

S J R

38



Alaska State Legislature

SENATE

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

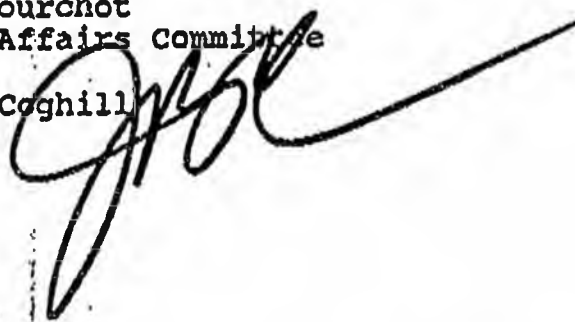
MEMORANDUM

To: Senator Pat Pourchot
Senate State Affairs Committee

From: Senator Jack Coghill

Re: SJR 38

Date: April 4, 1989



I would like to request the Senate State Affairs Committee to hold a public hearing on SJR 38, "Proposing an amendment to the Constitution of the State of Alaska relating to the terms of legislators."

The Constitutional amendment would limit tenure in the Legislature to eight consecutive years. After the eight years, a person would not again be eligible to seek office as a member of the Legislature until the second biennial election after the member leaves office.

As a member of our Constitutional Convention, I was a strong advocate of limiting the terms of legislators when the Alaska State Constitution was being written. I feel that members of Legislature should be citizen legislators, and not professional legislators.

I introduced a similar piece of legislation during the 15th Alaska State Legislature, however, it was referred to the Senate Judiciary Committee and never received a public hearing. It is my hope that the 16th Legislature will allow the concept of limited legislative terms to receive public hearings and ultimately let the general public make the final decision.

If you have any questions, please feel free to contact my office.

memo to Pourchot

STATE OF ALASKA THE LEGISLATURE

POUCHY STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

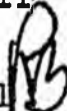
LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 27, 1989

SUBJECT: Terms of legislators
(Work Order No. 6-1052)

TO: Senator Jack Coghill

FROM: Richard A. Bradley 
Legislative Counsel

After we talked this morning, I started to draft the section. You had suggested: A legislator may not serve more than eight consecutive years as a member of the legislature without retiring for four consecutive years.

As I reviewed the language, several problems that I had not earlier considered seemed to present problems.

A transitional section seems necessary; the amendment, if adopted, would seem to have immediate application and cut short existing terms of many members of both the House and the Senate who may be expected to be in the legislature on the effective date of a constitutional amendment ratified by the people at the general election in 1990. Since that seems illogical, I have addressed the matter.

Let me say that I have considered it "illogical" because if their terms are cut short on the effective date of the amendment, after the 1990 election, then a majority of the senate would be appointed by the governor. While I have not come up with the numbers in the house, a sizeable number of those members also would be affected.

The amendment would affect each present member of the senate by 1992 except Senator Jones. But at the effective date of the amendment (if the resolution contains no special effective date), about January 1, 1991, all of the members of the Senate who started continuous service in 1982 or before would be affected. Those whose service started in 1984 or later include you and Senators Binkley, Frank, Jones, Pearce, and Pourchot. Representatives who started

Senator Jack Coghill

Page 2

March 21, 1989

legislative service from the election in 1982 or earlier (and who would therefore be subject to the amendment at its adoption) include: Cato (80), Davis, M. (82), Furnace (82), Grussendorf (80), Koponen (82), Larson (82), Martin (78), Miller (82), Pettyjohn (82), Phillips (76), and Shultz (82). Representative Cotten goes back to the election of 74 if a four year retirement is required, he failed reelection only in 1982. Additional members subject to the provision by the election of 1992 (because they were elected in 84) include Boucher, Collins, Gruenberg, Hanley, Navarre, Rieger, Taylor, and Wallis.

Thus I have proposed the transitional provision, Sec. 2 of the resolution, to have it take effect at the elections in 1992.

Concerning the language of the amendment itself, as I considered your suggestion regarding "retirement", I reviewed the language of the similar provision of art. III concerning the governor: section 5. You will recognize the language.

Let me point out that as written, the amendment permits senators whose term extends beyond the eight year limitation to serve out their terms, to serve ten years. While you might not want a member of the house after six years in that body to seek a four years term in the senate, assuming that was practical, that situation is not the only way that the problem arises. Note that reapportionment has frequently cut existing senate terms to two years, throwing a member of the senate off from a neat four year rotation; reapportionment will be occurring simultaneously with the adoption of your proposal. And following my "logic" above, it seems better to permit an elected member to serve out the term rather than cut it short and either have a special election, a possibility (but that would introduce a further complication into the amendment), or have the governor fill the vacancy.

It was for these latter reasons that I have suggested a departure from the language of art. III, sec. 5 that a person is not "again eligible to hold that office"; the draft attached uses the phrase "not again eligible to seek that office".

The art. III language ("until one full term has intervened") doesn't work in the legislative analogy; the phrase "until four years has intervened" also doesn't work because the prohibition is on "seeking office" rather than art. III's

Senator Jack Coghill
Page 3
March 21, 1989

phrase of "holding office". My solution is "until the second biennial election after leaving office."

I believe this formula works and, even, is consistent with your request.

If I may be of further assistance, please advise.

RAB:kb:mi
wkk3/029

Senate Judiciary Committee

Public Hearing Nov. 21, 1989

R.E. - SSR-38 Limiting Legislative Terms

As you know SSR-38 proposes amending the Constitution of the State of Alaska such that a person who has served for eight consecutive years is not eligible to seek office (as a legislator) until the second biennial election after leaving office.

Notwithstanding that I have ~~the~~ the utmost respect for the sponsor of this resolution, I'm fully supportive of SSR-38.

Legislators must take a break from office once in a while (the interim doesn't count) and work with the rest of us in the "real" world.

Jerry Foster
8171 Fairwood Cir.
Anch, AK 99518

SENATE JOURNAL

April 27, 1989

1469

SCR 30 cont'd

Zero fiscal note for the committee substitute published today from Department of Environmental Conservation.

SENATE CONCURRENT RESOLUTION NO. 30 was referred to the Rules Committee.

SJR 5

Fiscal note for Committee Substitute for Sponsor Substitute for Senate Joint Resolution No. 5 (State Affairs) (Proposing amendments to the Constitution of the State of Alaska amending provisions relating to the Alaska permanent fund; establishing temporary provisions relating to dedicated funds, the Alaska permanent fund, the expenditure limit, and the budget stabilization fund; and suspending the operation of provisions relating to dedicated funds, the Alaska permanent fund, and the appropriation limit) published today from Division of Elections.

SJR 38

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 38 (Proposing an amendment to the Constitution of the State of Alaska relating to terms of legislators). Senator Pourchot, Chair, signed "no recommendation." Senator Faiks signed "do pass" and Senator Adams signed "do not pass."

Fiscal note published today from Division of Elections.

SENATE JOINT RESOLUTION NO. 38 was referred to the Judiciary Committee.

SJR 46

The State Affairs Committee considered SENATE JOINT RESOLUTION NO. 46 (Supporting the establishment of a Joint Commission on the Status of Alaska Natives by Congress) and a majority of the committee recommended it be replaced with

CS FOR SENATE JOINT RESOLUTION NO. 46
(State Affairs)

and do pass. The report was signed by Senator Pourchot, Chair, and concurred in by Senators Adams and Faiks.

FISCAL NOTE

REQUEST:

Revision Date: 4/3/89
 Title: Proposing an amendment relating to terms of legislators.
 Sponsor: Coghill
 Requestor: Coghill

Agency Affected: Office of the Governor
 BRU: Division of Elections
 Components: II-Elections
Primary & General Elections

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	-0-	-0-	2.2*	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	2.2*	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	2.2*	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	2.2*	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

* Costs included cover 2 to 3 pages in each Official Election Pamphlet for printing and typesetting, and costs estimated to cover computer programming requirements for vote (Continued)

Prepared by: Linda Edgeworth Phone: 465-4611
 Division: Elections Date: _____

Approved by Commissioner: *Sherry Carlstrom* Date: 4/3/89
 Agency: Division of Elections

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SJR 38

counting purposes. However, these costs are based on the assumption that all candidates and issues will fit on three ballot cards, which is the norm. It should be noted, however that should the inclusion of this issue require a 4th ballot to be printed, the cost increase would have to be calculated at 16 cents per ballot x approximately 320,000 voters. The total cost of printing the additional ballot card would be \$51.2.

Under these circumstances the fiscal note would be:

53.4

LEGISLATIVE TELECONFERENCE NETWORK

89-11-015



SIGN-IN SHEET

SPONSOR: SENATE JUDICIARY

SUBJECT: SJR 38 Limiting Terms of Legislators

START/END TIME: 7-9:30p DATE: 11.21.89

PLEASE PRINT

NAME/REPRESENTING

ADDRESS

PHONE #

TESTIFY

OBSERVE

BILL #

	NAME/REPRESENTING	ADDRESS	PHONE #	TESTIFY	OBSERVE	BILL #
1						
2	Steve McCutcheon	336 th LAKESIDE	99516 944 1370	✓	done	
3	Ernie Mangrobang	3161 NORM CIR ANCH AK - 99507	503-2133	✓	done	
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						

LEGISLATIVE TELECONFERENCE NETWORK

SIGN-IN SHEET



SPONSOR: Senate Judiciary
SUBJECT: Limiting Terms of Legislators
START/END TIME: [REDACTED] DATE: _____

PLEASE PRINT

	NAME/REPRESENTING	ADDRESS	PHONE #	TESTIFY	OBSERVE	BILL #
1	<i>[REDACTED]</i>	<i>[REDACTED]</i>	<i>[REDACTED]</i>	<input checked="" type="checkbox"/>	<i>[REDACTED]</i>	<i>[REDACTED]</i>
2	Jonathan Jordan	10248 Jamstown, Anch 99507	564-4663	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						

LEGISLATIVE TELECONFERENCE NETWORK

89.11.015



SIGN-IN SHEET

SPONSOR: SENATE JUDICIARY
 SUBJECT: HE 175 Programs & Proceedings Relating to Minors
 START/END TIME: 7-9:30p DATE: 11.21.89

PLEASE PRINT

	NAME/REPRESENTING	ADDRESS	PHONE #	TESTIFY	OBSERVE	BILL #
1	Jim Nordlund	House HESS Committee				
2	Ken GRIFIN	8231 Summer St No 49518	3R 38			
3	Mr. Shunday	St Rep				
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						