

ALPHA INSTITUTE  
7/00

1712 - SJR 5 - SJR 13

Introduced: 1/14/81  
Referred: Judiciary

1 IN THE SENATE

BY BRADLEY

2 SENATE JOINT RESOLUTION NO. 5

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Consti-  
6 tution of the State of Alaska pro-  
7 viding for the election of supreme  
8 court justices and superior court  
9 judges.

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

11 \* Section 1. Article IV, sec. 2(b), Constitution of the State of Alaska,  
12 is amended to read:

13 (b) The chief justice shall be selected from among the justices  
14 of the supreme court by a majority vote of the justices. His term of  
15 office as chief justice expires at the end of his term of office as a  
16 supreme court justice [IS THREE YEARS]. A justice may not serve more  
17 than one term or portion of a term as chief justice [BUT HE MAY NOT  
18 SERVE CONSECUTIVE TERMS IN THAT OFFICE].

19 \* Sec. 2. Article IV, Constitution of the State of Alas. , is amended by  
20 adding new sections to read:

21 SECTION 17. ELECTION OF SUPREME COURT JUSTICES. Each supreme  
22 court justice shall be chosen at a general election by the qualified  
23 voters of the State. Each candidate for supreme court justice shall  
24 run for a designated supreme court justice position. The candidate for  
25 each position receiving the greatest number of votes shall be the  
26 supreme court justice for that position.

27 SECTION 18. TERM OF OFFICE OF SUPREME COURT JUSTICES. The term  
28 of office of a supreme court justice is six years, beginning at noon on  
29 the first Monday in December following his election and ending at noon

1 on the first Monday in December six years later.

2 SECTION 19. LIMIT ON TENURE OF SUPREME COURT JUSTICES. A person  
3 who has been elected a supreme court justice for two full successive  
4 terms is not eligible to hold office as a supreme court justice until  
5 two years have intervened.

6 SECTION 20. ELECTION OF SUPERIOR COURT JUDGES. Each superior  
7 court judge shall be chosen at a general election by the qualified  
8 voters of the judicial district in which he seeks to serve. Each can-  
9 didate for superior court judge shall run for a designated superior  
10 court judge position. The candidate for each position receiving the  
11 greatest number of votes shall be the superior court judge for that  
12 position.

13 SECTION 21. TERM OF OFFICE OF SUPERIOR COURT JUDGES. The term of  
14 office of a superior court judge is four years, beginning at noon on  
15 the first Monday in December following his election and ending at noon  
16 on the first Monday in December four years later.

17 SECTION 22. LIMIT ON TENURE OF SUPERIOR COURT JUDGES. A person  
18 who has been elected a superior court judge for three full successive  
19 terms is not eligible to hold office as a superior court judge until  
20 two years have intervened.

21 SECTION 23. VACANCY. In case of a vacancy in the office of a  
22 supreme court justice or superior court judge, the governor may appoint  
23 a qualified person to fill the office for the unexpired portion of the  
24 term.

25 SECTION 24. TERM OF OFFICE OF SUPREME COURT JUSTICES AND SUPERIOR  
26 COURT JUDGES APPOINTED UNDER FORMER PROVISIONS OF THE CONSTITUTION.  
27 Notwithstanding Sections 17 - 23 of this article, the term of office of  
28 each supreme court justice and superior court judge appointed before  
29 the effective date of the repeal of Section 6 of this article expires

1 at noon on the first Monday in December following the general election  
2 at which he would next have been subject to approval or rejection. An  
3 earlier approval under former Section 6 of this article is not an  
4 election to office under Sections 19 and 22 of this article.

5 \* Sec. 3. Sections 5, 6, and 7 of art. IV of the Constitution of the  
6 State of Alaska are repealed.

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

11  
12 MOST AMEND ~~AND~~ TITLE 22 ALSO

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14 22:05:080  
15 22:05:100  
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17 22:10:100  
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19 22.10.170  
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Judges &  
Justices  
(election)  
(const. amend-  
ment--state)

SENATE JOINT RESOLUTION NO. 5, by Senator Bradley. Proposes amendments to the state constitution providing for the election of supreme court justices and superior court judges. Adds new sections to Article IV (The Judiciary) providing for election of supreme court justices, stating that the candidate for each

position receiving the greatest number of votes shall be the supreme court justice for that position. Provides term of office is six years, and limits tenure by stating that a justice who has served two full terms is not eligible to hold office as a justice until two years have intervened. Provides for election of superior court judges, and states that term of office is four years. Limits tenure by stating that judge who has served three full terms is not eligible to hold office again until two years have intervened. Provides that governor may appoint qualified person to fill vacancy in office of justice or judge. Provides term of office of judges and justices appointed before effective date of resolution expire at noon on the first Monday in December following the general election. Repeals sections 5 (Nomination and Appointment); 6 (Approval or Rejection); and 7 (Vacancy) of Article IV (The Judiciary). Provides amendments to be placed before the voters of the state at the next general election.

Introduced January 14 and referred to Judiciary.

60

MSG 81-00008266 PRTY 1 03/13/81 17:24:12 ORIG: LM00 IN= 0006 OUT= 0087  
FROM: MARY/MATSU TO: JUNEAU INFORMATION  
TARGET: LJH2 SUBJ: P.O.M. PAGE 0001

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TO: ALL LEGISLATORS  
FR: FRANK SCHEIBL, BOX 2646, PALMER 99645, 745-4910, -3535, -3515  
SINCE IT APPEARS THAT WE MAY HAVE ONLY A GAMBLING 50-50 CHANCE OF NON-  
REVERSEABLE DECISIONS FROM APPELLATE COURTS OF ALASKA SUGGEST THAT  
THE LEGISLATURE ALLOW LITIGANTS ACCESS DIRECTLY TO THE SUPREME COURTS  
(BYPASSING APPELATE COURTS) UNTIL ELECTED JUDGES CAN OCCUPY THE APPELLATE  
BENCHES. OR, FREEZE MOST APPELLATE ACTIVITY UNTIL ELECTED JUDGES CAN  
BEGIN WORK.

SJR

6

CALL LIST 1-27-82

3822 SENATOR KELLY  
3500 KEITH SPECKING, GOVERNOR'S OFFICE  
243-1089 JAN BOMHOFF  
344-0454 JAN FAIKS

DARLA, PLEASE CALL ABOVE INDIVIDUALS AND  
LET THEM KNOW WE ARE HEARING THIS  
RESOLUTION ON WED. JAN 27.

COPY OPPOSITE MATERIAL AND PLACE IN  
SOME ONE FOR MEMBERS →

## Teleconference

Minutes--Interior Delegation Meeting Jan. 26, 1982

present--Parr, Fahrenkamp, Rogers, Smith, Randolph, Fanning, Bettisworth

Slim Mosier said he's not necessarily in favor of limiting the length of legislative sessions, particularly if it would result in ill-considered, hasty legislation. He also doesn't want the state to invest in the gas line. Let the gas and oil companies do it. Smith agreed on both points and said the state really doesn't have money to invest in the gas line anyway. Fahrenkamp said the Resources Committee is investigating whether the state ought to make such an investment and will have an interim report ready in mid-February. Parr acknowledged that he had introduced a bill several years ago to invest \$2 billion in state money in the gas conditioning plant. Changing circumstances, including the rising price of the line, ~~xx~~ now make him question whether such a state investment would be a good idea now. Alaska would be a very minor partner, considering the total cost of the project.

Jane Galvin, Martin (indistinguishable), and Andrew Taggart all spoke in opposition to the marijuana provisions of HB 180, the drug bill. The general view, stated by Parr, Rogers, Smith and Randolph, seemed to be that the marijuana limit of ~~xx~~ four ounces and the harsh penalties for its possession were too tough. Several also indicated there are numerous other problems with the bill, particularly in the area of privacy in one's own home and of civil liberties.

Christine Economedes, petroleum engineering professor from UAF, urged continued support for the program in next year's budget. The program now has ~~xx~~ 100 students and will graduate its first seniors this spring. ~~xxxx~~ She praised Bennett's generous funding in the current budget.

Jean Kingray wants continued state funding for the Displaced Homemakers program,

Bill Fenderson wants ~~xx~~ the state to consider uses for the oil money that would directly affect people. Cheap gas for home heating and cheap fuel oil were examples.

Jim Drew from UAF spoke in favor the capital projects at the Fairbanks campus and said that generally more space is needed there to house developing and growing programs.

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Official Business

# Alaska State Legislature

Senate

Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

## MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

JANUARY 27, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

Legislation Before Committee:

SJR 6 - Proposing an amendment to the Constitution of the State of Alaska relating to sessions of the legislature."

SB 193 - "An Act amending the State Personnel Act (AS.39.25); and providing for an effective date."

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:35 P.M. Committee members present were: Senators Rodey, Parr, and Bennett. Senator Hohman and Ray were absent.

Chairman Rodey first brought before the committee three bills of interest to the court system that he would like to introduce as committee bills. There was no objection by committee members.

Chairman Rodey next took up SJR 6. Senator Bennett requested the resolution be held over as he wanted to study the resolution further. SJR 6 was held over until the next meeting.

Senator Ray entered the room and his presence was noted for the record.

The next item on the calendar was SB 193. Terry Cramer, Blue Ribbon Commission, was called before the committee to testify. She distributed a memorandum to committee members which addressed the major changes the bill makes to the existing Personnel Act and some of the changes the committee substitute makes which were not in the bill originally sponsored by the Commission. Please refer to attached memorandum.

The committee discussed whether the state statutes were being violated in the collective bargaining process.

Bob Simon, Commissioner of the Commercial Fisheries Entry Commission, testified and distributed a memorandum giving proposed amendments for SB 193 prepared by the Commercial Fisheries Entry Commission. Please refer to the attached memorandum.

Fred Muller, Deputy Commissioner for the Department of Administration, testified, giving recommendations by the Department of Administration. They are as follows:

- 1.) Delete Sec. 8 (39.25.110)(7)
- 2.) Delete C-H in Sec. 12 (39.25.140) and replace with C-E of the original bill
- 3.) Amend Sec. 13 (39.25.150)(20) to allow veterans to use 5 points on all job registers until the veteran is employed.
- 4.) Delete Sec. 13 (39.25.159)(25)
- 5.) Delete Sec. 20, and
- 6.) Delete Sec. 21

After discussion, the committee held the bill over. Chairman Rodey adjourned the meeting at 2:45 P.M.



# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

### SENATE STATE AFFAIRS COMMITTEE MINUTES

Senate State Affairs Committee

Jan. 19, 1982

Members Present: Sen. Vic Fischer, Chair  
Sen. Mike Colletta  
Sen. "Brad" Bradley  
Sen. Dick Eliason  
Sen. Terry Stimson

Committee meeting on: Session limitation

### COMMITTEE CALENDAR

SJR 6 "Proposing an amendment to the Constitution of the State of Alaska relating to sessions of the legislature."

SJR 57 "Proposing amendments to the Alaska Constitution relating to legislative-session length."

### WITNESS REGISTER

There were no witnesses.

### PREVIOUS ACTION

Reference Number: Senate State Affairs Committee Minutes, 11-17-81  
all sites teleconference

Statutory Ref: none (see below)

Constitutional  
Reference:

SJR 6: Article II, sec. 8, Constitution of the State of Alaska

SJR 57: Article II, sec. 10, Constitution of the State of Alaska

Amendments Formally Considered: none formally considered previously

### ACTION NARRATIVE

Cassette Tape  
Recording #  
000

Sen. Fischer, Chair, opened the meeting at 1:35, with members Sen. Colletta, Sen. Eliason, and Sen. Stimson in attendance. He outlined the agenda before the committee, consisting of two resolutions concerning length of legislative sessions: SJR 6, sponsored by Sen. Tim Kelly, and SJR 57, sponsored by the

Rules Committee at the request of the Governor.

Sen. Stimson moved that SJR 6 be the basis for any action taken by the committee. The motion carried, with no objection. Sen. Fischer called members attention to the synopsis of testimony given on SJR 6 on 11-17-81, and a table showing other states having a session limit.

- 050 (Committee members examined written materials.)
- 065 Sen. Stimson stated that the important question in addressing session limitation—after establishing what that limit should be (he stated that personally, he thinks 120 days is sufficient)—is "Do we need to create a mechanism for extension?" Sen. Stimson further stated that the committee members had no information before them concerning other states' provision for extension.
- 085 Sen. Fischer stated that at the Constitutional Convention, session length was debated. There was a general feeling that the good judgement of the legislature would determine when it adjourned, and that the business of that state should not be artificially limited. With regard to the practices of other states, Sen. Fischer stated that their policies depend on when the limit was passed, and must be viewed in an historical perspective. He pointed out potential problems which might arise from not providing for an extension, for example, legislators might be inclined to hold legislation until "it dies a certain death" at adjournment; he referred to the pressures which develop prior to adjournment. Sen. Fischer stated that a compromise had been hammered out in the past to limit the length of legislative sessions, and to provide for extension.
- 130 Sen. Colletta turned the committee's attention to the matter of provisions for special sessions, and the question of subject matter to be taken up at special sessions (and extended sessions). He stated that there should be an extension provision, such as those providing for a special session called by the Governor, and that subject matter should be limited to subjects specified in the call.
- 181 Sen. Fischer stated that the constitution provides for a limited call by the Governor, but does not specify a limited call for a session called by members of the legislature.
- Sen. Colletta stated that even those (special sessions) called by the legislature were limited to items specified in the call, according to A.G.'s opinion.
- 190 (Sen. Bradley arrived, and his arrival stated for the record.)
- 212 Sen. Eliason stated that he preferred a "sudden death" provision, rather than provision for extension. He stated that

many people in his area are discouraged from participation in the legislature by the length of recent legislative sessions. He stressed the importance of limiting session length in order to enable more of Alaska's citizens to become involved.

Sen. Colletta stated that he sees the danger of extensions, but feels that there should be provision made for limited extensions. He further stated that there is a fear of a "sudden death" provision that it would put the legislature at the mercy of lobbyists.

325 Sen. Stimson added that extensions of the time involved wouldn't substantially change such a situation.

Sen. Colletta stated his support for a 2/3 vote (of each house) for extension of the session.

350 Committee members engaged in a discussion of the laws concerning the number of days which must pass before a special session could be called by the governor or by the legislature, respectively. They discussed proposing legislation to reduce the number of days in the period between the adjournment of a regular session and the convening of a special session; one of the proposals specified that the Governor might call a special session within three days after adjournment.

450 (End of discussion, end of side 1, tape 1.)

Side 2

000 Sen. Fischer asked if there were any members who felt that the committee should not propose a constitutional limit on legislative sessions. All members supported proposing a constitutional limit.

Sen. Fischer began to discuss individual preferences with committee members regarding the number of days to be provided for the session, the provision for extension (by 2/3 vote, for example), and whether or not there should be a limited call provision.

060 Sen. Eliason stated that the session should be in excess of 120 days before an extension was requested. Sen. Bradley stated support for a 90 days session, with not more than two fifteen-day extensions. Sen. Stimson stated that the Governor's bill (SJR 57) was designed with the full knowledge the session would not be over in 90 days, that it would probably run over; 120 days, he said, seems a little long, but he would support it. Sen. Colletta stated that the "process evolves itself" and that an extension should not be permitted without a limited subject. He supports one seven-day extension, and a 120 day limit. Sen. Eliason, although he personally favored no extension, stated that he would support a 120 day session, with a maximum of one seven-day extension

and a limited agenda.

125 Committee members returned to a discussion of the present law providing for a 15 day period between special and regular sessions (AS 24.05.100). They discussed a proposal to reduce that period to three days for a session called by the Governor. Sen. Stimson elaborated on the inconvenience caused to legislators by returning home and then, two weeks later, being called back into session. Committee members planned to have a bill drafted to amend AS 24.05.100 to decrease the current 15 day period to within three days if the legislature is still in session, and to within 24 hours if it is not. The legislature might call itself into session by a 2/3 vote of each house, and subjects discussed at a special session would be limited to those specified in the call.

216 Sen. Fischer summarized amendments to SJR 6 for the record:

- \* 120 day limit on regular legislative sessions
- \* provision for a maximum of one extension of seven days in length
- \* required 2/3 vote of each house for extension
- \* subject matter of special session to be limited by joint resolution

330 Sen. Colletta pointed out that under current law one body may adjourn provided they have a 2/3 vote to do so, and the consent of the Governor.

450 Sen. Fischer stated that there would be no committee meeting Thursday, Jan. 21, and announced the calendar for the next week: Tuesday, Jan. 26th: SSSB 175 (Ethics legislation)  
Thursday, Jan. 28th: SB 630 (legislative oversight of various agencies, boards, and commissions), SB 632 (relating to games of chance and contests of skill) and SR 20 (requesting installation of teleconference facilities at Pioneers' Homes).

The meeting adjourned at 2:30 p.m.

Committee Minutes  
Senate State Affairs Committee

Anchorage, Alaska  
11-17-81, 9:30 a.m.

Members present:     Sen. Fischer, Chair  
                          Sen. Eliason  
                          Sen. Stimson

Other legislators:    Sen. Kelly

Hearing: All sites teleconference and hearing on limiting the length of legislative sessions

Committee Calendar: SJR 6, "Proposing an amendment to the Constitution of the State of Alaska relating to sessions of the legislature."

Witnesses:

Anchorage:

Sen. Tim Kelly, sponsor of SJR 6  
Pouch V, Juneau, Alaska 99811

Bill Miles, representing self  
Anchorage, Alaska

Mark Albert Beltz, representing self  
Anchorage, Alaska

Joe Gram, representing self  
Spenard area, Anchorage

Jan Faiks, Anchorage Chamber of Commerce Board of Directors  
612 F Street, Anchorage, Alaska 99501

Jan Bomhoff, Anchorage Women's Club FREE Committee  
P. O. Box 4-2955, Anchorage, Alaska 99509

Neely Taylor, Common Sense for Alaska  
P. O. Box 4-1104, Anchorage, Alaska 99509

Mary Bargaran, Soroptomists Int'l of Anchorage  
P. O. Box 561, Anchorage, Alaska 99510

Juneau: Keith Specking, Office of the Governor  
Pouch A, Juneau, Alaska 99811

Dillingham: Nels Anderson, representing self  
General Delivery, Dillingham, Alaska

Proceedings:

Sen. Fischer called the meeting to order at 9:30 a.m. and stated that the purpose of the hearing was to discuss limiting the length of

legislative sessions. There is presently no constitutional limit imposed on the length of legislative sessions; the drafters of the constitution sought to establish a proper balance between the legislative branch and the strong executive power. Sen. Fischer outlined aspects of the session limitation question the committee hoped to hear addressed by testimony:

- should a constitutional limit be established or not? Why?
- if a limit is established, what should regular session length be: 90, 100, 120 days, or what other period?
- should provision be made for extending a regular session? If so, by simple majority or by two-thirds vote of the legislature: In increments of 10 or 30 days or some other period?
- what other things should the legislature consider in acting on the issue?

Sen. Tim Kelly, sponsor of SJR 6, was the first to testify. He thanked the committee for holding hearings on the issue, which had been "dear to my heart since election in 1976". Sen. Kelly stated that the legislature should be encouraging more Alaskans to participate in the legislative process. Their participation might be promoted by a session length which would permit them to pursue non-legislative business for the greater part of the year. SJR 6 proposes a 120 day limit in the form of a constitutional amendment to be put before the voters at the next general election. Sen. Kelly stated that he would also like to see all special sessions called by the legislature limited to subjects included in the call. The subject limit should apply to any extensions of the regular session; if extending the session were to become a regular practice, a subject limit would focus attention of the legislature on the critical issues.

Sen. Eliason stated his agreement with Sen. Kelly's testimony.

Keith Specking, from the Office of the Governor, presented Governor Hammond's statement on session limitation. Governor Hammond's statement began, "In my twelve years of legislative service, there was only one session which warranted more than 90 days. That was the first session during which we set up the entire state government--and we did that in but 84." The inadequate pay and the necessity to conclude the work expeditiously in order to return to the private sector at first insured relatively brief sessions. Various factors, including increased pay, benefits, staff and workload, and recent "ephemeral funding 'surpluses'" have contributed to the extension of legislative sessions. The statement from Gov. Hammond indicated that any limitation on session length should: 1.) provide ample time to complete work on crucial matters; 2.) serve to reduce the legislative "logrolling" normally required to bring sessions to close; and 3.) provide for less than the current undue 15 day delay before a session could be extended, as is the case now with special sessions. Gov. Hammond proposed a constitutional limitation on session length some years ago and intends to reintroduce it this year for consideration by the legislature. His

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proposal establishes a session "target" of 90 days. An extension provision specifies that with the concurrence of the governor and leaders of both houses the legislature might reconvene within 3 days of the regular session's conclusion for no more than 15 days. Subjects to be considered would be confined to a list of specific measures approved by the governor and a majority of each house. Gov. Hammond concluded his statement with the reference to a public advisory vote which demonstrated the public's support for a session limitation. "Those who disagree with the concept should argue their case to the public, not deny the public the right to set the terms and conditions imposed upon the public's servants. To do otherwise constitutes public servicing." This concluded presentation of the Governor's statement by Keith Specking, Legislative Assistant to the Governor.

Bill Miles, representing himself as a private citizen, provided a brief history of his involvement in the issue. He mentioned his experience as a member of the House of Representatives (concluded in 1980); at the outset he did not support a limit, but after his experience as a legislator he supported it. Legislation calling for a limitation on session length passed the House, but not the Senate, during the time Bill Miles served in the legislature. A limit is necessary, Bill Miles stated. He feels that people work better when they have goals, and he cited examples of the many professionals for whom goals and deadlines are an integral part of the work world: judges, newspeople, and Congress members to name a few. He stated support for a 120 day limit, and thinks 90 days is inadequate time for the complex work with which 60 laypersons in a new environment must deal. By way of extension provisions, Bill suggested that either a) arrangements for an immediate special session or b) provide for extensions (10 day renewal period).

Sen. Fischer stated that a referendum approved by the people by a 3 to 1 margin provided for extension by simple majority vote of the legislature. He asked Bill Miles whether he favored extension by simple majority vote or by 2/3 vote of both houses. Bill Miles responded that he favored extension by simple majority. Sen. Fischer inquired whether such an extension should require the concurrence of the governor. Bill responded that the legislature should determine it, that the decision should not be made solely by leadership, and should go to the floor for a vote.

Sen. Kelly stated that the number of days in the session per se was not important; that 90 day limits end up with extension arrangements. He prefers the concept of a straight 120 day limit. He pointed out that when the governor calls a special session he must wait 15 days after the conclusion of the regular session to do so. When the legislature calls itself into session there is no wait period.

Sen. Eliason asked of Bill Miles whether he favored calling special session by simple majority. Bill Miles affirmed that he did. Sen. Eliason suggested that if a special session were allowed to be called by simple majority that it would result in the same problems the legislature faces now with lengthy sessions.

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Sen. Fischer discussed Bill Egan's position; former Governor Egan favors a 120 day limit. During the last 20 days of a session bills may be forwarded. Bill Miles pointed out that one doesn't always know when the session will end, so it is difficult to determine when the last 20 days would be, and a special mechanism would have to be set up if Gov. Egan's system were to function.

Mark Albert Beltz, testifying as a private citizen, stated that he favors a shorter session, preferably with a 90 day limit, and that he felt the legislators should work longer hours. He also stated that he felt the session should start not on the 4th Monday of January, as provided in SJR 6, but on the second Monday, as is traditional. Sen. Kelly pointed out that this is covered by existing law. Sen. Fischer clarified this further by stating that the constitution leaves it open to change by law, an option which has been exercised. Current law provides for the session to begin on the second Monday. Sen. Fischer also made reference to Mark Albert Beltz's remark that the legislators waste a lot of time, stating that the legislators currently work seven days a week, for long hours, and that delays are not due to wasting time and lack of work on the part of legislators.

Nels Anderson, former state representative and majority leader, testified from Dillingham as a private citizen. He complimented Sen. Kelly on his persistence in continuing a drive to get a limit on the sessions. Nels Anderson stated that he once opposed a session limit, and that he now favors a constitutional amendment limiting the session. He suggested a session of no less than 120 days with some provision for extension in 10 day increments by a 2/3 majority vote of each house. He pointed out that there is a tendency near the end (of the session) for things to pile up; "when adjournment fever hits it is hard to follow the movement of bills through committee". Nels Anderson stated that special sessions should be limited to five days whether they are called by the governor or by the legislature.

Joe Graham, resident of the Spenard area of Anchorage, supports a 90 day limit. He feels that a deadline would serve to get things in motion on the important issues. He prefers extension by a 3/4 vote, and suggested the insertion of a clause providing that there be no per diem until both houses were organized and that there be no per diem after the session limit deadline.

Jan Faiks, representing the Anchorage Chamber of Commerce Board of Directors, testified in support of a 90 day session, with a required 2/3 vote for a maximum of two 10-day extensions. The Chamber of Commerce has been polling gatherings of members and guests. Their Dec. 7 poll will ask members about session limit provisions. Jan Faiks stated that in some other states immediately following the election the legislators are paid for 10 days for organization prior to Christmas holidays. In Wyoming, she stated, budget work is conducted prior to convening.

Sen. Fischer inquired whether this meant if we limited per diem only no constitutional amendment would be required to limit the length of legislative sessions. Jan Faiks responded, "Something like that!" Sen.

Fischer mentioned that he introduced legislation last year providing for the earlier organization of the legislature. Jan stated that her personal view is in favor of earlier organization with per diem. She feels that people would be happy with a limit, not necessarily a specific number of days.

Sen. Eliason reiterated his support for "sudden death without extensions". Sen. Kelly stated that a 90 day limit is, in effect, a 110 day session as people know an extension is available, and that he would be happy with any limit. Sen. Fischer mentioned that any imposition or limitation on legislative action is regarded as strengthening the hand of the governor. Jan Faiks, speaking on her own behalf, noted that the legislature's power is, in part, their holding of the purse strings. She favors a 2/3 majority vote for an extension.

Jan Bomhoff, representing the Anchorage Women's Club FREE Committee, went on record as supporting a 120 day limit, and a 2/3 vote for any extension. Extension provisions should specify the number of days in the extension and the subject matter to be discussed. Jan Bomhoff stated that a shorter session would promote citizen involvement, topics of broader interest (rather than the proliferation of smaller issues), and better accomplishment of the work. She suggested legislators limit their own per diem this session prior to enacting a constitutional amendment. In response to Sen. Eliason's question, "Should the legislature be subject to the governor in making an extension?" Jan Bomhoff responded "No".

Neely Taylor, representing the Board of Common Sense for Alaska, stated the board's support for a 90 day limit. There was no formal position stated on extension provisions. Neely Taylor stated his personal views on why there is a need for a limit: to promote a citizen legislature and more citizen involvement in the process. The public loses interest during a long session, and the expense involved is great. (Mark Albert Beltz had previously stated the cost to run about \$20,000 per day.) Neely stated that a shorter session would result in limiting "political brinkmanship" which he defined as a form of political game-playing. The legislature should serve as a model of a trim economical organization. Alaska should be the 34th state to have a limit. Sen. Fischer stated that some people feel that a session limit will promote political brinkmanship. Neely responded that legislators will be more interested in getting their bills moving if a session limit is imposed.

Nels Anderson inquired about the rationale for choosing the 4th Monday of the month for session to convene. Sen. Kelly clarified this language as he had for Mark Albert Beltz, and said that the language should probably be changed to avoid further confusion. In response to Nels Anderson's question, "Do you have any objection to limitation on special sessions?" Sen. Kelly stated "There is no problem for me in a five day limit."

The meeting adjourned at 10:45, there being no further testimony at that time, and reconvened at 5:00 p.m.

Mary Bargaran, representing the Soroptomists International of Anchorage,

presented a letter provided by that group. The Soroptomists supports and urges adoption by the legislature of a legislative session of "the shortest duration possible" and in no event longer than 120 days (preferably 90 days). Any extension beyond 120 days (preferably 90 days) should require a 2/3 vote of both houses and include a "limited call" provision. The extension itself should be for a specific number of days. The letter was signed by Marsha Holloman, President of the group. Mary Bargaran suggested that an extension should be for a maximum of six to ten days.

Sen. Stimson inquired of Mary what the advantage to the state would be of such a limit. Mary Bargaran stated that it was "an economical thing" and that 90 days should be sufficient time for the business to be conducted.

Sen. Stimson said that while he did see a need for a goal, a short session was to the advantage of lobbyists, most of whom are in Juneau to stop legislation. He asked if there were any advantage other than economics. Mary responded that it would be an overall saving to the state. Sen. Stimson asked if the idea of a special session bothered her, to which she responded, "No". Sen. Stimson described the logjam of bills near the end of the session. A limit, he said, would force legislators to break the logjam of bills in Finance Committee, for example. He would like to see each bill accompanied by a statement of purpose.

There being no further testimony, with the exception of informal dialogue between a Sitka observer and Senators Stimson and Fischer, the hearing/teleconference was adjourned at 5:30 p.m.



Official Business

# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Interim office: 511 West 4th Ave., Suite 5,  
Anchorage, Alaska 99501 phone: 278-3654

### M E M O R A N D U M

TO: Legislators

FROM: Sen. Vic Fischer

DATE: Nov. 6, 1981

RE: Limiting length of legislative sessions

The Senate State Affairs Committee is holding a statewide teleconference/public hearing November 17 to consider amending Alaska's constitution to limit session length. Before the committee is Senate Joint Resolution No. 6, which would require adjournment no later than 120 days after a regular session begins. Alternatives are also under consideration.

This year's 165 day session is providing a major impetus to efforts to limit session length. Although I had long been opposed to a constitutional limit on philosophical and theoretical grounds, my own experience in the Senate during the past session has convinced me that establishing a constitutional limit is the only practical way we can bring the legislative session to an end without an awful waste of time, money and energy, to say nothing of taxing the public's patience.

We would appreciate your giving us your comments on the various aspects of the session limitation question:

--should a constitutional limit be established or not?  
Why?

--if a limit is established, what should regular session length be: 90, 100, 120 days, or what other period?

--should provision be made for extending a regular session? If so, by simple majority or by two-thirds vote of the legislature? In increments of 10 or 30 days or some other period?

--what other things should the legislature consider in acting on the issue?

The hearing will be Tuesday, November 17, from 9:30 a.m. to noon and 5:00 to 8:00 p.m. (AST) at the Anchorage Legislative Information Office, 1024 West Sixth Avenue. A statewide teleconference hookup will provide access from communities throughout Alaska.

Your contribution to this hearing will be greatly appreciated. You can provide testimony in person or by written statement.

If you wish to testify orally in Anchorage or elsewhere, please call my office (278-3654) and tell us what time would be most convenient for you. We will try to schedule you accordingly. Should you so prefer, you may without prior arrangement come to the hearing in Anchorage or speak from one of the other communities.

We will also receive written testimony. Any statements received in time will be read during the hearing for everyone's information, unless the writer prefers we not do so.

I do hope you will provide us with oral or written testimony on the session limit issue.

Senator Fischer, Chairman  
State Affairs Committee  
Alaska State Senate

Dear Senator Fischer:

I suggest a simple constitutional amendment:

"Within 10 days after the end of the legislative session, each legislator shall schedule, thoroughly advertise & hold a public meeting with constituents in a centrally accessible location to explain & defend actions taken during the session."

The time allowed should be short to maximize accountability. If all Anchorage legislators, <sup>(for instance)</sup> or any group of them, wanted to hold a joint meeting, that might be appropriate & would not be ruled out. Legislators with overlapping constituencies should not have simultaneous meetings, unless it's all one meeting.

I arrived at  
I missed the teleconference. I arrived at  
5248 Munford  
99504 277-1931  
Rudewicz  
Good luck!  
I know that evening  
What do you think?  
11:30

## STATEMENT ON LIMITING LEGISLATIVE SESSION

Presented By /

Keith Specking, Legislative Assistant  
to the Governor

In my twelve years of legislative service, there was only one session which warranted more than 90 days. That was the first session during which we set up the entire state government -- and we did that in but 84.

Inadequate pay and the necessity to conclude our work expeditiously in order to return to our private sector endeavors at first insured relatively brief sessions. Over time, this changed. The sense of urgency which prevailed in the early years diminished. Increased pay, benefits, staff and workload, compounded by the increasing magnitude and complexity of issues, all served to extend legislative sessions. Most recently, ephemeral funding "surpluses" and resultant attempts by a multitude of interests to secure ever larger cuts of the pie, encumbered the legislature with a host of decisions not confronting those previous legislatures which had no "surplus funds" to dole out.

Ironically, however, it is precisely because of our current "easy money" condition that many have become convinced that both a limitation on spending and session length are now imperative. Gone, with elimination of the income tax, are constraints imposed by public indignation as to how we spend their tax dollars. Gone is the need to insure that

development projects must "pay their own way." Gone is the need to say "no" to "worthy projects" simply because the money's not there.

Any limitation on session length should:

1. Provide ample time to complete work on crucial matters.
2. Serve to reduce the legislative "logrolling" normally required to bring sessions to close, and
3. Provide for less than the current undue 15 day delay before a session could be extended, as is the case now with special sessions.

Some years ago I proposed a constitutional limitation on session length which would have met these objectives. I intend to reintroduce it this year for your consideration.

This would establish a session length "target" of 90 days. If work on crucial issues were not completed by then, only with the concurrence of the governor and leaders of both houses could a special extension of no more than 15 days be called. This could reconvene within 3 days of the regular session's conclusion. Subjects to be considered would be confined to a list of specific measures approved by the governor and a majority of each house.

As we all know, weeks and millions of dollars were added unnecessarily to many sessions under a system which permits a single individual to frustrate the will of the majority in behalf of an issue of crucial concern to himself. If 90 days only were allotted for such activities with the recognition that then such "special issues" would fall through the cracks, I suspect we would seldom see sessions of agonizingly long duration. Especially would such be the case if the spending limitation proposal you passed last year were also adopted.

Certainly with the abundant increase in staff and interim committee activity it would seem that a reduction in session length would have resulted. That precisely the opposite happened, I believe, is very simply attributed to the fact that there is no self imposed pre-session target for either spending or length upon which all parties can agree.

Few individuals have the necessary self discipline to establish such targets and adhere to them absolutely, unless absolutely compelled to do so. How then can we possibly expect a group of 60 to do so?

A public advisory vote demonstrated the public's overwhelming support for a session limitation. Those who disagree with the concept should argue their case to the public, not deny the public the right to set the terms and

conditions imposed upon the  
otherwise constituted public servicing.

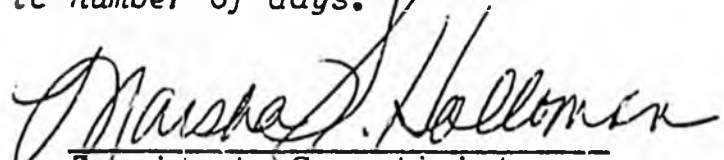
Soroptimist International of Anchorage, Alaska  
Northwestern Region  
Soroptimist International of the Americas, Inc.

P. O. Box 561  
Anchorage, Alaska 99510

Senator Vic Fischer  
Chairman, State Affairs Committee  
221 E. 7th Ave. #204  
Anchorage, Alaska 99501

Dear Senator Fischer,

Soroptimist International of Anchorage supports and urges adoption by the legislature of a legislative session of the shortest duration possible and in no event longer than 120 days (preferably 90 days). Any extension beyond 120 days (preferably 90 days) should require a 2/3 vote of both houses and include a "limited call" provision. The extension itself should be for a specific number of days.

  
\_\_\_\_\_  
President, Soroptimist  
International of Anchorage

Roger H. Gray

c/o P.O. Box 3-4103 EC

Anchorage AK.

9950

Hello,

First I would like to express my appreciation for this Legislative Teleconference Network which enables me to express my views concerning Chapter 49. I would also like to take this time to mention the fine jobs being done by the employees of the Legislative Affairs Agencies.

I have a prepared statement which I hope to read in its entirety. I will speak individually on the three subsections as listed under Section 1. Findings and Purpose.

Starting with 39.49, Section 1, subsection (1). Why do we need to establish a bureaucracy to "prescribe standards of conduct for Public Officers," when we already have a standard of conduct for public officers. I refer to, of course, to the Constitution of the United States and the Constitution of the State of Alaska, Article 6 paragraph 3 and Article 12 section 5 respectively. Both of which require all public officers to swear to support and defend the Constitutions of the United States and the State. The ethics of public officers are crystal clear. They are bound by law and oath to support the Constitutions. This is what they were put in place to do, their oath of office is their only authorization.

In reference to subsection (2) of section 1, of 39.49, I can only agree that the public needs to educate and inform public officers as to their duties and responsibilities.

Subsection (3) of Section 1 of 39.49 makes one wonder

It looks really good on the outside. The Commission appears to offer the public protection from corrupt officers. But here in 39.49.190 we find a loophole a whale of corruption could leap through. 39.49.190 subsection (1) effectively nullifies any protection implied, by this legislation, to the people.

For you to legislate 39.49.190 with subsection (1) intact is a mockery. Subsection (1) states that the commission may ignore a request for an advisory opinion and thereby sanction a public officer to continue to violate the law by assuming that no opinion, constitutes no violation. And then binds the Commission to no opinion, or to an opinion contrary to the law. This subsection does a real good job of protecting everybody except the citizen.

When a citizen takes the time to point out, to a public officer, a discrepancy in the use of official power, the citizen should be considered, or assumed, knowledgeable of the situation and facts and therefore correct in his judgement.

I suggest we replace Section 39.49.190 subsection(1) with the following paragraph; Upon written request, from a citizen, a public officer or former public officer shall be required to file a request for an advisory opinion as to whether stated facts and circumstances may constitute a violation of this chapter. If an advisory opinion is not issued within 30 days, after the request is filed with the commission, the public officer or former public officer shall consider that the facts and circumstances stated in the request "do" constitute a violation of this chapter; the opinion issued or considered issued is binding on the commission in a subsequent charge concerning the public officer or former public officer who sought the opinion.

I feel it is important to point out that the legislation delegates powers that are already vested in the Office of Governor. I would like to know where the legislators got the authority to transfer powers from one Branch of the Government to another. Article III section 16 of the Alaska Constitution clearly states that it is the responsibility of the Governor to insure "the faithful execution... and enforce compliance with any constitutional or legislative mandate, or restrain violation of any constitutional or legislative power, duty, or right by any officer, department or agency of the state or any of its political subdivisions."

In closing I would like to reiterate that not only does this "Bill", as presented, ~~subvert~~ intentionally subvert and circumvent the people's right and authority to bring grievances before the proper official, but does so behind a smokescreen of concern for the public interest.

Furthermore this bill is clearly unconstitutional as I pointed out when I referred to Article III Section 16 of the Alaska State Constitution.

This bill should be filed with the other numerous, unconstitutional Bills, Acts, laws, and resolutions for which the Alaska Legislature is renowned.

Respectfully Submitted  
Royce K. Kay

LEGISLATIVE RULES STUDY

Prepared by: Common Sense for Alaska Research Committee

STATE	CONFERENCE COMMITTEES	FREE CONFERENCE COMMITTEES	BILL CONTENT RULE	"GERMANE" DEFINITION	PUBLIC NOTICE OF COMMITTEE MEETINGS	JOINT COMMITTEE MEETINGS	RECOMMENDATIONS USED TO PASS BILL OUT OF CMTE	INTERIM COMMITTEES AUTHORIZATION	LIMITATION ON SESSION LENGTH	CODE OF ETHICS & DISCIPLINE	CONTRACTING PROCEDURES	LOBBYING LAWS	RULES REVIEW & ENFORCEMENT	LIMIT ON BILLS INTRODUCED	TIME LIMIT FOR CMTE TO PROCESS BILL
ALABAMA.....	YES 1(1)	NO	YES 3(1)	NO	NO 5(1)	YES 6(1)	YES 7(1)	YES 8(1)	YES 9(1)	YES 10(1)	NO 11(1)	YES 12(1)	YES 13(1)	YES 14(1)	YES 15(1)
ALASKA.....	YES 1(2)	YES 2(2)	YES 3(2)	YES 4(2)	NO 5(2)	YES 6(2)	YES 7(2)	YES 8(2)	NO	NO	NO	YES 12(2)	NO	NO 14(2)	NO
ARIZONA.....	YES 1(3)	YES 2(3)	YES 3(3)	YES 4(3)	YES 5(3)	YES 6(3)	YES 7(3)	YES 8(3)	NO	YES 10(3)	NO	YES 12(3)	YES 13(3)	YES 14(3)	YES 15(3)
ARKANSAS.....	YES 1(4)	NO	YES 3(4)	NO 4(4)	YES 5(4)	YES 6(4)	YES 7(4)	YES 8(4)	YES 9(4)	NO	YES 11(4)	YES 12(4)	YES 13(4)	YES 14(4)	YES 15(4)
CALIFORNIA.....	YES 1(5)	YES 2(5)	YES 3(5)	YES 4(5)	YES 5(5)	YES 6(5)	YES 7(5)	YES 8(5)	NO	YES 10(6)	YES 11(6)	YES 12(6)	YES 13(5)	NO	YES 15(2)
COLORADO.....	YES	YES 2(6)	YES 3(6)	NO	YES 5(6)	YES 6(6)	YES 7(6)	YES 8(6)	NO	NO 10(6)	YES 11(6)	YES 12(6)	YES 13(6)	NO	YES 15(6)
CONNECTICUT.....	YES 1(7)	NO	NO 3(7)	YES 4(7)	YES 5(7)	YES 6(7)	YES 7(7)	YES 8(7)	YES 9(7)	YES 10(7)	YES 11(7)	YES 12(7)	NO	YES 14(7)	YES 15(7)
DELAWARE.....	NO 1(8)	NO	YES 3(8)	NO	YES 5(8)	YES 6(8)	YES 7(8)	NO	YES 9(8)	YES 10(8)	YES 11(8)	YES 12(8)	NO	YES 14(8)	YES 15(8)
FLORIDA.....	YES 1(9)	NO	YES 3(9)	YES 4(9)	YES 5(9)	YES 6(9)	YES 7(9)	YES 8(9)	YES 9(9)	YES 10(9)	NO	YES 12(9)	YES 13(9)	YES 14(9)	YES 15(9)
GEORGIA.....	YES 1(10)	NO	YES 3(10)	NO 4(10)	YES 5(10)	NO	YES 7(10)	YES 8(10)	YES 9(10)	YES 10(10)	NO	NO	NO	NO	YES 15(10)
HAWAII.....	YES 1(11)	NO	YES 3(11)	NO	YES 5(11)	YES 6(11)	YES 7(11)	YES 8(11)	YES 9(11)	YES 10(11)	NO 11(11)	YES 13(11)	YES 13(11)	YES 14(11)	YES 15(11)
IDAHO.....	YES 1(12)	NO	YES 3(12)	YES 4(12)	NO 5(12)	YES 6(12)	YES 7(12)	YES 8(12)	YES 9(12)	NO	NO	YES 12(12)	NO	NO	NO
ILLINOIS.....	YES 1(13)	NO 2(13)	YES 3(13)	YES 4(13)	YES 5(13)	YES 6(13)	YES 7(13)	YES 8(13)	NO	YES 10(13)	NO 11(13)	YES 12(13)	NO	YES 14(13)	YES 15(13)
INDIANA.....	YES 1(14)	NO	YES 3(14)	YES 4(14)	YES 5(14)	YES 6(14)	YES 7(14)	YES 8(14)	YES 9(14)	YES 10(14)	NO 11(14)	YES 12(14)	YES 13(14)	YES 14(14)	NO 15(14)
IOWA.....	YES 1(15)	YES 2(15)	YES 3(15)	YES 4(15)	YES 5(15)	YES 6(15)	YES 7(15)	YES 8(15)	NO	YES 10(15)	NO 11(15)	YES 12(15)	YES 13(15)	YES 14(15)	YES 15(15)
KANSAS.....	YES 1(16)	NO	YES 3(16)	NO 4(16)	NO 5(16)	YES 6(16)	YES 7(16)	YES 8(16)	YES 9(16)	YES 10(16)	YES 11(16)	YES 12(16)	YES 13(16)	YES 14(16)	YES 15(16)
KENTUCKY.....	YES 1(17)	YES 2(17)	YES 3(17)	YES 4(17)	YES 5(17)	YES 6(17)	YES 7(17)	YES 8(17)	YES 9(17)	YES 10(17)	YES 12(17)	YES 12(17)	NO	YES 14(17)	NO 15(17)
LOUISIANA.....	YES 1(18)	NO	YES 3(18)	YES 4(18)	YES 5(18)	YES 6(18)	YES 7(18)	YES 8(18)	YES 9(18)	YES 10(18)	NO 11(18)	YES 12(18)	YES 13(18)	YES 14(18)	YES 15(18)
MAINE.....	YES 1(19)	NO	NO 3(19)	YES 4(19)	YES 5(19)	YES 6(19)	YES 7(19)	YES 8(19)	YES 9(19)	YES 10(19)	YES 11(19)	YES 12(19)	YES 13(19)	YES 14(19)	YES 15(19)
MARYLAND.....	YES 1(20)	YES 2(20)	YES 3(20)	YES 4(20)	YES 5(20)	YES 6(20)	YES 7(20)	YES 8(20)	YES 9(20)	YES 10(20)	YES 11(20)	YES 12(20)	NO	YES 14(20)	NO
MASSACHUSETTS.....	YES 1(21)	NO	NO	YES 4(21)	YES 5(21)	YES 6(21)	YES 7(21)	YES 8(21)	NO	YES 10(21)	YES 11(21)	YES 12(21)	YES 13(21)	YES 14(21)	YES 15(21)
MICHIGAN.....	YES 1(22)	NO	YES 3(22)	YES 4(22)	YES 5(22)	YES 6(22)	YES 7(22)	YES 8(22)	NO	YES 10(22)	NO 11(22)	YES 12(22)	YES 13(22)	NO	NO
MINNESOTA.....	YES 1(23)	YES 2(23)	YES 3(23)	YES 4(23)	YES 5(23)	YES 6(23)	YES 7(23)	YES 8(23)	YES 9(23)	YES 10(23)	NO 11(23)	YES 12(23)	YES 13(23)	YES 14(23)	YES 15(23)
MISSISSIPPI.....	YES 1(24)	NO	NO 3(24)	NO	YES 5(24)	YES 6(24)	YES 7(24)	YES 8(24)	YES 9(24)	NO 10(24)	NO	YES 12(24)	NO	YES 14(24)	YES 15(24)
MISSOURI.....	YES 1(25)	NO	YES 3(25)	YES 4(25)	YES 5(25)	NO	YES 7(25)	YES 8(25)	YES 9(25)	NO 10(25)	YES 11(25)	YES 12(25)	NO	YES 14(25)	NO 15(25)
MONTANA.....	YES 1(26)	YES 2(26)	YES 3(26)	YES 4(26)	NO 5(26)	YES 6(26)	NO 7(26)	YES 8(26)	YES 9(26)	YES 10(26)	NO	YES 12(26)	YES 13(26)	YES 14(26)	YES 15(26)
NEBRASKA.....	NO 1(27)	NO	YES 3(27)	NO 4(27)	YES 5(27)	NO 6(27)	YES 7(27)	YES 8(27)	YES 9(27)	NO	YES 11(27)	YES 12(27)	NO	YES 14(27)	YES 15(27)
NEVADA.....	YES 1(28)	NO 2(28)	YES 3(28)	YES 4(28)	YES 5(28)	YES 6(28)	YES 7(28)	YES 8(28)	YES 9(28)	YES 10(28)	NO	YES 12(28)	NO	YES 14(28)	NO
NEW HAMPSHIRE.....	YES 1(29)	NO	YES 3(29)	YES 4(29)	YES 5(29)	YES 6(29)	YES 7(29)	YES 8(29)	NO	YES 10(29)	NO	YES 12(29)	NO	YES 14(29)	YES 15(29)
NEW JERSEY.....	YES 1(30)	YES 2(30)	NO	NO 4(30)	YES 5(30)	YES 6(30)	YES 7(30)	NO 8(30)	NO	YES 10(30)	NO 11(30)	YES 12(30)	YES 13(30)	NO	NO
NEW MEXICO.....	YES 1(31)	NO	YES 3(31)	NO	YES 5(31)	YES 6(31)	YES 7(31)	YES 8(31)	YES 9(31)	NO	NO 11(31)	YES 12(31)	NO	YES 14(31)	NO
NEW YORK.....	YES 1(32)	YES 2(32)	YES 3(32)	NO	YES 5(32)	YES 6(32)	YES 7(32)	NO	NO	YES 10(32)	YES 11(32)	YES 12(32)	NO	YES 14(32)	NO
NORTH CAROLINA.....	YES 1(33)	NO	NO	YES 4(33)	YES 5(33)	YES 6(33)	YES 7(33)	YES 8(33)	NO	YES 10(33)	NO 11(33)	YES 12(33)	YES 13(33)	YES 14(33)	YES 15(33)
NORTH DAKOTA.....	YES 1(34)	NO	YES 3(34)	YES 4(34)	YES 5(34)	YES 6(34)	YES 7(34)	YES 8(34)	YES 9(34)	NO	NO	YES 12(34)	YES 13(34)	YES 14(34)	YES 15(34)
OHIO.....	YES 1(35)	NO	YES 3(35)	YES 4(35)	YES 5(35)	YES 6(35)	YES 7(35)	YES 8(35)	NO	YES 10(36)	NO 11(36)	YES 12(35)	YES 13(34)	YES 14(35)	NO 15(35)
OKLAHOMA.....	YES 1(36)	NO	YES 3(36)	YES 4(36)	NO	YES 6(36)	YES 7(36)	YES 8(36)	YES 9(36)	YES 10(36)	NO 11(36)	YES 12(36)	YES 13(36)	YES 14(36)	YES 15(36)
OREGON.....	YES 1(37)	NO	YES 3(37)	YES 4(37)	YES 5(37)	YES 6(37)	YES 7(37)	YES 8(37)	NO	YES 10(37)	YES 11(37)	YES 12(37)	NO	YES 14(37)	YES 15(37)
PENNSYLVANIA.....	YES 1(38)	NO	YES 3(38)	NO 4(38)	YES 5(38)	NO 6(38)	YES 7(38)	YES 8(38)	NO	YES 10(38)	NO	YES 12(38)	NO	NO	NO
RHODE ISLAND.....	NO	NO	YES 3(39)	YES 4(39)	YES 5(39)	YES 6(39)	YES 7(39)	NO	YES 9(39)	NO	NO 11(39)	YES 12(39)	NO	YES 14(39)	YES 15(39)
SOUTH CAROLINA.....	YES 1(40)	YES 2(40)	YES 3(40)	YES 4(40)	YES 5(40)	YES 6(40)	YES 7(40)	YES 8(40)	YES 9(40)	YES 10(40)	NO	YES 12(40)	NO	NO	NO
SOUTH DAKOTA.....	YES 1(41)	YES	YES 3(41)	YES 4(41)	YES 5(41)	YES 6(41)	YES 7(41)	YES 8(41)	YES 9(41)	NO 10(41)	NO 11(41)	YES 12(41)	NO	YES 14(41)	YES 15(41)
TENNESSEE.....	YES 1(42)	YES 2(42)	YES 3(42)	YES 4(42)	YES 5(42)	YES 6(42)	YES 7(42)	NO 8(42)	YES 9(42)	YES 10(42)	NO	YES 12(42)	YES 13(42)	YES 14(42)	YES 15(42)
TEXAS.....	YES 1(43)	NO	YES 3(43)	NO	YES 5(43)	YES 6(43)	YES 7(43)	YES 8(43)	YES 9(43)	NO 10(43)	YES 11(43)	YES 12(43)	NO	YES 14(43)	NO
UTAH.....	YES 1(44)	NO	YES 3(44)	YES 4(44)	YES 5(44)	YES 6(44)	YES 7(44)	YES 8(44)	YES 9(44)	YES 10(44)	NO 11(44)	YES 12(44)	NO	YES 14(44)	YES 15(44)
VERMONT.....	YES 1(45)	YES 2(45)	YES 3(45)	YES 4(45)	NO 5(45)	YES 6(45)	YES 7(45)	YES 8(45)	NO	NO	NO 11(45)	YES 12(45)	YES 13(45)	YES 14(45)	YES 15(45)
VIRGINIA.....	YES 1(46)	NO	YES 3(46)	YES 4(46)	NO	YES 6(46)	YES 7(46)	YES 8(46)	YES 9(46)	NO 10(46)	NO	YES 12(46)	YES 13(46)	NO 14(46)	NO
WASHINGTON.....	YES 1(47)	YES 2(47)	YES 3(47)	NO	YES 5(47)	YES 6(47)	YES 7(47)	YES 8(47)	YES 9(47)	YES 10(47)	NO	YES 12(47)	NO 13(47)	YES 14(47)	YES 15(47)
WEST VIRGINIA.....	YES 1(48)	NO	YES 3(48)	YES 4(48)	YES 5(48)	YES 6(48)	YES 7(48)	YES 8(48)	YES 9(48)	NO	NO	YES 12(48)	YES 13(48)	YES 14(48)	YES 15(48)
WISCONSIN.....	YES 1(49)	NO	YES 3(49)	YES 4(49)	YES 5(49)	YES 6(49)	YES 7(49)	YES 8(49)	NO	YES 10(49)	YES 11(49)	YES 12(49)	YES 13(49)	NO	NO 15(49)
WYOMING.....	YES 1(50)	YES 2(50)	YES 3(50)	NO	YES 5(50)	YES 6(50)	YES 7(50)	YES 8(50)	YES 9(50)	NO	NO 11(50)	YES 12(50)	NO	YES 14(50)	NO

IVE RULES STUDY

Prepared by: Common Sense for Alaska Research Committee

BILL NUMBER	BILL CONTENT RULE	"GERMANE" DEFINITION	PUBLIC NOTICE OF COMMITTEE MEETINGS	JOINT COMMITTEE MEETINGS	RECOMMENDATIONS USED TO PASS BILL OUT OF CHIEF	INTERIM COMMITTEES AUTHORIZATION	LIMITATION ON SESSION LENGTH	CODE OF ETHICS & DISCIPLINE	CONTRACTING PROCEDURES	LOBBYING LAWS	RULES REVIEW & ENFORCEMENT	LIMIT ON BILLS INTRODUCED	TIME LIMIT FOR ONE TO PROCESS BILL	RULE WAIVER PROCEDURES	LEGISLATIVE OVERSIGHT
2)	YES 3(1)	NO	NO 5(1)	YES 6(1)	YES 7(1)	YES 8(1)	YES 9(1)	YES 10(1)	NO 11(1)	YES 12(1)	YES 13(1)	YES 14(1)	YES 15(1)	YES 16(1)	NO 17(1)
3)	YES 3(2)	YES 4(2)	NO 5(2)	YES 6(2)	YES 7(2)	YES 8(2)	NO	NO	NO	YES 12(2)	NO	NO 14(2)	NO	YES 16(a)	NO
	YES 3(3)	YES 4(3)	YES 5(3)	YES 6(3)	YES 7(3)	YES 8(3)	NO	YES 10(3)	NO	YES 12(3)	YES 13(3)	YES 14(3)	YES 15(3)	YES 16(b)	YES 17(3)
	YES 3(a)	NO 4(4)	YES 5(4)	YES 6(4)	YES 7(4)	YES 8(4)	YES 9(4)	NO	YES 11(4)	YES 12(4)	YES 13(4)	YES 14(4)	YES 15(4)	YES 16(b)	NO 17(4)
(5)	YES 3(5)	YES 4(5)	YES 5(5)	YES 6(5)	YES 7(5)	YES 8(5)	NO	YES 10(6)	YES 11(6)	YES 12(6)	YES 13(5)	NO	YES 15(6)	YES 16(5)	NO
6)	YES 3(6)	NO	YES 5(6)	YES 6(6)	YES 7(6)	YES 8(6)	NO	NO 10(6)	YES 11(6)	YES 12(6)	YES 13(6)	NO	YES 15(6)	YES 16(6)	YES 17(6)
	NO 3(7)	YES 4(7)	YES 5(7)	YES 6(7)	YES 7(7)	YES 8(7)	YES 9(7)	YES 10(7)	YES 11(7)	YES 12(7)	NO	YES 14(7)	YES 15(7)	YES 16(b)	YES 17(7)
	YES 3(8)	NO	YES 5(8)	YES 6(8)	YES 7(8)	YES 8(8)	YES 9(8)	YES 10(8)	YES 11(8)	YES 12(8)	NO	YES 14(8)	YES 15(8)	YES 16(b)	YES 17(8)
	YES 3(9)	YES 4(9)	YES 5(9)	YES 6(9)	YES 7(9)	YES 8(9)	YES 9(9)	YES 10(9)	NO	YES 12(9)	YES 13(9)	YES 14(9)	YES 15(9)	YES 16(a)	YES 17(9)
	YES 3(10)	NO 4(10)	YES 5(10)	NO	YES 7(10)	YES 8(10)	YES 9(10)	YES 10(10)	NO	NO	NO	NO	YES 15(10)	YES 16(b)	NO
13)	YES 3(11)	NO	YES 5(11)	YES 6(11)	YES 7(11)	YES 8(11)	YES 9(11)	YES 10(11)	NO 11(11)	YES 13(11)	YES 13(11)	YES 14(11)	YES 15(11)	YES 16(11)	YES 17(11)
	YES 3(12)	YES 4(12)	NO 5(12)	YES 6(12)	YES 7(12)	YES 8(12)	YES 9(12)	NO	NO	YES 12(12)	NO	NO	NO	YES 16(12)	YES 17(12)
	YES 3(13)	YES 4(13)	YES 5(13)	YES 6(13)	YES 7(13)	YES 8(13)	NO	YES 10(13)	NO 11(13)	YES 12(13)	NO	YES 14(13)	YES 15(13)	YES 16(b)	YES 17(13)
	YES 3(14)	YES 4(14)	YES 5(14)	YES 6(14)	YES 7(14)	YES 8(14)	YES 9(14)	YES 10(14)	NO 11(14)	YES 12(14)	YES 13(14)	YES 14(14)	NO 15(14)	YES 16(14)	YES 17(14)
(15)	YES 3(15)	YES 4(15)	YES 5(15)	YES 6(15)	YES 7(15)	YES 8(15)	NO	YES 10(15)	NO 11(15)	YES 12(15)	YES 13(15)	YES 14(15)	YES 15(15)	YES 16(15)	YES 17(15)
17)	YES 3(16)	NO 4(16)	NO 5(16)	YES 6(16)	YES 7(16)	YES 8(16)	YES 9(16)	YES 10(16)	YES 11(16)	YES 12(16)	YES 13(16)	YES 14(16)	YES 15(16)	YES 16(16)	YES 17(16)
	YES 3(17)	YES 4(17)	YES 5(17)	YES 6(17)	YES 7(17)	YES 8(17)	YES 9(17)	YES 10(17)	YES 12(17)	YES 12(17)	NO	YES 14(17)	NO 15(17)	YES 16(17)	YES 17(17)
	YES 3(a)	YES 4(18)	YES 5(18)	YES 6(18)	YES 7(18)	YES 8(18)	YES 9(18)	YES 10(18)	NO 11(18)	YES 12(18)	YES 13(18)	YES 14(18)	YES 15(18)	YES 16(18)	YES 17(18)
	NO 3(19)	YES 4(19)	YES 5(19)	YES 6(19)	YES 7(19)	YES 8(19)	YES 9(19)	YES 10(19)	YES 11(19)	YES 12(19)	YES 13(19)	YES 14(19)	YES 15(19)	YES 16(b)	YES 17(19)
(20)	YES 3(20)	YES 4(20)	YES 5(20)	YES 6(20)	YES 7(20)	YES 8(20)	YES 9(20)	YES 10(20)	YES 11(20)	YES 12(20)	NO	YES 14(20)	NO	YES 16(a)	NO
23)	NO	YES 4(21)	YES 5(21)	YES 6(21)	YES 7(21)	YES 8(21)	NO	YES 10(21)	YES 11(21)	YES 12(21)	YES 13(21)	YES 14(21)	YES 15(21)	YES 16(21)	YES 17(21)
	YES 3(22)	YES 4(22)	YES 5(22)	YES 6(22)	YES 7(22)	YES 8(22)	NO	YES 10(22)	NO 11(22)	YES 12(22)	YES 13(22)	NO	NO	YES 16(22)	YES 17(22)
	YES 3(23)	YES 4(23)	YES 5(23)	YES 6(23)	YES 7(23)	YES 8(23)	YES 9(23)	YES 10(23)	NO 11(23)	YES 12(23)	YES 13(23)	YES 14(23)	YES 15(23)	YES 16(a)	YES 17(23)
	NO 3(24)	NO	YES 5(24)	YES 6(24)	YES 7(24)	YES 8(24)	YES 9(24)	NO 10(24)	NO	YES 12(24)	NO	YES 14(24)	YES 15(24)	YES 16(24)	YES 17(24)
	YES 3(25)	YES 4(25)	YES 5(25)	NO	YES 7(25)	YES 8(25)	YES 9(25)	NO 10(25)	YES 11(25)	YES 12(25)	NO	YES 14(25)	NO 15(25)	YES 16(b)	NO
26)	YES 3(26)	YES 4(26)	NO 5(26)	YES 6(26)	NO 7(26)	YES 8(26)	YES 9(26)	YES 10(26)	NO	YES 12(26)	YES 13(26)	YES 14(26)	YES 15(26)	YES 16(26)	NO
	YES 3(27)	NO 4(27)	YES 5(27)	NO 6(27)	YES 7(27)	YES 8(27)	YES 9(27)	NO	YES 11(27)	YES 12(27)	NO	YES 14(27)	YES 15(27)	YES 16(27)	YES 17(27)
28)	YES 3(28)	YES 4(28)	YES 5(28)	YES 6(28)	YES 7(28)	YES 8(28)	YES 9(28)	YES 10(28)	NO	YES 12(28)	NO	YES 14(28)	NO	YES 16(b)	YES 17(28)
	YES 3(29)	YES 4(29)	YES 5(29)	YES 6(29)	YES 7(29)	YES 8(29)	YES 9(29)	YES 10(29)	NO	YES 12(29)	NO	YES 14(29)	YES 15(29)	YES 16(b)	YES 17(29)
30)	NO	NO 4(30)	YES 5(30)	YES 6(30)	YES 7(30)	NO 8(30)	NO	YES 10(30)	NO 11(30)	YES 12(30)	YES 13(30)	NO	NO	YES 16(a)	YES 17(30)
32)	YES 3(31)	NO	YES 5(31)	YES 6(31)	YES 7(31)	YES 8(31)	YES 9(31)	NO	NO 11(31)	YES 12(31)	NO	YES 14(31)	NO	YES 16(a)	YES 17(31)
	YES 3(32)	NO	YES 5(32)	YES 6(32)	YES 7(32)	NO	NO	YES 10(32)	YES 11(32)	YES 12(32)	NO	YES 14(32)	NO	YES 16(32)	YES 17(32)
	NO	YES 4(33)	YES 5(33)	YES 6(33)	YES 7(33)	YES 8(33)	NO	YES 10(33)	NO 11(33)	YES 12(33)	YES 13(33)	YES 14(33)	YES 15(33)	YES 16(33)	YES 17(33)
	YES 3(34)	YES 4(34)	YES 5(34)	YES 6(34)	YES 7(34)	YES 8(34)	YES 9(34)	NO	NO	YES 12(34)	YES 13(34)	YES 14(34)	YES 15(34)	YES 16(a)	YES 17(34)
	YES 3(35)	YES 4(35)	YES 5(35)	YES 6(35)	YES 7(35)	YES 8(35)	NO	YES 10(36)	NO 11(36)	YES 12(35)	NO	YES 14(35)	NO 15(35)	YES 16(35)	NO 17(35)
37)	YES 3(36)	YES 4(36)	NO	YES 6(36)	YES 7(36)	YES 8(36)	YES 9(36)	YES 10(36)	NO 11(36)	YES 12(36)	YES 13(36)	YES 14(36)	YES 15(36)	YES 16(b)	YES 17(36)
	YES 3(37)	YES 4(37)	YES 5(37)	YES 6(37)	YES 7(37)	YES 8(37)	NO	YES 10(37)	YES 11(37)	YES 12(37)	NO	YES 14(37)	YES 15(37)	YES 16(37)	YES 17(37)
	YES 3(a)	NO 4(38)	YES 5(38)	NO 6(38)	YES 7(38)	YES 8(38)	NO	YES 10(38)	NO	YES 12(38)	NO	NO	NO	YES 16(38)	NO 17(38)
	YES 3(39)	YES 4(39)	YES 5(39)	YES 6(39)	YES 7(39)	NO	YES 9(39)	NO	NO 11(39)	YES 12(39)	NO	YES 14(39)	YES 15(39)	YES 16(39)	YES 17(39)
(40)	YES 3(40)	YES 4(40)	YES 5(40)	YES 6(40)	YES 7(40)	YES 8(40)	YES 9(40)	YES 10(40)	NO	YES 12(40)	NO	NO	NO	YES 16(40)	NO
42)	YES 3(41)	YES 4(41)	YES 5(41)	YES 6(41)	YES 7(41)	YES 8(41)	YES 9(41)	NO 10(41)	NO 11(41)	YES 12(41)	NO	YES 14(41)	YES 15(41)	YES 16(41)	YES 17(41)
	YES 3(42)	YES 4(42)	YES 5(42)	YES 6(42)	YES 7(42)	NO 8(42)	YES 9(42)	YES 10(42)	NO	YES 12(42)	YES 13(42)	YES 14(42)	YES 15(42)	YES 16(a)	NO
	YES 3(43)	NO	YES 5(43)	YES 6(43)	YES 7(43)	YES 8(43)	YES 9(43)	NO 10(43)	YES 11(43)	YES 12(43)	NO	YES 14(43)	NO	YES 16(b)	NO
	YES 3(44)	YES 4(44)	YES 5(44)	YES 6(44)	YES 7(44)	YES 8(44)	YES 9(44)	YES 10(44)	NO 11(44)	YES 12(44)	NO	YES 14(44)	YES 15(44)	YES 16(44)	NO 17(44)
(45)	YES 3(45)	YES 4(45)	NO 5(45)	YES 6(45)	YES 7(45)	YES 8(45)	NO	NO	NO 11(45)	YES 12(45)	YES 13(45)	YES 14(45)	YES 15(45)	YES 16(45)	YES 17(45)
2(47)	YES 3(46)	YES 4(46)	NO	YES 6(46)	YES 7(46)	YES 8(46)	YES 9(46)	NO 10(46)	NO	YES 12(46)	YES 13(46)	NO 14(46)	NO	YES 16(46)	YES 17(46)
0	YES 3(47)	NO	YES 5(47)	YES 6(47)	YES 7(47)	YES 8(47)	YES 9(47)	YES 10(47)	NO	YES 12(47)	NO 13(47)	YES 14(47)	YES 15(47)	YES 16(b)	NO
0	YES 3(a)	YES 4(48)	YES 5(48)	YES 6(48)	YES 7(48)	YES 8(48)	YES 9(48)	NO	NO	YES 12(48)	YES 13(48)	YES 14(48)	YES 15(48)	YES 16(b)	YES 17(48)
0	YES 3(49)	YES 4(49)	YES 5(49)	YES 6(49)	YES 7(49)	YES 8(49)	NO	YES 10(49)	YES 11(49)	YES 12(49)	YES 13(49)	NO	NO 15(49)	YES 16(b)	YES 17(49)
2(50)	YES 3(50)	NO	YES 5(50)	YES 6(50)	YES 7(50)	YES 8(50)	YES 9(50)	NO	NO 11(50)	YES 12(50)	NO	YES 14(50)	NO	YES 16(a)	NO

SYNOPSIS OF TESTIMONY ON SJR 6 - "PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF ALASKA RELATING TO SESSIONS OF THE LEGISLATURE." An all-sites teleconference and hearing held on 11/17/81

SOURCE	LENGTH OF SESSION	PROVISIONS FOR EXTENSION # of days	vote required	REMARKS
Sen. Tim Kelly	120 days	no extension		Rather than extensions, can, if needed, have special sessions limited to subjects included in call
Gov. Jay Hammond	90 days	15 days	concurrence of governor and leaders of both houses within 3 days of the end of regular session for not more than 15 days	Also, provide for less than current 15 day delay before special session can meet
Bill Miles	120 days	10 days (can be renewed)	majority of both houses	
Mark Beltz	90 days	no position		
Nels Anderson	120 days	10 days	2/3 vote of each house	Also, all special sessions limited to 5 days
Joe Graham	90 days	no position	3/4 vote	Also, no per diem until both houses organized or after session limit
Anchorage Chamber of Commerce	90 days	2-10 days	2/3 vote	
FREE Committee	120 days	see Remarks	2/3 vote	Vote on extension should specify number of days and subjects
Common Sense for Alaska	120 days	no position		
Sociologists International of Anchorage	90 days	see Remarks	2/3 vote of each house	Vote on extension should specify number of days and subjects
Bradley Shaffer	90 days		3/4 vote	Length of special sessions should be limited

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State or other jurisdiction	Year	Regular sessions			Limitation on length of session	Special sessions		
		Month	Day	Legislature convenes <sup>a</sup>		Legislature may call	Legislature may determine subjects	Limitation on length of session
Alabama	Annual	Apr.	3rd Tues. (a,b)	30 l. in 105 C	No	2/3 vote each house	12 l. in 30 C	
Alaska	Annual	Jan.	1st Tues. 2nd Tues.(c) 3rd Mon.(a)	None	2/3 vote of membership	Yes(d)	30 C	
Arizona	Annual	Jan.	1st Tues. 2nd Mon.	None (e)	Petition 2/3 members, each house	Yes(d)	None	
Arkansas	Odd(e)	Jan.	1st Tues.	60 C(f)	No	(g)	None(g)	
California	Even(h)	Dec.	1st Mon.	None	No	No	None	
Colorado	Annual(k)	Jan.	Wed. after 1st Tues.	None	Vote 2/3 members, each house	Yes(d)	None	
Connecticut	Annual(k)	Odd: Jan. Even: Feb.	Wed. after 1st Mon. Wed. after 1st Mon.	(j) (l)	No	No	None	
Delaware	Annual(k)	Jan.	2nd Tues.	June 30	Jt. call, presiding officers, both houses	Yes	None	
Florida	Annual	Apr.	Tues. after 1st Mon.(b)	60 C(h)	Jt. call, presiding officers, both houses	Yes	20 C(i)	
Georgia	Annual(k)	Jan.	2nd Mon.	40 l.	Petition 2/3 members, each house	Yes(d)	(i)	
Hawaii	Annual(k)	Jan.	3rd Wed.	60 l(f)	Petition 2/3 members, each house	Yes	30 l(f)	
Idaho	Annual	Jan.	Mon. on or nearest 9th day	None	No	No	20 C	
Illinois	Annual(k)	Jan.	2nd Wed.	None	Jt. call, presiding officers, both houses	Yes	None	
Indiana	Annual	Jan.	2nd Mon.(b)	Odd: 61 l. or Apr. 30 Even: 30 l. or Mar. 15	No	Yes	30 l. in 40 C	
Iowa	Annual(k)	Jan.	2nd Mon.	None(m)	Petition 2/3 members, each house	Yes	None	
Kansas	Annual(k)	Jan.	2nd Mon.	Odd: none Even: 90 C(n)	Petition to governor of 2/3 members, each house	Yes	None	
Kentucky	Even	Jan.	Tues. after 1st Mon.	60 l.	No	No	None	
Louisiana	Annual	Apr.	3rd Mon.	60 l. in 85 C	Petition majority, each house	Yes(d)	30 C	
Maine	Even(h)	Dec.	1st Wed.	None	Vote of majority of each party, each house	Yes(d)	None	
Maryland	Annual	Jan.	1st Wed. after 1st Tues. 2nd Wed.	90 C(o)	Petition majority, each house	Yes	30 C	
Massachusetts	Annual	Jan.	1st Wed.	None	Yes	Yes	None	
Michigan	Annual(k)	Jan.	1st Wed.	None	No	No	None	
Minnesota	Odd(o)	Jan.	Tues. after 1st Mon. after 3rd Sat. (f,n)	120 l. or 1st Mon.	No	Yes	None	
Mississippi	Annual	Jan.	Tues. after 1st Mon.	Odd: June 30 Even: May 15	No	No	None	
Missouri	Annual	Jan.	Wed. after 1st Mon.	Even: June 30 Even: May 15	No	No	60 C	
Montana	Odd	Jan.	1st Mon. after 1st Mon.	90 l.	Petition majority, each house	Yes	None	
Nebraska	Annual(k)	Jan.	1st Wed. after 1st Mon.	Odd: 90 l(f) Even: 60 l(f)	Petition 2/3 members	Yes	None	
Nevada	Odd	Jan.	3rd Mon.	60 C(m)	No	No	20 C(m)	
New Hampshire	Odd	Jan.	1st Wed. after 1st Tues.(b)	(m)	Yes	Yes	None(m)	
New Jersey	Annual	Jan.	2nd Tues.	None	Petition majority, each house	Yes	None	
New Mexico	Annual(k)	Jan.	3rd Tues.	Odd: 60 C Even: 30 C	Petition 2/3 members, each house	Yes(d)	30 C	
New York	Annual(k)	Jan.	Wed. after 1st Mon.	None	Petition 2/3 members, each house	Yes(d)	None	
North Carolina	Odd(o)	Jan.	Wed. after 2nd Mon.	None	Petition 2/3 members, each house	Yes	None	
North Dakota	Odd	Jan.	1st Mon.(b,q)	80 N	No	Yes	None	
Ohio	Annual	Jan.	1st Mon.(q)	None	Jt. call, presiding officers, both houses	Yes	None	

Oklahoma	Annual(k)	Jan.	Tues. after 1st Mon.	90 l.	No	No	None
Oregon	Odd	Jan.	2nd Mon.	None	Petition majority, each house	Yes	None
Pennsylvania	Annual(k)	Jan.	1st Tues.	None	Petition majority, each house	No	None
Rhode Island	Annual(k)	Jan.	1st Tues.	60 l(m)	No	No	None
South Carolina	Annual(k)	Jan.	2nd Tues.(b)	None	No	Yes	None
South Dakota	Annual	Jan.	Odd: Tues. after 3rd Mon. Even: Tues. after 1st Mon.	45 l. 30 l.	No	No	None
Tennessee	Odd(o)	Jan.	1st Tues.(b)	90 l(m)	Petition 2/3 members, each house	Yes	30(m)
Texas	Odd	Jan.	2nd Tues.	140 C	No	No	30 C
Utah	Annual(k)	Jan.	2nd Mon.	Odd: 60 Even: 20	No	No	30 C
Vermont	Odd(o)	Jan.	Wed. after 1st Mon.	None(m)	No	Yes	None
Virginia	Annual(k)	Jan.	2nd Wed.(r)	Even: 60 C(n) Odd: 30 C(n)	Petition 2/3 members, each house	Yes	None
Washington	Annual	Jan.	2nd Mon.	Odd: 103 C Even: 60 C	Petition 2/3 members, each house	Yes	30C
West Virginia	Annual	Jan.	2nd Wed.(r)	60 C(l,n)	Petition 2/3 members, each house	Yes(s)	None
Wisconsin	Annual	Jan.	1st Tues. after Jan. 8(t)	None	No	No	None
Wyoming	Annual(k)	Jan.	Odd: 2nd Tues. Even: 2nd Tues.	40 N 20 l.	No	Yes	None

Illinois	•(q)	•(d)	60(f)	60 P(f)	2/3 elected	July 1(w)	
Iowa	•	•	7	7 A	3/5 elected(c)	January 1(a,r)	
Kansas	•	•	3	30 A(s)	Majority elected	Proclamation of gov.	
Kentucky	•	•	10	10 P	2/3 elected	July 1(a)	
Louisiana (f)	•	•	10	10 A	Majority elected	Upon publication	
Maine	•	•	10(f)	20 P(f)	2/3 elected	90 days after adjournment	
Maryland (f)	•	•	10	(m)	2/3 present	60 days after adjournment	
Massachusetts	•	•(t)	6	30 P(m)	3/5 elected	June 1(u)	
Michigan	•	•(q)	•(d)	10(f)	10 P	2/3 present	90 days
Minnesota	•	•	14(f)	•	14 P(f)	2/3 elected & serving	90 days after adjournment
Mississippi	•	•	3	•	14 P	2/3 elected	Aug. 1(v)
Missouri	•	•(d)	•	3	15 P(m)	2/3 elected	60 days
Montana	•	•(q)	•(y)	13(s)	45 P(m,s)	2/3 elected	90 days after adjournment(v,s)
Nebraska	•	•	3(f)	25 A(f)	•	2/3 present(e)	July 1
Nevada	•	•	3	5 A	•	3/5 elected	3 mo. after adjournment
New Hampshire	•	•	5	10 A	•	2/3 elected	July 1
New Jersey	•	•(q)	•(d)	5	5 P	2/3 elected	60 days
New Mexico	•	•	10(z)	45 A(az)	45 A(az)	2/3 elected	July 4
New York	•	•	3	•	20 A	2/3 present	90 days after adjournment(v)
North Carolina	•	•	10	•	30 A(f)	2/3 elected	20 days
North Dakota	•	(ab)	(ab)	(ab)	(ab)	•	30 days after adjournment
Ohio	•	•(d)	3	15 A	•	2/3 elected	July 1
	•	•	10	10 A	•	3/5 elected	90 days after filed with secretary of state

Oklahoma	•	•	3	15 A	2/3 elected(e)	90 days after adjournment
Oregon	•	•	3	30	2/3 present	90 days after adjournment
Pennsylvania	•	•(d)	10(f)	30 A(f)	•	60 days
Rhode Island	•	•	6	10 A(f)	•	10 days after adjournment
South Carolina	•	•	5	(m)	•	20 days
South Dakota	•	•	5	15 A	•	2/3 elected
Tennessee	•	•(d)	10	10 A	•	Majority elected
Texas	•	•	10	20 A	•	90 days after adjournment
Utah	•	•	5	10 A	•	2/3 elected
Vermont	•	•	5	•	3 A	2/3 present
Virginia	•	•	7(f)	•	30 A(f)	2/3 present(ac)
Washington	•	•	5	20 A	•	2/3 present
West Virginia	•	•(d)	5	45 A(ad)	•	Majority elected(e)
Wisconsin	•	•	6	•	6 P	2/3 present
Wyoming	•	•	3	15 A(f)	•	2/3 elected
American Samoa	•	•	10	•	30 P	2/3 elected
Guam	•	•	10	•	30 P	14 members
Mariana Islands	•	•	10	30	•	3/4 elected
Puerto Rico	•	•(d)	10	•	30 P(f)	2/3 elected
Virgin Islands	•	•	10	•	30 P(f)	2/3 elected
U.S. Congress	•	•	10	•	10 P	2/3 present

**Key:**  
P—days after presentation to governor  
A—days after adjournment of legislature  
(a) Sundays included.  
(b) Bill is returned to house of origin with objections.  
(c) Penal acts, 60 days.  
(d) The governor can also reduce items in appropriations measures.  
(e) Revenue and appropriations bills. Alaska: 2/3 elected. Illinois: appropriation reductions, majority elected. Montana: 3/5. Oklahoma: emergency bills, 3/4. West Virginia: budget and supplementary appropriations, 2/3 elected.  
(f) Sundays included.  
(g) Regular sessions: the last day which either house may pass a bill (except statutes calling elections, statutes providing for tax levies or appropriations for usual current expenses of the state, and agency statutes) is August 31 of even-numbered years. All bills given to the governor during the 12 days prior to August 31 of that year become law unless vetoed by September 30. Special sessions: 12 days.  
(h) Regular sessions: January 1 next following 90-day period from date of enactment. Special sessions: 91st day after adjournment.  
(i) Except Sundays and legal holidays. Hawaii: except Saturdays, Sundays, holidays, and any days in which the legislature is in recess prior to adjournment.  
(j) Special acts: immediately.  
(k) Only by originating house.  
(l) Consentum withhold right to veto constitutional amendments.  
(m) Bills vetoed after adjournment shall be returned in the legislature for reconsideration. Georgia: returned within 35 days from the date of adjournment for reconsideration within the first 10 days of the next session. Maine: returned within 3 days after the next meeting of the same legislature which enacted the bill in resolution. Maryland: reconsidered at the next meeting of the same General Assembly. Mississippi: returned within 3 days after the beginning of the next session. Missouri: bills returned within 4 days of adjournment or later in first session are considered at beginning of 2nd session. Bills returned in second session are considered in automatic veto session held for no more than 10 days beginning on the first Wednesday following the first Monday in September. South Carolina: within 2 days after the next meeting.  
(n) Effective date for acts which become law on or after July 1. Georgia: January 1. Idaho: special sessions, 60 days after adjournment. Illinois: July 1 of next calendar year. Iowa: special sessions, 90 days after adjournment. South Dakota: 91st day after adjournment.

(o) The governor can only reduce items in the executive appropriations measures. The governor can neither reduce nor item veto items in the legislative or judicial budgets, but he may veto the budget as a whole.  
(p) The governor must notify the legislature 10 days before the 45th day of his intent to veto a measure on that day. The legislature may convene on 45th day after adjournment to consider vetoed measures. If the legislature fails to reconvene, the bill does not become law. If the legislature reconvenes, it may pass the measure over the governor's veto or it may amend the law to meet the governor's objections. If the law is amended, the governor must sign the bill within 10 days after it is presented to him for it to become law.  
(q) Amendatory veto.  
(r) Any law may have another effective date specified. Bills passed after June 30 which specify an earlier effective date must receive the approval of 3/5 of the members elected in each house.  
(s) The governor must sign or veto all bills presented to him. Iowa: during the last three days of the session. Missouri: if the governor fails to return the approved or vetoed bill, the legislature by joint resolution may direct the enrollment of the bill and it becomes law.  
(t) Item veto on supplementary appropriation bills and capital construction bill only. The general appropriation bill may not be vetoed.  
(u) Bills passed over governor's veto are effective in 30 days or on date specified in bill, whichever is later.  
(v) Appropriations acts. Minnesota: July 1. Missouri: immediately. New Mexico: immediately.  
(w) All laws require approval by Secretary of Interior.  
(x) In event of a recess of 30 days or more, legislature may prescribe by joint resolution that law previously passed and not effective shall take effect 90 days from beginning of recess.  
(y) No appropriation can be made in excess of the recommendations contained in the governor's budget unless by a 2/3 vote. The excess is not subject to veto by the governor.  
(z) If house of origin is in temporary adjournment on the 10th day (Sundays excepted) after presentation to governor, bill becomes law on day house of origin reconvenes unless returned by governor on that day.  
(aa) Bills not signed by governor do not become law if the 45th day after adjournment use date expires after the end of the legislative year.  
(ab) Governor has no approval or veto power.  
(ac) Including majority elected.  
(ad) Five days for appropriations bills.

SJR

9

# Alaska State Legislature

SENATOR  
M. "ED" DANKWORTH

REPRESENTING  
SENATE DISTRICT 12-J

COMMITTEES  
VICE-CHAIRMAN  
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IN SESSION  
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DATE: 1/26/81

TO: Sen. Fischer

FROM: Sen. <sup>ED</sup>Dankworth

RE: SJR 9, which limits the number of terms a legislator  
may serve.

Please find the attached information taken from my file on SJR 9.  
I hope you will find these comments helpful.

Please feel free to contact my office should you need any further  
information. 465-3753. Thank you.

LEGISLATIVE STUDY COMMITTEE REPORT

PART I

Sponsored by

General Federation of Women's Clubs

Anchorage FREE Committee

Prepared by

Jan Bomhoff and Jan Faiks

January, 1981

## VIII.

### LIMIT TERMS OF OFFICE

The FREE Committee strongly believes in the concept of a citizen legislature versus professional lawmakers. For this reason, and others, FREE feels that there should be a limitation on the number of terms a Representative and Senator may serve. Surprisingly, a good portion of the responding legislators favored this concept.

FREE feels that a limitation would serve as an incentive for more citizens to seek elective office - the perception being that incumbents are generally pretty difficult to unseat. New faces bring fresh approaches to programs and issues, needed at all times, but especially now in Alaska with its vast natural resource wealth.

When legislators remain in one house for a long period of time, excessive power over colleagues and staff seems to develop, as do legislative cliches. By dispersing the concentration of power, it will be more difficult for a handful of "long time" legislators to control legislation contrary to the wishes of the majority.

One legislator commented during the discussions that it was difficult for even the "good guy" legislators to remain free of obligations to their colleagues. In the lawmaking process there is always give and take, and legislators who have been on the job for a long time will inevitably build up a certain amount of "favours due" and

"favours owed", so that it becomes increasingly difficult to judge matters under consideration solely on their merit.

FREE recommends the following limitations on the terms of office:

1. Senate - two 4-year consecutive terms.
2. House - four 2-year consecutive terms.
3. Present incumbents would begin counting their terms with the effective date of the law.

Using FREE's formula, legislators popular with their constituents could remain in the legislature, but would have to change Houses every eight years. Thereby, the right of the citizen to choose his lawmakers remains intact.

Dear Ed:

6 MAR 80

Prior to the constitutional convention, I would have opposed legislation similar to your SJR 42. but in that convention I gave a lot of thought to just such a limitation since we were going to limit the governor, and in a sense put a limitation upon State judges.

After convention hours, Dayton Keene, who was the legislative branch comm- advisor, Weldon Cooper, Emil Sagy, and Ernest Bartley often met in my apt to discuss just the subject of your bill. Frankly I was looking for support from the consultants.

My presentation to them, was that historically we had many poor Governors- (of which we could do nothing) and that since the legislature had been established in 1913 we had had some pretty poor legislators. In those days the mining industry and fishing interests pretty well controlled those small legislatures of 24 people. But as state hood effort really came to life with the advent of Ernest Gruening as governor the full pressure of industry was felt. We had a number of pro mining and pro fish legislators who really controlled the legislature--much of it by seniority. ~~I sought to put a restraint on the legislature.~~

Dayton Keene who had been a legislator for some years felt my arguments were valid and that this might now be the time to put in a limitation- so was Bartley inclined. The others were of the opinion there probably was a necessity for such action, in this state as well as some other states. We all agreed that unicameralism would in no way better the situation. But then there was argument presented that the people might feel and "infringe- ment on voters rights.

As I look back now, I think the people would have accepted that limitation without a ~~complaint~~ complaint, because I heard very few questioning the limitation on the Governor tenure.

I believe we discuss the subject in our committee meeting on several occasions. I discussed the matter extensively with my friend Senator Vic Rivers who was chairman of the Executive branch committee. He was inclined to agree in principal as he was including the limitation on the governor in his article. Rivers quietly polled a number of convention delegates reporting back to me that though they agreed on the gubernatorial limitation there was no favor, b. consensus relative to legislators. So, I let the matter go as we already had some novel ideas in our article.

It is my feeling, in the light of the action of the state legislature over the last 8 or 10 sessions, the people might now be ready to accept a limit on terms of legislators, particularly since they have seen the benefits of a limitation on the governor.

I doubt if your SJR 42 will pass in the legislature--too many have a "good thing" going for themselves. But, if someone had the time and energy to see it through via referendum, I'm certain it would pass.

Certainly the time has come to put some brakes on the legislature. This maybe a start.

I am agreed with your bill, I hope it passes.

S M

Steve McC. etc.

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May 2, 1980

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Senator M. "Ed" Dankworth  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Ed:

Belatedly I am acknowledging your letter of March 21 and the enclosure. I have mixed feelings about SJR 42. As you acknowledged, there is some value in experience, continuity and professionalism in the legislative branch.

On the other hand, the advantages of an incumbent are enormous, as you say. The remoteness of the state capital, the relatively small size of the legislature, and the advantages of name familiarity, and other factors, can help maintain an "old boy" network. I think that in legislative work, like any other field, a worker can get calloused and stale over time.

I reached the point after eight years in the legislature where I was beginning to foresee a lack of freshness of ideas on my part. I felt it important to go back into the private sector and regenerate. There is a tendency to stay in the legislature when one has really creative matters on his or her agenda. To stay under those circumstances is a limitation on a person's own growth. It is as refreshing to leave after a time as it is to obtain office.

Also, I think there is something attractive in the notion of citizen-statesman. I like the idea that legislative service in a place like Alaska is a civic duty which concerned citizens share. Sometimes, when one is in office too long, he grows to feel that he owns the office; the sense of being a public servant is obscured.

It is a very difficult matter to generalize about because, of course, some people serve for decades with undiminished distinction. Senator Butrovich comes to mind. Others become complacent or lazy.

The argument can be made that the complacent and lazy should be removed by the people, and that the public's freedom of choice should not be diminished.

Senator M. Dankworth

-2-


May 2, 1980

On balance, I would resolve my doubts in favor of something like SJR 42, except that I think I would favor four successive terms for house members, and three successive terms for senators as a limitation, and I would only require a senator to sit out for two years instead of "one full term."

I think the effect would be to bring new blood and fresh perspectives to the legislature from time to time to a greater degree than now is the case, and I think it would help bring the legislature closer to the people.

Thanks for seeking my views, and I hope this answers your inquiry.

Best regards,

  
Joe P. Josephson

JPJ/cw

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And General Manager

FRED DICKEY  
Executive Editor

Page A-6

Thursday, October 9, 1964

## Legislative terms

WITH THE growing interest in setting a constitutional or statutory limit on the amount of money Alaska's state government can spend on operating expenses, the time might also be ripe to consider another limitation.

What about putting a lid on how many terms a person can serve in the legislature?

Alaska's governor is restricted to two consecutive terms. If such a limit makes good sense for the state's chief executive, it might make equally good sense to bar people from building up legislative empires.

The two-term limit on the office of governor is to prevent the prospect of having a Huey Long seize control of the most powerful gubernatorial office in all America. When Alaska's constitution was drafted back in 1956-57, such a prospect was very much in the mind of the constitutional delegates.

HOWEVER, they saw no similar danger in the legislative branch. That's understandable. No one could have envisioned the immense power Alaska's lawmakers have today.

The subject did arise, says Steve McCutcheon, the delegate whose subcommittee dealt with the matter of legislative terms. It was discarded, he says, after only cursory consideration — but, in retrospect, it appears such a limit would have been wise.

Insofar as we have been able to determine, no other state imposes a constitutional limit on consecutive years of service in the legislature.

But several states do achieve something of the same result by requiring, either through custom or rule, that a legislator bow out after serving in a major leadership position.

A man who has been speaker of the House, for example, would not seek re-election after serving in that position. Another might cap his or her career as president of the Senate. The same limitation could apply to those who enjoy special authority as majority or minority leaders or as chairmen of principal legislative committees, such as Finance or Rules.

The reasons for such limitation are obvious.

For one thing, mandatory transfer of legislative power — by upward movement through the chairs, as it were — would avoid the possibility that one legislator, or group of legislators, could carve out a fiefdom within the legislative structure.

For another, it would guarantee an infusion of fresh blood, fresh energy and fresh ideas into the legislative process. Certain House and Senate seats have become virtually the personal possession of legislators who run time after time with no opposition or only a token show by a challenger.

THE POSSIBILITY of legislative abuse of power, never before a worry in Alaska, has become more and more alarming as the state's income and wealth soars. In recent months, examples have begun to become evident.

A legislator armed with a seat that is awarded to him election after election can hardly resist the temptation to become arrogant. And there are other temptations, far worse, that come with excessive legislative power.

For the benefit of all concerned, including legislators, consideration should be given to limiting terms of office — as well as government spending.

2/12/58 Times

# A limit on service

ALASKA HAS HAD, over the years, a number of men and women who have served well for long periods of time as members of the legislature. That has been a plus for the territory and the state. But there are some offsetting minuses connected with long tenure in the legislature. And there is mounting evidence that the negative is beginning to far outweigh the positive.

Recognizing that legislative seniority also can lead to legislative abuses, one member of the Alaska Senate has proposed to put a lid on the number of consecutive terms a person could serve. The proposal has merit and deserves thoughtful consideration.

Sen. Ed Dankworth, the Anchorage Republican who two weeks ago was kicked off the Senate Finance Committee when he refused to play ball with some senior members of the club, proposed this the other day in a resolution calling for a constitutional amendment.

**IF APPROVED** by the legislature — and that's a big "if" — the resolution would go on the ballot for action by the voters of the state. It calls for the imposition of a constitutional limit restricting a person to two consecutive terms in the Senate or three consecutive terms in the House.

The net effect would be to allow a person six years of continuous House service or eight straight years of service in the Senate.

To make the proposal more palat-

able and to give it at least a chance of passage by the current crop of legislators, Sen. Dankworth included a grandfather clause. Under its provisions, the counting of terms would begin with approval of the constitutional amendment. Incumbent senators and representatives with long tenure — including such luminaries as Sens. Bill Pay of Juneau, Bob Ziegler of Ketchikan, George Hohman of Bethel, John Sackett of Galena and Clem Tillson of Halibut Cove — would not be immediately affected.

**THE RESOLUTION** has drawn some initial support. Signing on as co-sponsors were Republicans Arliss Sturgulewski and W.E. Bradley and Democrats Pat Rodey and Terry Stimson, all of Anchorage.

That's a good start. But clearly it is not enough. To succeed, the proposal must have widespread support, even from districts that have long placed their legislative affairs in the hands of one or two individuals.

A constitutional amendment limiting tenure would bring two significant changes. It would guarantee that a fresh flow of ideas, personalities and backgrounds would be injected into the legislative process. And it would be a barrier to the creation of legislative dynasties and would prevent any single legislator from assuming, on the basis of seniority, a seat of power that could impair good government for all the people of Alaska.

STR 42

# CONGRESSIONAL TENURE

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## HEARINGS

BEFORE THE

SUBCOMMITTEE ON THE CONSTITUTION

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

S.J. Res. 27 and S.J. Res. 28

JOINT RESOLUTIONS PROPOSING AN AMENDMENT TO THE  
CONSTITUTION OF THE UNITED STATES WITH RESPECT TO  
THE NUMBER OF TERMS OF OFFICE WHICH MEMBERS OF THE  
SENATE AND THE HOUSE OF REPRESENTATIVES MAY SERVE

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MARCH 14, AND 16, 1978

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Printed for the use of the Committee on the Judiciary



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WASHINGTON : 1978

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say to a person who is elected: "Look, you are not a new resident of Washington—you are a resident of your own State or your own district. You are of the people who sent you here, and you will eventually, whether you like it or not, be returning to them."

The second thing that would be gained has to do with the human tendency to want to preserve yourself in a good job by saying "Yes" to everybody and "No" to nobody. That's one of the problems in Government now.

Q. Are you saying that lawmakers worry too much about getting re-elected?

A. Yes. I would hope that a limitation on service would create a greater sense of independence and a greater willingness to call them as we see them.

Q. But if every second-term Senator were a lame duck, ineligible for a new term, wouldn't the Senate's responsiveness to the public be reduced?

A. No. First of all, the people I know here who have already announced they're not going to be returning have just as great a sense of responsibility to their electorate as those who want to keep running, running and running.

You don't really elect people to be just walking public-opinion surveys. You elect them to exercise their best judgment on behalf of the people who sent them here. So I don't think that there is anything necessarily beneficial about being consumed with the need to touch every base and remain popular on every issue just to get re-elected.

Too many politicians have said "Yes" to too many people for too long. They have attempted to aggregate support from one interest group after another in order to stay here forever.

Q. In most fields, it is assumed that experience sharpens a person's skills. Isn't this true of Government service, too?

A. I had always been told that when you come to the Senate as a freshman, you're supposed to be seen but not heard. But I haven't found that to be true at all. We are expected to start acting like Senators the day we arrive.

Secondly, we've already crossed this bridge with respect to the Presidency. Presidents, as a matter of constitutional law, are to serve no more than two terms.

And third, I wonder if being a Washington type is the kind of experience a person really should have. There is at least as much wisdom spread throughout the country as there is here. I am one who does not believe that Washington has some monopoly on intelligence or on the right kind of experience.

#### KEEPING CONTACT WITH "REAL WORLD"

Q. Even, so, shouldn't it be up to the voters to decide whether a legislator deserves another term, instead of mandating a lawmaker's retirement after 12 years?

A. I think there is a trade-off—and the gain would be substantially greater than what would be given up. You would be removing the possibility of one person serving in perpetuity, but in the State of Missouri, for example, there are thousands of people who are fully competent to serve in the United States Senate. This would result in a very minimal reduction in the pool of qualified people.

The gain, again, is the reduced incentive for a member of Congress to try to promise the world. No matter how much you promised, no matter how good your public relations might be, you would know that you would be returning to the workaday world as a matter of constitutional requirement.

That is precisely the kind of message that people here should be given: It is certain that you are going to have to return to the real world and live with the laws you helped enact.

Q. In effect, then, you want to abolish the "professional legislator"——

A. Yes. There's a real problem today in the notion of a professional legislature, and we seem to keep furthering that notion.

Congress is almost always in session. We have just enacted in the Senate an ethics code which, in effect, says that we don't want Senators involved in the workaday world. In the name of ethics, we want them to free themselves from practice of law or practice of medicine or business so they will be available here full time.

I think that is probably moving in the wrong direction. We should view Government as a citizens' army, as made up of citizens who are performing public service for a limited period of time.

## PART 2.—NEWSPAPER AND MAGAZINE ARTICLES

[From Roll Call, Oct. 27, 1977]

### A NEW TRY TO LIMIT CONGRESSIONAL TERMS

(By Mimi Noel)

Four relatively freshman Members of Congress have decided to challenge a political system that has resisted change for 160 years. Chances are, they won't succeed and won't be remembered for their effort.

And still they try . . .

Sens. Dennis DeConcini (D-Ariz) and John C. Danforth (R-Mo) have joined Reps. John W. Jenrette (D-SO) and Robert W. Kasten (R-Wis) in an attempt to change the length of service for Members of Congress and the President. All have accepted positions, as directors, of the newly-formed Foundation for the study of Presidential and Congressional Terms.

"We're trying for grass roots support," Rep. Jenrette says, explaining: "The Congressional route has not had the support of senior Members . . . this is a new route—through the public."

The four Congressmen have introduced legislation that would limit, by Constitutional amendment, Congressional service. House Members would be allowed to serve six two-year terms while Senators would be allowed two six-year terms. The law-makers also proposed a single six-year term for the President.

In a press conference this week they agree that the "battle is uphill."

And still they try . . .

"The idea has been introduced a number of times," Rep. Jenrette said in an interview in the corridor outside the House Floor. "But it never got anywhere with individual Members supporting it . . . the Foundation takes away the self-serving aspects of it."

The group which will be directed by John C. Gartland, a former administrative assistant to Rep. Richard Kelly (R-Fla), is set to study four basic questions:

Should there be a limit to the number of years a Member of Congress can serve?

Should the terms for House Members be lengthened to three or four years?

Should Members of Congress be required to resign from office when actively seeking other federal office?

Should the President be limited to one, extended term in office?

The Foundation expects to capture attention through a program of public forums such as college debates, speeches and essay contests.

Throughout the past decade new Members of Congress have become increasingly restless with the bureaucracy involved in moving legislation through the Congress. More than a few have cited senior Members, committee chairmen to a large extent, for manipulating the due process.

These younger Members have come to believe that limiting the number of terms—in both the House and the Senate would work "for the people."

"After serving in Congress for two terms, I personally believe there is an urgent need to inject new blood and fresh ideas into our political system," Rep. Kasten said. "The issue of limited terms has been around for some time, but it has yet to draw the attention and serious study it deserves."

Remarking on "an anti-Washington" mood, Rep. Kasten said "professional politicians" fail to respond to the "concerns of average Americans."

Nevertheless, the Foundation has definite goals in mind. By next year, they hope to present the public with a chance to vote on the question of limiting both Congressional and Presidential terms on eight or 10 statewide ballots.

To Congressional sages who sat in on the Foundation's meeting, it was the same old argument of "new blood" versus seniority.

But each of the Congressmen present stressed the importance of legislators returning to private life, subject to the very laws he had voted on.

The legislators pointed to their own determination to retire after 12 years. But individual efforts would have little meaning unless the majority of Members in Congress showed active support.

Now, Jenrette is faced with the task of trying to find colleagues with 12 years or more seniority, to support the measure.

"We ought to have some Members in the House and Senate who have reached the terms by which they would have to retire in our proposal to give greater emphasis to what we have to say," Jenrette said.

Rep. Jenrette has already approached retiring Rep. George Shipley (D-Ill), with 22 years in the House, to lend his support to the anti-seniority proposal.

And still they try . . .

But among his colleagues, Jenrette has found apprehensions that he did not share.

"I've found one of the biggest concerns in limiting the terms is that some great contribution might be lost," Jenrette said. "They point to someone like Thomas Jefferson who was quite senior by the time he made many significant contributions."

Jenrette, at 41, finds the concept appealing that in eight and one-half years he will return to private business. A former lawyer, he already has plans afoot "to set my business up" once he leaves Congress.

But for many Members this would not be the case.

"If someone comes to Congress at 23, and then retires at 38, he has only completed half of his career so he can easily take on another profession," Jenrette said.

"But the problem comes when you speak about limiting middle-aged Congressmen between 30 and 40 . . . after only 12 years here there is no place to go."

Rep. Jenrette cited his own case as an example. He came to Congress at 30 and with such a 12-year limit, he would retire at 51.

"If I didn't have a law practice, at 51 I would have to go into private industry and start a new career . . . I don't think I could do it," he adds.

And still they'll try . . .

With Gartland as the Director and his one-time boss William E. Simon as Chairman of the Foundation Finance Committee, the major focus of the group will be public exposure.

"The impetus must come from the people before Congress will enact such a change," Sen. Danforth said. "My amendment will be considered seriously in the Senate only if the public demands it."

Both freshman Sen. Danforth, and his freshman colleague Sen. DeConcini are firmly opposed to Members of their Chamber being viewed as "political careerists."

"In a seniority system, certain individuals come to possess very great power," Sen. DeConcini said. "While I am not suggesting that this power has been abused in my own experience, I am suggesting that the present system does create the opportunity for such abuse."

And so they remain optimists. They walk the halls, like knights without shining armor or white steed, looking for support. Their aging dragon, 189 years old, remains reincarnated in the form of stubborn senior colleagues.

And still they'll try . . .

[From U.S. News & World Report, Nov. 14, 1977]

#### PRO AND CON—LIMIT A LAWMAKER'S TERM IN CONGRESS?

YES—ELECTED OFFICIALS SHOULDN'T BE "PERMANENT FIXTURES IN WASHINGTON"

(Interview with Senator John C. Danforth, Republican, of Missouri)

Q. Senator Danforth, why do you favor a constitutional amendment prohibiting any person from serving more than 12 years in the Senate or the House?

A. It would accomplish two things:

First, it's important for elected officials who come to Washington to think of themselves as citizens who are only on leave to their Government—not permanent fixtures in Washington. A limitation on the length of service would

**Q.** Some people say that the perquisites of office, such as newsletters, a staff allowance and ready access to the press, come close to guaranteeing incumbents' re-election—

**A.** Right. I think the statistics are pretty clear that it's much easier for an incumbent to be re-elected than for a challenger to defeat him. This is another argument for limiting terms, although it is not an argument I rely on.

**Q.** Do any local or State governments have the kinds of limits on legislative service that you propose?

**A.** I don't think so. There are limits in some States on Governors serving more than one or two terms, but such limits are not found in the legislative branch.

**Q.** What are the prospects for your proposal?

**A.** It's not going to get anywhere unless there's a public outcry for it. The pressure is going to have to come from the people.

#### **NO—"COMPULSORY RETIREMENT IS A WASTE OF TALENT AND KNOW-HOW"**

**(Interview with Senator Alan Cranston, Democrat, of California)**

**Q.** Senator Cranston, why do you oppose limiting service in the Senate or the House to 12 years?

**A.** There's a contrary move now in our country to do away with compulsory retirement in most occupations, and I think that's a very, very sound direction for us to take.

Compulsory retirement in private industry is an inefficient waste of talent, know-how and productivity. It is bad for society and bad for business. Much the same could be said about compulsory retirement from Government service.

It should be left up to the voters to decide who can best represent them.

If the voters are satisfied with the performance of a Senator or a Congressman, they should not be deprived of his services and experience—nor should the country—by any arbitrary rule.

**Q.** We have placed a two-term limit on the Presidency. Why shouldn't a similar limit be applied to Congress?

**A.** Every rule has its exception, and the one exception that I make to the rule of leaving it up to the voters is the two-term limit on the Presidency.

A President who could serve endlessly would have a great opportunity to develop many of the attributes of a dictator. We've had trends toward one-man rule in our country in recent times. The two-term limit is a very solid barrier against that.

We have as much to fear from Government as we have to gain from Government. And the thing to fear from Government is too much power in too few hands. But Congress, given its makeup, will never be a dictatorship. The question does not apply to Congress, where so many people share authority and responsibility.

**Q.** Advocates of a limitation on service argue that if we did away with "professional legislators," Congress would be more responsive to the needs and wishes of the voters—

**A.** There are those who say that we've relied on the citizen soldier as the mainstay of our defense, and so we should now rely on the citizen politician in our legislative process. Actually, because of the sophisticated technology of modern warfare, our defense has to depend on highly trained professionals more and more.

Similarly, our Government has grown so complex that the concept of the inexperienced citizen politician is somewhat outmoded—at least to the degree that we shouldn't depend solely on inexperienced legislators. There should be a blend of the old and new in office, and under the present law we have that blend.

**Q.** So you see a clear need for people with many years of legislative experience—

**A.** Yes. In matters that involve public affairs and human relations, experience is a vital, indispensable part of the learning process. You learn not only what Government can do, but what it can't do. New Senators sometimes spin their wheels trying things that are impossible, or trying to launch vast spending programs that just won't work. With experience, you learn to focus your efforts where you can accomplish something significant.

John Sherman introduced the Sherman Antitrust Act in his 20th year in Congress. Paul Douglas introduced the Voting Rights Act in his sixteenth year. Clinton Anderson introduced the Medicare Act in his sixteenth year. Jacob Javits, a Republican, introduced the War Powers Act—a very significant piece of legislation in the post-Vietnam era—after serving more than a decade and a half in the Senate. Sam Ervin led the Watergate hearings in his nineteenth year in the Senate. Robert Wagner served 22 years; Robert Taft, Sr., 14 years; Stephen Douglas, 14 years; Henry Clay, 27 years; Robert LaFollette, 20 years; George Norris, 20 years. All of these careers would have been cut short, and the nation would have been the loser, if we'd had the limit that is proposed.

#### PROBLEM OF THE LAME DUCKS

**Q.** Don't legislators sometimes get out of touch with the people back home after many years in Washington?

**A.** If they do, they get tossed out by their constituents. The basic principle of representative democracy is that you elect people who are supposed to be responsive to the people they represent—not necessarily to always do what the people want, but to solicit their views, understand their problems, stay in touch and serve their best interests. Now, if you're in your final six-year Senate term, and the law says you can't run for re-election, you could become totally unresponsive to the people you serve.

Also, a lawmaker who is a lame duck would be less able to accomplish things. If somebody is on his way out, less attention is paid to his leadership. A Senator would be at his peak of capacity only in his first six years, and then he would lose his clout—and so would his constituents—in his second six years.

**Q.** It is sometimes argued that incumbents have advantages, such as newsletters, staffs and ready access to the press, that come close to guaranteeing re-election. How true is this?

**A.** I do have concern that incumbents have advantages. I think there are other ways to deal with the problem. On the bill to provide public financing for congressional-election campaigns, I voted to provide challengers more money than incumbents, for example.

Even so, there are plenty of incumbents knocked off on each go-around. It is noteworthy that several of the advocates of a limit on service recently defeated incumbent Senators. We do have new people coming in with new ideas. More than 50 percent of the House has been here less than six years. More than half of the Senate has been here less than 10 years.

There is no demonstrative need for anything as radical as changing our Constitution to make retirement after 12 years in office mandatory. The voters themselves have been doing a good job of keeping a healthy mixture of "new blood" and experienced "old hands" in Congress.

[From the Washington Post, Dec. 4, 1977]

#### THE GALLUP POLL—12-YEAR LIMIT FOR HOUSE MEMBERS .. FAVORED BY 60 PCT. OF VOTERS

(By George Gallup)

Princeton, N.J.—A solid majority of American voters, 60 per cent, now favor a law that would limit senators and House members to a maximum of 12 years in office.

The proportion in favor of a limit on the time in office for senators is up sharply since 1971, when the figure was 48 per cent. (The question on members of the House was not asked in the earlier survey.)

Although the upward trend is across-the-board with all major population groups, it is most pronounced among younger, better-educated voters.

Sen. John C. Danforth (R-Mo) recently proposed a constitutional amendment to limit senators and representatives to 12 years of service.

The sharp upturn in support for a limit on the terms of senators may be, in part, a reflection of their unfavorable public image. A recent Gallup survey showed both senators and representatives rated relatively low among a list of persons in 20 occupations in terms of honesty and ethical standards.

Another Gallup survey showed only . . . percent of the public saying they approve of the way Congress is handling its job.

Here is the question asked 1,523 adults from Nov. 4-7 and the trend:

"A law has been proposed which would limit a senator to two terms, or a total of 12 years in office. Would you favor or oppose such a law?"

(In percent)

	Favor	Oppose	No opinion
Latest.....	68	30	10
May 1971.....	48	39	13
January 1968.....	56	38	12
March 1964.....	49	38	13

Here are the results of the current survey by political affiliation:

(In percent)

	Favor	Oppose	No opinion
Republicans.....	64	29	7
Democrats.....	63	27	10
Independents.....	57	36	7

This question was also asked:

"A law has been proposed which would limit a member of the House of Representatives to three terms of four years apiece, or a total of 12 years. Would you favor or oppose such a law?"

(In percent)

	Favor	Oppose	No opinion
Latest.....	59	31	10
Republicans.....	62	29	9
Democrats.....	61	29	10
Independents.....	56	34	7

The plan to limit senators to two terms of six years each has been advocated by at least two Presidents—Dwight D. Eisenhower and Harry S. Truman.

[From the Washington Post, Dec. 31, 1977]

### TWO TERMS FOR LEGISLATORS?

(By Tom Braden)

"Politicians," according to Sen. John Danforth (R-Mo), "have a tendency to say 'yes' to all men and 'no' to none."

This trouble has been noted before. Walter Lippman described a politician as one who "decides not whether a proposition is good but whether it's popular; not whether it will work well and prove itself but whether the active-talking constituents will like it immediately."

And Sen. John F. Kennedy declared himself convinced that the desire to be re-elected exercises a strong brake upon "independent courage."

The problem of whether a politician should serve his conscience or his constituency has been with us at least since Edmund Burke. Sen. Danforth, who has made a certain mark during his first term for being refreshingly outspoken, thinks he has at least a partial solution.

Danforth has introduced a resolution proposing a constitutional amendment that would limit the terms of service in the House and Senate to 12 years, the equivalent of six terms for a representative and two terms for a senator.

His point is that without the hope of holding on to a lifetime job, senators and representatives might vote their convictions. In fact, some of them might develop convictions, so that they would come to Washington, do what they think they ought to do and go home again—for good.

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There is something to be said for this argument, and there are other reasons why Danforth's suggestion is worth thinking about.

For example, a greater turnover in Washington might renew the nation's interest in the electoral process. According to the polls, the country is in great doubt as to whether government can accomplish anything worthwhile—or, indeed, anything at all. Most people who are eligible to vote don't.

For another, the Danforth proposal would put an end to the system of power by longevity.

Sen. Russell Long (D-La), for instance, has served in the Senate since 1948. At 60 and with at least two terms to go, he is likely to exercise more influence on the lives of his countrymen than any President they may elect. As chairman of the Senate's Finance Committee, Long pretty much decides how much we'll be taxed, how much we'll pay for gasoline, how much we'll get in Social Security payments when we retire and how much we'll get in Medicare when we're sick.

Yet Long is responsible to no one except the voters of Louisiana, whose votes he controls through one of the most powerful political machines in the country.

Danforth's amendment would rule out the possibility of any senator's or representative's wielding this kind of power, at least for a considerable length of time.

It is true that time is a great teacher and that experience provides wisdom. But there are four men in the Senate presently who have been there 30 years or more. You'd think that, if they had provided the country with much wisdom, we might know them well. Yet I venture that seven out of 10 readers of this column cannot name them.

I like the remark of Sen. Malcolm Wallop (R-Wyo), who supports Danforth: "There's no question that, if this amendment were adopted, men of extraordinary talent would not be here. But there's equally no question that men of extraordinary talent are ready to take their places."

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[From the Family Weekly, 1978]

#### PRO AND CON—SHOULD CONGRESSMEN'S TERMS BE LIMITED TO 12 YEARS?

PRO—REP. DAN GLICKMAN (D-KAN.)

For too many years we have had Congressional fiefdoms in Washington. History provides many examples of members of the House and Senate who have, through the privileges granted by seniority, created for themselves far-reaching powers. The problem of isolation exists on Capitol Hill. Members who have been in Washington too long tend to believe that it is the center of the universe; they lose contact with the people to whom they should be responding. A member who stays too long can and does begin to accept things as they are, to feel secure in the status quo. The advantages of incumbency make re-election, particularly in so-called "safe districts," an easy task for that member.

CON—REP. W. E. POAGE (D-TEXAS)

The basic reason for limiting the term of executives—the President or governors—is that they are able to build up political machines based upon their appointive powers. Members of Congress have no such opportunity. While there may not be many members of Congress who will serve as long as I have (42 years), or as long as Sam Rayburn (49 years) or Carl Vinson (50 years), the people should have the opportunity to avail themselves of the service of any individual they want to serve them just as long as they want his service and he is able to serve. When the people decide they do not want a Congressman, they can and will replace him no matter how long his service has been.

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[From the Miami, Florida News, Mar. 3, 1978]

#### NO PUSH FOR REFORM

Although that wise plan to limit the terms of congressmen to 12 years may be about as popular on Capitol Hill as Tongue Park, it at least is going to get a two-day hearing this month before the Senate Constitution Subcommittee

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chaired by Sen. Birch Bayh (D-Ind.). That gives reformers a few crumbs of satisfaction despite the scant hope that careerist-congressmen seriously would tamper with their comfortable ballwicks.

With Sen. Bayh showing little enthusiasm for the proposed constitutional amendment that would prevent politicians from parlaying incumbency into lifetime jobs, the hearings aren't likely to spark any hard drive for reform. Sen. Barry Goldwater (R-Ariz.), who has been hanging around the Senate for a quarter of a century, is the only veteran offering support to the chief sponsors, Sens. Dennis DeConcini (D-Ariz.) and John Danforth (R-Mex.).

This country could cure a lot of ills by limiting congressional terms. It could put an end to political dynasties of families from "safe" districts. It could dilute the strength of the too-powerful committee chairmen. It could shatter the seniority system that rewards age instead of talent. It could bring more fresh blood and ideas into the legislative process and help remove government from the control of the WASPish lawyer clique.

To get this promising reform, the people will have to want it—the majority of congressmen probably never will.

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[From the Birmingham, Alabama News, Mar. 15, 1978]

#### BAYH NOT IMPRESSED BY TENURE-LIMIT MOVE

Washington (AP).—Sen. Birch Bayh, D-Ind., serving his third term in the Senate, doesn't think much of proposals to limit the tenure of members of Congress, sponsored largely by freshman senators.

In a statement opening hearings by the constitution subcommittee of the Senate Judiciary Committee, Bayh said he had "serious reservations on the merits of these proposals." He questioned whether the proposed constitutional amendments would weaken the legislative branch and whether the federal government would work as well "if it relied on less experienced legislators."

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[From the Washington Post, Mar. 18, 1978]

#### CONGRESSIONAL LONGEVITY

One of those perennial attempts to reform Congress by limiting the terms of its members was trotted out again this week before a Senate Judiciary subcommittee. Under consideration are two constitutional amendments that would limit the service of future senators and representatives to 12 or 15 years. Proposals like these have been floating around at least since 1951, when the Constitution was changed to restrict presidents to two full terms. We hope they continue merely to float and don't light.

It needs to be conceded that proponents of amendments like these, introduced by Sens. Dennis DeConcini (D-Ariz.) and John C. Danforth (R-Mo.), are focusing on a real problem: the stagnation that prolonged terms in high office can produce. The seniority system, even though it is not so strong now as it once was, places enormous power in the hands of longtime members of Congress solely because they have been there so long. That, coupled with the political advantages that incumbency generates, makes it increasingly difficult for new blood to fight its way to Washington. Even when a veteran member has dropped out of touch philosophically with his constituents, he is often able to stay in office because party officials prefer power to issues.

Sen. DeConcini also argues that this distribution of power operates to deny equal representation to voters in states and districts where hot political competition makes it difficult for any person to stay long in Congress; the representatives of those areas are never able to stand on an equal footing with those from districts that send back the same legislator election after election.

Those are valid and appealing arguments. They make the proposed limits on congressional terms seem attractive. But the senators have traced the problems to the wrong source and are thus prescribing the wrong cure. The evils—and they are that—of which they speak grow not out of unlimited service but out of the way in which Congress itself has chosen to treat that service. The cure, then, is not to keep particular people out of Congress, but rather to limit

the power and prerogatives that Congress grants to those members who win reelection repeatedly. For example, restricting the length of time a member could be a committee chairman or, even, serve on a committee might not change the situation as much as would the proposed amendment, but it would certainly reduce the advantages of long service.

To attack this problem the other way, as the proposed constitutional amendments do, is to place an additional restriction on the right of voters to choose whomever they want to represent them in Washington. That right of choice is so fundamental that it should not be tampered with. Voters should be allowed to elect—and reelect—to Congress whom they please.

(From the Washington Post, Apr. 13, 1978)

### WHY WE SHOULD LIMIT CONGRESSIONAL TERMS

(By Milton R. Eisenhower<sup>1</sup>)

The Post's March 18 editorial "Congressional Longevity" cited some of the reasons given for advocating limited terms for representatives and senators. The editorial remarked that nothing would be gained by such limitations.

But it did not mention what I deem to be the most important reason for limiting representatives to three four-year terms and senators to two six-year terms. The electoral process operates in such a way that we tend to have permanent members of Congress, and to achieve that result the members must support not what is best for the United States but what will most please their constituents at a particular time.

Early in our history the problems facing the nation, while acute, were sufficiently simple that what citizens favored and what best served the national interest were essentially synonymous. Further, the desire of the professional politicians to achieve electoral immortality had not yet developed. Hence, in the early part of the 19th century a Congressional election saw nearly half of the members of the House of Representatives enter as freshmen.

Now the situation is vastly different. The problems the nation faces—energy, inflation, unemployment, imbalances in international trade and payments, the Middle East and African problems, crime—are complex. Citizens often lack basic facts essential to enlightened judgment. Members of the Senate and House have their staffs do publicly financed research, and committees hold prolonged hearings, often for months, on a single problem. A senator or representative therefore develops knowledge superior to that of most of his constituents. The task of statesmanship is for a congressman to vote for what is right (that is, what is best for the nation) and seek to inform constituents, convincing them, we hope, that his vote was the correct one.

Unfortunately, with no limitation on terms of office, there is always the temptation to please constituents rather than to promote the national welfare. One need only think of two problems—inflation and the devastating effect of the coal strike—to realize that members of the Senate and the House lack the courage to vote for what is needed, for in doing so they would offend powerful interest groups that have strong influence in political elections. Incumbents have found that the way to achieve electoral immortality is to behave as pressure groups wish.

The cost of a congressional election is now nearly 75 times as great as it was 90 years ago; in that costly process the advantages are with incumbents. They have the franking privilege. Every member is likely to have one or two employees on the public payroll who work almost exclusively in preparing for the next election. And of course the greater newsworthiness of incumbents helps them. The consequence is that today the historic turnover in the House of Representatives in each election has been reduced to less than 15 percent.

Limited terms for representatives and senators would eliminate the evils of the seniority system. It is true, as the Post said, that Congress could change the seniority system without having a constitutional amendment on limited terms. But the problem has been evident for a long time, and little corrective action has been taken. I see no reason to believe that the House and Senate will radically change the rules.

<sup>1</sup>The writer is a retired university president.

The major reason for limited terms for elected representatives applies also to the president. The chief executive should be limited to a single six-year term. He should have no incentive other than that of serving all the people, yet who is there today who cannot recall far-reaching and costly programs proposed and vigorously supported by presidents because they had wide temporary appeal yet proved in time to be wasteful and ineffective? Nearly every president in modern times has favored policies and programs that would contribute to his reelection. If there were evils in permitting the president to run for a third term—as the Congress and states decided—those same evils apply to election to a second term. Why, in our current economic disarray, have elected officials, including the president and governors, failed to uphold the law in the crippling coal strike? Why did they permit union miners to threaten and intimidate non-union miners so effectively that most non-union mines had to close? Why, when the Taft-Hartley Act was imposed, did not federal and state chief executives see to it that the law was observed?

The reason is obvious. The president and many governors are eligible for re-election. Pressure groups must not be offended—the political imperative.

That example, which involves an incumbent president and a few incumbent governors, could be duplicated with respect to policies and programs initiated by their predecessors.

A single six-year term for the president is gaining widespread support, and many states now limit governors to single terms. I think I may live to see the appropriate constitutional amendment adopted to limit the president to one six-year term. It may take longer to persuade the Congress to reform itself.

[From the Washington Post, Oct. 30, 1977]

### POLITICS OF ENDURANCE

(By George F. Will)

T. S. Eliot warned against "dreaming of systems so perfect that no one needs to be good." But the oldest American political tradition is the search for institutional arrangements that minimize reliance on public spiritedness. An idea in that tradition—an idea that would make a kind of greatness impossible—is enjoying new currency.

The Foundation for the Study of Presidential and Congressional Terms has been formed to consider, among other questions, whether there should be limits to the number of terms members of Congress can serve. It is an old question in American politics.

Critics argued during ratification debates that the Constitution would produce an alien and irresponsible governing class—a "government of strangers"—because it did not provide for compulsory rotation of elective offices. Today interest in compulsory rotation has again become acute, again because of fear of a "professional political class."

Morris Fiorina, a professor at the California Institute of Technology, notes that during the 19th century, 40 to 50 per cent of congressional seats changed hands in each election. Not until the turn of the century did the average continuous service of congressmen reach even five years. But since World War II, nearly 90 per cent of incumbents seeking reelection have been successful. The number of "marginal" districts (where the winner receives 50 to 55 per cent of the votes) has declined. For example, in 1972 fewer than 25 per cent of incumbents received less than 60 per cent of the votes, and 60 per cent of all winners received more than 65 per cent.

According to Fiorina, the growth of the federal role in American life, and the attendant growth of bureaucracy, has enabled congressmen from formerly "marginal" districts to base their appeal on noncontroversial activities. These include delivering benefits from the "special pork barrel" and doing "cosponsorship"—nonpartisan committee services such as helping voters cope with regulatory agencies. Today, Fiorina says, congressmen are perceived less as legislators than as ombudsmen for dealing with Washington.

John Danforth (R-Mo.), a former senator and a director of the foundation, proposes a constitutional amendment to limit senators to two terms and congressmen to six. Today 82 of 100 senators (82 per cent) and 133 of 433 representatives (30.6 per cent) have been in office more than 12 years.

Such an amendment is a recipe for further reducing the power of the legislature relative to the "permanent government," the executive bureaucracy. It would prove deadwood, but also would prevent great legislative careers on the scale of Henry Clay's, Sam Rayburn's and Robert Taft's—the sort of careers that give continuity, cohesion and energy to the legislature. Besides, a "fresh face" is by another name a "rookie," with a lot to learn in a town where there is a lot to know.

Dennis DeConcini (D-Ariz.), another freshman senator and a director of the foundation, favors compulsory rotation of offices in order to produce "citizen-legislators" who "come to government briefly, bringing their varied experiences to bear on current problems. . . ." But it is sentimental to think that the "varied experiences" of the average citizen can be usefully "brought to bear" on the most important complexities (strategic arms, welfare reform, capital formation) of public policy.

Reformers also should consider that compulsory rotation of offices might mean "citizen legislators" who are, increasingly, civic and wealthier amateurs. That might not be bad, but it should be considered. If no one can hope to make a career of politics, people will be more apt to enter politics later, after establishing a "real" career, and after establishing it so well that he or she can take a sabbatical.

"Serving as a member of Congress should not be viewed as a profession," says Danforth, "and it should never become a career." Americans cling to the idea that government in a modern state can be an amateur's avocation. But in government, as in other serious enterprises, knowledge is cumulative. Government is as much a profession as law or teaching; it is a learned activity and an increasingly complicated one.

Politics in our time has been ennobled by the long careers of such senators as John Stennis, Hubert Humphrey and Henry Jackson. Granted, long service is only a necessary, not a sufficient, condition of legislative greatness. Granted, greatness is rare, even among those who have long careers. But it should not be made impossible.

#### THE CASE FOR THE CITIZEN LEGISLATOR

(By Dennis DeConcini<sup>1</sup>)

With his usual flair and wit, George Will recently attacked a constitutional amendment introduced by Sen. John Danforth (R-Mo.) and me. The amendment, which would limit the number of terms representatives and senators could serve, was characterized by Will as the work of "rookies" who have "a lot to learn in a town where there is a lot to know."

Outensibly, Will's comments addressed themselves to the practicalities of Washington politics. His point is that it takes a long time to find the secret leavens in the Capitol and to learn to pull the levers of power. And in the absence of that knowledge (government "is a learned activity"), the bureaucracy will overwhelm the legislature.

As a practical argument, Will's position is not compelling. The 22nd Amendment prevents an individual from holding the office of President for more than 10 years. I am sure Will would concede that the responsibilities of a President are equal to those of a senator or representative—he might even be tempted to argue they are greater. After all, we demand of our Presidents that within a matter of months they put together an administration, develop a national policy, deal with international crises, serve as party leader and assume all the responsibilities of head of state. If the consequences of limiting the terms of senators and representatives are dire, as Will suggests, surely we should insist that the 22nd Amendment be repealed; perhaps we should insist that Presidents serve three, four or even five terms.

The legislature is the bar of the people. It should be an elite group of professional decision-makers, removed by time, distance and experiences from the people it serves and represents. To Will, the notion of a "citizen legislator" may be corny and naive; to me, the growing reality of the "professional legislator" is frightening. It is yet another step away from the democratic ideal and another step toward rigid, unrepresentative institutions.

<sup>1</sup>The writer is a Democratic senator from Arizona.

In an age when the universal complaint is the apathy of our citizenry, we should be developing the institutional structures necessary to provide more opportunities to participate meaningfully in the political process. The philosopher Rousseau observed that the degree of commitment an individual has to the rules that govern him is directly related to the extent of his participation in their formation. The bonds of community presupposed by democratic order are rooted in this principle. As opportunities to participate decline, disaffection and alienation grow, the authority of both public and private institutions withers.

Limiting the terms of senators and representatives is no panacea for our social and political ills. But it may make our legislature more responsive and sensitive to our diverse interests. Ultimately, it is not the purpose of the legislature to govern; it is the purpose of the legislature to develop the national consensus necessary for legitimate governing.

Broad and often unchecked power tends to accumulate to long-term survivors in the political arena. A limitation of terms would restrain its growth. The framers of the Constitution were political realists who sought to create institutional barriers to protect against the capricious exercise of power. And, thus, a limitation of terms fits that spirit. Furthermore, the framers did not intend that the vagaries of electoral politics should determine which states and which citizens benefit most from the federal system. Length of tenure goes hand-in-hand with the political pork barrel.

One final note; Re-election to office is often not vindication by the electorate. No astute observer of the contemporary political scene since WWII is oblivious to the tremendous advantages of incumbency. Election breeds re-election. The result is an overemphasis on constituent service at the expense of policy-making. Too many representatives and senators see themselves not as architects of the political and policy consensus, but solely as ombudsmen intervening with the ruling bureaucrats. Limiting terms forecloses making a career of the legislature; the overwhelming concern for job security will be removed, creating a shift in attitude, orientation and priorities.

SJR 9

PROPOSED AMENDMENT TO THE  
ALASKA CONSTITUTION LIMITING TERMS  
OF LEGISLATORS

This bill proposes a constitutional amendment to limit House legislative terms to not more than four consecutive full two year terms and Senate legislative terms to not more than two consecutive full four year terms. Only terms which begin after December 31, 1982 are affected.

# Alaska State Legislature

SENATOR  
M. "ED" DANKWORTH

REPRESENTING  
SENATE DISTRICT 12-J

COMMITTEES  
VICE-CHAIRMAN  
JUDICIARY  
RESOURCES

FINANCE  
REGULATORY REVIEW



Senate

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IN SESSION  
POUCH V  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-2749

February 27, 1980

*J. Ke & Harry*

Honorable Thomas B. Stewart  
Juneau Court & Office Bldg.  
Juneau, Alaska 99811

Dear Tom,

I have attached a copy of SJR 42 which I recently introduced in the Senate. This resolution would amend our state constitution to limit the number of consecutive years that a legislator may serve to; eight years in the House and eight years in the Senate.

My personal philosophy is one that would generally oppose any law which would restrict the right of the public to choose a candidate. I do believe, that when there is a substantial change in the function of one of the branches of government, that a review of the checks and balance of power is in order.

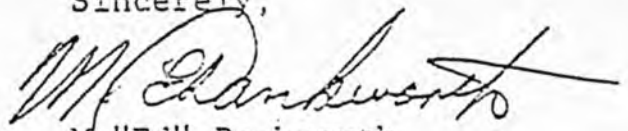
I suppose that my chief concern has been that the legislature has developed into a year-round operation. The legislature now, more than perhaps was envisioned in the beginning, manages and develops one of the richest natural resource deposits in the world. Because of the Legislature's internal wealth and liberal rules of operation, an incumbent legislator has an unprecedented advantage over the average citizen seeking to compete with him for office. On the federal level, it has been suggested that an incumbent candidate has roughly \$400,000. to \$500,000. advantage over a challenger. Through the seniority system, and this added political advantage, a political dynasty is built and an unjustifiable concentration of power is shared by a few individuals.

It appears to me, that we may have reached that time when, in order to safeguard and keep intact the principal of a citizen's legislature; we ought to consider some of the

limits this bill would provide. I have set out a few of my thoughts and those which compelled me to introduce this legislation. Because of your experience, particularly in the writing of the state constitution, and your valued judgment; I would like to impose upon you a request that you give me your views, pro or con, concerning this legislation.

Thank you in advance.

Sincerely,



M. "Ed" Dankworth  
State Senator

MED/mc

Enclosure

# Alaska State Legislature



Senate

SENATOR  
M. "ED" DANKWORTH

REPRESENTING  
SENATE DISTRICT 12-J

COMMITTEES  
FINANCE, CO-CHAIRMAN  
RULES, VICE-CHAIRMAN

TRANSPORTATION  
LEGISLATIVE BUDGET & AUDIT

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IN SESSION  
POUCH V  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3753

Monday, February 9, 1981

Don Patterson  
P. O. Box 2953  
Palmer, Alaska 99645

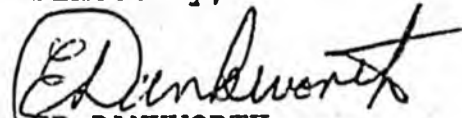
Dear Mr. Patterson:

Thanks for your message concerning Senate Joint Resolution 9, a proposal to limit the number of consecutive terms State Legislators may serve.

The resolution would amend the Constitution of the State of Alaska if it passes the legislature and is approved by the voters at the next general election. If the amendment is adopted by the voters it would go into effect after December 31, 1982. After that date, no legislator, Representative or Senator, could serve more than eight years consecutively in the same elective position. The current terms of existing legislators would not be affected by this proposal.

Thanks for taking time to share your views on this matter with me. I appreciate hearing from you.

Sincerely,

  
ED DANKWORTH  
Senator

ED/mg

## CONSTITUTIONAL AND STATUTORY PROVISIONS FOR LENGTH AND NUMBER OF TERMS OF ELECTED STATE OFFICIALS

State	Governor	Legis. governor	Secretary of state	Attorney general	Treasurer	Auditor	Comptroller	Education	Agriculture	Labor	Insurance	Mines	Land	Univ. regents	Bd. of education	Public util. comm.	Exec. council	Miscellaneous
Alabama	4(2)	4(2)	4(2)	4(2)	4(2)	4(2)	...	...	4(2)	...	...	...	...	...	4(1)	4(1)	...	...
Alaska	4(2)	4(2)	...	...	...	...	...	4(1)	...	...	...	2(1)	...	...	...	6(1)	...	...
Arizona	4(1)	...	4(1)	4(1)	4(0)(a)	...	...	4(1)	...	...	...	2(1)	...	...	...	...	...	...
Arkansas	2(1)	2(1)	2(1)	2(1)	2(1)	2(1)	...	...	...	...	...	...	2(1)	...	...	...	...	...
California	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	...	...	...	...	...	...	...	...	...	Bd. of Equalization—4(1)
Colorado	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	6(1)	6(1)	...	...	...
Connecticut	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...	...
Delaware	4(2)(b)	4(1)	...	4(1)	2(1)	2(1)	...	...	...	4(1)	...	...	...	...	...	...	...	...
Florida	4(2)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	4(1)	...	4(1)	...	...	...	[c]	4(1)	...	...
Georgia	4(2)	4(1)	4(1)	4(1)	...	...	4(1)	4(1)	4(1)	4(1)	[d]	...	...	...	...	6(1)	...	...
Hawaii	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...	4(1)	...	...	...
Idaho	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...
Illinois	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...	Bd. of Trustees, Univ. of Illinois—4(1)
Indiana	4(2)	4(1)	4(2)(e)	4(2)	4(2)(c)	4(2)(c)	...	4(1)	...	...	...	...	...	...	...	...	...	...
Iowa	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...
Kansas	4(2)	4(2)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	4(1)	...	...	...	4(1)	...	...	...
Kentucky	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	...	...	...	[f]	...	...	...	...	Railroad Commission—4(1)
Louisiana	4(2)	4(1)	4(1)	4(1)	4(1)	...	...	4(1)	4(1)	...	4(1)	...	...	...	4(1)	6(1)	...	Elections commissioner—4(1)
Maine	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Maryland	4(2)	4(1)	...	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...	2(1)	...
Massachusetts	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Michigan	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	8(1)	8(1)	...	...	...
Minnesota	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Mississippi	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	...	4(1)	...	4(1)	...	...	4(1)	...	Highway Commission—4(1)
Missouri	4(2)(b)	4(1)	4(1)	4(1)	4(2)(b)	4(1)	...	...	...	...	...	...	...	...	...	...	...	...
Montana	4(1)	4(1)	4(1)	4(1)	...	...	...	4(1)	...	...	[g]	...	...	...	...	4(1)	...	...
Nebraska	4(2)	4(1)	4(1)	4(1)	4(2)(g)	4(1)	...	...	...	...	...	...	...	6(1)	4(1)	6(1)	...	...
Nevada	4(2)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	6(1)	4(1)	...	...	...
New Hampshire	2(1)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2(1)	...
New Jersey	4(2)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
New Mexico	4(1)(h)	4(1)(h)	4(1)(h)	4(1)(h)	4(1)(h)	4(1)(h)	...	...	...	...	...	...	4(1)(h)	...	6(1)	...	...	Corporation Commission—6(1)
New York	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...
North Carolina	4(2)(b)	4(2)(b)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...
North Dakota	4(1)	4(1)	4(1)	4(1)	4(1)	4(1)	...	4(1)	4(1)	4(1)	4(1)	...	...	...	...	6(1)	...	Tax commissioner—4(1)
Ohio	4(2)(i)	4(1)	4(1)	4(1)	4(1)	4(1)	...	...	...	...	...	...	...	...	6(1)	...	...	...

THE LEGISLATORS  
Numbers, Terms, and Party Affiliations  
As of January 1978

State or other jurisdiction	Senate					House					House and senate totals		
	Democrats	Republicans	Vacancies	Total	Term	Democrats	Republicans	Vacancies	Total	Term			
Alabama	34	0	...	35(a)	4	103	2	...	105	4	140		
Alaska	12	8	...	20	4	25	15	...	40	2	60		
Arizona	16	14	...	30	2	22	38	...	60	2	90		
Arkansas	34	1	...	35	4	95	5	...	100	2	135		
California	26	14	...	40	4	57	23	...	80	2	120		
Colorado	17	18	...	35	4	30	35	...	65	2	100		
Connecticut	22	14	...	36	2	91	60	...	151	2	187		
Delaware	13	8	...	21	4	26	15	...	41	2	62		
Florida	30	9	...	40(a)	4	93	27	...	120	2	160		
Georgia	52	4	...	56	2	156	24	...	180	2	236		
Hawaii	18	7	...	25	4	41	10	...	51	2	76		
Idaho	15	20	...	35	2	22	48	...	70	2	105		
Illinois	34	25	...	59	(b)	94	83	...	177	2	236		
Indiana	28	22	...	50	4	48	52	...	100	2	150		
Iowa	26	24	...	50	4	59	41	...	100	2	150		
Kansas	19	21	...	40	4	65	60	...	125	2	165		
Kentucky	29	9	...	38	4	78	22	...	100	2	138		
Louisiana	38	1	...	39	4	101	4	...	105	4	144		
Maine	12	21	...	33	2	89	62	...	151	2	184		
Maryland	39	8	...	47	4	125	15	1	141	4	188		
Massachusetts	34	6	...	40	2	192	44	1	240(a)	2	280		
Michigan	24	14	...	38	4	68	42	...	110	2	148		
Minnesota	48	19	...	67	4	100	34	...	134	2	201		
Mississippi	50	2	...	52	4	117	3	1	122(a)	4	174		
Missouri	22	12	...	34	4	112	51	...	163	2	197		
Montana	25	25	...	50	4(c)	57	43	...	100	2	150		
Nebraska	Nonpartisan election			49	4	Unicameral legislature					49		
Nevada	17	3	...	20	4	35	5	...	40	2	60		
New Hampshire	12	12	...	24	2	175	219	6	400	2	424		
New Jersey	27	13	...	40	4(d)	54	26	...	80	2	120		
New Mexico	33	9	...	42	4	48	22	...	70	2	112		
New York	21	16	3	60	2	87	58	4	150(a)	2	210		
North Carolina	47	3	...	50	2	114	6	...	120	2	170		
North Dakota	18	12	...	30	4	50	50	...	100	2	140		
Ohio	31	12	...	43	4	62	37	...	99	2	132		
Oklahoma	39	9	...	48	4	79	22	...	101	2	149		
Oregon	24	6	...	30	4	37	23	...	60	2	90		
Pennsylvania	28	20	2	50	4	118	84	1	203	2	253		
Rhode Island	45	5	...	50	2	83	17	...	100	2	150		
South Carolina	41	3	...	46	4	111	12	1	124	2	170		
South Dakota	12	23	...	35	2	22	48	...	70	2	105		
Tennessee	23	9	...	32(a)	4	66	12	...	98(a)	2	132		
Texas	27	4	...	31	4	131	19	...	150	2	181		
Utah	17	12	...	29	4	35	40	...	75	2	104		
Vermont	9	21	...	30	2	75	74	...	150(a)	2	180		
Virginia	35	5	...	40	4	76	21	...	100(a)	2	140		
Washington	29	20	...	49	4	62	36	...	98	2	147		
West Virginia	28	6	...	34	4	91	9	...	100	2	134		
Wisconsin	22	11	...	33	4	66	33	...	99	2	132		
Wyoming	12	18	...	30	4	29	32	...	62(a)	2	92		
All States	1,306	618	5	1,981(a)	...	3,772	1,783	15	5,581(a)	...	7,562		
American Samoa	Nonpartisan election			18	4	Nonpartisan election					21	2	39
Guam	14	7	...	21	2	Unicameral legislature					21		
Puerto Rico	14(e)	13	1	28	4	32(e)	17(f)	2	51	4	79(g)		
TIP	(h)	(i)	...	12	4	(h)	(h)	...	22	4	34		
Virgin Islands	(i)	(j)	...	15	2	Unicameral legislature					15		

(a) The following members in current legislatures are not Democrats or Republicans: Alabama 1, Florida 1, Massachusetts 3, Mississippi 1, New York 1, Tennessee senate 1, house 1, Vermont 1, Virginia 3, Wyoming 1. Total senate 3, house 11.

(b) All senators ran for election in 1972 and all will run every 10 years thereafter. Senate districts are divided into thirds. One group elects senators for terms of 4 years, 4 years, and 2 years; the second group for terms of 4 years, 2 years, and 4 years; the third group for terms of 2 years, 4 years, and 4 years.

(c) After each decennial reapportionment, lots will be drawn for the senators to serve an initial 2-year term. Subsequent elections will be for 4-year terms.

(d) Senate terms beginning in January of second year following the U.S. decennial census are for 2 years only.

(e) New Progressive Party.

(f) Popular Democratic Party.

(g) The constitution provides for selection of additional members from the minority party after a general election in which it elects fewer than 9 members in the senate and 17 members in the house. Total house and senate composition can reach 104 members.

(h) At present there is no organized national party.

(i) Party affiliations were not available.

## CONSTITUTIONAL QUALIFICATIONS FOR ELECTION TO STATE OFFICE\*

State or other jurisdiction	Governor and lieutenant governor				Legislature					
	Age	U.S. citizen (years)	State citizen/ resident (years)	Other	Age		State resident (years)		District resident, house & senate (years)	Other
					House	Senate	House	Senate		
Alabama	30	10	7(a)	...	21	25	3	3	1	...
Alaska	30	7	7	(b)	21	25	3	3	1	(b)
Arizona	25	10	5(a)	...	25	25	3	3	1	(c)
Arkansas	30	(d)	7	...	21	25	2	2	1	(c)
California	(b)	5	5	(b)	(b)	(b)	3	3	1	(b, c)
Colorado	30	(d)	2	...	25	25	...	...	1	(c)
Connecticut	30	...	...	(b)	21	21	...	...	(c)	(b)
Delaware	30	12	6	...	24	27	3	3	1	...
Florida	30	...	7	(b)	21	21	2	2	(c)	(b)
Georgia	30	15	6(a)	...	21	25	2	4	1	(c)
Hawaii	30	...	5	(b)	Age of majority	(f)	3	3	...	(b)
Idaho	30	(d)	2	...	(b)	(b)	...	...	1	(b, c)
Illinois	25	(d)	3	...	21	21	...	...	2	(c)
Indiana	30	5	5	...	21	25	2	2	1	(c)
Iowa	30	(d)	2	...	21	25	1	1	50 da.	(c)
Kansas(g)	...	...	...	...	(b)	(b)	...	...	(c)	(b)
Kentucky	30	...	4(h)	...	24	30	2	6	1	(a)
Louisiana	25	5	5	...	18	18	2	2	1	(b)
Maine	30	15	5	(i)	21	25	1	1	3 mo.	(a, c)
Maryland	30	...	5	(b)	21	25	1	1	(j)	(c)
Massachusetts	...	...	7	...	...	...	...	5	(c)	...
Michigan	30	...	...	(b)	21	21	...	...	(c)	(b, k)
Minnesota	25	(d)	1	...	(b)	(b)	1	1	6 mo.	(b)
Mississippi	30	20	5	...	21	25	4	4	2	(b)
Missouri	30	15	10	...	24	30	2	3	1	(b)
Montana	25	(d)	2	...	...	...	1	1	6 mo. (l)	...
Nebraska	30	(d)	5(h)	...	U	21	U	...	1	(b)
Nevada	25	...	2	(b)	(m)	(m)	(m)	(m)	...	(b)
New Hampshire	30	...	7	...	...	30	2	7	(c)	...
New Jersey	30	20	7	...	21	30	2(a)	4(a)	1	(b)
New Mexico	30	(d)	5	...	21	25	...	...	(c)	...
New York	30	(d)	5	...	...	...	5	5	1	(c)
North Carolina	30	5	2	...	(n)	25	...	2	1	(b)
North Dakota	30	(d)	5	...	18	18	1	1	(c)	(b)
Ohio(g)	(b)	...	...	(b, c)	(b)	(b)	...	...	1	(b, d)
Oklahoma	31	(d)	...	(b)	21	25	...	...	(c)	(b, k)
Oregon	30	(d)	3	...	21	21	...	...	1	(c)
Pennsylvania	30	(d)	7	...	21	25	4(a)	4(a)	1	...
Rhode Island	(b)	1 mo.	1 mo.	(b, p)	(b)	(b)	1 mo.	1 mo.	1 mo.	(b, p)
South Carolina	30	5	5(h)	...	21	25	...	...	...	(b)

South Dakota	...	(d)	2	...	25	25	2	2	...	(b, c, p)
Tennessee(q)	30	(d)	7(a)	...	21	30	3	3	1	(c)
Texas	30	(d)	5	...	21	26	2	5	1	(b, c)
Utah (r)	30	...	5(h)	(b)	25	25	3	3	6 mo.	(b, c)
Vermont	...	...	4	...	...	30	2	...	(e)	...
Virginia	30	(d)	5	(b)	21	21	...	...	(e)	...
Washington	(b)	(d)	...	(b)	(b)	(h)	...	...	...	(b, c)
West Virginia!	30	...	5(a)	(a, b)	(a, b)	25	5(a)	5(a)	1	(b, a, p)
Wisconsin	(h)	(d)	...	(b)	(h)	(b)	1	1	...	(b)
Wyoming!	30	(d)	5	(b)	21	25	...	...	1	(a, c)
American Samoa	35	(a)	1	(i)	25	30	(u)	(u)	(u)	(c, v)
Guam	30	(d)	5	(b)	11	25	11	5	...	...
Puerto Rico!	35	5	5	...	25	30	2	2	1	(w)
Virgin Islands	30	...	...	(b)	...	21	...	3	3	(b, c)

\*Some states may have established statutory qualifications.

!The state does not provide for office of lieutenant governor. In Arizona, Oregon, and Wyoming, the secretary of state is elected statewide and is first in line of succession to governorship, for these reasons, that individual is listed as a lieutenant governor although office not officially so titled. Age cited in constitutions of Arizona and Wyoming for this office is 25. Oregon constitution lists no age.

U—Unicameral legislature.

- (a) Citizen of the state.
- (b) Must be a qualified voter. Maryland: 5 years; Michigan: governor 4 years, Oklahoma: 6 months; Virginia: 5 years.
- (c) U.S. citizen. Maine: 5 years.
- (d) Number of years not specified.
- (e) Reside in district, no time limit. Massachusetts: House 1 year; Vermont: House 1 year.
- (f) The age of majority in Hawaii is 18.
- (g) Kansas and Ohio have no constitutional qualifications for the office of governor. Ohio provides that no member of Congress or other person holding a state or federal office shall be governor.
- (h) Resident and citizen.
- (i) Governor must be resident of the state during the term for which he is elected.
- (j) If the district has been established for at least 6 months, residency is 6 months. If the district was established for less than 6 months, residency is length of establishment of district.

(k) No person convicted of a felony for breach of public trust within preceding 20 years or convicted for subversion shall be eligible.

(l) Shall be a resident of the county if it contains one or more districts or of the district if it contains all or parts of more than one county.

(m) By statute an age of 21 minimum and a 1 year state residency has been established for membership in the legislature.

(n) A conflict exists between two articles of the constitution specifying age for house members. Depending on interpretation, minimum age is 21 or age of qualified voter (18).

(o) No person convicted of embezzlement of public funds shall hold any office.

(p) No bribery convictions. South Dakota, West Virginia: No bribery, perjury, or infamous crimes.

(q) Office of lieutenant governor was created by statute. He is chosen by members of the senate of which he is a member and the office bears the title of speaker. The speaker must reside one year immediately preceding his election in the county or district he represents.

(r) Lieutenant governor and secretary of state are the same individual.

(s) Must be a U.S. citizen or U.S. national.

(t) No dishonorable discharge.

(u) Live in American Samoa for 5 years and bona fide resident 1 year.

(v) Senator must be a registered voter.

(w) Write and speak English and Spanish.

Oklahoma	4(2)	4(U)	4(1)	4(1)	4(1)	4(1)	...	4(1)	...	4(1)	4(1)	4(1)	...	...	...	6(U)	...	Commissioner of charities & corrections—4(U); Examiner & Inspector—4(1)
Oregon	4(2)(c)	...	4(2)(c)	4(U)	4(2)(c)	...	...	4(U)	...	4(1)	...	...	...	...	...	...	...	...
Pennsylvania	4(2)	4(2)	...	...	4(2)	4(2)	...	...	...	...	...	...	...	...	...	...	...	...
Rhode Island	2(U)	2(U)	2(U)	2(1)	2(U)	...	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	4(O)	4(U)	4(U)	4(U)	4(U)	...	4(U)	4(U)	4(U)	...	...	...	...	...	...	...	...	Adjutant & inspector general—4(U)
South Dakota	4(2)	4(2)	4(1)	4(U)	4(U)	4(U)	...	...	...	...	...	4(U)	...	...	...	6(U)	...	...
Tennessee	4(O)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	6(U)	...	...
Texas	4(1)	4(1)	...	4(U)	4(U)	...	4(U)	...	4(U)	...	...	...	4(U)	...	6(1)	...	...	Railroad Commission—4(U)
Utah	4(1)	4(1)	(j)	4(U)	4(O)	4(O)	...	...	...	...	...	...	...	...	4(U)	...	...	...
Vermont	2(1)	2(1)	2(U)	2(U)	2(U)	2(U)	...	...	...	...	...	...	...	...	...	...	...	...
Virginia	4(O)	4(1)	...	4(1)	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Washington	4(U)	4(U)	4(U)	4(1)	4(U)	4(U)	...	4(1)	...	4(1)	...	4(1)	...	...	...	...	...	...
West Virginia	4(2)	...	4(2)	4(1)	4(1)	4(1)	...	...	4(1)	...	...	...	...	...	...	...	...	...
Wisconsin	4(1)	4(U)	4(1)	4(1)	4(U)	...	...	4(1)	...	...	...	...	...	...	...	...	...	...
Wyoming	4(1)	...	4(1)	...	4(O)	4(U)	...	4(1)	...	...	...	...	...	...	...	...	...	...

First entry refers to number of years per term. Second entry (in parentheses) refers to number of terms.

*Symbols:*

(U)—No provision for number of terms allowed

(O)—Cannot succeed himself

(1)—May hold office for unlimited number of terms

(a) Must wait 2 years before being eligible again.

(b) Absolute 2-term limit, not necessarily consecutive.

(c) Governor and Cabinet ex officio

(d) Comptroller general is ex officio insurance commissioner.

(e) Eligible for 8 out of 12 years.

(f) Secretary of state holds this office.

(g) After 2 consecutive terms, must wait 2 years before being eligible again.

(h) Must wait 1 full term before being eligible for any office, with the exception of lieutenant governor who is eligible immediately for the office of governor.

(i) After 2 consecutive terms, must wait 4 years before being eligible again.

(j) Lieutenant governor and secretary of state are the same individual.

(k) State treasurer also serves as insurance commissioner.

(l) State auditor is also insurance commissioner.

SJR

/O

Introduced: 2/20/81  
Referred: Resources and  
Judiciary

1 IN THE SENATE

BY KERTTULA

2 SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 10

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 Proposing amendments to the Consti-  
6 tution of the State of Alaska relat-  
7 ing to agricultural rights in state  
8 lands.

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

10 \* Section 1. Article VIII, sec. 9, Constitution of the State of Alaska,  
11 is amended to read:

12 SECTION 9. SALES AND GRANTS. Subject to the provisions of this  
13 section and Section 19 of this article, the legislature may provide for  
14 the sale or grant of state lands, or interests therein, and establish  
15 sales procedures. All sales or grants shall contain such reservations  
16 to the State of all resources as may be required by Congress or the  
17 State and shall provide for access to these resources. Reservation of  
18 access shall not unnecessarily impair the owners' use, prevent the  
19 control of trespass, or preclude compensation for damages.

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

22 SECTION 19. AGRICULTURAL RIGHTS IN STATE LANDS. When state land  
23 has been ~~classified~~ <sup>AND (CONSIDERED)</sup> by the State as agricultural land, only the agricul-  
24 tural rights in the land may be conveyed. All other interests in the  
25 land remain with the State. Agricultural rights in state lands may not  
26 be converted to other rights in state lands.

27 \* Sec. 3. The amendments proposed by this resolution shall be placed  
28 before the voters of the state at the next general election in conformity  
29 with article XIII, section 1, Constitution of the State of Alaska and the

STATE TITLED A CITY OR TOWNSHIP OR NATIVE CORPORATION FORMED UNDER THE ALASKA NATIVE LAND CLAIMS SETTLEMENT ACT.

DNR CLASSIFIED?

1 election laws of the State.

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Official Business

# Alaska State Legislature

## Senate

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

FEBRUARY 17, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

#### Legislation Before Committee:

SJR 10 - Proposing amendments to the Constitution of the State of Alaska relating to disposition of agricultural rights in state lands.

SCR 19 - Proposing an amendment to the uniform rules relating to an earlier organization of the legislature.

SB 333 - "An Act authorizing earlier organization of the legislature."

The meeting of the Senate Judiciary Committee was called to order by Chairman Rodey at 1:40 P.M. Committee members present were: Senators Rodey, Ray, and Parr. Senator Bennett was absent.

Chairman Rodey first brought a bill relating to compilation of the jury list before the Committee for their review and introduction as a committee bill. There was no objection.

Next Chairman Rodey brought before the Committee SJR 10. Senator Kerttula, prime sponsor of the bill, testified stating that the philosophy of the constitutional amendment, "limited amount of land", bears going before the people. He further stated that the Matanuska Valley-Tanana Valley land is in jeopardy by development.

Chairman Rodey moved that on Line 23, Page 1, insert "and conveyed" between "classified" and "by". There was no objection and the amendment was adopted.

Senator Ray expressed that he does not want municipalities restricted in land use. He also moved that on Line 24, Page 1, delete the "." and insert "and". There was no objection.

Senator Kerttula suggested that the Committee delete the entire sentence beginning on Line 25, Page 1, "Agricultural rights in state lands may not be converted to other rights in state lands." Senator Rodey made the motion and it was adopted.

Senator Ray moved that the Committee pass SJR 10 from Committee as amended. There was no objection. Senator Parr signed no recommendation, Senators Ray and Rodey signed do pass.

The next item on the agenda was SB 333 and SCR 19.

After brief discussion on SB 333 and SCR 19, Chairman Rodey stated that the language is not clear and requested that the bill be held over until staff could work out language changes. There was no objection.

Chairman Rodey adjourned the meeting at 2:25 P.M.



Official Business

# Alaska State Legislature

## Senate

### Committee on Judiciary

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### MINUTES OF THE SENATE JUDICIARY COMMITTEE

OF

JANUARY 22, 1982

Butrovich Committee Room, State Capitol Juneau, Alaska

#### Legislation Before Committee:

SJR 54 - Proposing amendments to the Constitution of the State of Alaska relating to the confirmation of appointments by the governor.

SSSJR 10 - Proposing amendments to the Constitution of the State of Alaska relating to agricultural rights in the state lands.

The meeting of the Senate Judiciary Committee was called to order by Vice-Chairman Bennett at 1:45 P.M. Committee members present were: Senators Bennett, Ray, and Parr. Senators Rodey and Huhman were absent.

The first legislation before the committee was SJR 54. Pete Froehlech, representing the Attorney General, spoke against the resolution. It was his belief that adoption of such an amendment would alter the balance of power between the executive and legislative branches. He further stated that a commissioner could not make unpopular decisions in fear of removal by the Legislature. It was the view of the Attorney General's office that this amendment would be undesirable to the framers of the Constitution.

Senator Parr explained the purpose behind the amendment and gave a brief history of his experiences with executive appointments.

Senator Ray moved that on Page 1, Line 16, and on Line 26, the word "a" be struck and the word "another" inserted in its place. There was no objection to the amendment and it was adopted. Senator Ray further moved that on Page 1, Line 13, and Line 22, the words "two-thirds" be deleted and the words "three-fourths" substituted. Senator Parr objected the amendment. On a roll call vote, Senator Ray voted yes, Senators Parr and Bennett voted no and the amendment was not adopted.

Senator Parr moved that the resolution pass from committee as amended with individual recommendations. Senator Ray requested that the chair hold it over for one meeting and it was so ordered. Senator Bennett requested that the staff bring this resolution before the committee at the next meeting.

The committee next took up SSSJR 10. Bob Palmer, Office of the Governor, testified in favor of the resolution. He indicated that this amendment would end speculation in agricultural land and should keep the price where farmers could afford to acquire and work parcels. Nick Carney, Department of Natural Resources, also supported the legislation and responded to questions by the committee. Marcia Vandercook, of Senator Kerttula's office, also spoke in favor of the resolution.

The committee was concerned that land claimed by Native Corporations or local governments that had previously been classified as agricultural land could not use the land for other purposes. Mr. Carney replied that this was correct, but that land selectors could have the land re-classified before it was conveyed. The committee took no action on the legislation.

The meeting was adjourned at 2:30 P.M.

# Alaska State Legislature

BETTYE FAHRENKAMP, CHAIRMAN  
VIC FISCHER, VICE-CHAIRMAN  
BRAD BRADLEY  
DICK ELIASON  
DON GILMAN  
BOB MULCAHY  
ARLISS STURGULEWSKI



POUCH V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3034  
(907) 465-3035

## Senate

### Committee on Resources

April 8, 1981  
1:40 p.m.

Beltz Room  
Room 211 - Capitol

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#### MEMBERS PRESENT

Senator Fahrenkamp  
Senator Fischer  
Senator Sturgulewski  
Senator Mulcahy  
Senator Gilman

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#### Hearing:

- SSSJR 10 Proposing amendments to the Constitution of the State of Alaska relating to agricultural rights in state lands.
- SCR 17 Relating to the development of a wood products industry in the state.
- SB 245 An Act amending the agricultural loan program to authorize loans for the harvesting, storage, and delivery of peat.

Bob Palmer, Coordinator, Special Projects for the Governor, stated that, nationwide annually, 3-5 million acres of are taken out of agricultural production. A number of states have recognized the negative impact of this and have been purchasing agricultural rights from private land owners. He indicated that SSSJR 10 would alleviate several potential problems: first, the sale of only agriculture rights could be repealed by a future legislature. And, second, with the approval from the adjacent city and the Division of Lands, the owner of agricultural lands can obtain full title. He indicated that there has been an increase in the number of people speculating in agriculture lands in hopes they can someday sub-divide the land and sell it. SSSJR 10 will eliminate this speculation.

Senator Fischer put forth the motion to move SSSJR 10 with individual recommendations.

Senator Colletta, stated that SCR 17 sets up a procedure to utilize one of the state resources. With the current emphasis on agricultural development, it is necessary to utilize the timber that is on the land. SCR 17 directs the various agencies to work together jointly to utilize all of the resources

Senator Sturgulewski offered language for amendments. The Chairman suggested since SCR 17 would be next in the Finance Committee that the amendments could take place there.

Bob Palmer, Coordinator, Special Projects for the Governor, stated that he supports the concept of SCR 17. He explained that the language "highest and best use" is not always the the most obvious use of the resource.

Senator Mulcahy put forth the motion to move SCR 17 with individual recommendations.

Bob Palmer, Coordinator, Special Projects for the Governor, stated he supports SB 245. He indicated that during a recent market trip to Japan he found that they import large amounts of peat from West Germany which contains 60% moisture. The Japanese use peat for cattle feed, oil spill clean up and potting soil. Peat offers a prime opportunity for a new industry in Alaska. One of the difficulties with the development of a peat industry is a large portion of it is located in wet lands which fall under the jurisdiction of the Army Corps of Engineers. He suggested that due to the limited funds in the Agricultural Loan Program that AIDA or ARRC might be more appropriate bodies to handle loans for peat.

The Committee was adjourned at 2:25 p.m.



# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chairman • Pouch V • Juneau, Alaska 99811 • (907) 465-4954

Official Business

### M E M O R A N D U M

RECEIVED

APR 16 1981

TO: Senator Rodey, Chairman  
Judiciary Committee

FROM: Senator Vic Fischer *VP*

DATE: April 14, 1981

RE: SJR 10, Agricultural Rights in State Lands

I believe the constitutional amendment is significant enough to justify Legislative approval.

However, I believe section 2 of SSSJR 10, providing for a new section 19, is all the amendment required. I don't think we have to revise existing section 9, as proposed in section 1 of the resolution.

/sc

SJR

13

COMMITTEE REPORT

SENATE

2/24/82

FURTHER: None

Date: March 1, 1982

Mr. President:

The Committee on JUDICIARY has had SJR 13  
ratification of an amendment to the Constitution of the United States

under consideration and (a majority of the committee) (the committee)  
reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

*[Handwritten signature]*

*[Handwritten signature]*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CHAIRMAN

blyman holding office at the time the change takes effect is not affected by that change.

(b) The regular term of office begins on the first Monday following certification of the election, unless a different date is prescribed by borough charter or ordinance.

(c) This section applies to home rule and general law boroughs. (§ 2 ch 118 SLA 1972; am § 13 ch 118 SLA 1972; am § 4 ch 83 SLA 1979; am § 11 ch 128 SLA 1980)

**Effect of amendments.** — The 1979 amendment rewrote the second sentence of present subsection (a).

The 1980 amendment restructured the section into present subsections (a) — (c), added the present second sentence of subsection (a), and substituted "unless a different date is prescribed by borough charter or ordinance" for "the current term of incumbent assemblymen may not be altered under this section" at the end of subsection (b).

**Editor's notes.** — Section 26, ch. 83, SLA 1979, provides that the terms of borough assemblymen elected or appointed to dual borough assembly-city council seats are not effected by the amendment made to AS 29.23.040 by sec. 4, ch. 83, SLA 1979 until reapportionment of the assembly is required or proposed under AS 29.23.020 or under AS 29.23.021 — 29.23.025.

**Sec. 29.23.060. Procedure.** (a) The assembly shall meet at least once every month, unless otherwise provided by ordinance. All meetings shall be public meetings. Special meetings may be held on the call of the chairman, the presiding officer, or one-third of the members, upon not less than 24 hours written or oral notice communicated to each member. In an emergency a special meeting shall be a legal meeting if all members are present or there is a quorum and all absent members have waived in writing the required notice. A waiver may be either before or after the time of the meeting. The waiver shall be attached to and made a part of the journal for that meeting.

(b) The assembly shall elect from among its members a presiding officer and a deputy presiding officer to serve at its pleasure, except that in manager plan boroughs the borough mayor serves as presiding officer. If the presiding officer is not present or disqualifies himself, the deputy presiding officer shall preside.

(c) The assembly shall determine its own rules and order of business and provide for keeping a journal of its proceedings. The assembly is the judge of the election and qualification of its members and, with the concurrence of two-thirds of its members, may expel a member for a conviction of a felony or misdemeanor described in AS 15.56.010 — 15.56.130 as a corrupt practice. The assembly shall consider a conviction of a member for a felony or misdemeanor described in AS 15.56.010 — 15.56.130 as a corrupt practice at its first meeting following the final determination of the conviction.

(d) A majority of the membership authorized by law constitutes a quorum. In the absence of a quorum, any number less than a quorum may recess or adjourn the meeting to a later date. Actions of the assem-

bly are adopted by a majority. All assemblymen present on a question in which he has an interest.

(e) The final vote on a motion is a recorded "yes" if it is necessary only so to

(f) Repealed by § 16 ch

(g) Repealed by § 16 ch

(h) Repealed by § 16 ch

(i) Repealed by § 16 ch

(j) Repealed by § 16 ch  
§ 16 ch 118 SLA 1972; am

**Cross references.** — As to action from official action when there is an interest, see AS 29.23.555.

## Article 2. Borough

### Section

#### 130. Power generally

**Sec. 29.23.130. Power** adopted a manager plan, power is vested in an elected manager. If a borough has adopted a manager plan, the appointed manager and the mayor who has the same powers as a manager-plan city under AS 29.

(b) A borough voter is eligible to vote in a borough election may by ordinance establish a borough mayor not exceeding

(c) The borough mayor's term of office shall be until a successor is elected on the first Monday following certification of the election. The mayor may provide by ordinance for a successor, except that the current term may be altered.

(d) A borough may adopt a manager plan as provided in AS 29.23.410 — 29.23.415. The manager has all the powers of a chief administrative officer and is the chief executive.

(e) A borough adopting a manager plan may, by ordinance, enter into a contract pr