

HJR

5

Amendment by Fintelstein  
to CSJR 5 (SUD)

P. 1 Line 9

Delete "twelve"  
Insert "eight"

P. 1 Line 10

After ~~delete~~ "~~register~~" "in the" (first reference)  
Insert "either <sup>either</sup> body of"

9-LS0226M ✓  
Cook  
2/13/95

**CS FOR HOUSE JOINT RESOLUTION NO. 5(JUD)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE JUDICIARY COMMITTEE**

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES THERRIAULT, Rokeberg, Porter, Green, Bunde

**A RESOLUTION**

1 Proposing amendments 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  
6 general elections. Their terms begin on the fourth Monday of the January following  
7 election unless otherwise provided by law. The term of representatives shall be two years,  
8 and the term of senators, four years. One-half of the senators shall be elected every two  
9 years. A person may not serve consecutively during more than twelve regular sessions  
10 in the legislature. Thereafter, the person may not again serve in the legislature as a  
11 result of election or appointment to fill a vacancy until at least two consecutive full  
12 regular sessions have elapsed during which the person has not served.

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

15 (b) For purposes of applying the tenure limit under (a) of this section, periods  
16 served in the legislature during the interim between sessions or during special sessions

1 shall not be considered. Unless a member of one house resigns and is appointed to office  
2 in the other house, periods served in the legislature as a result of appointment to fill a  
3 vacancy shall not be considered for purposes of determining whether the tenure limit has  
4 been reached.

5 (c) Notwithstanding (a) of this section, a person may complete a four-year senate  
6 term to which elected if the person has served consecutively during no more than ten  
7 regular sessions in the legislature immediately before the beginning of the senate term.

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

10 SECTION 29. APPLICATION OF 1996 TENURE LIMIT AMENDMENT.

11 Regular sessions served in the legislature before the convening of the First Regular Session  
12 of the Twentieth Alaska State Legislature shall not be considered for purposes of applying  
13 the tenure limit added by the 1996 amendment to Section 3 of Article II.

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

*Carroll*  
*6597*

9-LS0226K ✓  
Cook  
2/9/95

**CS FOR HOUSE JOINT RESOLUTION NO. 5(JUD)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
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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  
6 general elections. Their terms begin on the fourth Monday of the January following  
7 election unless otherwise provided by law. The term of representatives shall be two years,  
8 and the term of senators, four years. One-half of the senators shall be elected every two  
9 years. A person may not serve consecutively more than twelve full regular sessions  
10 in the legislature. Thereafter, the person may not again serve in the legislature as a  
11 result of election or appointment to fill a vacancy until at least two consecutive full  
12 regular sessions have elapsed during which the person has not served.

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

15 (b) For purposes of applying the tenure limit under (a) of this section, periods  
16 served in the legislature during the interim between sessions or during special sessions

*Unless a member of one house resigns and is appointed to the other house*

*In office the other house*

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shall not be considered. Periods served in the legislature as a result of appointment to fill a vacancy shall not be considered for purposes of determining whether the tenure limit has been reached.

(c) Notwithstanding (a) of this section, a person may complete a four-year senate term to which elected if the person has served consecutively <sup>different</sup> no more than ten full regular sessions in the legislature immediately before the beginning of the senate term.

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

SECTION 29. APPLICATION OF 1996 TENURE LIMIT AMENDMENT.

Regular sessions served in the legislature before the convening of the First Regular Session of the Twentieth Alaska State Legislature shall not be considered for purposes of applying the tenure limit added by the 1996 amendment to Section 3 of Article II.

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

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHJR 5(STA)

1 Page 1, line 9:

2 After "consecutively"

3 Insert "during"

4 Delete "full"

5 Page 2, line 2:

6 Delete "Periods"

7 Insert "Unless a member of one house resigns and is appointed to office in the other

8 house, periods"

FISCAL NOTE

STATE OF ALASKA

1995 LEGISLATIVE SESSION

*AMENDED*

Revision Date: \_\_\_\_\_  
Title: Amendment to the Constitution RE: Terms of Legislators  
Sponsor: Representative Theriault  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Division of Elections  
Component: General and Primary Elections  
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	2.2*	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	0	2.2*	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	0	2.2*	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	0	2.2*	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 (FY95) 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 counting of votes cast on the 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 \$3.4.

Prepared by: David Kouvuniemi, Acting Director Phone: 465-4811  
Division: Division of Elections Date: 1-25-95

Approved by Commissioner: Lt. Governor Fran Ulmer  
Agency: Office of the Lt. Governor Date: 1-25-95

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COMMITTEE COPY

# Alaska State Legislature

REPRESENTATIVE  
**GENE THERRIAULT**

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White in June in  
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House District 33

## House Of Representatives

**CS HJR 5 (STA)** Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators

**SPONSOR:** Rep. Gene Therriault

### SPONSOR STATEMENT:

CS HJR 5 (STA) proposes to limit terms by limiting the number of regular legislative sessions a person may serve. The resolution proposes that a person may not serve consecutively more than twelve full regular sessions in the legislature. A person may not again serve in the legislature as a result of election or appointment to fill a vacancy until at least two consecutive regular sessions have elapsed. Also, for the purposes of tabulating the number of sessions served, special sessions shall not be counted nor shall time served as the result of appointment to fill a vacancy.

Alaskan voters have recently demonstrated their overwhelming desire for congressional term limits with 1994's ballot measure 4, passing with over 62% of the votes. Alaskans have also expressed their support for term limits on the municipal level with many communities adopting some form of term limits for local elected officials. HJR 5 will now give voters the chance to change the state constitution and limit terms of state legislators.

Term limits are a positive legislative reform, guaranteeing a flow of new legislators with new ideas. The popularity of term limits demonstrates that career politicians are not desirable. Term limits will also level the playing field for challengers facing long-time incumbents whose power is oftentimes derived primarily from seniority.

Placing a constitutional amendment limiting the terms of state legislators on the ballot is a measure that is long overdue.

**CS HJR 5 (STA) Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators**

**SPONSOR:** Rep. Gene Therriault

**Sectional Analysis:**

**Section 1:** Amends Article II, section 3, Constitution of the State of Alaska limiting a person from serving consecutively more than twelve full regular sessions in the legislature. A person may not again serve in the legislature as a result of election or appointment until at least two consecutive full regular sessions have elapsed.

**Section 2:** Exempts periods served during the interim, between sessions or during special sessions from being considered when calculating the term limit. Also, periods served as a result of appointment to fill a vacancy shall not be considered when determining whether the tenure limit has been reached.

**Section 3:** Exempts regular sessions served in the legislature before the start of the Twentieth Legislature from being considered when calculating whether tenure limit has been reached.

**Section 4:** Places the proposed amendments on the ballot at the next general election.

# Alaska State Legislature

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House District 33

## House Of Representatives

### MEMORANDUM

**TO:** Representative Jeannette James, Chair  
House State Affairs Committee

**FROM:** Representative Gene Therriault 

**DATE:** January 25, 1995

**SUBJECT:** Scheduling of HJR 5

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I respectfully request House Joint Resolution 5, "Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators" be scheduled for a hearing in the House State Affairs Committee.

Attached you will find a "blank" CS (work draft #9-LS0226\F, 1/24/95) that I am submitting for your consideration as a possible State Affairs Committee Substitute. After pre-filing HJR 5, I decided terms should be limited in relation to regular sessions as opposed to calendar years as HJR 5 originally proposed. The work draft proposes that a person may not serve consecutively more than twelve full regular sessions in the legislature. A person may not again serve in the legislature as a result of election or appointment to fill a vacancy until at least two consecutive regular sessions have elapsed. Also, for the purposes of the tenure limit, the draft excludes periods served in the legislature during the interim between sessions, during special sessions, or as a result of appointment to fill a vacancy.

**Attachments include:**

1. proposed work draft
2. sponsor statement
3. sectional analysis
4. Division of Elections' fiscal note

I appreciate your consideration of my request.

attachments (4)

*This 2-2  
No telecon*

# Alaska State Legislature

REPRESENTATIVE  
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House District 33

## House Of Representatives

**Work Draft 9-LS0226\F 1/24/95**

**CS HJR 5 ( ) Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators**

**SPONSOR:** Rep. Gene Therriault

### **SPONSOR STATEMENT:**

The "blank" CS (work draft #9-LS0226\F, 1/24/95) proposes to limit terms in relation to regular sessions as opposed to calendar years of HJR 5 as originally prefiled. The work draft proposes that a person may not serve consecutively more than twelve full regular sessions in the legislature. A person may not again serve in the legislature as a result of election or appointment to fill a vacancy until at least two consecutive regular sessions have elapsed. Also, for the purposes of tabulating the number of sessions served, special sessions shall not be counted nor shall time served as the result of appointment to fill a vacancy.

Alaskan voters have recently demonstrated their overwhelming desire for congressional term limits with 1994's ballot measure 4, passing with over 62% of the votes. Alaskans have also expressed their support for term limits on the municipal level with many communities adopting some form of term limits for local elected officials. HJR 5 will now give voters the chance to change the state constitution and limit terms of state legislators.

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**Work Draft 9-LS0226\F 1/24/95**

**CS HJR 5 ( ) Proposing amendments to the Constitution of the State of Alaska relating to terms of legislators**

**SPONSOR: Rep. Gene Therriault**

**Sectional Analysis:**

- Section 1: Amends Article II, section 3, Constitution of the State of Alaska limiting a person from serving consecutively more than twelve full regular sessions in the legislature. A person may not again serve in the legislature as a result of election or appointment until at least two consecutive full regular sessions have elapsed.**
- Section 2: Exempts periods served during the interim, between sessions or during special sessions from being considered when calculating the term limit. Also, periods served as a result of appointment to fill a vacancy shall not be considered when determining whether the tenure limit has been reached.**
- Section 3: Exempts regular sessions served in the legislature before the start of the Twentieth Legislature from being considered when calculating whether tenure limit has been reached.**
- Section 4: Places the proposed amendments on the ballot at the next general election.**