

SJR

11

MEMBER

TENTH ALASKA LEGISLATURE
ELEVENTH ALASKA LEGISLATURE
TWELFTH ALASKA LEGISLATURE
THIRTEENTH ALASKA LEGISLATURE
FOURTEENTH ALASKA LEGISLATURE
FIFTEENTH ALASKA LEGISLATURE
SIXTEENTH ALASKA LEGISLATURE
EIGHTEENTH ALASKA LEGISLATURE

ALASKA STATE SENATE



SENATOR TIM KELLY

STATE CAPITOL
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MEMORANDUM

DATE: February 23, 1995

TO: Senator Robin Taylor, Chairman
Senate Judiciary Committee

FROM: Senator Tim Kelly *TJK*

RE: Scheduling of SJR 11, Proposing a Constitutional Amendment to
Limit the Terms of Legislators

I respectfully request you schedule SJR 11, Proposing an amendment to the Constitution which would limit the terms of legislators, for a hearing before the Senate Judiciary Committee at the Committee's earliest convenience.

A sponsor statement and additional back-up is attached.

Thank you in advance for your timely consideration.

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SJR 11 - TERM LIMITS FOR STATE LEGISLATORS

Senate Joint Resolution 11 (SJR 11) proposes a constitutional amendment to limit the length of legislative service for State Senators and Representatives. Under SJR 11, a person may serve up to four full two-year terms as a Representative and two full four-year terms as a Senator. After that, a person may not serve in the Legislature again until at least two years has lapsed.

Limiting terms of elected officials has been a popular cause in Alaska and the entire country for many years. In 1990, the voters of Oklahoma, California, and Colorado enacted constitutional amendments which limited state legislative terms. In 1992, the voters of twelve more states joined them, and in 1994 an additional four states enacted term limits.

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.

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

- * Opening the opportunity to serve in the Legislature for more people, with an emphasis on "citizen" rather than "career" legislator.
- * Enhancing legislative turnover with an improved influx of new people and ideas.
- * Reducing cynicism that many people feel toward government by making the Legislature more representative of a broad cross-section of Alaska.
- * Diminishing the advantages of incumbency and seniority. Merit would play a larger role in legislative power.

Here in Alaska, voter support for term limits has ranged between 70% to 80% in favor for the past decade. In fact, Ballot Measure 1, limiting the term of our State's congressional officeholders, passed on November 8th with 72.7% of the voting electorate voting in favor. In addition, voters have passed terms limits on municipal mayors, assemblymen, and school board members whenever presented with the opportunity, and delegates at the State's Constitutional Convention imposed a limit of two full consecutive terms on our Governor.

In spite of this, while more than 25 term limit resolutions for state legislators have been introduced in the State Legislature since 1977, none have passed. The people of Alaska want term limits for their state legislators -- and its time they have the opportunity to vote on it.

If passed, SJR 11 would be placed before the voters in the next general election for ratification.

States With Term Limits

	A	B	C	D	E	F
1	State	U.S. Senators	U.S. Congress	State Senators	State Representatives	Governor
2						
3	Alaska	12 yrs in 18 yr period	6 yrs in 12 yr period	•	•	8
4	Arizona	12	6	8	8	8
5	Arkansas	•	•	8	6	8
6	California	12 yrs in 17yr period	6 yrs in 11 yr period	8	6	8
7	Colorado	12	6	8	8	•
8	Florida	•	8	8	8	8
9	Idaho	12 yrs in 23 yr period	6 yrs in 11 yr period	8 yrs in 15 yr period	8 yrs in 15 yr period	8 yrs in 15 yr period
10	Maine	12 yrs in 17 yr period	6 yrs in 11 yr period	8	8	8
11	Massachusetts	12 yrs in 17 yr period	4 yrs in 9 yr period	4 yrs in 9 yr period	4 in 9	5 yrs in 11 yr period
12	Michigan	12 yrs in 24 yr period	6 yrs in 12 yr period	8	6	8
13	Missouri	12	8	8 yrs & 16 yr max	8 & 16 yr max	•
14	Montana	12 yrs in 24 yr period	6 yrs in 12 yr period	8 yrs in 16 yr period	6 yrs in 12 yr period	8 yrs in 16 yr period
15	Nebraska	12	6	2 terms	2 terms	8
16	Nevada	12	6	12	12	8
17	North Dakota	12	12	•	•	•
18	Ohio	12	8	8	8	8
19	Oklahoma	12	6	12 yrs total	12 yrs total	8
20	Oregon	12	6	8	6	8
21	South Dakota	12	12	8	8	8
22	Washington	•	•	8 yrs in 14 yr span	6 yrs in 12 yr span	8 yrs in 14 yr span
23	Wyoming	12 yrs in 24 yr period	6 yrs in 12 yr period	3 yrs in 24 yr period	3 yrs in 12 yr period	8
24						
25	<p>• In several states, the issue of state imposed congressional term limits is being litigated in federal court. This list reflects term limits imposed by the state which may currently be in litigation or term limits which will take effect only when other states adopt similar term limits.</p>					
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33	Prepared by Senator Kelly's Staff, January 30, 1995					

NFIB Alaska

National Federation of
Independent Business

POSITION PAPER

OF

NATIONAL FEDERATION OF INDEPENDENT BUSINESS
(NFIB/ALASKA)

IN SUPPORT OF

SJR 3 TERM LIMITATION

State Office
59 Sitwood Lane
Anchorage, AK 99501
(907) 789-4278



Guardian of
Small Business

CHAIRMAN, MEMBERS OF THE COMMITTEE, MY NAME IS RESA JERREL, AND I AM THE STATE DIRECTOR FOR THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS - NFIB/ALASKA. I AM HAPPY TO BE HERE TODAY TO SUPPORT SJR 3.

NFIB/ALASKA IS COMPRISED OF 4,321 SMALL AND INDEPENDENT BUSINESS OWNERS. THE LEGISLATIVE AGENDA OF NFIB/ALASKA IS DETERMINED BY OUR BALLOT. THE BALLOT IS OUR ANNUAL POLL OF OUR MEMBERS ON A SERIES OF ISSUES DEEMED CRITICAL TO SMALL BUSINESS. A MAJORITY VOTE, OF THE MEMBERS IN RESPONSE TO THE POLL, SETS OUR POLICY AND POSITION ON LEGISLATIVE ISSUES. WE THEN SHARE THE RESULTS OF OUR POLL WITH THE LEGISLATURE AND ADMINISTRATION.

ON THE 1991 STATE BALLOT OUR MEMBERS VOTED EIGHTY PERCENT IN FAVOR OF TERM LIMITATIONS.

WHEN ASKED HOW MANY TERMS SHOULD A MEMBER OF THE HOUSE OF REPRESENTATIVES SERVE? WE RECEIVED THE FOLLOWING RESULTS:

47.1% TWO TERMS (4 YEARS)
46.6% FOUR TERMS (8 YEARS)
6.3% SIX TERMS (12 YEARS)

WHEN ASKED THE SAME QUESTION ABOUT SENATE TERMS, WE RECEIVED THE FOLLOWING RESULTS:

88% TWO TERMS (8 YEARS)
12% FOUR TERMS (16 YEARS)
0% SIX TERMS (24 YEARS)

THE VAST MAJORITY OF OUR MEMBERS BELIEVE THAT LEGISLATIVE TERMS SHOULD BE LIMITED TO 8 YEARS - AND THAT IS THE TERM LIMIT SET FORTH IN SJR 3.

I AM HAPPY TO SEE THIS RESOLUTION BEING CONSIDERED EARLY IN SESSION, I WOULD URGE YOU TO MOVE THE BILL OUT OF COMMITTEE - AND LET THE CITIZENS OF ALASKA HAVE THE OPPORTUNITY TO VOTE ON THIS ISSUE.

NFIB/ALASKA THANKS YOU FOR THE OPPORTUNITY TO COMMENT IN FAVOR OF THIS LEGISLATION. IF YOU HAVE ANY QUESTIONS I WOULD BE HAPPY TO TRY AND ANSWER THEM.

National Conference of State Legislatures

States With Term Limits

Nov 30, 94

- Alaska: Limits members of the U.S. House of Representatives to six years during a 12 year period and U.S. Senators to 12 years during an 18 year period. Will take effect when 21 other states adopt similar congressional term limits. (S)
- Arizona: Limits U.S. Senators to two consecutive terms and Congressmen to three consecutive terms. Limits state lawmakers to four consecutive two-year terms and members of the executive branch to two consecutive four-year terms. (C)
- Arkansas: Limits statewide elected officials to two four-year terms, state representatives to three two-year terms and state senators to two four-year terms. The state Supreme Court ruled that the state could not restrict eligibility of federal candidates, and the U.S. Supreme Court has agreed to hear the case. A decision is expected in the Spring of 1995. (C)
- California: Limits members of the U.S. House of Representatives to six years in an 11-year period and U.S. Senators to 12 years during a 17 year period. Limits state lawmakers to three two-year terms in the Assembly and two four-year terms in the Senate. Constitutional officers are limited to two four-year terms. (C)
- Colorado: Limits state lawmakers to four consecutive two-year terms in the House and two consecutive four-year terms in the Senate. Congressional limitations are three consecutive two-year terms in the House and two consecutive six-year terms in the Senate. (C)
- Florida: No one can run for reelection to the Legislature, executive branch or U.S. Congress if by the end of their current term they have served for eight consecutive years. (S)
- Idaho: Limits U.S. House of Representatives to six years in an 11 year period and U.S. Senate to 12 years in a 23 year period. State legislators and statewide elected officials are limited to eight years in a 15 year period. (S)
- Maine: State legislators and constitutional officers are limited to four consecutive two-year terms. The state auditor is limited to two consecutive four-year terms. Restrictions on state lawmakers become effective with the 1996 elections and apply to individuals currently holding office. U.S. Representatives are limited to six years of service in 11 years, and U.S. Senators are limited to 12 years of service in 17 years. Applies to time served by senators and representatives beginning January 1, 1995. (S)
- Massachusetts: Limits Governor, Lt. Governor, Secretary, Treasurer, Auditor or Attorney General to two consecutive terms within an 11-year period. Limits U.S. Senators to two consecutive terms within a 17-year period. Limits state senators, representatives and U.S. Representatives to four consecutive terms in nine years. (S)
- Michigan: State representatives may serve only three terms, state senators and members of the executive branch only two terms. Limits U.S. Representatives to three terms in any 12-year period and U.S. Senators to two terms during 21 years. (C)
- Missouri: Restricts state lawmakers to eight years in the same house and 16 total years of legislative service. U.S. Representatives are limited to four terms and U.S. Senators to two terms. Limits on congressional terms will not go into effect until enacted by half the states. (C)
- Montana: Limits state senators to eight years in a 16-year period, representatives to six years in a 12-year period and the executive branch to eight years of service in 16 years. Holds U.S. Representatives to six years out of 12 and U.S. Senators to 12 years in a 24-year period. (C)
- Nebraska: Set limits of two consecutive terms in office for state legislators, Lt. Governor, Secretary of State, Auditor, Treasurer, and Attorney General. Also, restricts U.S. Representatives to three consecutive terms, and U.S. Senators to two consecutive terms. Governor is already restricted to two consecutive four-year terms. (C)

→ Nevada: Limits U.S. Representatives to three terms in office, and U.S. Senators to serving two terms in office. The limits apply as of December 31, 1996, but do not take effect until 24 other states have similar measures. Limits members of the Assembly to serving 12 years or six terms and members of the Senate to three terms or 12 years. Supreme Court Justices and all other judges are limited to two terms. Secretary of State, State Treasurer, State Comptroller and Attorney General are limited to eight years or two terms. Governor is already limited to two consecutive terms. (C)

→ North Dakota: Restricts access to the ballot for members of the U.S. Senate or House of Representatives after they have served 12 years in office in any combination. They can run again after a two-year break. (S)

→ Ohio: Limits U.S. Senators to two consecutive terms and members of the U.S. House of Representatives to four consecutive terms. Limits state senators to two consecutive terms and state representatives to four consecutive terms. Limits members of the executive branch to two consecutive terms. Terms are considered consecutive unless there is a break of four years. (C)

→ Oklahoma: State lawmakers are limited to 12 years of legislative service. U.S. House of Representatives would be limited to three two-year terms and Senators to two six-year terms. (C)

→ Oregon: Holds state lawmakers to six years in the House and eight years in the Senate or no more than 12 years of legislative service. Statewide officeholders are limited to eight years and members of Congress to six years in the House and 12 years in the Senate. (C)

→ South Dakota: Limits state lawmakers to four consecutive two-year terms and statewide officers to two consecutive terms. Limits members of Congress to six consecutive terms in the House and two consecutive terms in the Senate. (C)

→ Utah: Utah lawmakers passed a bill prohibiting state officers and members of the House and Senate from placing their names on the ballot if they have served more than 12 consecutive years in office. The law will become effective in January 1995. Limits for members of Congress would be effective when 24 other states pass term limits for federal lawmakers. Time in office would be limited to 12 consecutive years. (S)

→ Washington: Limits state senators to eight out of 14 years, representatives to six out of 12 years, and the Governor and Lt. Governor to eight out of 14 years. Terms served before November 1992 will not count toward limits. (Federal district court overturned the state's term limit law for federal officeholders. The case is pending in the U.S. Circuit Court of Appeals.) (S)

→ Wyoming: Limits state senators to three terms in any 24-year period, representatives to three terms in any 12-year period, and constitutional officers to two terms in any 16-year period. U.S. Senators are limited to serving two terms in any 24-year period in the U.S. Representatives to three terms in 12 years. (S)

20 states limit the terms of state lawmakers and executive branch officials.
22 states limit the terms of federal officials.

(C)--Constitutional

(S)--Statutory

November 30, 1994

Contact for More Information

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