

**SJR**

**3**

# DIVISION OF LEGAL SERVICES

## LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

### MEMORANDUM

January 15, 1993

**SUBJECT:** Terms of Legislators (SJR 3)  
**TO:** Senator Loren Leman  
**FROM:** Tamara Brandt Cook  
Director TBC

Here is a sectional summary of SJR 3 as you requested.

Sec. 1. This amends the state constitution to provide that a person may not serve more than eight consecutive full calendar years as a member of the legislature and, after leaving office, may serve again only after 23 months.

Sec. 2. Despite the eight year restriction, if a person has served less than seven consecutive full calendar years on the day the person assumes office, the person may complete the term.

Sec. 3. Years served before the convening of the Nineteenth Session do not count towards the term limit.

Sec. 4. This directs a vote on the resolution in 1994.

Bearing in mind that the first and last year in office will consist of partial calendar years, usually a Representative would be able to serve four consecutive terms and a Senator would be able to serve 2 terms. With respect to a Senator who completes the last two years of this term during the Nineteenth Legislature, the language which allows legislators to complete a new term in office so long as they have not served more than seven consecutive full calendar years will allow the Senator to serve two full terms in the Senate after completing the current term. This provision may also come into play when a legislator is appointed to complete a partial term due to a vacancy in office and could have the effect of permitting the person to serve an additional full term depending upon when the appointment occurs. Lastly, the requirement that twenty-three months elapse before a member who has reached the limit may again serve will have the effect of forcing the member to sit out one two-year session.

TBC:mi  
93-005.mai

SECTIONAL ANALYSIS

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO: SJR 3

Revision Date: \_\_\_\_\_  
Title: Proposing amendments to the  
Constitution....relating to terms of legislators.  
Sponsor: Senator Leman  
Requestor: Senate State Affairs

Department Affected: Legislative Affairs Agency  
BRU: Legislative Council  
Component: Salaries and Allowances

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	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						
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	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: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Pamela A. Stoops, Director  
Division: Administrative Services

*Pamela A. Stoops*

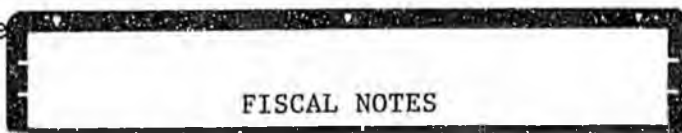
Phone: 465-3850  
Date: 1/15/93

Approved By: Warren W. Endicott, Executive Director  
Agency: Legislative Affairs Agency

*Warren W. Endicott*

Date: 1/15/93

Distribution (by preparer): Le



, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. SJR 3

Revision Date: \_\_\_\_\_

Department Affected: Office of the Governor

Title: Amendment to the Constitution RE: terms of legislators

BRU: Division of Elections

Sponsor: Senators Leman, Kelly, Frank, Donley

Component: General and Primary Elections

Requestor: \_\_\_\_\_

COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	2.2*	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	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 (FY93) 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 the measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing and additional ballot card, the fiscal impact would be 53.4.

Prepared by: Charlot E. Thickstun, Director *Charlot E. Thickstun* Phone: 465-4611

Division: Division of Elections Date: 1/15/93

Approved by Commissioner: Lt. Governor John B. Coghill *John B. Coghill*

Agency: Office of the Lt. Governor Date: 1/15/93

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FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. SJR 3

Revision Date: January 14, 1993  
Title: "...amendment to the Constitution... relating to terms of legislators."  
Sponsor: Senator Leman  
Requestor: Senate State Affairs

Department Affected: Department of Law  
BRU: Legal Services  
Component: Operations  
COMPONENT SERIAL NO. 0093

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

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

Estimate of current year (FY93) impact \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)  
Please see the attached analysis.

*Richard I. Peques*

Prepared by: Richard I. Peques, Director  
Division: Administrative Services Division

Phone: 465-3672  
Date: January 14, 1993

Approved by Commissioner: Charles E. Cole, Attorney General  
Agency: Department of Law

Date: January 14, 1993

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FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. SJR 3

ANALYSIS (Continued):

Senate Joint Resolution No. 3 proposes an amendment to the state's constitution that would provide that a person may not serve more than eight consecutive calendar years as a member of the legislature. After that period, the person may not again serve as a member of the legislature until twenty-three months after the member leaves office. This is a matter involving a separate, co-equal branch of government, and it will not have a fiscal impact on the Department of Law.



# SENATOR LOREN LEMAN

Northwest Anchorage

3111 "C" Street Anchorage, AK 99503 561-7614 During Session: State Capitol Juneau, AK 99801 465-2095

## SPONSOR STATEMENT

BY: Senator Loren Leman  
SUBJECT: SJR 3: Limiting Legislative Terms to Eight Years  
DATE: January 20, 1993

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SJR 3 proposes a constitutional amendment to limit the length of legislative service to eight consecutive years. It allows a return to office after a minimum two-year break in service.

Limiting terms of office is a popular movement across the United States. In 1990, Oklahoma, California, and Colorado constitutional amendments reached the ballot through the initiative process. All three of these initiatives passed. In 1992, 14 additional states limited the terms of legislators.

Professional political life is inconsistent with good representative government. The basic premise behind a democratic republic is that of citizen legislators serving for a limited period of time to represent their fellow citizens, then returning to live among them. The longer they are apart from that community, the more remote they become.

In my own January 1992 legislative questionnaire, more than 70 percent of the respondents indicated their support for this proposal. On November 6, 1990, 75 percent of Anchorage voters supported amendments to the Municipal Charter limiting terms on the Anchorage Assembly and School Board. Our consideration of this issue is very timely.

SPONSOR STATEMENT

The advantages to adopting a limit on legislative terms are several. They include:

- \* Opening the opportunity for service to more people - with an emphasis on a "citizen" rather than "career" legislature.
- \* Diminishing the advantages of incumbency and seniority. Merit will play a larger role in legislative power.
- \* Helping to equalize influence of districts and their citizens
- \* Making the legislature more responsible and accountable for its actions.
- \* Enhancing legislative turnover with improved influx of new people and new ideas.
- \* Reducing cynicism that many people feel toward government by making the Legislature more representative of a broad cross-section of Alaska.

There are, of course, detractors. The primary reasons they offer are that institutional memory will be lost, voters should not be limited in their decision of who represents them, and the influence of the bureaucracy will increase. I believe that if these are indeed disadvantages, the benefits of limiting terms far outweigh them.

My proposal for an eight-year limit with a two-year break and the potential for a continuation of service is a compromise between the more aggressive proposals to limit service to six years with possibility for return and those that limit service to 12 years or place no limits at all. Further, the limits imposed by SJR 3 will not apply to service before 1995.

The advantages of incumbency are considerable. While others approach "leveling the playing field" by restricting contributions and one's ability to earn a living outside the legislature, I believe that this proposal, especially when coupled with two of my other proposals contained in SJR 4, and SJR 5 will do far more to improve the conduct of the Legislature, its responsiveness, and our image in the Alaskan community.

Passing this resolution will be a big step in the right direction toward improving our conduct and restoring confidence in our Legislature.

Thank you.

	State-By-State Term Limits			
State	U.S. Senators	U.S. Congress	State Senators	State Reps
Arizona	12 years	6 years	8 years	8 years
Arkansas	12 years	6 years	8 years	6 years
California	12 years	6 years	8 years	6 years
Colorado	12 years	12 years	8 years	8 years
Florida	8 years	8 years	8 years	8 years
Michigan	12 years	6 years	8 years	6 years
Missouri	12 years	8 years	8 years	8 years
Montana	12 years	6 years	8 years	6 years
Nebraska	12 years	8 years	8 years	4 years
North Dakota	12 years	12 years	none	none
Ohio	12 years	8 years	8 years	8 years
Oklahoma	none	none	12 years total in both houses	
Oregon	12 years	6 years	8 years	6 years
South Dakota	12 years	12 years	8 years	8 years
Washington	12 years	6 years	8 years	6 years
Wyoming	12 years	6 years	12 years	6 years

Prepared by Senate State Affairs Committee Staff--January 1993