

SURRO

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/26/92

FURTHER:

DATE TURNED INTO OFFICE: \_\_\_\_\_

The Finance Committee considered

SENATE JOINT RESOLUTION NO. 20

Proposing an amendment to the Constitution of the State of Alaska relating to terms of legislators.

and recommends:

- replace with \_\_\_\_\_ CS \_\_\_\_\_ (FINANCE)  
or  adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)  
 attaches amendment(s)

- same title  
 new title  
 technical title change (HB only)

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

- do pass  
 do not pass  
 no recommendation  
 individual recommendations

**NEW FISCAL NOTES:** Dept/Date

zero fiscal notes \_\_\_\_\_

\_\_\_\_\_

fiscal notes \_\_\_\_\_

\_\_\_\_\_

appropriation--no fiscal note

**DO PASS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

1. \_\_\_\_\_

Co-Chair: Signature/Recommendation

**PREVIOUS FISCAL NOTES:** Dept/Date

zero fiscal notes \_\_\_\_\_

\_\_\_\_\_

fiscal notes \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**OTHER RECOMMENDATIONS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

Co-Chair: Signature/Recommendation

**DISCARD**

FISCAL NOTE

No. 2

Bill Version: SJR 20

(S) Publish Date: 2-26-92

STATE OF ALASKA  
1992 LEGISLATIVE SESSION

Revision Date: 01/13/92

Department Affected: Office of the Governor-Elections

Title: Amendment to the Constitution RE: Limit Terms of Legislators

BRU: Division of Elections

Sponsor: Senate Rules Committee by Request of the Governor

Component: II-Primary and General Elections

Requestor: Senate Judiciary Committee

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.2*	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	2.2*	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2*	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.) \* This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Changes in CS SJR 20 (JUD) reflect NO FISCAL CHANGE from the original fiscal note. This fiscal note is appropriate.  
2/26/92 RC  
date Comte Aide (initial)

Prepared by: Elizabeth Ziegler, Deputy Director  
Division: Elections

Phone: 465-4611  
Date: 01/13/92

Approved by Commissioner: Charles E. Hickel  
Agency: Office of the Governor

Date: 01-13-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies)

FISCAL NOTE

No. 1  
 Bill Version: SJR 210  
 (S) Publish Date: 2/25/92

STATE OF ALASKA  
 1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Office of the Governor  
 Title: Constitutional Amendment re: BRU: Elections  
Limit on Legis. Term of Office Component: II Primary and General Elections  
 Sponsor: \_\_\_\_\_  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		2.2*				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		2.2*				

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		2.2*				
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		2.2*				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: -0-

ANALYSIS: (Attach a separate page if necessary.) \* This figure covers cost of inclusion of information about this issue in the Official Election Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on this measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be: 53.4.

Prepared By: Elizabeth Ziegler, Deputy Director Phone: 465-4611  
 Division: Elections Date: 2-1-91  
 Approved by Commissioner: Charles L. Hickman  
 Agency: Division of Elections Date: 2-1-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

## SENATE JOINT RESOLUTION NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/25/91  
Referred: Judiciary and Finance

## A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Alaska relating to terms of  
2 legislators.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. Article II, sec. 3, Constitution of the State of Alaska, is amended to read:

5 SECTION 3. ELECTION AND TERMS. Legislators shall be elected at general  
6 elections. Their terms begin on the fourth Monday of the January following election unless  
7 otherwise provided by law. The term of representatives shall be two years, and the term of  
8 senators, four years. One-half of the senators shall be elected every two years. A representative  
9 who has served for four full consecutive terms or a senator who has served for two full  
10 consecutive terms in the legislature is not again eligible to seek office as a member of the  
11 legislature until after the next general election following the expiration of the member's  
12 final consecutive term.

13 \* Sec. 2. Article XV, Constitution of the State of Alaska, is amended by adding a new section to  
14 read:

15 SECTION 29. The 1992 amendment to Art. II, Sec. 3, limiting tenure in the legislature,  
16 shall first apply to the 1994 primary and general elections.

1 \* Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state  
2 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and  
3 the election laws of the state.

WALTER J. HICKEL  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

February 25, 1991

The Honorable Richard I. Eliason  
President of the Senate  
P.O. Box V  
Juneau, AK 99811

Dear President Eliason:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting to you a joint resolution amending the Alaska Constitution. If adopted by you and the voters of the state, this resolution will limit legislators to serving not more than two full consecutive terms as a senator, or four full consecutive terms as a representative. I believe that this limitation would strengthen the legislature by providing a mechanism for introducing to legislative office new people with fresh approaches to serving the needs of their constituencies. I do not intend that my support of this concept be interpreted as a criticism of any specific legislator who has enjoyed a long tenure. I believe that the reasons for the limit in art. III, sec. 5, of the Alaska Constitution on the number of terms that may be served by the governor are equally valid reasons for limiting consecutive terms of legislators. The reasons for that limitation were well thought out by the framers of the Alaska Constitution.

I urge you to favorably consider passage of this joint resolution.

Sincerely,

A handwritten signature in cursive script that reads "Walter J. Hickel".

Walter J. Hickel  
Governor

*Adopted  
4-30-92*

7-GS0041NM

Cook

12/27/92

CS FOR SENATE JOINT RESOLUTION NO. 20 (FINANCE)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Alaska relating to terms of  
2 legislators.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. Article II, sec. 3, Constitution of the State of Alaska, is amended to read:

5 SECTION 3. ELECTION AND TERMS. (a) Legislators shall be elected at general  
6 elections. Their terms begin on the fourth Monday of the January following election  
7 unless otherwise provided by law. The term of representatives shall be two years, and the term  
8 of senators, four years. One-half of the senators shall be elected every two years. Except as  
9 provided in (b) of this section, an individual who has served for twelve full or partial  
10 consecutive regular sessions in the legislature may not again serve in the legislature until  
11 after the expiration of at least two full regular sessions.

12 \* Sec. 2. Article II, sec. 3, Constitution of the State of Alaska is amended by adding a new subsection  
13 to read:

14 (b) If an individual becomes subject to the limitation on tenure after serving for at least  
15 one full regular session of a term, the individual may complete that term. After completion of  
16 the term, the individual may not again serve in the legislature until after the expiration of at least

1 two full regular sessions.

2 \* Sec. 3. Article XV, Constitution of the State of Alaska, is amended by adding a new section to  
3 read:

4 SECTION 29. APPLICATION OF 1992 AMENDMENT. No period served in the  
5 legislature before January 11, 1993, shall be considered in applying the 1992 amendment to  
6 Section 3 of Article II limiting tenure in the legislature.

7 \* Sec. 4. The amendments proposed by this resolution shall be placed before the voters of the state  
8 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and  
9 the election laws of the state.

## TURNOVER IN THE ALASKA LEGISLATURE SINCE STATEHOOD

<u>Legislature</u>	<u>Number of Seats Filled by Non-Incumbents</u>				<u>Notes</u>
	<u>House</u>	<u>%</u>	<u>Senate</u>	<u>%</u>	
Second	23	58	5	25	
Third	17	43	8	40	4 house seats were filled by previous representatives. 1 senate seat was filled by a representative from the preceding legislature; 2 by appointment (1 at the end of 1962, 1 at the beginning of 1983)
Fourth	24	60	4	20	2 house seats were filled by previous representatives; 2 by previous senators. 2 senate seats were filled by representatives from the preceding legislature; and 1 by a previous senator.
Fifth	25	63	14	70	2 house seats were filled by previous representatives; 1 by a previous senator. 4 senate seats were filled by representatives from the preceding legislature; 1 by a previous senator; and 2 by previous representatives.
Sixth	17	43	4	20	3 house seats were filled by previous representatives; 2 by previous senators. 1 senate seat was filled by a representative from the preceding legislature; and 2 by previous representatives.
Seventh	21	53	6	30	4 house seats were filled by previous representatives. 5 senate seats were filled by representatives from the preceding legislature.
Eighth	20	50	5	25	4 house seats were filled by previous representatives. 4 senate seats were filled by representatives from the preceding legislature, including 1 appointment; and 1 by a previous representative.
Ninth	22	55	9	45	2 house seats were filled by previous representatives (1 by appointment) 5 senate seats were filled by representatives from the preceding legislature, including 1 appointment; and 1 by a previous representative.
Tenth	15	38	2	10	1 house seat was filled by a previous representative 1 senate seat was filled by a representative from the preceding legislature.
Eleventh	17	43	7	35	2 house seats were filled by previous representatives. 3 senate seats were filled by representatives from the preceding legislature.

## TURNOVER IN THE ALASKA LEGISLATURE SINCE STATEHOOD

<u>Legislature</u>	<u>Number of Seats Filled by Non-Incumbents</u>				<u>Notes</u>
	<u>House</u>	<u>%</u>	<u>Senate</u>	<u>%</u>	
Twelfth	12	30	4	20	2 senate seats were filled by representatives from the preceding legislature,
Thirteenth	23	58	6	30	1 house seat was filled by a previous representative. 2 senate seats were filled by representatives from the preceding legislature; and 1 by a previous senator.
Fourteenth	19	48	4	20	1 house seat was filled by a previous representative; 1 by a senator from the preceding legislature. 2 senate seats were filled by representatives from the preceding legislature; and 1 by a previous senator.
Fifteenth	13	33	5	25	1 house seat was filled by a previous representative. 4 senate seats were filled by representatives from the preceding legislature.
Sixteenth	7	18	4	20	4 senate seats were filled by representatives from the preceding legislature.

Source: "Alaska Legislature, Roster of Members 1917 - 1988," Legislative Affairs Agency, December 1988.

Prepared by the Legislative Research Agency, April 1990 (90-323); revised February 1991.

# DIVISION OF LEGAL SERVICES

## LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

240 Main Street, Suite 500  
Juneau, Alaska 99801-2101

### MEMORANDUM

February 13, 1992

**SUBJECT:** Term Limit for Legislators (SJR 20)

**TO:** Senator Rick Halford  
Chair, Senate Judiciary Committee

**FROM:** Tamara Brandt Cook  
Director *TBC*

You have supplied me with a copy of a letter from Mr. Jim Baldwin, Assistant Attorney General, regarding SJR 20 introduced by the governor. In the letter Mr. Baldwin concludes that the transition provision would be applied so that past terms served by legislators would be considered in determining whether incumbents could serve after 1994. He also suggests that the treatment accorded to incumbents should be clarified.

I agree with this suggestion. The language in Section 2 of the resolution as drafted is ambiguous with respect to whether terms served prior to 1995 are to be considered for purposes of applying the new term limitation. I strongly suggest that the committee consider the issue and reword the provision so that it is clear one way or the other.

Mr. Baldwin also states that ". . . nothing would prevent a legislator from, for example, serving three full terms as a representative and then two full terms as a senator. . ." I disagree with that statement. Although that may have been the goal of the language, I do not believe that it actually achieves that result. Note, for example, the following statement as it appears in the resolution: ". . . a senator who has served for two full consecutive terms in the legislature is not again eligible to seek office as a member of the legislature. . ." Under that language, as a literal matter, a person who served, consecutively, one term as a representative and one term as a senator would be precluded from seeking office in either the House or Senate the following term. If this is not the desired result, the section needs to be rewritten.

TBC:gc  
92-127.glc

# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

STEVE COWPER, GOVERNOR

REPLY TO:

- 1031 W 4th AVENUE SUITE 200  
ANCHORAGE, ALASKA 99501-1994  
PHONE: (907) 276-3550  
FAX: (907) 276-3697
- KEY BANK BUILDING  
100 CUSHMAN ST. SUITE 400  
FAIRBANKS, ALASKA 99701-4679  
PHONE: (907) 452-1568  
FAX: (907) 456-1317
- P.O. BOX K— STATE CAPITOL  
JUNEAU, ALASKA 99811-0300  
PHONE: (907) 465-3600  
FAX: (907) 463-5295

February 12, 1992

The Honorable Senator Rick Halford  
Chairman  
Senate Judiciary Committee  
Alaska State Senate  
Room 103, Capitol Building  
P. O. Box V  
Juneau, AK 99811

Re: SJR 20 relating to terms of  
legislators

Dear Senator Halford:

You requested this office to construe the provisions of SJR 20 for the purpose of advising the judiciary committee as to how transition would occur if the resolution is adopted. We presume you are concerned whether the resolution would have some retrospective effect. We believe that, if adopted, the term limit would apply to incumbent legislators with enough past service to disqualify them from running for office at the first general or primary election for which term limits would apply; i.e., the 1994 primary and general elections.

It is possible that an incumbent legislator could claim that the amendment so applied would have an invalid retroactive effect in violation of Art. I, Sec. 15 of the Alaska Constitution and AS 01.10.100(b). However, legal arguments can be made in support of the contention that the resolution does not retroactively extinguish a prior vested right. To prevail, an incumbent legislator would need to show that he or she had a vested right to run for reelection.

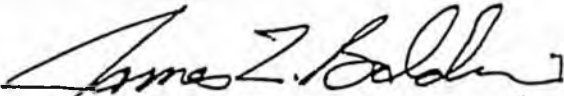
The committee could strengthen the resolution by clarify the treatment accorded to incumbents during the transition period. An amendment could be drafted to section 2 of the resolution to remove any doubt concerning the treatment of incumbents during the first election. The committee may wish to amend the resolution to provide for a transition that either makes the limit apply to terms of incumbents served before adoption of the amendment or only to terms accrued after the amendment is adopted. Either of the foregoing approaches would be legally valid.

I should point out that, under the resolution as presently drafted, nothing would prevent a legislator from, for example, serving three full terms as a representative and then two full terms as a senator (resulting in a possible total of 14 consecutive years of service). In addition, serving a partial term as an appointee filling a vacancy for an unexpired term could result in service for more than eight years if the legislator was subsequently elected and reelected to the maximum number of consecutive terms. It was not the governor's intent to attempt to limit legislative service under the foregoing situations. If you desire to change that meaning, you should amend the resolution to accomplish your intent.

I hope that you will find these comments helpful during your consideration of this resolution.

Sincerely yours,

CHARLES E. COLE  
ATTORNEY GENERAL

By:   
James L. Baldwin  
Assistant Attorney General

JLB:ck

# Alaska State Legislature

Legislative Research Agency



130 Seward Street, Suite 218  
Juneau, Alaska 99801-2196

Phone: (907) 465-3991  
Fax: (907) 463-3351

February 18, 1992

## MEMORANDUM

TO: Representative Loren Leman

FROM: Deborah L. Davidson *DL*  
Legislative Analyst

RE: Turnover in the Alaska Legislature, 1986 - 1990  
Research Request 92.168

You asked for the number and percentage of legislators elected in the 1986, 1988 and 1990 general elections who had not served in the preceding legislature. You also asked for the number of consecutive years served by the legislators who did not return to office in those years. The attached three tables list the names of "freshmen" legislators elected in each of the general elections, the persons they replaced, the reason the incumbent was not re-elected, and the number of consecutive years the incumbent had served immediately before leaving office. Below is a brief summary of this information.

### 1986 General Election

In 1986, thirteen new members were elected to the House of Representatives (32.5%). Of the members not returning, three did not run for office, four ran for the Senate, five were defeated in the general election, and one was disqualified from the primary election. Six of the non-returning representatives had served 2 years in the House, three had served 4 consecutive years, and one each had served 6, 8, 12 and 16 years.

On the Senate side, five new members were elected (50% of the Senate seats up for election), four of whom had served in the House during the preceding legislature. Of the five senators not returning, three did not run and two were defeated in the general election. Two of the non-returning senators had served 22 consecutive years in the legislature, one had served 14 years, and the other two had served 6 and 2 years, respectively.

### 1988 General Election

In 1988, seven new members were elected to the House of Representatives (17.5%). Of the members not returning, two did not run for re-election, four ran for the Senate, and one was defeated in the primary election. Four of the

Representative Lemam  
February 18, 1992  
Page 2

non-returning representatives had served 4 consecutive years, and one each served 2, 6 and 8 years, respectively.

On the Senate side, four new members were elected (36.4% of the Senate seats up for election).<sup>1</sup> All four new senators had served in the House during the preceding legislature. Of the four senators not returning, two did not run, one had resigned and one had died. The consecutive years served by the non-returning senators were 6 years, 8 years, 11 years, and 16 years.

### 1990 General Election

In 1990, fourteen new members were elected to the House of Representatives (35%) and one was appointed. Of the members not returning, seven did not run, five ran for the Senate, one was appointed to the Senate, one was defeated in the general election, and one resigned mid-term and the appointee was elected. Five of the non-returning legislators served 8 consecutive years, six served 6 years, three served 4 years, and one served 9 years.

On the Senate side, four new members were elected (40%) and one was appointed to take the place of Lt. Governor Coghill. All of the new senators had served in the House during the preceding legislature. Of the four senators not returning, three did not run for re-election and one was defeated in the primary. One non-returning senator served 14 consecutive years, two served 8 consecutive years and two served 6 years.

I hope this information is useful to you. If you have any questions or would like additional information, please call.

Attachments

---

<sup>1</sup>Eleven seats were up for re-election in 1988 because Frank Ferguson resigned and his seat for the remaining two years was up for election.

## "FRESHMEN" LEGISLATORS ELECTED IN 1986

### House of Representatives

District	Freshmen	Replaced	Reason for not Returning	Number of Consecutive Years in Office
14-A	Barnes, Ramona L.	Marco Pignalberi	disqualified from the primary election	2
20-B	Boyer, Mark	John Ringstad	defeated in the general election	4
12-A	Brown, Kay	Rick Uehling	ran for and elected to the Senate	4
27	Davidson, Cliff	Dave Thompson	defeated in the general election	2
11-A	Donley, Dave	Roger Jenkins	defeated in the general election	2
12-B	Ellis, Johnny	Don Clocksin	did not run	6
25	Hoffman, Lyman F.	Johne Binkley	ran for and elected to the Senate	2
4-A	Hudson, Bill	M. Mike Miller	did not run	16
16-A	Menard, Curt	Katie Hurley	defeated in the general election	2
23	Springer, Henry	Jack Fuller	did not run	8
5-B	Swackhammer, C. E.	Andre Marrou	defeated in the general election	2
4-B	Ulmer, Fran	Jim Duncan	ran for and elected to the Senate	12
7	Zawacki, James E.	Mike Szymanski	ran for and elected to the Senate	4

### Senate

District	Freshmen	Replaced	Reason for not Returning	Number of Consecutive Years in Office
M	Binkley, Johne	John Sackett	did not run	14
C	Duncan, Jim	Bill Ray	did not run	6 H; 16 S
A	Jones, Lloyd	Robert Ziegler	defeated in the general election	22
E-B	Szymanski, Mike	Edna DeVries	did not run	2
H-B	Uehling, Rick	Vic Fischer	defeated in the general election	6

## "FRESHMEN" LEGISLATORS ELECTED IN 1988

### House of Representatives

<u>District</u>	<u>Freshmen</u>	<u>Replaced</u>	<u>Reason for not Returning</u>	<u>Number of Consecutive Years in Office</u>
1-B	Davis, Cheri	John Sund	did not run	4 + .5 as appointee
13-A	Finkelstein, David	Pat Pourchot	ran for and elected to the Senate	4
23	Foster, Richard	Henry Springer	did not run	2
26	Jacko, George G. Jr.	Adelheid Herrmann	defeated in the primary election	6
9-A	Leman, Loren	Drue Pearce	ran for and elected to the Seante	4
22	MacLean, Eileen Panigeo	Al Adams	ran for and elected to the Senate	8
20-A	Sharp, Bert M.	Steve Frank	ran for and elected to the Senate	4

### Senate

<u>District</u>	<u>Freshmen</u>	<u>Replaced</u>	<u>Reason for not Returning</u>	<u>Number of Consecutive Years in Office</u>
L	Adams, Albert P.	Frank Ferguson	resigned 12/86; appointee did not run	4 H, 12 S
K-A	Frank, Steve	Don Bennett	died 8/87; appointee did not run	2 H, 9 S
G-A	Pearce, Drue	Mitch Abood	did not run	4 H, 4 S
H-A	Pourchot, Pat	Joe Josephson	did not run	6

Prepared by the Legislative Research Agency, February 1992 (92.168)

## "FRESHMEN" LEGISLATORS ELECTED IN 1990

### House of Representatives

District	Freshmen	Replaced	Reason for not Returning	Number of Consecutive Years in Office
10-A	Baker, Larry	H.A. Boucher	did not run	6
8-A	Bruckman, Betty	Fritz Pettyjohn	did not run	2 S, 6 H
16-A	Carney, Patrick J.	Curt Menard	ran for and elected to the Senate	4
8-B	Choquette, Dave	Steve Rieger	did not run	6
14-B	Davis, Bettye	Walt Furnace	ran for but defeated for the Senate	8
17	Gonzales, John (Appointed)	Dick Shultz	appointed to Senator Coghills seat	8
9-B	Hanley, Mark	Alyce Hanley	did not run	6
25	Ivan, Ivan	Lyman Hoffman	ran for and elected to the Senate	4
6	Kubina, Eugene G.	Bette Cato	resigned 12/89, appointee ran & won	9
24	Lincoln, Georgianna	Kay Wallis	defeated in the general election	6
2	Mackie, Jerry	Peter Goll	did not run	8
15-A	Miller, Mary	Sam Cotten	ran for and elected to the Senate	6
19	Moyer, Tom	Mike Davis	did not run	8
10-B	Parnell, Pat	Virginia Collins	ran for and elected to the Senate	6
5-B	Phillips, Gail	C.E. Swackhammer	did not run	4

### Senate

District	Freshmen	Replaced	Reason for not Returning	Number of Consecutive Years in Office
F-B	Collins, Virginia M.	Jan Faiks	defeated in the primary election	8
I-B	Cotten, Samuel R.	Tim Kelly	did not run	2 H, 12 S
M	Hoffman, Lyman F.	Johne Binkley	did not run	2 H, 4 S
E-B	Menard, Curt	Mike Szymanski	did not run	4 H, 4 S
J	Shultz, Richard (Appointed)	Jack Coghill	resigned to take Lt. Governor's seat	6

# Alaska State Legislature

Legislative Research Agency



P.O. Box Y  
Juneau, AK 99811-3100  
Phone: (907) 163-3991  
Fax: (907) 163-3351

February 25, 1991

## MEMORANDUM

TO:

FROM: Gordon S. Harrison, Director  
Deborah L. Davidson, Legislative Analyst

RE: Years of Service of Alaska Legislators  
Research Request 91.115

You asked this agency for information about the number of years served by members of the Alaska State Legislature. You asked for an analysis of the length of service of all members since statehood and of members elected in each of the three decades since statehood.

We presume your interest in this matter is related to the issue of limiting terms for legislators, and that the purpose of this research is to assess the potential impact of a measure to limit the number of years a legislator may serve. We concern ourselves with the purpose of the research because it has a bearing on how best to analyze and present the information.

A constitutional amendment to limit terms could take a variety of forms. It could limit *total* years (or terms) in either house or both houses, or it could limit *consecutive* years (or terms) in either house or both houses. Tables One and Two present three data sets on the length of service of legislators. The first data series counts total years of service (a legislator who served between 1959 and 1963 and again between 1971 and 1972 would be counted as one person serving six years). The second counts consecutive years of service only (the same legislator would be counted as one person serving four years and another serving two years). The third data series (titled "Appointments Not Considered") presents data on the service of only *elected* legislators for the full terms to which they were elected.<sup>1</sup> That is, for this data series we do not include legislators who were appointed to fill the unexpired term of an elected legislator, and we assume that the legislator leaving office before the end of his or her term (because of death or resignation) actually finished it.

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<sup>1</sup>A number of legislators obtained their seats by being appointed to serve the remainder of a term of an elected legislator who resigned or died while in office. These appointed legislators, and the foreshortened terms of the legislators who left office early, add statistical "clutter" to the data series. Because we are interested in the historical pattern of service by elected legislators, we thought it would be useful to present a data series without this "clutter."

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These three data sets are shown for membership only in the House of Representatives (Table One) and the Senate (Table Two). Information about years of service of legislators serving in both houses is shown in Table Three.

Tables Four and Five present information about length of service of legislators elected to the House of Representatives and the Senate in each of the three decades since statehood. In this case, the data counts only consecutive years of service (nonconsecutive service is considered to be rendered by different individuals).

Table One shows that, since statehood, between 66.3 and 72.1 percent of the members of the House of Representatives served four consecutive years or less; between 22.8 and 26.0 percent served between four and eight consecutive years; and between 5.3 and 6.9 percent served longer than eight consecutive years, depending on the analytical method used.

Table Two shows that, since statehood, between 56.1 and 59.0 percent of the members of the Senate served four consecutive years or less; between 24.6 and 27.2 percent served between four and eight consecutive years; and between 16.4 and 18.9 percent served longer than eight consecutive years.

Table Three shows that 57 individuals served in both the House and Senate. Approximately half of those--28 individuals--have combined service in both houses of ten years or more.

The average number of consecutive years served by a House member is 4. The average number of total (consecutive and nonconsecutive) years is 4.4. The average number of consecutive years served by a Senate member is 5.5. The average number of total years served by a Senate member is 6.

A total of 312 people have served in the House of Representatives since statehood (including those elected in the 1990 general election). If members were restricted to one term (100 percent turnover) in the House, 680 individuals would have served (assuming all served their full two-year term). Of the 312 individuals who have served in the House, 26 served two nonconsecutive terms, and two served three nonconsecutive terms.

A total of 117 individuals have served in the Senate since statehood. If members were restricted to one term, a total of 180 individuals would have served (ignoring the fact that reapportionment has created two-year Senate terms from time to time). Five of the 117 senators served two nonconsecutive terms.

I hope this information is useful to you. If you have any questions or would like additional analysis, please contact the agency.

Attachments

**TABLE ONE**  
**THREE SCENARIOS PRESENTING**  
**YEARS SERVED BY INDIVIDUALS IN THE ALASKA HOUSE OF REPRESENTATIVES**  
**1959 - 1991**

Number of Years Served		Nonconsecutive Terms Counted Together		Nonconsecutive Terms Counted Separately*		Appointments Not Considered**	
		Number of Individuals	Percent	Number of Individuals	Percent	Number of Individuals	Percent
1-2	a	134	42.9%	163	47.8%	161	48.2%
3-4	b	73	23.4%	83	24.3%	78	23.4%
5-6	c	54	17.3%	52	15.2%	53	15.9%
7-8	d	27	8.7%	25	7.3%	23	6.9%
9-10	e	12	3.8%	10	2.9%	11	3.3%
11-12	f	7	2.2%	4	1.2%	3	0.9%
13-14		2	0.6%	1	0.3%	2	0.6%
15-16		2	0.6%	2	0.6%	2	0.6%
17-18		1	0.3%	1	0.3%	1	0.3%
Total		312	100%	341	100%	334	100%

\* Twenty-five representatives served two nonconsecutive terms; two served three nonconsecutive terms

\*\* Terms were calculated disregarding resignations, deaths and appointments. Nonconsecutive terms were counted separately.

- a: Nonconsecutive terms counted together      9 served 1 year (7 were appointed; 2 died)  
 Nonconsecutive terms counted separately      10 served 1 year (7 were appointed; 1 resigned; 2 died)
- b: Nonconsecutive terms counted together      5 served 3 years (3 were appointed; 2 resigned)  
 Nonconsecutive terms counted separately      6 served 3 years (4 were appointed; 2 resigned)
- c: Nonconsecutive terms counted together      3 served 5 years (1 was appointed; 1 resigned; 1 died)  
 Nonconsecutive terms counted separately      2 served 5 years (2 died)
- d: Nonconsecutive terms counted together      1 served 7 years (resigned)  
 Nonconsecutive terms counted separately      2 served 7 years (1 was appointed; 1 resigned)
- e: Nonconsecutive terms counted together      3 served 9 years (all resigned)  
 Nonconsecutive terms counted separately      2 served 9 years (both resigned)
- f: Nonconsecutive terms counted together      1 served 11 years (died)

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**TABLE TWO  
THREE SCENARIOS PRESENTING  
YEARS SERVED BY INDIVIDUALS IN THE ALASKA SENATE  
1959 - 1991**

Number of Years Served		Nonconsecutive Terms Counted Together		Nonconsecutive Terms Counted Separately*		Appointments Not Considered**	
		Number of Individuals	Percent	Number of Individuals	Percent	Number of Individuals	Percent
1-2	a	31	26.5%	34	27.9%	26	22.8%
3-4	b	35	29.9%	38	31.1%	38	33.3%
5-6		13	11.1%	15	12.3%	14	12.3%
7-8		16	13.7%	15	12.3%	17	14.9%
9-10	c	9	7.7%	8	6.6%	7	6.1%
11-12		4	3.4%	3	2.5%	2	1.8%
13-14	d	4	3.4%	4	3.3%	5	4.4%
15-16		2	1.7%	2	1.6%	2	1.8%
17-18		1	0.9%	1	0.8%	1	0.9%
19-20		1	0.9%	1	0.8%	1	0.9%
21-22		1	0.9%	1	0.8%	1	0.9%
Total		117	100%	122	100%	114	100%

\* Five senators served two nonconsecutive terms.

\*\* Terms were calculated disregarding resignations, deaths and appointments. Nonconsecutive terms were counted separately.

- a: Nonconsecutive terms counted together      7 served 1 year (5 were appointed; 2 resigned)  
 Nonconsecutive terms counted separately      7 served 1 year (5 were appointed; 2 resigned)
- b: Nonconsecutive terms counted together      2 served 3 years (both resigned)  
 Nonconsecutive terms counted separately      2 served 3 years (both resigned)
- c: Nonconsecutive terms counted together      4 served 9 years (2 were appointed; 1 expelled; 1 died)  
 Nonconsecutive terms counted separately      4 served 9 years (2 were appointed; 1 resigned; 1 exp)
- d: Nonconsecutive terms counted together      1 served 13 years (resigned)  
 Nonconsecutive terms counted separately      1 served 13 years (resigned)

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**TABLE THREE  
TOTAL YEARS SERVED BY INDIVIDUALS ELECTED TO BOTH HOUSES  
OF THE ALASKA LEGISLATURE**

<u>Number of Years Served</u>	<u>Number of Individuals</u>	<u>Percent of Total</u>	<u>Note</u>
4	4	7.0%	Does not include 1 representative later appointed to serve final year of vacated Senate seat.
6	9	15.8%	Includes 1 who served 5.5 years before resigning
8	16	28.1%	Includes 1 who served 6.5 years before resigning Does not include 1 representative later appointed to serve final year of vacated Senate seat
10	9	15.8%	Does not include 1 representative later appointed to serve final year of vacated Senate seat
12	5	8.8%	Includes 1 who served 9 years before dying.
14	5	8.8%	Includes 1 who served 15 years (served 1 year and resigned; later served 14 years)
16	3	5.3%	Includes 1 who served 15 years before resigning
18	3	5.3%	
22	2	3.5%	
30	<u>1</u>	<u>1.8%</u>	
TOTAL	57	100.0%	

Notes of Interest:

Three individuals in addition to the above 57 were appointed to serve 1-year terms in the opposite house of which they had been elected.

Three individuals first served in the Senate and later served in the House; 1 was elected to the House immediately following his term in the Senate.

Eleven individuals first served in the House and later served in the Senate; 42 were elected to the Senate immediately following their terms in the House.

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**TABLE FOUR**  
**YEARS SERVED BY INDIVIDUALS IN THE ALASKA HOUSE OF REPRESENTATIVES**  
**1959-1991**

(Individual terms are counted separately for those serving nonconsecutive terms)

Number of Years	Representatives Elected Since Statehood		Representatives Elected 1959 - 1969		Representatives Elected 1971 - 1979		Representatives Elected 1981 - 1991	
	#	%	#	%	#	%	#	%
1-2 a	163	47.8%	80	53.3%	44	43.6%	39	43.3%
3-4 b	83	24.3%	37	24.7%	26	25.7%	20	22.2%
5-6 c	52	15.2%	13	12.7%	15	14.9%	18	20.0%
7-8 d	25	7.3%	8	5.3%	9	8.9%	8	8.9%
9-10 e	10	2.9%	4	2.7%	2	2.0%	4	4.4%
11-12	4	1.2%	1	0.7%	2	2.0%	1	1.1%
13-14	1	0.3%			1	1.0%		
15-16	2	0.6%			2	2.0%		
17-18	1	0.3%	1	0.7%				
<b>Total</b>	<b>341</b>	<b>100%</b>	<b>150</b>	<b>100%</b>	<b>101</b>	<b>100%</b>	<b>90</b>	<b>100%</b>

\* Twenty-five representatives served two nonconsecutive terms; two served three nonconsecutive terms.

- a: Representatives elected since statehood: 10 served 1 year (7 were appointed; 1 resigned; 2 died)  
 Representatives elected 1959-1969: 6 served 1 year (3 were appointed; 1 resigned; 2 died)  
 Representatives elected 1971-1979: 4 served 1 year (all were appointed)
- b: Representatives elected since statehood: 6 served 3 years (4 were appointed; 2 resigned)  
 Representatives elected 1959-1969: 4 served 3 years (2 were appointed; 2 resigned)  
 Representatives elected 1971-1979: 1 served 3 years (appointed)  
 Representatives elected 1981-1991: 1 served 3 years (appointed 1/90)
- c: Representatives elected since statehood: 2 served 5 years (2 died)  
 Representatives elected 1959-1969: 1 served 5 years (died)  
 Representatives elected 1971-1979: 1 served 5 years (died)
- d: Representatives elected since statehood: 2 served 7 years (1 was appointed; 1 resigned)  
 Representatives elected 1971-1979: 2 served 7 years (1 was appointed; 1 resigned)
- e: Representatives elected since statehood: 2 served 9 years (2 resigned)  
 Representatives elected 1959-1969: 1 served 9 years (resigned)  
 Representatives elected 1981-1991: 1 served 9 years (resigned)

**TABLE FIVE  
YEARS SERVED BY INDIVIDUALS IN THE ALASKA SENATE  
1959-1991**

(Individual terms are counted separately for those serving nonconsecutive terms)

Number of Years	Senators Elected Since Statehood		Senators Elected 1959 - 1969		Senators Elected 1971 - 1979		Senators Elected 1981 - 1991	
	#	%	#	%	#	%	#	%
1-2 a	34	27.9%	18	30.0%	4	12.5%	12	40.0%
3-4 b	38	31.1%	19	31.7%	11	34.4%	8	26.7%
5-6 c	15	12.3%	8	13.3%	2	6.3%	5	16.7%
7-8 d	15	12.3%	10	16.7%	3	9.4%	2	6.7%
9-10 e	8	6.6%	2	3.3%	4	12.5%	2	6.7%
11-12	3	2.5%			2	6.3%	1	3.3%
13-14	4	3.3%	1	1.7%	3	9.4%		
15-16	2	1.6%	1	1.7%	1	3.1%		
17-18	1	0.8%			1	3.1%		
19-20	1	0.8%			1	3.1%		
21-22	1	0.8%	1	1.7%				
<b>Total</b>	<b>122</b>	<b>100%</b>	<b>60</b>	<b>100%</b>	<b>32</b>	<b>100%</b>	<b>30</b>	<b>100%</b>

\* Five senators served two nonconsecutive terms.

- a: Senators elected since statehood: 7 served 1 year (5 were appointed; 2 resigned)  
 Senators elected 1959-1969: 4 served 1 year (2 were appointed; 2 resigned)  
 Senators elected 1971-1979: 1 served 1 year (appointed)  
 Senators elected 1981-1991: 2 served 1 year (both were appointed)
- b: Senators elected since statehood: 2 served 3 years (both resigned)  
 Senators elected 1959-1969: 1 served 3 years (resigned)  
 Senators elected 1971-1979: 1 served 3 years (resigned)
- c: Senators elected since statehood: 4 served 9 years (2 were appointed; 1 resigned; 1 expelled)  
 Senators elected 1971-1979: 4 served 9 years (2 were appointed; 1 resigned; 1 expelled)
- d: Senators elected since statehood: 1 served 13 years (resigned)  
 Senators elected 1959-1969: 1 served 13 years (resigned)

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February 13, 1992

STATEMENT OF ROBERT C. GARDNER  
IN FAVOR OF SJR-20 LIMITING TERMS OF STATE LEGISLATORS

Good afternoon. My name is Robert Gardner. I am an 18-year resident of Alaska and am here today to declare my support for SJR-20, a resolution which would limit terms of Alaska State Legislators.

The Alaska State Constitution mandates a citizen legislature. While there may be some disagreement over the precise meaning of this term, I submit that it was never intended to condone employment as a full-time career legislator which is all too common in both the House and Senate today. Several changes need to be made to return the legislature to the citizens, including term limits and shorter sessions. The present situation encourages career politicians, enhances the influence of power brokers, and further estranges the legislative process from the ordinary citizen.

Numerous public opinion polls have shown that Alaskans overwhelmingly support term limits. If our state Constitution allowed amendment by initiative, term limits would have been a reality a long time ago. Personally, I am glad we cannot amend by initiative as it has prevented untold numbers of poorly crafted special interest issues from cluttering up every

ballot, such as is the case in California these days. The downside is that there is no recourse open to the public to address a lack of responsible legislative action on matters that have broad citizen support. Such is the case with term limit legislation. Powerful incumbents have consistently buried this legislation fearing an erosion of their power and perhaps an end to the only employment some of them have ever had.

At a bare minimum, the issue of term limits merits public debate and input. I urge you to favorably report SJR-20 so this matter can get the exposure it deserves. Continuing to bury the issue in committee by those in the legislature who are afraid to see it come to a floor vote (this issue has been introduced 19 times in the last 23 years) only serves to further erode public confidence in the legislative process.

Unfortunately, there are those in both houses of the legislature who do not care a whit about public confidence in the legislative process, but rather are primarily concerned about the perpetuation of their esteemed political careers. It will not be long before these everlasting squatters in public office will be on the trail of campaign contributions and re-election. I can assure all of you that your position on the issue of term limits will receive extensive public exposure during your bid for re-election.

Thank you.