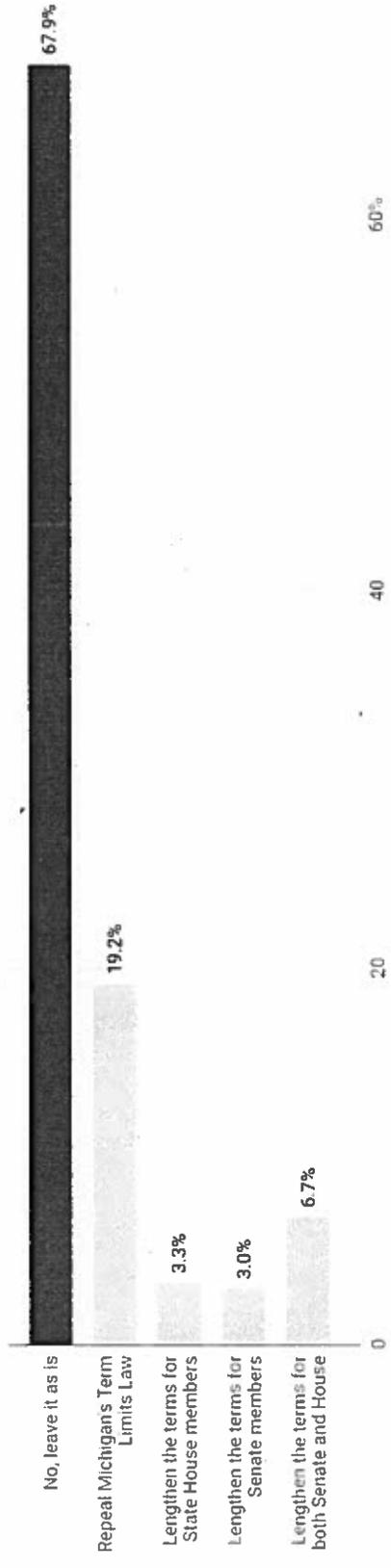
Proponents of term limitation support the argument that too much power is invested in a few elected officials with very long tenure in that long tenure in Lansing remove them from the real problems of their constituents. They also state that term limitation would squelch aspirations for career politicians and curtail the "incumbency syndrome" making elections more competitive. Proponents argue that incumbent are returned to office term after term due to the large amount of political action money they receive making it easy to fend off challengers.

### 10/27/16 Term Limits Survey

Status: Complete  
Respondents: 1,013 collected / 1,000 targeted  
Targeting: United States • Michigan (English)  
Frequency: Once

#### 1. Should Michigan's term limits law be changed or repealed?

1,013 respondent(s)



10/27/16 Term Limits Survey

### Should Michigan's term limits law be changed or repealed?

1,013 respondent(s)

Transpose

Off

Another question

Gender

Age

Demographic filters

Male  Female

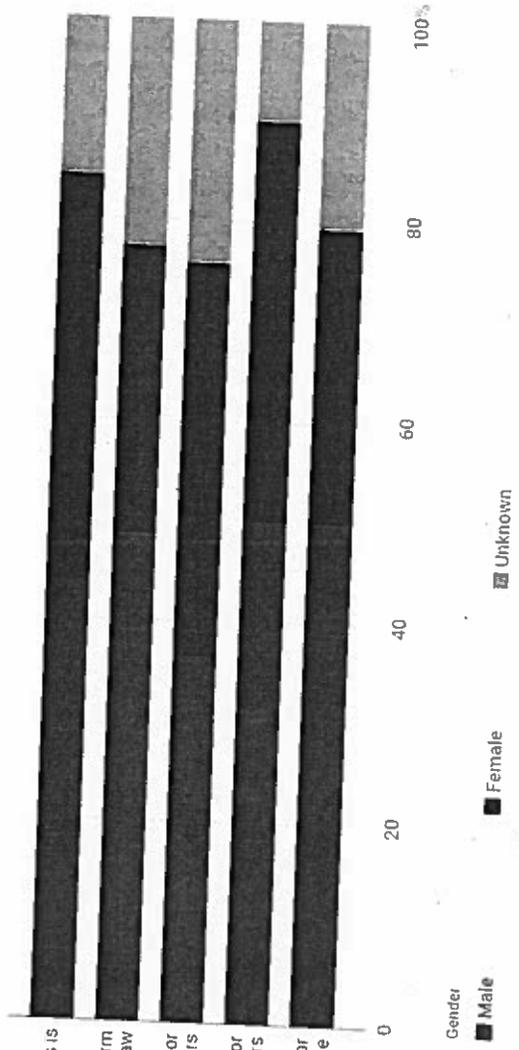
Unknown

18-24  25-34

35-44  45-54

55-64  65+

Unknown



Gender

Question 1 (current question)  
Should Michigan's term limits law be changed or repealed?

	No, leave it as is	Repeal Michigan's Term Limits Law	Lengthen the terms for House members	Lengthen the terms for Senate members	Lengthen the terms for both Senate and	Total
Male	43.8% +3.7% / -3.7%	48.5% +7.0% / -6.9%	36.4% +17.0% / -14.2%	50.0% +16.9% / -16.9%	50.0% +11.6% / -11.6%	45.0% +3.1% / -3.0%
Female	40.6% +3.7% / -3.6%	28.9% +6.7% / -5.9%	39.4% +16.9% / -14.7%	40.0% +17.7% / -15.4%	29.4% +11.7% / -9.5%	37.5% +3.0% / -2.9%
Unknown	15.7% +2.9% / -2.5%	22.7% +6.4% / -5.3%	24.2% +16.8% / -11.4%	10.0% +15.6% / -6.5%	20.6% +11.1% / -7.9%	17.5% +2.5% / -2.2%
Total Respondent count	100.0% 688	100.0% 194	100.0% 33	100.0% 30	100.0% 68	100.0% 1,013

Comparisons

Transpose

Off

Another question...

Gender

Age

Demographic filters

Male  Female

Unknown

18-24  25-34

35-44  45-54

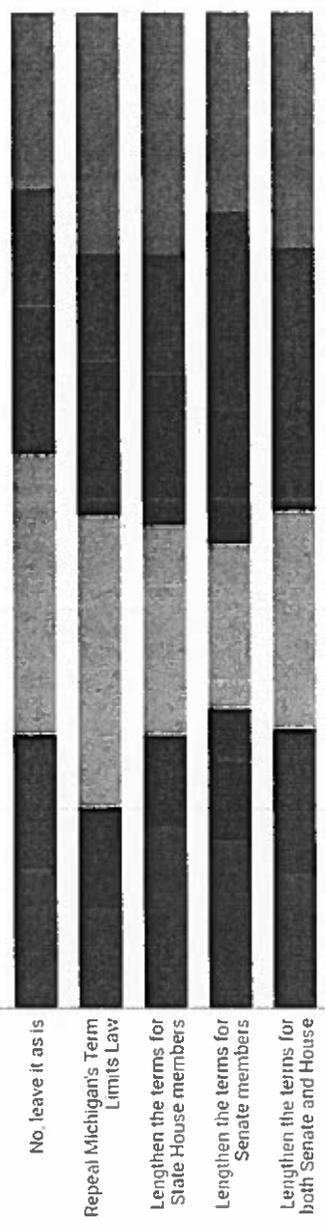
55-64  65+

Unknown

10/27/16 Term Limits Survey

Should Michigan's term limits law be changed or repealed?

1,013 respondent(s)



Age

18-24 25-34 35-44 45-54 55-64 65+

Should Michigan's term limits law be changed or repealed?

Age	No, leave it as is	Repeal Michigan's Term Limits Law	Lengthen the terms for State House members	Lengthen the terms for Senate members	Lengthen the terms for both Senate and House members	Total
18-24	13.8% (+2.8% / 2.4)	9.8% (+5.1% / 3.3)	18.2% (+16.0% / 9.8)	16.7% (+16.0% / 9.3)	13.2% (+10.0% / 8.1)	13.2%
25-34	13.8% (+2.8% / 2.4)	10.3% (+8.1% / 3.8)	9.1% (+4.8% / 6.0)	13.3% (+16.3% / 8.0)	14.7% (+13.1% / 11.2)	12.8%
35-44	14.4% (+2.8% / 2.4)	13.9% (+5.6% / 4.2)	15.2% (+5.8% / 8.5)	10.0% (+15.4% / 7.6)	14.7% (+10.3% / 7.1)	14.2%
45-54	14.0% (+3.8% / 2.4)	15.5% (+6.8% / 4.4)	6.1% (+1.6% / 1.1)	6.7% (+8.7% / 4.0)	7.4% (+8.7% / 4.0)	13.3%
55-64	14.8% (+2.9% / 2.5)	15.5% (+5.9% / 4.4)	15.2% (+13.8% / 8.5)	13.3% (+16.4% / 8.0)	10.3% (+7.5% / 5.2)	14.8%
65+	11.8% (+2.6% / 2.2)	10.8% (+5.2% / 3.5)	12.1% (+13.2% / 7.3)	20.0% (+17.3% / 10.5)	16.2% (+10.5% / 6.5)	12.1%
Unknown	17.7% (+3.9% / 2.7)	24.2% (+6.5% / 5.5)	24.2% (+16.9% / 11.4)	20.0% (+17.3% / 10.5)	23.5% (+11.9% / 9.2)	19.6%
Total	100.0% (688)	100.0% (374)	100.0% (20)	100.0% (20)	100.0% (20)	1,013

# NFIB. SMALL BUSINESS NEWS

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National Federation of Independent Business • 115 West Allegan – Suite 310 • Lansing, MI 48933 • (517) 485-3409 • Fax (517) 485-2155

**FOR IMMEDIATE RELEASE**

**Contact:** Charles Owens (517) 485-3409  
Cell: (517) 282-2052  
Jason Brewer (202) 406-4435

## **Poll Reveals Strong Support for Part-Time Legislature; Ending Term Limits**

**LANSING, MI, March 18, 2008** – A new state-wide poll commissioned by Michigan's leading small business association reveals that if a part-time legislature proposal were put in front of the voters today, it would pass by a strong margin. The poll was sponsored by the National Federation of Independent Business and conducted by Marketing Resource Group, a national public opinion research firm based in Michigan

When presented with details of the proposal and asked if they would vote yes or no, 70 percent of voters indicated that they would support the part-time proposal that would also eliminate term limits.

"I think voters perceive that a part-time legislature is a fair swap for eliminating term limits," said NFIB/Michigan State Director Charles Owens. "Voters are recognizing that a part-time legislature is more likely to bring benefits that term limits have failed to deliver."

Owens suggested that voters want the legislature to do the people's basic business of balancing the budget on time and not much more. Last year's protracted budget battle and government shut down made many question what exactly legislators were spending so much time on in Lansing.

"The perception is that lawmakers are spending a lot of time on low-priority issues while waiting until the last minute to do the important and basic functions expected of them," said Owens. "A part-time legislature forces lawmakers to prioritize issues and their time."

NFIB announced last week that it was joining forces with the Turn Michigan Around Coalition, a ballot initiative committee seeking to put a part-time legislature proposal before the voters in November 2008. The committee is also supported by the Kalamazoo Regional Chamber of Commerce, the Homebuilders Association of Greater Kalamazoo and a grassroots network of citizens represented by the ballot initiative committee Reform Michigan Government.

The poll was conducted the week of March 10, and consisted of a random sample of 600 likely voters in Michigan. The survey's statistical margin of error can be reliably set at plus or minus 4.1 percent or less within a 95 percent degree of confidence.

**EDITOR'S NOTE:** Poll question data and specific question information is attached to this press release

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*NFIB is the nation's leading small-business association, with offices in Washington, D.C. and all 50 state capitals. Founded in 1943 as a nonprofit, nonpartisan organization, NFIB gives small- and independent-business owners a voice in shaping the public policy issues that affect their business. NFIB's powerful network of grassroots activists send their views directly to state and federal lawmakers through our unique member-only ballot, thus playing a critical role in supporting America's free enterprise system. NFIB's mission is to promote and protect the right of our members to own, operate and grow their businesses. More information about NFIB is available online at [www.NFIB.com/newsroom](http://www.NFIB.com/newsroom).*

[www.nfib.com](http://www.nfib.com)

**RESULTS TO NFIB QUESTIONS**

1. (One/Another) proposal would amend Michigan's constitution to create a part-time legislature. If approved by the voters, this constitutional amendment would:

- Require the state legislature to complete its work by May 31 each year.
- It would eliminate lifetime healthcare benefits for former lawmakers.
- It would cut lawmakers' pay by at least half.
- It would reduce lawmakers' pay for unexcused absences.
- It would eliminate term limits.
- And it would allow for special sessions in an emergency.

If the election were being held today, would you vote YES, to adopt this proposal, or NO, to reject it?) (IF DON'T KNOW/ REFUSED ASK: Would you say you are leaning toward voting yes or toward voting no?)

Vote Yes .....	63%
Lean Yes.....	7%
Vote No .....	18%
Lean No.....	2%
Don't know.....	9%
Refused.....	
TOTAL YES.....	70%
TOTAL NO.....	20%

**RESULTS TO COMPLIMENTARY QUESTIONS**

**POLITICAL GEOGRAPHIC AREA**

City of Detroit.....	6%
Balance of Wayne County.....	12%
Oakland County.....	13%
Macomb County.....	9%
Balance of Detroit S.M.S.A.....	10%
Mid-Michigan .....	11%
West Michigan.....	20%
Tri-City/Thumb Area.....	10%
North Lower Michigan.....	8%
Upper Peninsula .....	3%