

SJR

9

# Alaska State Legislature

SENATOR  
M. "ED" DANKWORTH

REPRESENTING  
SENATE DISTRICT 12-J

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DATE: 1/26/81

TO: Sen. Fischer

FROM: Sen. <sup>ED</sup>Dankworth

RE: SJR 9, which limits the number of terms a legislator  
may serve.

Please find the attached information taken from my file on SJR 9.  
I hope you will find these comments helpful.

Please feel free to contact my office should you need any further  
information. 465-3753. Thank you.

LEGISLATIVE STUDY COMMITTEE REPORT

PART I

Sponsored by

General Federation of Women's Clubs

Anchorage FREE Committee

Prepared by

Jan Bomhoff and Jan Faiks

January, 1981

## VIII.

### LIMIT TERMS OF OFFICE

The FREE Committee strongly believes in the concept of a citizen legislature versus professional lawmakers. For this reason, and others, FREE feels that there should be a limitation on the number of terms a Representative and Senator may serve. Surprisingly, a good portion of the responding legislators favored this concept.

FREE feels that a limitation would serve as an incentive for more citizens to seek elective office - the perception being that incumbents are generally pretty difficult to unseat. New faces bring fresh approaches to programs and issues, needed at all times, but especially now in Alaska with its vast natural resource wealth.

When legislators remain in one house for a long period of time, excessive power over colleagues and staff seems to develop, as do legislative cliches. By dispersing the concentration of power, it will be more difficult for a handful of "long time" legislators to control legislation contrary to the wishes of the majority.

One legislator commented during the discussions that it was difficult for even the "good guy" legislators to remain free of obligations to their colleagues. In the lawmaking process there is always give and take, and legislators who have been on the job for a long time will inevitably build up a certain amount of "favours due" and

"favours owed", so that it becomes increasingly difficult to judge matters under consideration solely on their merit.

FREE recommends the following limitations on the terms of office:

1. Senate - two 4-year consecutive terms.
2. House - four 2-year consecutive terms.
3. Present incumbents would begin counting their terms with the effective date of the law.

Using FREE's formula, legislators popular with their constituents could remain in the legislature, but would have to change Houses every eight years. Thereby, the right of the citizen to choose his lawmakers remains intact.

Dear Ed:

6 MAR 80

Prior to the constitutional convention, I would have opposed legislation similar to your SJR 42. But in that convention I gave a lot of thought to just such a limitation since we were going to limit the governor, and in a sense put a limitation upon State judges.

After convention hours, Dayton Keene, who was the legislative branch comm- advisor, Weldon Cooper, Emil Sagy, and Ernest Bartley often met in my apt to discuss just the subject of your bill. Frankly I was looking for support from the consultants.

My presentation to them, was that historically we had many poor Governors- (of which we could do nothing) and that since the legislature had been established in 1913 we had had some pretty poor legislators. In those days the mining industry and fishing interests pretty well controlled those small legislatures of 24 people. But as state hood effort really came to life with the advent of Ernest Gruening as governor the full pressure of industry was felt. We had a number of pro mining and pro fish legislators who really controlled the legislature--much of it by seniority. ~~I sought to put a restraint on the legislature.~~

Dayton Keene who had been a legislator for some years felt my arguments were valid and that this might now be the time to put in a limitation- so was Bartley inclined. The others were of the opinion there probably was a necessity for such action, in this state as well as some other states. We all agreed that unicameralism would in no way better the situation. But then there was argument presented that the people might feel and "infringe- ment on voters rights.

As I look back now, I think the people would have accepted that limitation without a ~~complaint~~ complaint, because I heard very few questioning the limitation on the Governor tenure.

I believe we discuss the subject in our committee meeting on several occasions. I discussed the matter extensively with my friend Senator Vic Rivers who was chairman of the Executive branch committee. He was inclined to agree in principal as he was including the limitation on the governor in his article. Rivers quietly polled a number of convention delegates reporting back to me that though they agreed on the gubernatorial limitation there was no favor, b. consensus relative to legislators. So, I let the matter go as we already had some novel ideas in our article.

It is my feeling, in the light of the action of the state legislature over the last 8 or 10 sessions, the people might now be ready to accept a limit on terms of legislators, particularly since they have seen the benefits of a limitation on the governor.

I doubt if your SJR 42 will pass in the legislature--too many have a "good thing" going for themselves. But, if someone had the time and energy to see it through via referendum, I'm certain it would pass.

Certainly the time has come to put some brakes on the legislature. This maybe a start.

I am agreed with your bill, I hope it passes.

S M

Steve McC. etc.

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May 2, 1980

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Senator M. "Ed" Dankworth  
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Dear Ed:

Belatedly I am acknowledging your letter of March 21 and the enclosure. I have mixed feelings about SJR 42. As you acknowledged, there is some value in experience, continuity and professionalism in the legislative branch.

On the other hand, the advantages of an incumbent are enormous, as you say. The remoteness of the state capital, the relatively small size of the legislature, and the advantages of name familiarity, and other factors, can help maintain an "old boy" network. I think that in legislative work, like any other field, a worker can get calloused and stale over time.

I reached the point after eight years in the legislature where I was beginning to foresee a lack of freshness of ideas on my part. I felt it important to go back into the private sector and regenerate. There is a tendency to stay in the legislature when one has really creative matters on his or her agenda. To stay under those circumstances is a limitation on a person's own growth. It is as refreshing to leave after a time as it is to obtain office.

Also, I think there is something attractive in the notion of citizen-statesman. I like the idea that legislative service in a place like Alaska is a civic duty which concerned citizens share. Sometimes, when one is in office too long, he grows to feel that he owns the office; the sense of being a public servant is obscured.

It is a very difficult matter to generalize about because, of course, some people serve for decades with undiminished distinction. Senator Butrovich comes to mind. Others become complacent or lazy.

The argument can be made that the complacent and lazy should be removed by the people, and that the public's freedom of choice should not be diminished.

Senator M. Dankworth

-2-


May 2, 1980

On balance, I would resolve my doubts in favor of something like SJR 42, except that I think I would favor four successive terms for house members, and three successive terms for senators as a limitation, and I would only require a senator to sit out for two years instead of "one full term."

I think the effect would be to bring new blood and fresh perspectives to the legislature from time to time to a greater degree than now is the case, and I think it would help bring the legislature closer to the people.

Thanks for seeking my views, and I hope this answers your inquiry.

Best regards,

  
Joe P. Josephson

JPJ/cw

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Executive Editor

Page A-6

Thursday, October 9, 1964

## Legislative terms

WITH THE growing interest in setting a constitutional or statutory limit on the amount of money Alaska's state government can spend on operating expenses, the time might also be ripe to consider another limitation.

What about putting a lid on how many terms a person can serve in the legislature?

Alaska's governor is restricted to two consecutive terms. If such a limit makes good sense for the state's chief executive, it might make equally good sense to bar people from building up legislative empires.

The two-term limit on the office of governor is to prevent the prospect of having a Huey Long seize control of the most powerful gubernatorial office in all America. When Alaska's constitution was drafted back in 1956-57, such a prospect was very much in the mind of the constitutional delegates.

HOWEVER, they saw no similar danger in the legislative branch. That's understandable. No one could have envisioned the immense power Alaska's lawmakers have today.

The subject did arise, says Steve McCutcheon, the delegate whose subcommittee dealt with the matter of legislative terms. It was discarded, he says, after only cursory consideration — but, in retrospect, it appears such a limit would have been wise.

Insofar as we have been able to determine, no other state imposes a constitutional limit on consecutive years of service in the legislature.

But several states do achieve something of the same result by requiring, either through custom or rule, that a legislator bow out after serving in a major leadership position.

A man who has been speaker of the House, for example, would not seek re-election after serving in that position. Another might cap his or her career as president of the Senate. The same limitation could apply to those who enjoy special authority as majority or minority leaders or as chairmen of principal legislative committees, such as Finance or Rules.

The reasons for such limitation are obvious.

For one thing, mandatory transfer of legislative power — by upward movement through the chairs, as it were — would avoid the possibility that one legislator, or group of legislators, could carve out a fiefdom within the legislative structure.

For another, it would guarantee an infusion of fresh blood, fresh energy and fresh ideas into the legislative process. Certain House and Senate seats have become virtually the personal possession of legislators who run time after time with no opposition or only a token show by a challenger.

THE POSSIBILITY of legislative abuse of power, never before a worry in Alaska, has become more and more alarming as the state's income and wealth soars. In recent months, examples have begun to become evident.

A legislator armed with a seat that is awarded to him election after election can hardly resist the temptation to become arrogant. And there are other temptations, far worse, that come with excessive legislative power.

For the benefit of all concerned, including legislators, consideration should be given to limiting terms of office — as well as government spending.

2/12/58 Times

# A limit on service

ALASKA HAS HAD, over the years, a number of men and women who have served well for long periods of time as members of the legislature. That has been a plus for the territory and the state. But there are some offsetting minuses connected with long tenure in the legislature. And there is mounting evidence that the negative is beginning to far outweigh the positive.

Recognizing that legislative seniority also can lead to legislative abuses, one member of the Alaska Senate has proposed to put a lid on the number of consecutive terms a person could serve. The proposal has merit and deserves thoughtful consideration.

Sen. Ed Dankworth, the Anchorage Republican who two weeks ago was kicked off the Senate Finance Committee when he refused to play ball with some senior members of the club, proposed this the other day in a resolution calling for a constitutional amendment.

**IF APPROVED** by the legislature — and that's a big "if" — the resolution would go on the ballot for action by the voters of the state. It calls for the imposition of a constitutional limit restricting a person to two consecutive terms in the Senate or three consecutive terms in the House.

The net effect would be to allow a person six years of continuous House service or eight straight years of service in the Senate.

To make the proposal more palat-

able and to give it at least a chance of passage by the current crop of legislators, Sen. Dankworth included a grandfather clause. Under its provisions, the counting of terms would begin with approval of the constitutional amendment. Incumbent senators and representatives with long tenure — including such luminaries as Sens. Bill Pay of Juneau, Bob Ziegler of Ketchikan, George Hohman of Bethel, John Sackett of Galena and Clem Tillson of Halibut Cove — would not be immediately affected.

**THE RESOLUTION** has drawn some initial support. Signing on as co-sponsors were Republicans Arliss Sturgulewski and W.E. Bradley and Democrats Pat Rodey and Terry Stimson, all of Anchorage.

That's a good start. But clearly it is not enough. To succeed, the proposal must have widespread support, even from districts that have long placed their legislative affairs in the hands of one or two individuals.

A constitutional amendment limiting tenure would bring two significant changes. It would guarantee that a fresh flow of ideas, personalities and backgrounds would be injected into the legislative process. And it would be a barrier to the creation of legislative dynasties and would prevent any single legislator from assuming, on the basis of seniority, a seat of power that could impair good government for all the people of Alaska.

STR 42

# CONGRESSIONAL TENURE

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## HEARINGS

BEFORE THE

SUBCOMMITTEE ON THE CONSTITUTION

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

S.J. Res. 27 and S.J. Res. 28

JOINT RESOLUTIONS PROPOSING AN AMENDMENT TO THE  
CONSTITUTION OF THE UNITED STATES WITH RESPECT TO  
THE NUMBER OF TERMS OF OFFICE WHICH MEMBERS OF THE  
SENATE AND THE HOUSE OF REPRESENTATIVES MAY SERVE

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MARCH 14, AND 16, 1978

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say to a person who is elected: "Look, you are not a new resident of Washington—you are a resident of your own State or your own district. You are of the people who sent you here, and you will eventually, whether you like it or not, be returning to them."

The second thing that would be gained has to do with the human tendency to want to preserve yourself in a good job by saying "Yes" to everybody and "No" to nobody. That's one of the problems in Government now.

Q. Are you saying that lawmakers worry too much about getting re-elected?

A. Yes. I would hope that a limitation on service would create a greater sense of independence and a greater willingness to call them as we see them.

Q. But if every second-term Senator were a lame duck, ineligible for a new term, wouldn't the Senate's responsiveness to the public be reduced?

A. No. First of all, the people I know here who have already announced they're not going to be returning have just as great a sense of responsibility to their electorate as those who want to keep running, running and running.

You don't really elect people to be just walking public-opinion surveys. You elect them to exercise their best judgment on behalf of the people who sent them here. So I don't think that there is anything necessarily beneficial about being consumed with the need to touch every base and remain popular on every issue just to get re-elected.

Too many politicians have said "Yes" to too many people for too long. They have attempted to aggregate support from one interest group after another in order to stay here forever.

Q. In most fields, it is assumed that experience sharpens a person's skills. Isn't this true of Government service, too?

A. I had always been told that when you come to the Senate as a freshman, you're supposed to be seen but not heard. But I haven't found that to be true at all. We are expected to start acting like Senators the day we arrive.

Secondly, we've already crossed this bridge with respect to the Presidency. Presidents, as a matter of constitutional law, are to serve no more than two terms.

And third, I wonder if being a Washington type is the kind of experience a person really should have. There is at least as much wisdom spread throughout the country as there is here. I am one who does not believe that Washington has some monopoly on intelligence or on the right kind of experience.

#### KEEPING CONTACT WITH "REAL WORLD"

Q. Even, so, shouldn't it be up to the voters to decide whether a legislator deserves another term, instead of mandating a lawmaker's retirement after 12 years?

A. I think there is a trade-off—and the gain would be substantially greater than what would be given up. You would be removing the possibility of one person serving in perpetuity, but in the State of Missouri, for example, there are thousands of people who are fully competent to serve in the United States Senate. This would result in a very minimal reduction in the pool of qualified people.

The gain, again, is the reduced incentive for a member of Congress to try to promise the world. No matter how much you promised, no matter how good your public relations might be, you would know that you would be returning to the workaday world as a matter of constitutional requirement.

That is precisely the kind of message that people here should be given: It is certain that you are going to have to return to the real world and live with the laws you helped enact.

Q. In effect, then, you want to abolish the "professional legislator"——

A. Yes. There's a real problem today in the notion of a professional legislature, and we seem to keep furthering that notion.

Congress is almost always in session. We have just enacted in the Senate an ethics code which, in effect, says that we don't want Senators involved in the workaday world. In the name of ethics, we want them to free themselves from practice of law or practice of medicine or business so they will be available here full time.

I think that is probably moving in the wrong direction. We should view Government as a citizens' army, as made up of citizens who are performing public service for a limited period of time.

## PART 2.—NEWSPAPER AND MAGAZINE ARTICLES

[From Roll Call, Oct. 27, 1977]

### A NEW TRY TO LIMIT CONGRESSIONAL TERMS

(By Mimi Noel)

Four relatively freshman Members of Congress have decided to challenge a political system that has resisted change for 160 years. Chances are, they won't succeed and won't be remembered for their effort.

And still they try . . .

Sens. Dennis DeConcini (D-Ariz) and John C. Danforth (R-Mo) have joined Reps. John W. Jenrette (D-SO) and Robert W. Kasten (R-Wis) in an attempt to change the length of service for Members of Congress and the President. All have accepted positions, as directors, of the newly-formed Foundation for the study of Presidential and Congressional Terms.

"We're trying for grass roots support," Rep. Jenrette says, explaining: "The Congressional route has not had the support of senior Members . . . this is a new route—through the public."

The four Congressmen have introduced legislation that would limit, by Constitutional amendment, Congressional service. House Members would be allowed to serve six two-year terms while Senators would be allowed two six-year terms. The law-makers also proposed a single six-year term for the President.

In a press conference this week they agree that the "battle is uphill."

And still they try . . .

"The idea has been introduced a number of times," Rep. Jenrette said in an interview in the corridor outside the House Floor. "But it never got anywhere with individual Members supporting it . . . the Foundation takes away the self-serving aspects of it."

The group which will be directed by John C. Gartland, a former administrative assistant to Rep. Richard Kelly (R-Fla), is set to study four basic questions:

Should there be a limit to the number of years a Member of Congress can serve?

Should the terms for House Members be lengthened to three or four years?

Should Members of Congress be required to resign from office when actively seeking other federal office?

Should the President be limited to one, extended term in office?

The Foundation expects to capture attention through a program of public forums such as college debates, speeches and essay contests.

Throughout the past decade new Members of Congress have become increasingly restless with the bureaucracy involved in moving legislation through the Congress. More than a few have cited senior Members, committee chairmen to a large extent, for manipulating the due process.

These younger Members have come to believe that limiting the number of terms—in both the House and the Senate would work "for the people."

"After serving in Congress for two terms, I personally believe there is an urgent need to inject new blood and fresh ideas into our political system," Rep. Kasten said. "The issue of limited terms has been around for some time, but it has yet to draw the attention and serious study it deserves."

Remarking on "an anti-Washington" mood, Rep. Kasten said "professional politicians" fail to respond to the "concerns of average Americans."

Nevertheless, the Foundation has definite goals in mind. By next year, they hope to present the public with a chance to vote on the question of limiting both Congressional and Presidential terms on eight or 10 statewide ballots.

To Congressional sages who sat in on the Foundation's meeting, it was the same old argument of "new blood" versus seniority.

But each of the Congressmen present stressed the importance of legislators returning to private life, subject to the very laws he had voted on.

The legislators pointed to their own determination to retire after 12 years. But individual efforts would have little meaning unless the majority of Members in Congress showed active support.

Now, Jenrette is faced with the task of trying to find colleagues with 12 years or more seniority, to support the measure.

"We ought to have some Members in the House and Senate who have reached the terms by which they would have to retire in our proposal to give greater emphasis to what we have to say," Jenrette said.

Rep. Jenrette has already approached retiring Rep. George Shipley (D-Ill), with 22 years in the House, to lend his support to the anti-seniority proposal.

And still they try \* \* \*

But among his colleagues, Jenrette has found apprehensions that he did not share.

"I've found one of the biggest concerns in limiting the terms is that some great contribution might be lost," Jenrette said. "They point to someone like Thomas Jefferson who was quite senior by the time he made many significant contributions."

Jenrette, at 41, finds the concept appealing that in eight and one-half years he will return to private business. A former lawyer, he already has plans afoot "to set my business up" once he leaves Congress.

But for many Members this would not be the case.

"If someone comes to Congress at 23, and then retires at 38, he has only completed half of his career so he can easily take on another profession," Jenrette said.

"But the problem comes when you speak about limiting middle-aged Congressmen between 30 and 40 \* \* \* after only 12 years here there is no place to go."

Rep. Jenrette cited his own case as an example. He came to Congress at 30 and with such a 12-year limit, he would retire at 51.

"If I didn't have a law practice, at 51 I would have to go into private industry and start a new career \* \* \* I don't think I could do it," he adds.

And still they'll try \* \* \*

With Gartland as the Director and his one-time boss William E. Simon as Chairman of the Foundation Finance Committee, the major focus of the group will be public exposure.

"The impetus must come from the people before Congress will enact such a change," Sen. Danforth said. "My amendment will be considered seriously in the Senate only if the public demands it."

Both freshman Sen. Danforth, and his freshman colleague Sen. DeConcini are firmly opposed to Members of their Chamber being viewed as "political careerists."

"In a seniority system, certain individuals come to possess very great power," Sen. DeConcini said. "While I am not suggesting that this power has been abused in my own experience, I am suggesting that the present system does create the opportunity for such abuse."

And so they remain optimists. They walk the halls, like knights without shining armor or white steed, looking for support. Their aging dragon, 189 years old, remains reincarnated in the form of stubborn senior colleagues.

And still they'll try \* \* \*

[From U.S. News & World Report, Nov. 14, 1977]

#### PRO AND CON—LIMIT A LAWMAKER'S TERM IN CONGRESS?

YES—ELECTED OFFICIALS SHOULDN'T BE "PERMANENT FIXTURES IN WASHINGTON"

(Interview with Senator John C. Danforth, Republican, of Missouri)

Q. Senator Danforth, why do you favor a constitutional amendment prohibiting any person from serving more than 12 years in the Senate or the House?

A. It would accomplish two things:

First, it's important for elected officials who come to Washington to think of themselves as citizens who are only on leave to their Government—not permanent fixtures in Washington. A limitation on the length of service would

**Q.** Some people say that the perquisites of office, such as newsletters, a staff allowance and ready access to the press, come close to guaranteeing incumbents' re-election—

**A.** Right. I think the statistics are pretty clear that it's much easier for an incumbent to be re-elected than for a challenger to defeat him. This is another argument for limiting terms, although it is not an argument I rely on.

**Q.** Do any local or State governments have the kinds of limits on legislative service that you propose?

**A.** I don't think so. There are limits in some States on Governors serving more than one or two terms, but such limits are not found in the legislative branch.

**Q.** What are the prospects for your proposal?

**A.** It's not going to get anywhere unless there's a public outcry for it. The pressure is going to have to come from the people.

#### **NO—"COMPULSORY RETIREMENT IS A WASTE OF TALENT AND KNOW-HOW"**

*(Interview with Senator Alan Cranston, Democrat, of California)*

**Q.** Senator Cranston, why do you oppose limiting service in the Senate or the House to 12 years?

**A.** There's a contrary move now in our country to do away with compulsory retirement in most occupations, and I think that's a very, very sound direction for us to take.

Compulsory retirement in private industry is an inefficient waste of talent, know-how and productivity. It is bad for society and bad for business. Much the same could be said about compulsory retirement from Government service.

It should be left up to the voters to decide who can best represent them.

If the voters are satisfied with the performance of a Senator or a Congressman, they should not be deprived of his services and experience—nor should the country—by any arbitrary rule.

**Q.** We have placed a two-term limit on the Presidency. Why shouldn't a similar limit be applied to Congress?

**A.** Every rule has its exception, and the one exception that I make to the rule of leaving it up to the voters is the two-term limit on the Presidency.

A President who could serve endlessly would have a great opportunity to develop many of the attributes of a dictator. We've had trends toward one-man rule in our country in recent times. The two-term limit is a very solid barrier against that.

We have as much to fear from Government as we have to gain from Government. And the thing to fear from Government is too much power in too few hands. But Congress, given its makeup, will never be a dictatorship. The question does not apply to Congress, where so many people share authority and responsibility.

**Q.** Advocates of a limitation on service argue that if we did away with "professional legislators," Congress would be more responsive to the needs and wishes of the voters—

**A.** There are those who say that we've relied on the citizen soldier as the mainstay of our defense, and so we should now rely on the citizen politician in our legislative process. Actually, because of the sophisticated technology of modern warfare, our defense has to depend on highly trained professionals more and more.

Similarly, our Government has grown so complex that the concept of the inexperienced citizen politician is somewhat outmoded—at least to the degree that we shouldn't depend solely on inexperienced legislators. There should be a blend of the old and new in office, and under the present law we have that blend.

**Q.** So you see a clear need for people with many years of legislative experience—

**A.** Yes. In matters that involve public affairs and human relations, experience is a vital, indispensable part of the learning process. You learn not only what Government can do, but what it can't do. New Senators sometimes spin their wheels trying things that are impossible, or trying to launch vast spending programs that just won't work. With experience, you learn to focus your efforts where you can accomplish something significant.

John Sherman introduced the Sherman Antitrust Act in his 20th year in Congress. Paul Douglas introduced the Voting Rights Act in his sixteenth year. Clinton Anderson introduced the Medicare Act in his sixteenth year. Jacob Javits, a Republican, introduced the War Powers Act—a very significant piece of legislation in the post-Vietnam era—after serving more than a decade and a half in the Senate. Sam Ervin led the Watergate hearings in his nineteenth year in the Senate. Robert Wagner served 22 years; Robert Taft, Sr., 14 years; Stephen Douglas, 14 years; Henry Clay, 27 years; Robert LaFollette, 20 years; George Norris, 20 years. All of these careers would have been cut short, and the nation would have been the loser, if we'd had the limit that is proposed.

#### PROBLEM OF THE LAME DUCKS

**Q.** Don't legislators sometimes get out of touch with the people back home after many years in Washington?

**A.** If they do, they get tossed out by their constituents. The basic principle of representative democracy is that you elect people who are supposed to be responsive to the people they represent—not necessarily to always do what the people want, but to solicit their views, understand their problems, stay in touch and serve their best interests. Now, if you're in your final six-year Senate term, and the law says you can't run for re-election, you could become totally unresponsive to the people you serve.

Also, a lawmaker who is a lame duck would be less able to accomplish things. If somebody is on his way out, less attention is paid to his leadership. A Senator would be at his peak of capacity only in his first six years, and then he would lose his clout—and so would his constituents—in his second six years.

**Q.** It is sometimes argued that incumbents have advantages, such as newsletters, staffs and ready access to the press, that come close to guaranteeing re-election. How true is this?

**A.** I do have concern that incumbents have advantages. I think there are other ways to deal with the problem. On the bill to provide public financing for congressional-election campaigns, I voted to provide challengers more money than incumbents, for example.

Even so, there are plenty of incumbents knocked off on each go-around. It is noteworthy that several of the advocates of a limit on service recently defeated incumbent Senators. We do have new people coming in with new ideas. More than 50 percent of the House has been here less than six years. More than half of the Senate has been here less than 10 years.

There is no demonstrative need for anything as radical as changing our Constitution to make retirement after 12 years in office mandatory. The voters themselves have been doing a good job of keeping a healthy mixture of "new blood" and experienced "old hands" in Congress.

[From the Washington Post, Dec. 4, 1977]

#### THE GALLUP POLL—12-YEAR LIMIT FOR HILL MEMBERS .. FAVORED BY 60 PCT. OF VOTERS

(By George Gallup)

Princeton, N.J.—A solid majority of American voters, 60 per cent, now favor a law that would limit senators and House members to a maximum of 12 years in office.

The proportion in favor of a limit on the time in office for senators is up sharply since 1971, when the figure was 48 per cent. (The question on members of the House was not asked in the earlier survey.)

Although the upward trend is across-the-board with all major population groups, it is most pronounced among younger, better-educated voters.

Sen. John C. Danforth (R-Mo) recently proposed a constitutional amendment to limit senators and representatives to 12 years of service.

The sharp upturn in support for a limit on the terms of senators may be, in part, a reflection of their unfavorable public image. A recent Gallup survey showed both senators and representatives rated relatively low among a list of persons in 20 occupations in terms of honesty and ethical standards.

Another Gallup survey showed only . . . percent of the public saying they approve of the way Congress is handling its job.

Here is the question asked 1,523 adults from Nov. 4-7 and the trend:

"A law has been proposed which would limit a senator to two terms, or a total of 12 years in office. Would you favor or oppose such a law?"

(In percent)

	Favor	Oppose	No opinion
Latest.....	68	30	10
May 1971.....	48	39	13
January 1968.....	56	38	12
March 1964.....	49	38	13

Here are the results of the current survey by political affiliation:

(In percent)

	Favor	Oppose	No opinion
Republicans.....	64	29	7
Democrats.....	63	27	10
Independents.....	57	36	7

This question was also asked:

"A law has been proposed which would limit a member of the House of Representatives to three terms of four years apiece, or a total of 12 years. Would you favor or oppose such a law?"

(In percent)

	Favor	Oppose	No opinion
Latest.....	59	31	10
Republicans.....	62	29	9
Democrats.....	61	29	10
Independents.....	56	34	7

The plan to limit senators to two terms of six years each has been advocated by at least two Presidents—Dwight D. Eisenhower and Harry S. Truman.

(From the Washington Post, Dec. 31, 1977)

### TWO TERMS FOR LEGISLATORS?

(By Tom Braden)

"Politicians," according to Sen. John Danforth (R-Mo), "have a tendency to say 'yes' to all men and 'no' to none."

This trouble has been noted before. Walter Lippman described a politician as one who "decides not whether a proposition is good but whether it's popular; not whether it will work well and prove itself but whether the active-talking constituents will like it immediately."

And Sen. John F. Kennedy declared himself convinced that the desire to be re-elected exercises a strong brake upon "independent courage."

The problem of whether a politician should serve his conscience or his constituency has been with us at least since Edmund Burke. Sen. Danforth, who has made a certain mark during his first term for being refreshingly outspoken, thinks he has at least a partial solution.

Danforth has introduced a resolution proposing a constitutional amendment that would limit the terms of service in the House and Senate to 12 years, the equivalent of six terms for a representative and two terms for a senator.

His point is that without the hope of holding on to a lifetime job, senators and representatives might vote their convictions. In fact, some of them might develop convictions, so that they would come to Washington, do what they think they ought to do and go home again—for good.

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There is something to be said for this argument, and there are other reasons why Danforth's suggestion is worth thinking about.

For example, a greater turnover in Washington might renew the nation's interest in the electoral process. According to the polls, the country is in great doubt as to whether government can accomplish anything worthwhile—or, indeed, anything at all. Most people who are eligible to vote don't.

For another, the Danforth proposal would put an end to the system of power by longevity.

Sen. Russell Long (D-La), for instance, has served in the Senate since 1948. At 60 and with at least two terms to go, he is likely to exercise more influence on the lives of his countrymen than any President they may elect. As chairman of the Senate's Finance Committee, Long pretty much decides how much we'll be taxed, how much we'll pay for gasoline, how much we'll get in Social Security payments when we retire and how much we'll get in Medicare when we're sick.

Yet Long is responsible to no one except the voters of Louisiana, whose votes he controls through one of the most powerful political machines in the country.

Danforth's amendment would rule out the possibility of any senator's or representative's wielding this kind of power, at least for a considerable length of time.

It is true that time is a great teacher and that experience provides wisdom. But there are four men in the Senate presently who have been there 30 years or more. You'd think that, if they had provided the country with much wisdom, we might know them well. Yet I venture that seven out of 10 readers of this column cannot name them.

I like the remark of Sen. Malcolm Wallop (R-Wyo), who supports Danforth: "There's no question that, if this amendment were adopted, men of extraordinary talent would not be here. But there's equally no question that men of extraordinary talent are ready to take their places."

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[From the Family Weekly, 1978]

#### PRO AND CON—SHOULD CONGRESSMEN'S TERMS BE LIMITED TO 12 YEARS?

PRO—REP. DAN GLICKMAN (D-KAN.)

For too many years we have had Congressional fiefdoms in Washington. History provides many examples of members of the House and Senate who have, through the privileges granted by seniority, created for themselves far-reaching powers. The problem of isolation exists on Capitol Hill. Members who have been in Washington too long tend to believe that it is the center of the universe; they lose contact with the people to whom they should be responding. A member who stays too long can and does begin to accept things as they are, to feel secure in the status quo. The advantages of incumbency make re-election, particularly in so-called "safe districts," an easy task for that member.

CON—REP. W. E. POAGE (D-TEXAS)

The basic reason for limiting the term of executives—the President or governors—is that they are able to build up political machines based upon their appointive powers. Members of Congress have no such opportunity. While there may not be many members of Congress who will serve as long as I have (42 years), or as long as Sam Rayburn (49 years) or Carl Vinson (50 years), the people should have the opportunity to avail themselves of the service of any individual they want to serve them just as long as they want his service and he is able to serve. When the people decide they do not want a Congressman, they can and will replace him no matter how long his service has been.

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[From the Miami, Florida News, Mar. 3, 1978]

#### NO PUSH FOR REFORM

Although that wise plan to limit the terms of congressmen to 12 years may be about as popular on Capitol Hill as Tongue Park, it at least is going to get a two-day hearing this month before the Senate Constitution Subcommittee

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chaired by Sen. Birch Bayh (D-Ind.). That gives reformers a few crumbs of satisfaction despite the scant hope that careerist-congressmen seriously would tamper with their comfortable ballwicks.

With Sen. Bayh showing little enthusiasm for the proposed constitutional amendment that would prevent politicians from parlaying incumbency into lifetime jobs, the hearings aren't likely to spark any hard drive for reform. Sen. Barry Goldwater (R-Ariz.), who has been hanging around the Senate for a quarter of a century, is the only veteran offering support to the chief sponsors, Sens. Dennis DeConcini (D-Ariz.) and John Danforth (R-Mex.).

This country could cure a lot of ills by limiting congressional terms. It could put an end to political dynasties of families from "safe" districts. It could dilute the strength of the too-powerful committee chairmen. It could shatter the seniority system that rewards age instead of talent. It could bring more fresh blood and ideas into the legislative process and help remove government from the control of the WASPish lawyer clique.

To get this promising reform, the people will have to want it—the majority of congressmen probably never will.

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[From the Birmingham, Alabama News, Mar. 15, 1978]

#### BAYH NOT IMPRESSED BY TENURE-LIMIT MOVE

Washington (AP).—Sen. Birch Bayh, D-Ind., serving his third term in the Senate, doesn't think much of proposals to limit the tenure of members of Congress, sponsored largely by freshman senators.

In a statement opening hearings by the constitution subcommittee of the Senate Judiciary Committee, Bayh said he had "serious reservations on the merits of these proposals." He questioned whether the proposed constitutional amendments would weaken the legislative branch and whether the federal government would work as well "if it relied on less experienced legislators."

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[From the Washington Post, Mar. 18, 1978]

#### CONGRESSIONAL LONGEVITY

One of those perennial attempts to reform Congress by limiting the terms of its members was trotted out again this week before a Senate Judiciary subcommittee. Under consideration are two constitutional amendments that would limit the service of future senators and representatives to 12 or 15 years. Proposals like these have been floating around at least since 1951, when the Constitution was changed to restrict presidents to two full terms. We hope they continue merely to float and don't light.

It needs to be conceded that proponents of amendments like these, introduced by Sens. Dennis DeConcini (D-Ariz.) and John C. Danforth (R-Mo.), are focusing on a real problem: the stagnation that prolonged terms in high office can produce. The seniority system, even though it is not so strong now as it once was, places enormous power in the hands of longtime members of Congress solely because they have been there so long. That, coupled with the political advantages that incumbency generates, makes it increasingly difficult for new blood to fight its way to Washington. Even when a veteran member has dropped out of touch philosophically with his constituents, he is often able to stay in office because party officials prefer power to issues.

Sen. DeConcini also argues that this distribution of power operates to deny equal representation to voters in states and districts where hot political competition makes it difficult for any person to stay long in Congress; the representatives of those areas are never able to stand on an equal footing with those from districts that send back the same legislator election after election.

Those are valid and appealing arguments. They make the proposed limits on congressional terms seem attractive. But the senators have traced the problems to the wrong source and are thus prescribing the wrong cure. The evils—and they are that—of which they speak grow not out of unlimited service but out of the way in which Congress itself has chosen to treat that service. The cure, then, is not to keep particular people out of Congress, but rather to limit

the power and prerogatives that Congress grants to those members who win reelection repeatedly. For example, restricting the length of time a member could be a committee chairman or, even, serve on a committee might not change the situation as much as would the proposed amendment, but it would certainly reduce the advantages of long service.

To attack this problem the other way, as the proposed constitutional amendments do, is to place an additional restriction on the right of voters to choose whomever they want to represent them in Washington. That right of choice is so fundamental that it should not be tampered with. Voters should be allowed to elect—and reelect—to Congress whom they please.

(From the Washington Post, Apr. 13, 1978)

### WHY WE SHOULD LIMIT CONGRESSIONAL TERMS

(By Milton R. Eisenhower<sup>1</sup>)

The Post's March 18 editorial "Congressional Longevity" cited some of the reasons given for advocating limited terms for representatives and senators. The editorial remarked that nothing would be gained by such limitations.

But it did not mention what I deem to be the most important reason for limiting representatives to three four-year terms and senators to two six-year terms. The electoral process operates in such a way that we tend to have permanent members of Congress, and to achieve that result the members must support not what is best for the United States but what will most please their constituents at a particular time.

Early in our history the problems facing the nation, while acute, were sufficiently simple that what citizens favored and what best served the national interest were essentially synonymous. Further, the desire of the professional politicians to achieve electoral immortality had not yet developed. Hence, in the early part of the 19th century a Congressional election saw nearly half of the members of the House of Representatives enter as freshmen.

Now the situation is vastly different. The problems the nation faces—energy, inflation, unemployment, imbalances in international trade and payments, the Middle East and African problems, crime—are complex. Citizens often lack basic facts essential to enlightened judgment. Members of the Senate and House have their staffs do publicly financed research, and committees hold prolonged hearings, often for months, on a single problem. A senator or representative therefore develops knowledge superior to that of most of his constituents. The task of statesmanship is for a congressman to vote for what is right (that is, what is best for the nation) and seek to inform constituents, convincing them, we hope, that his vote was the correct one.

Unfortunately, with no limitation on terms of office, there is always the temptation to please constituents rather than to promote the national welfare. One need only think of two problems—inflation and the devastating effect of the coal strike—to realize that members of the Senate and the House lack the courage to vote for what is needed, for in doing so they would offend powerful interest groups that have strong influence in political elections. Incumbents have found that the way to achieve electoral immortality is to behave as pressure groups wish.

The cost of a congressional election is now nearly 75 times as great as it was 90 years ago; in that costly process the advantages are with incumbents. They have the franking privilege. Every member is likely to have one or two employees on the public payroll who work almost exclusively in preparing for the next election. And of course the greater newsworthiness of incumbents helps them. The consequence is that today the historic turnover in the House of Representatives in each election has been reduced to less than 15 percent.

Limited terms for representatives and senators would eliminate the evils of the seniority system. It is true, as the Post said, that Congress could change the seniority system without having a constitutional amendment on limited terms. But the problem has been evident for a long time, and little corrective action has been taken. I see no reason to believe that the House and Senate will radically change the rules.

<sup>1</sup>The writer is a retired university president.

The major reason for limited terms for elected representatives applies also to the president. The chief executive should be limited to a single six-year term. He should have no incentive other than that of serving all the people, yet who is there today who cannot recall far-reaching and costly programs proposed and vigorously supported by presidents because they had wide temporary appeal yet proved in time to be wasteful and ineffective? Nearly every president in modern times has favored policies and programs that would contribute to his reelection. If there were evils in permitting the president to run for a third term—as the Congress and states decided—those same evils apply to election to a second term. Why, in our current economic disarray, have elected officials, including the president and governors, failed to uphold the law in the crippling coal strike? Why did they permit union miners to threaten and intimidate non-union miners so effectively that most non-union mines had to close? Why, when the Taft-Hartley Act was imposed, did not federal and state chief executives see to it that the law was observed?

The reason is obvious. The president and many governors are eligible for re-election. Pressure groups must not be offended—the political imperative.

That example, which involves an incumbent president and a few incumbent governors, could be duplicated with respect to policies and programs initiated by their predecessors.

A single six-year term for the president is gaining widespread support, and many states now limit governors to single terms. I think I may live to see the appropriate constitutional amendment adopted to limit the president to one six-year term. It may take longer to persuade the Congress to reform itself.

[From the Washington Post, Oct. 30, 1977]

### POLITICS OF ENDURANCE

(By George F. Will)

T. S. Eliot warned against "dreaming of systems so perfect that no one needs to be good." But the oldest American political tradition is the search for institutional arrangements that minimize reliance on public spiritedness. An idea in that tradition—an idea that would make a kind of greatness impossible—is enjoying new currency.

The Foundation for the Study of Presidential and Congressional Terms has been formed to consider, among other questions, whether there should be limits to the number of terms members of Congress can serve. It is an old question in American politics.

Critics argued during ratification debates that the Constitution would produce an alien and irresponsible governing class—a "government of strangers"—because it did not provide for compulsory rotation of elective offices. Today interest in compulsory rotation has again become acute, again because of fear of a "professional political class."

Morris Fiorina, a professor at the California Institute of Technology, notes that during the 19th century, 40 to 50 per cent of congressional seats changed hands in each election. Not until the turn of the century did the average continuous service of congressmen reach even five years. But since World War II, nearly 90 per cent of incumbents seeking reelection have been successful. The number of "marginal" districts (where the winner receives 50 to 55 per cent of the votes) has declined. For example, in 1972 fewer than 25 per cent of incumbents received less than 60 per cent of the votes, and 60 per cent of all winners received more than 65 per cent.

According to Fiorina, the growth of the federal role in American life, and the attendant growth of bureaucracy, has enabled congressmen from formerly "marginal" districts to base their appeal on noncontroversial activities. These include delivering benefits from the "special pork barrel" and doing "cosponsorship"—nonpartisan committee services such as helping voters cope with regulatory agencies. Today, Fiorina says, congressmen are perceived less as legislators than as ombudsmen for dealing with Washington.

John Danforth (R-Mo.), a former senator and a director of the foundation, proposes a constitutional amendment to limit senators to two terms and congressmen to six. Today 82 of 100 senators (82 per cent) and 133 of 433 representatives (30.6 per cent) have been in office more than 12 years.

Such an amendment is a recipe for further reducing the power of the legislature relative to the "permanent government," the executive bureaucracy. It would prove deadwood, but also would prevent great legislative careers on the scale of Henry Clay's, Sam Rayburn's and Robert Taft's—the sort of careers that give continuity, cohesion and energy to the legislature. Besides, a "fresh face" is by another name a "rookie," with a lot to learn in a town where there is a lot to know.

Dennis DeConcini (D-Ariz.), another freshman senator and a director of the foundation, favors compulsory rotation of offices in order to produce "citizen-legislators" who "come to government briefly, bringing their varied experiences to bear on current problems. . . ." But it is sentimental to think that the "varied experiences" of the average citizen can be usefully "brought to bear" on the most important complexities (strategic arms, welfare reform, capital formation) of public policy.

Reformers also should consider that compulsory rotation of offices might mean "citizen legislators" who are, increasingly, civic and wealthier amateurs. That might not be bad, but it should be considered. If no one can hope to make a career of politics, people will be more apt to enter politics later, after establishing a "real" career, and after establishing it so well that he or she can take a sabbatical.

"Serving as a member of Congress should not be viewed as a profession," says Danforth, "and it should never become a career." Americans cling to the idea that government in a modern state can be an amateur's avocation. But in government, as in other serious enterprises, knowledge is cumulative. Government is as much a profession as law or teaching; it is a learned activity and an increasingly complicated one.

Politics in our time has been ennobled by the long careers of such senators as John Stennis, Hubert Humphrey and Henry Jackson. Granted, long service is only a necessary, not a sufficient, condition of legislative greatness. Granted, greatness is rare, even among those who have long careers. But it should not be made impossible.

#### THE CASE FOR THE CITIZEN LEGISLATOR

(By Dennis DeConcini<sup>1</sup>)

With his usual flair and wit, George Will recently attacked a constitutional amendment introduced by Sen. John Danforth (R-Mo.) and me. The amendment, which would limit the number of terms representatives and senators could serve, was characterized by Will as the work of "rookies" who have "a lot to learn in a town where there is a lot to know."

Outensibly, Will's comments addressed themselves to the practicalities of Washington politics. His point is that it takes a long time to find the secret leavens in the Capitol and to learn to pull the levers of power. And in the absence of that knowledge (government "is a learned activity"), the bureaucracy will overwhelm the legislature.

As a practical argument, Will's position is not compelling. The 22nd Amendment prevents an individual from holding the office of President for more than 10 years. I am sure Will would concede that the responsibilities of a President are equal to those of a senator or representative—he might even be tempted to argue they are greater. After all, we demand of our Presidents that within a matter of months they put together an administration, develop a national policy, deal with international crises, serve as party leader and assume all the responsibilities of head of state. If the consequences of limiting the terms of senators and representatives are dire, as Will suggests, surely we should insist that the 22nd Amendment be repealed; perhaps we should insist that Presidents serve three, four or even five terms.

The legislature is the bar of the people. It should be an elite group of professional decision-makers, removed by time, distance and experiences from the people it serves and represents. To Will, the notion of a "citizen legislator" may be corny and naive; to me, the growing reality of the "professional legislator" is frightening. It is yet another step away from the democratic ideal and another step toward rigid, unrepresentative institutions.

<sup>1</sup>The writer is a Democratic senator from Arizona.

In an age when the universal complaint is the apathy of our citizenry, we should be developing the institutional structures necessary to provide more opportunities to participate meaningfully in the political process. The philosopher Rousseau observed that the degree of commitment an individual has to the rules that govern him is directly related to the extent of his participation in their formation. The bonds of community presupposed by democratic order are rooted in this principle. As opportunities to participate decline, disaffection and alienation grow, the authority of both public and private institutions withers.

Limiting the terms of senators and representatives is no panacea for our social and political ills. But it may make our legislature more responsive and sensitive to our diverse interests. Ultimately, it is not the purpose of the legislature to govern; it is the purpose of the legislature to develop the national consensus necessary for legitimate governing.

Broad and often unchecked power tends to accumulate to long-term survivors in the political arena. A limitation of terms would restrain its growth. The framers of the Constitution were political realists who sought to create institutional barriers to protect against the capricious exercise of power. And, thus, a limitation of terms fits that spirit. Furthermore, the framers did not intend that the vagaries of electoral politics should determine which states and which citizens benefit most from the federal system. Length of tenure goes hand-in-hand with the political pork barrel.

One final note; Re-election to office is often not vindication by the electorate. No astute observer of the contemporary political scene since 1789 is oblivious to the tremendous advantages of incumbency. Election breeds re-election. The result is an overemphasis on constituent service at the expense of policy-making. Too many representatives and senators see themselves not as architects of the political and policy consensus, but solely as ombudsmen intervening with the ruling bureaucrats. Limiting terms forecloses making a career of the legislature; the overwhelming concern for job security will be removed, creating a shift in attitude, orientation and priorities.

SJR 9

PROPOSED AMENDMENT TO THE  
ALASKA CONSTITUTION LIMITING TERMS  
OF LEGISLATORS

This bill proposes a constitutional amendment to limit House legislative terms to not more than four consecutive full two year terms and Senate legislative terms to not more than two consecutive full four year terms. Only terms which begin after December 31, 1982 are affected.

# Alaska State Legislature

SENATOR  
M. "ED" DANKWORTH

REPRESENTING  
SENATE DISTRICT 12-J

COMMITTEES  
VICE-CHAIRMAN  
JUDICIARY  
RESOURCES

FINANCE  
REGULATORY REVIEW



Senate

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IN SESSION  
POUCH V  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-2749

February 27, 1980

*J. Ke & Harry*

Honorable Thomas B. Stewart  
Juneau Court & Office Bldg.  
Juneau, Alaska 99811

Dear Tom,

I have attached a copy of SJR 42 which I recently introduced in the Senate. This resolution would amend our state constitution to limit the number of consecutive years that a legislator may serve to; eight years in the House and eight years in the Senate.

My personal philosophy is one that would generally oppose any law which would restrict the right of the public to choose a candidate. I do believe, that when there is a substantial change in the function of one of the branches of government, that a review of the checks and balance of power is in order.

I suppose that my chief concern has been that the legislature has developed into a year-round operation. The legislature now, more than perhaps was envisioned in the beginning, manages and develops one of the richest natural resource deposits in the world. Because of the Legislature's internal wealth and liberal rules of operation, an incumbent legislator has an unprecidented advantage over the average citizen seeking to compete with him for office. On the federal level, it has been suggested that an incumbent candidate has roughly \$400,000. to \$500,000. advantage over a challenger. Through the seniority system, and this added political advantage, a political dynasty is built and an unjustifiable concentration of power is shared by a few individuals.

It appears to me, that we may have reached that time when, in order to safeguard and keep intact the principal of a citizen's legislature; we ought to consider some of the

limits this bill would provide. I have set out a few of my thoughts and those which compelled me to introduce this legislation. Because of your experience, particularly in the writing of the state constitution, and your valued judgment; I would like to impose upon you a request that you give me your views, pro or con, concerning this legislation.

Thank you in advance.

Sincerely,



M. "Ed" Dankworth  
State Senator

MED/mc

Enclosure

# Alaska State Legislature

SENATOR  
M. "ED" DANKWORTH

REPRESENTING  
SENATE DISTRICT 12-J

COMMITTEES  
FINANCE, CO-CHAIRMAN  
RULES, VICE-CHAIRMAN

TRANSPORTATION  
LEGISLATIVE BUDGET & AUDIT



Senate

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IN SESSION  
POUCH V  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3753

Monday, February 9, 1981

Don Patterson  
P. O. Box 2953  
Palmer, Alaska 99645

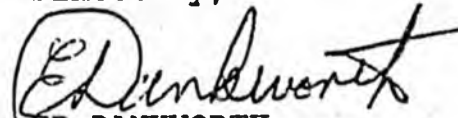
Dear Mr. Patterson:

Thanks for your message concerning Senate Joint Resolution 9, a proposal to limit the number of consecutive terms State Legislators may serve.

The resolution would amend the Constitution of the State of Alaska if it passes the legislature and is approved by the voters at the next general election. If the amendment is adopted by the voters it would go into effect after December 31, 1982. After that date, no legislator, Representative or Senator, could serve more than eight years consecutively in the same elective position. The current terms of existing legislators would not be affected by this proposal.

Thanks for taking time to share your views on this matter with me. I appreciate hearing from you.

Sincerely,

  
ED DANKWORTH  
Senator

ED/mg

## CONSTITUTIONAL AND STATUTORY PROVISIONS FOR LENGTH AND NUMBER OF TERMS OF ELECTED STATE OFFICIALS

State	Governor	Legis. governor	Secretary of state	Attorney general	Treasurer	Auditor	Comptroller	Education	Agriculture	Labor	Insurance	Mines	Land	Univ. regents	Bd. of education	Public util. comm.	Exec. council	Miscellaneous
Alabama	4(2)	4(2)	4(2)	4(2)	4(2)	4(2)	...	...	4(2)	...	...	...	...	...	4(1)	4(1)	...	...
Alaska	4(2)	4(2)	...	...	...	...	...	4(1)	...	...	...	2(1)	...	...	...	6(1)	...	...
Arizona	4(1)	...	4(1)	4(1)	4(0)(a)	...	...	4(1)	...	...	...	2(1)	...	...	...	...	...	...
Arkansas	2(1)	2(1)	2(1)	2(1)	2(1)	2(1)	...	...	...	...	...	...	2(1)	...	...	...	...	...
California	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	...	...	...	...	...	...	...	...	...	Bd. of Equalization—4(1)
Colorado	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	6(1)	6(1)	...	...	...
Connecticut	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...	...
Delaware	4(2)(b)	4(1)	...	4(1)	2(1)	2(1)	...	...	...	...	4(1)	...	...	...	...	...	...	...
Florida	4(2)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	4(1)	...	...	...	...	...	[c]	4(1)	...	...
Georgia	4(2)	4(1)	4(1)	4(1)	...	...	4(1)	4(1)	4(1)	4(1)	[d]	...	...	...	...	6(1)	...	...
Hawaii	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...	4(1)	...	...	...
Idaho	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...
Illinois	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...	Bd. of Trustees, Univ. of Illinois—4(1)
Indiana	4(2)	4(1)	4(2)(e)	4(2)	4(2)(c)	4(2)(c)	...	4(1)	...	...	...	...	...	...	...	...	...	...
Iowa	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...
Kansas	4(2)	4(2)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	4(1)	...	...	...	4(1)	...	...	...
Kentucky	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	...	...	...	[f]	...	...	...	...	Railroad Commission—4(1)
Louisiana	4(2)	4(1)	4(1)	4(1)	4(1)	...	...	4(1)	4(1)	...	4(1)	...	...	...	4(1)	6(1)	...	Elections commissioner—4(1)
Maine	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Maryland	4(2)	4(1)	...	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...	2(1)	...
Massachusetts	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Michigan	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	8(1)	8(1)	...	...	...
Minnesota	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Mississippi	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	...	4(1)	...	4(1)	...	...	4(1)	...	Highway Commission—4(1)
Missouri	4(2)(b)	4(1)	4(1)	4(1)	4(2)(b)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Montana	4(1)	4(1)	4(1)	4(1)	...	...	...	4(1)	...	...	[g]	...	...	...	...	4(1)	...	...
Nebraska	4(2)	4(1)	4(1)	4(1)	4(2)(g)	4(1)	...	...	...	...	...	...	...	6(1)	4(1)	6(1)	...	...
Nevada	4(2)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	6(1)	4(1)	...	...	...
New Hampshire	2(1)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2(1)	...
New Jersey	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Mexico	4(1)(h)	4(1)(h)	4(1)(h)	4(1)(h)	4(1)(h)	4(1)(h)	...	...	...	...	...	...	4(1)(h)	...	6(1)	...	...	Corporation Commission—6(1)
New York	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...
North Carolina	4(2)(b)	4(2)(b)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...
North Dakota	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	4(1)	4(1)	...	...	...	...	6(1)	...	Tax commissioner—4(1)
Ohio	4(2)(i)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	6(1)	...	...	...

THE LEGISLATORS  
Numbers, Terms, and Party Affiliations  
As of January 1978

State or other jurisdiction	Senate					House					House and senate totals		
	Democrats	Republicans	Vacancies	Total	Term	Democrats	Republicans	Vacancies	Total	Term			
Alabama	34	0	...	35(a)	4	103	2	...	105	4	140		
Alaska	12	8	...	20	4	25	15	...	40	2	60		
Arizona	16	14	...	30	2	22	38	...	60	2	90		
Arkansas	34	1	...	35	4	95	5	...	100	2	135		
California	26	14	...	40	4	57	23	...	80	2	120		
Colorado	17	18	...	35	4	30	35	...	65	2	100		
Connecticut	22	14	...	36	2	91	60	...	151	2	187		
Delaware	13	8	...	21	4	26	15	...	41	2	62		
Florida	30	9	...	40(a)	4	93	27	...	120	2	160		
Georgia	52	4	...	56	2	156	24	...	180	2	236		
Hawaii	18	7	...	25	4	41	10	...	51	2	76		
Idaho	15	20	...	35	2	22	48	...	70	2	105		
Illinois	34	25	...	59	(b)	94	83	...	177	2	236		
Indiana	28	22	...	50	4	48	52	...	100	2	150		
Iowa	26	24	...	50	4	59	41	...	100	2	150		
Kansas	19	21	...	40	4	65	60	...	125	2	165		
Kentucky	29	9	...	38	4	78	22	...	100	2	138		
Louisiana	38	1	...	39	4	101	4	...	105	4	144		
Maine	12	21	...	33	2	89	62	...	151	2	184		
Maryland	39	8	...	47	4	125	15	1	141	4	188		
Massachusetts	34	6	...	40	2	192	44	1	240(a)	2	280		
Michigan	24	14	...	38	4	68	42	...	110	2	148		
Minnesota	48	19	...	67	4	100	34	...	134	2	201		
Mississippi	50	2	...	52	4	117	3	1	122(a)	4	174		
Missouri	22	12	...	34	4	112	51	...	163	2	197		
Montana	25	25	...	50	4(c)	57	43	...	100	2	150		
Nebraska	Nonpartisan election			49	4	Unicameral legislature					49		
Nevada	17	3	...	20	4	35	5	...	40	2	60		
New Hampshire	12	12	...	24	2	175	219	6	400	2	424		
New Jersey	27	13	...	40	4(d)	54	26	...	80	2	120		
New Mexico	33	9	...	42	4	48	22	...	70	2	112		
New York	21	16	3	60	2	87	58	4	150(a)	2	210		
North Carolina	47	3	...	50	2	114	6	...	120	2	170		
North Dakota	18	12	...	30	4	50	50	...	100	2	140		
Ohio	31	12	...	43	4	62	37	...	99	2	132		
Oklahoma	39	9	...	48	4	79	22	...	101	2	149		
Oregon	24	6	...	30	4	37	23	...	60	2	90		
Pennsylvania	28	20	2	50	4	118	84	1	203	2	253		
Rhode Island	45	5	...	50	2	83	17	...	100	2	150		
South Carolina	41	3	...	46	4	111	12	1	124	2	170		
South Dakota	12	23	...	35	2	22	48	...	70	2	105		
Tennessee	23	9	...	32(a)	4	66	12	...	98(a)	2	132		
Texas	27	4	...	31	4	131	19	...	150	2	181		
Utah	17	12	...	29	4	35	40	...	75	2	104		
Vermont	9	21	...	30	2	75	74	...	150(a)	2	180		
Virginia	15	5	...	20	4	76	21	...	100(a)	2	140		
Washington	29	20	...	49	4	62	36	...	98	2	147		
West Virginia	28	6	...	34	4	91	9	...	100	2	134		
Wisconsin	22	11	...	33	4	66	33	...	99	2	132		
Wyoming	12	18	...	30	4	29	32	...	62(a)	2	92		
All States	1,306	618	5	1,981(a)	...	3,772	1,783	15	5,581(a)	...	7,562		
American Samoa	Nonpartisan election			18	4	Nonpartisan election					21	2	39
Guam	14	7	...	21	2	Unicameral legislature					21		
Puerto Rico	14(e)	13	1	28	4	32(e)	17(f)	2	51	4	79(g)		
T.I.P.	(h)	(i)	...	12	4	(h)	(h)	...	22	4	34		
Virgin Islands	(i)	(j)	...	15	2	Unicameral legislature					15		

(a) The following members in current legislatures are not Democrats or Republicans: Alabama 1, Florida 1, Massachusetts 3, Mississippi 1, New York 1, Tennessee senate 1, house 1, Vermont 1, Virginia 3, Wyoming 1. Total senate 3, house 11.

(b) All senators ran for election in 1972 and all will run every 10 years thereafter. Senate districts are divided into thirds. One group elects senators for terms of 4 years, 4 years, and 2 years; the second group for terms of 4 years, 2 years, and 4 years; the third group for terms of 2 years, 4 years, and 4 years.

(c) After each decennial reapportionment, lots will be drawn for the senators to serve an initial 2-year term. Subsequent elections will be for 4-year terms.

(d) Senate terms beginning in January of second year following the U.S. decennial census are for 2 years only.

(e) New Progressive Party.

(f) Popular Democratic Party.

(g) The constitution provides for selection of additional members from the minority party after a general election in which it elects fewer than 9 members in the senate and 17 members in the house. Total house and senate composition can reach 104 members.

(h) At present there is no organized national party.

(i) Party affiliations were not available.

## CONSTITUTIONAL QUALIFICATIONS FOR ELECTION TO STATE OFFICE\*

State or other jurisdiction	Governor and lieutenant governor				Legislature					
	Age	U.S. citizen (years)	State citizen/ resident (years)	Other	Age		State resident (years)		District resident, house & senate (years)	Other
					House	Senate	House	Senate		
Alabama	30	10	7(a)	...	21	25	3	3	1	...
Alaska	30	7	7	(b)	21	25	3	3	1	(b)
Arizona	25	10	5(a)	...	25	25	3	3	1	(c)
Arkansas	30	(d)	7	...	21	25	2	2	1	(c)
California	(b)	5	5	(b)	(b)	(b)	3	3	1	(b, c)
Colorado	30	(d)	2	...	25	25	...	...	1	(c)
Connecticut	30	...	...	(b)	21	21	...	...	(c)	(b)
Delaware	30	12	6	...	24	27	3	3	1	...
Florida	30	...	7	(b)	21	21	2	2	(c)	(b)
Georgia	30	15	6(a)	...	21	25	2	4	1	(c)
Hawaii	30	...	5	(b)	Age of majority	(f)	3	3	...	(b)
Idaho	30	(d)	2	...	(b)	(b)	...	...	1	(b, c)
Illinois	25	(d)	3	...	21	21	...	...	2	(c)
Indiana	30	5	5	...	21	25	2	2	1	(c)
Iowa	30	(d)	2	...	21	25	1	1	50 da.	(c)
Kansas(g)	...	...	...	...	(b)	(b)	...	...	(c)	(b)
Kentucky	30	...	4(h)	...	24	30	2	6	1	(a)
Louisiana	25	5	5	...	18	18	2	2	1	(b)
Maine	30	15	5	(i)	21	25	1	1	3 mo.	(a, c)
Maryland	30	...	5	(b)	21	25	1	1	(j)	(c)
Massachusetts	...	...	7	...	...	...	...	5	(c)	...
Michigan	30	...	...	(b)	21	21	...	...	(c)	(b, k)
Minnesota	25	(d)	1	...	(b)	(b)	1	1	6 mo.	(b)
Mississippi	30	20	5	...	21	25	4	4	2	(b)
Missouri	30	15	10	...	24	30	2	3	1	(b)
Montana	25	(d)	2	...	...	...	1	1	6 mo. (l)	...
Nebraska	30	(d)	5(h)	...	U	21	U	...	1	(b)
Nevada	25	...	2	(b)	(m)	(m)	(m)	(m)	...	(b)
New Hampshire	30	...	7	...	...	30	2	7	(c)	...
New Jersey	30	20	7	...	21	30	2(a)	4(a)	1	(b)
New Mexico	30	(d)	5	...	21	25	...	...	(c)	...
New York	30	(d)	5	...	...	...	5	5	1	(c)
North Carolina	30	5	2	...	(n)	25	...	2	1	(b)
North Dakota	30	(d)	5	...	18	18	1	1	(c)	(b)
Ohio(g)	(b)	...	...	(b, c)	(b)	(b)	...	...	1	(b, d)
Oklahoma	31	(d)	...	(b)	21	25	...	...	(c)	(b, k)
Oregon	30	(d)	3	...	21	21	...	...	1	(c)
Pennsylvania	30	(d)	7	...	21	25	4(a)	4(a)	1	...
Rhode Island	(b)	1 mo.	1 mo.	(b, p)	(b)	(b)	1 mo.	1 mo.	1 mo.	(b, p)
South Carolina	30	5	5(h)	...	21	25	...	...	...	(b)

South Dakota	...	(d)	2	...	25	25	2	2	...	(b, c, p)
Tennessee(q)	30	(d)	7(a)	...	21	30	3	3	1	(c)
Texas	30	(d)	5	...	21	26	2	5	1	(b, c)
Utah (r)	30	...	5(h)	(b)	25	25	3	3	6 mo.	(b, c)
Vermont	...	...	4	...	...	30	2	...	(e)	...
Virginia	30	(d)	5	(b)	21	21	...	...	(e)	...
Washington	(b)	(d)	...	(b)	(b)	(h)	...	...	...	(b, c)
West Virginia!	30	...	5(a)	(a, b)	(a, b)	25	5(a)	5(a)	1	(b, a, p)
Wisconsin	(h)	(d)	...	(b)	(h)	(b)	1	1	...	(b)
Wyoming!	30	(d)	5	(b)	21	25	...	...	1	(a, c)
American Samoa	35	(a)	1	(i)	25	30	(u)	(u)	(u)	(c, v)
Guam	30	(d)	5	(b)	11	25	11	5	...	...
Puerto Rico!	35	5	5	...	25	30	2	2	1	(w)
Virgin Islands	30	...	...	(b)	...	21	...	3	3	(b, c)

\*Some states may have established statutory qualifications.

!The state does not provide for office of lieutenant governor. In Arizona, Oregon, and Wyoming, the secretary of state is elected statewide and is first in line of succession to governorship, for these reasons, that individual is listed as a lieutenant governor although office not officially so titled. Age cited in constitutions of Arizona and Wyoming for this office is 25. Oregon constitution lists no age.

U—Unicameral legislature.

- (a) Citizen of the state.
- (b) Must be a qualified voter. Maryland: 5 years; Michigan: governor 4 years, Oklahoma: 6 months; Virginia: 5 years.
- (c) U.S. citizen. Maine: 5 years.
- (d) Number of years not specified.
- (e) Reside in district, no time limit. Massachusetts: House 1 year; Vermont: House 1 year.
- (f) The age of majority in Hawaii is 18.
- (g) Kansas and Ohio have no constitutional qualifications for the office of governor. Ohio provides that no member of Congress or other person holding a state or federal office shall be governor.
- (h) Resident and citizen.
- (i) Governor must be resident of the state during the term for which he is elected.
- (j) If the district has been established for at least 6 months, residency is 6 months. If the district was established for less than 6 months, residency is length of establishment of district.

(k) No person convicted of a felony for breach of public trust within preceding 20 years or convicted for subversion shall be eligible.

(l) Shall be a resident of the county if it contains one or more districts or of the district if it contains all or parts of more than one county.

(m) By statute an age of 21 minimum and a 1 year state residency has been established for membership in the legislature.

(n) A conflict exists between two articles of the constitution specifying age for house members. Depending on interpretation, minimum age is 21 or age of qualified voter (18).

(o) No person convicted of embezzlement of public funds shall hold any office.

(p) No bribery convictions. South Dakota, West Virginia: No bribery, perjury, or infamous crimes.

(q) Office of lieutenant governor was created by statute. He is chosen by members of the senate of which he is a member and the office bears the title of speaker. The speaker must reside one year immediately preceding his election in the county or district he represents.

(r) Lieutenant governor and secretary of state are the same individual.

(s) Must be a U.S. citizen or U.S. national.

(t) No dishonorable discharge.

(u) Live in American Samoa for 5 years and bona fide resident 1 year.

(v) Senator must be a registered voter.

(w) Write and speak English and Spanish.

Oklahoma	4(2)	4(U)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	4(1)	4(1)	4(1)	...	...	...	6(U)	...	Commissioner of charities & corrections—4(U); Examiner & Inspector—4(1)
Oregon	4(2)(c)	...	4(2)(c)	4(U)	4(2)(c)	...	...	4(U)	...	4(1)	...	...	...	...	...	...	...	...
Pennsylvania	4(2)	4(2)	...	...	4(2)	4(2)	...	...	...	...	...	...	...	...	...	...	...	...
Rhode Island	2(U)	2(U)	2(U)	2(1)	2(U)	...	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	4(O)	4(U)	4(U)	4(U)	4(U)	...	...	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	Adjutant & inspector general—4(U)
South Dakota	4(2)	4(2)	4(1)	4(U)	4(U)	4(U)	...	...	...	...	...	...	4(U)	...	...	6(U)	...	...
Tennessee	4(O)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	6(U)	...	...
Texas	4(1)	4(1)	...	4(U)	4(U)	...	...	4(U)	...	4(1)	...	...	...	4(1)	...	6(1)	...	Railroad Commission—4(U)
Utah	4(1)	4(1)	(j)	4(U)	4(O)	4(O)	...	...	...	...	...	...	...	...	...	4(U)	...	...
Vermont	2(1)	2(1)	2(U)	2(U)	2(U)	2(1)	...	...	...	...	...	...	...	...	...	...	...	...
Virginia	4(O)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Washington	4(U)	4(U)	4(U)	4(1)	4(U)	4(U)	...	4(1)	...	...	4(1)	...	4(1)	...	...	...	...	...
West Virginia	4(2)	...	4(2)	4(1)	4(1)	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...
Wisconsin	4(1)	4(1)	4(1)	4(1)	4(U)	...	...	4(1)	...	...	...	...	...	...	...	...	...	...
Wyoming	4(1)	...	4(1)	...	4(O)	4(U)	...	4(1)	...	...	...	...	...	...	...	...	...	...

First entry refers to number of years per term. Second entry (in parentheses) refers to number of terms.

*Symbols:*

(U)—No provision for number of terms allowed

(O)—Cannot succeed himself

(1)—May hold office for unlimited number of terms

(a) Must wait 2 years before being eligible again.

(b) Absolute 2-term limit, not necessarily consecutive.

(c) Governor and Cabinet ex officio

(d) Comptroller general is ex officio insurance commissioner.

(e) Eligible for 8 out of 12 years.

(f) Secretary of state holds this office.

(g) After 2 consecutive terms, must wait 2 years before being eligible again.

(h) Must wait 1 full term before being eligible for any office, with the exception of lieutenant governor who is eligible immediately for the office of governor.

(i) After 2 consecutive terms, must wait 4 years before being eligible again.

(j) Lieutenant governor and secretary of state are the same individual.

(k) State treasurer also serves as insurance commissioner.

(l) State auditor is also insurance commissioner.