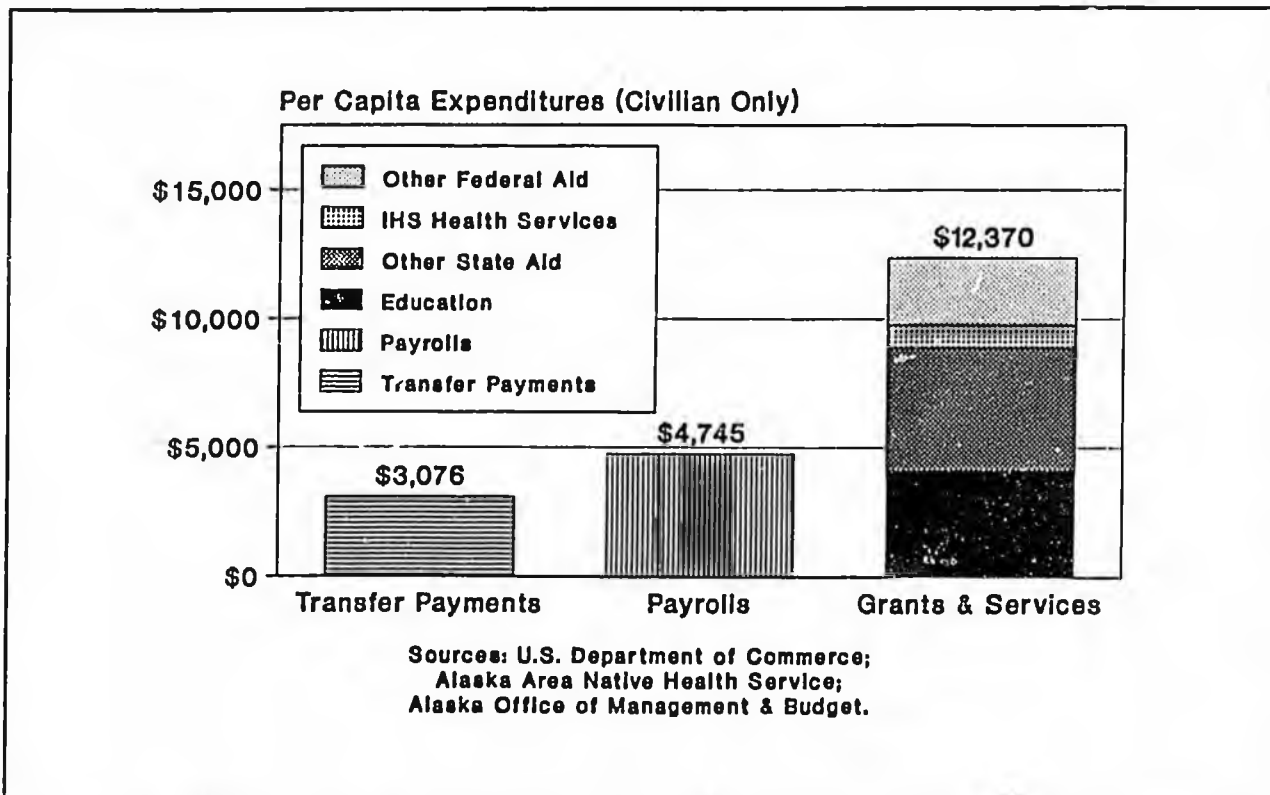


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**Figure 17. Per Capita State and Federal Expenditures: Transfers, Payrolls, Grants and Services, Western Alaska, FY 1986**

In broad measure, the thrust of state and federal spending in western Alaska has favored grants and contracts to support community facilities and service delivery over personal income transfers to individuals.

TRANSFER PAYMENTS

As an income category, "transfer payments" includes a number of types of payments other than income assistance. For example, in 1986 in western Alaska, state-administered income assistance payments (e.g., Aid to Families with Dependent Children, Food Stamps and Medical Assistance) amounted to \$594 of the total \$3,076 of transfer payments were distributed per capita.

Federal income assistance added slightly to that subtotal. The per capita remainder (approximately \$2,400) was composed of retirement benefits, State of Alaska permanent fund dividend and longevity bonus payments and similar payments.

Interestingly, despite the poverty of Native families living in rural villages, transfer payments have not been the primary means that the federal and state governments have employed to bolster the rural economy. As Figure 18 demonstrates, although in 1986 the per capita distribution of transfer payments was a greater source of personal income in western Alaska than the state and national averages, earned income of \$7,924 per capita significantly exceeded transfer payments.

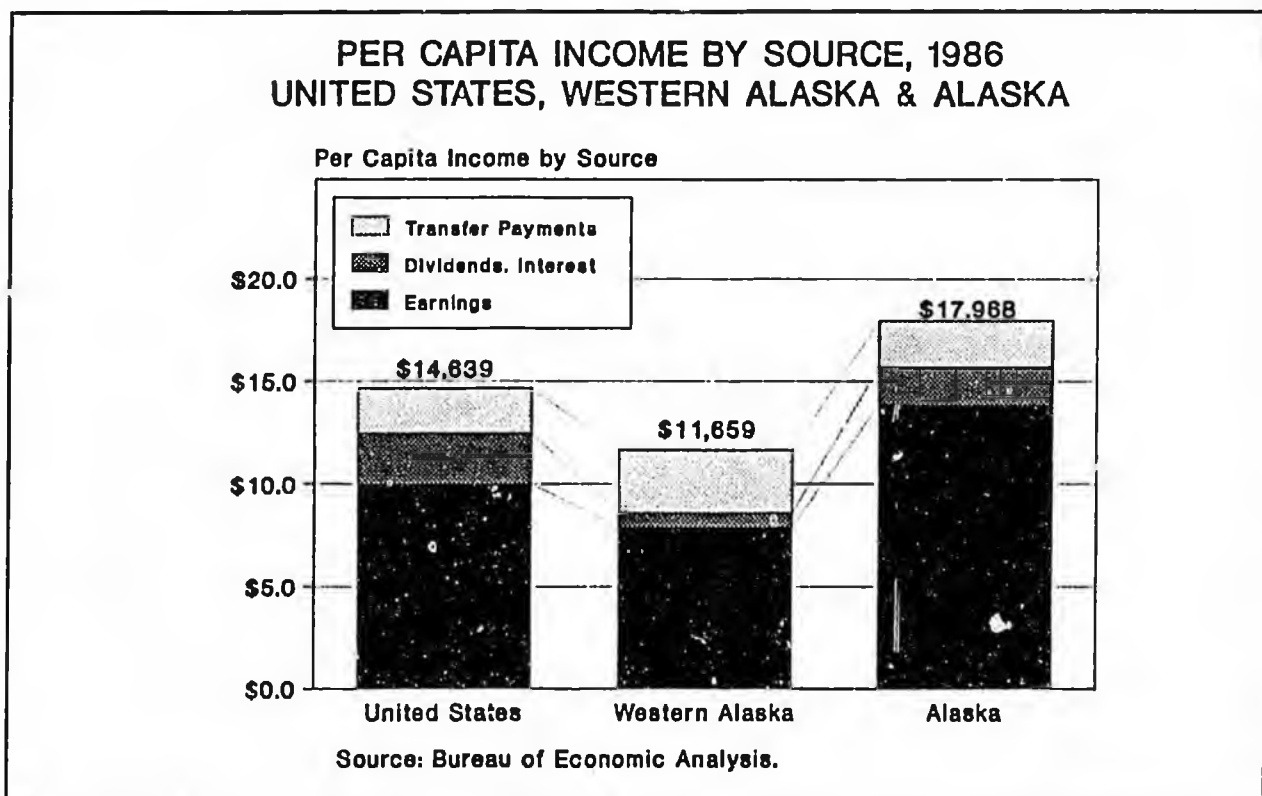


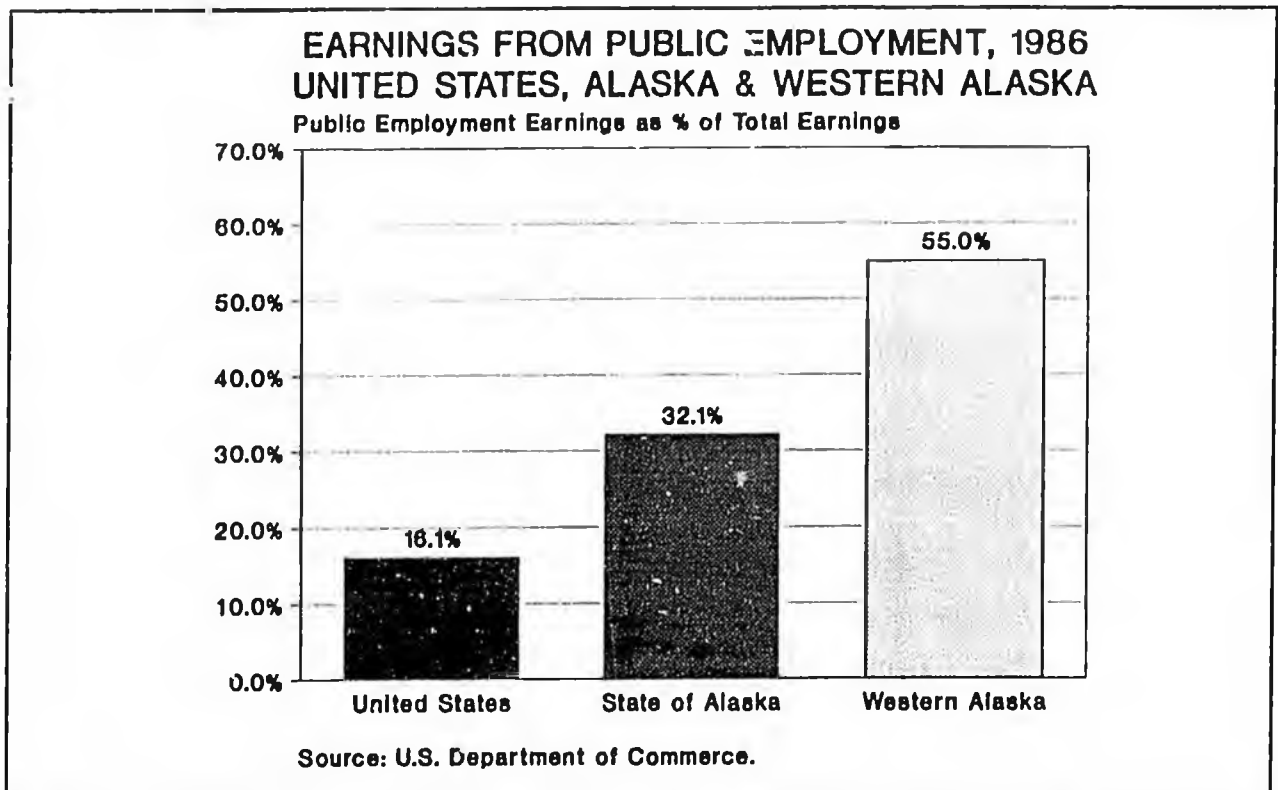
Figure 18. Per Capita Income by Source, 1986, U.S., Western Alaska, and Alaska

In dollar amounts, federal and state transfer payments are the least important type of financial assistance that government provides to Native residents of rural Alaska. Figure 16 illustrates that between 1983 and 1986 federal payments to individuals were approximately a third of the national average and represented less than 15 percent of federal expenditures in western Alaska. Similarly, Figure 17 indicates that in 1986 combined federal and state expenditures for salaries, grants and services substantially exceeded transfer payments.

#### GOVERNMENT EMPLOYMENT

For the most part, Natives who have jobs in rural Alaska work for government, particularly local government. Employment and payroll statistics, as well as the overall allocation of government expenditures, document the pattern.

Figure 19 indicates that in 1986 public employment in western Alaska accounted for 55 percent of all earned income, compared to 32 percent in the State of Alaska and 16 percent nationwide. In 1987 public employment in western Alaska accounted for 60 percent of all wage employment.



**Figure 19. Earnings from Public Employment, 1986, U.S., Alaska, and Western Alaska**

In 1987, local government and other public agencies employed approximately 80 percent of the government workforce, the balance being evenly divided between federal and state government. In western Alaska, local taxes and service charges are a minimal percentage of local government revenues, and no Alaska resident pays State income tax. Consequently, most local government employment is financed by the state and federal governments.

## GRANTS AND CONTRACTS

As important as the federal and state governments are as sources of transfer payments and public employment in western Alaska, the value of transfer payments and public employment is dwarfed by the value of the employment the federal and state governments distribute through grants, contracts and direct delivery of services.

Figure 17 documents federal and state payments in western Alaska for grants and services in 1986. State and federal expenditures to finance the operation of village schools alone totalled \$4,136 per resident, a third more than the total of all transfer payments. IHS expenditures for Native health care added another \$877 per Native resident. The State spent \$4,766 per resident for capital projects, grants, contracts, and services, and other federal expenditures totalled \$2,591 per resident. In sum, in western Alaska during 1986 the federal and state governments together spent \$12,370 per resident, a year in which per capita income in western Alaska was \$11,659.

The types of goods and services that the federal and state governments purchase in rural Alaska vary from locality to locality. Major categories of public spending are schools, health services, subsidized housing programs, public works construction, utilities, transportation facilities, energy subsidies, manpower and social services, recreation programs and a range of municipal services.

The value of public expenditures for education and health care, housing and energy subsidies, capital construction and

similar goods and services is not included in the calculation of per capita income, even though they are a significant percentage of goods and services consumed by local residents and are basic to maintaining the present standard of living in most Native villages. Federal and State spending of this nature is particularly important since, for reasons previously detailed, most Native families living in rural villages do not have sufficient income to support schools or purchase health care or unsubsidized housing or energy. Consequently, if federal or State spending were reduced or eliminated, the present marginal standard of living in Native villages would be reduced to dangerously low levels.

#### ANCSA CORPORATIONS

In 1971 Congress enacted the Alaska Native Claims Settlement Act (ANCSA). The Act required Alaska Natives to organize 13 regional and more than 200 village corporations to administer 44 million acres of land and \$962.5 million that Congress paid to extinguish Native claims to Alaska based on aboriginal use and occupancy. Although many ANCSA corporations have made positive contributions to the political and social status of Alaska Natives in western Alaska, like other private sector business entities, few corporations have overcome the geographic and economic barriers that constrain rural economic development. During the next two decades, there is little likelihood that Native corporations will be able to expand the private sector economy significantly in rural Alaska.

In an area that, with minor exceptions, lacks commercially

exploitable natural resources, the absence of entrepreneurial opportunity in western Alaska has frustrated the efforts of ANCSA corporations in the area to develop new local industry and commerce. For example, in 1987 Calista Corporation, Bering Straits Native Corporation and NANA Regional Corporation - the three regional corporations in western Alaska - reported operating losses. In that year gross revenues of the financially troubled Calista and Bering Straits Native Corporations were respectively \$175 and \$323 per Native shareholder. There is no possibility that ANCSA corporation revenues will ever be large enough to replace the role of federal and state spending in the rural economy.

#### IMPEDIMENTS TO ECONOMIC DEVELOPMENT

For the past two decades federal and state spending has expanded the economy and raised living standards in Native villages but has produced little permanent, self-sustaining economic growth. To date, the private sector component of the rural economy is skeletal.

In western Alaska, as each decade succeeds the last, the idea that private sector economic development is merely a matter of time and capital becomes increasingly implausible. Villages in the region are remote from markets; lack arable land, timber, energy and mineral resources; are saddled with high labor, energy, transportation, and communication costs and must contend with a dearth of local markets and a scarcity of investment capital. To varying degrees, the economic conditions in villages elsewhere in the state are similar.

## NATIVE EDUCATION: A DISPROPORTIONATE SHARE OF MEDIOCRITY

In 1983 the National Commission on Excellence in Education characterized the United States as "A Nation at Risk." According to the Commission, "if an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war." Notwithstanding the cherished belief that "all, regardless of race or class or economic status, are entitled to a fair chance . . . for developing their individual powers of mind and spirit to the utmost," the Commission argued that "our society and its educational institutions seem to have lost sight of the basic purposes of schooling, and of the high expectations and disciplined effort needed to attain them."

Education in Alaska is no exception to the Commission's rule. In particular, the education offered in village grade and high schools must claim a disproportionate share of the nation's educational mediocrity. Educational attainment among Native children falls well below even the norms that the Commission found an unacceptable threat to America's future. In most village schools, Native students test between the 25th and 30th percentiles, a level far below the national norm. As a result, Native children who attend village schools are being denied the Commission's promise that "all children, by virtue of their own efforts, competently guided, can hope to attain the mature and informed judgment needed to secure gainful employment and to manage their own lives, thereby serving not only their own interests but also the progress of society itself."

## EDUCATION AND EMPLOYMENT

As the Commission noted, without gainful employment an individual's ability to manage his or her own life is undermined, and the progress of society is endangered. But to compete successfully in the Alaska labor market against non-Natives, Natives must be on equal educational footing. It is a harsh but real truth that, even where jobs are available, substandard education denies many young Native adults the opportunity to secure gainful employment, just as it denied the same opportunity to many of their parents and grandparents.

The preceding section documented an omnipresent reality: a majority of Alaska Natives live in remote villages where few jobs are available, far fewer than the number of individuals who want to work. It also described why the potential for increasing the number of jobs in rural villages is extremely limited. Given these grim facts, few village economies will be able to provide jobs for the growing number of young Native adults.

The unavoidable result is that, in the years ahead, most young Native adults who want work will have to move from their villages to locations where jobs exist, and there they will find themselves competing in the labor market with non-Natives. Thus, at a minimum, village grade and high schools should equip Native students with skills adequate to compete with their non-Native counterparts, whether for work or in the pursuit of post-secondary vocational or college education. While such a modest standard of educational attainment does not fully respond to the

Commission's challenge, 't will at least enable young Natives to begin their adult lives on an educational par with other Americans.

COMPETING IN THE ALASKA LABOR MARKET

Competing in Alaska's labor market requires more education than competing in labor markets elsewhere in the nation. Figure 20 reveals that the Alaska work force is more professional and technically equipped than the national work force. In 1980 the Bureau of the Census reported that, in Alaska, on average, adults over 25 years of age had 12.8 years of education, compared to the national average of 12.5 years. Similarly, 88 percent of the members of this age group had graduated from high school, compared to the national average of 67 percent.

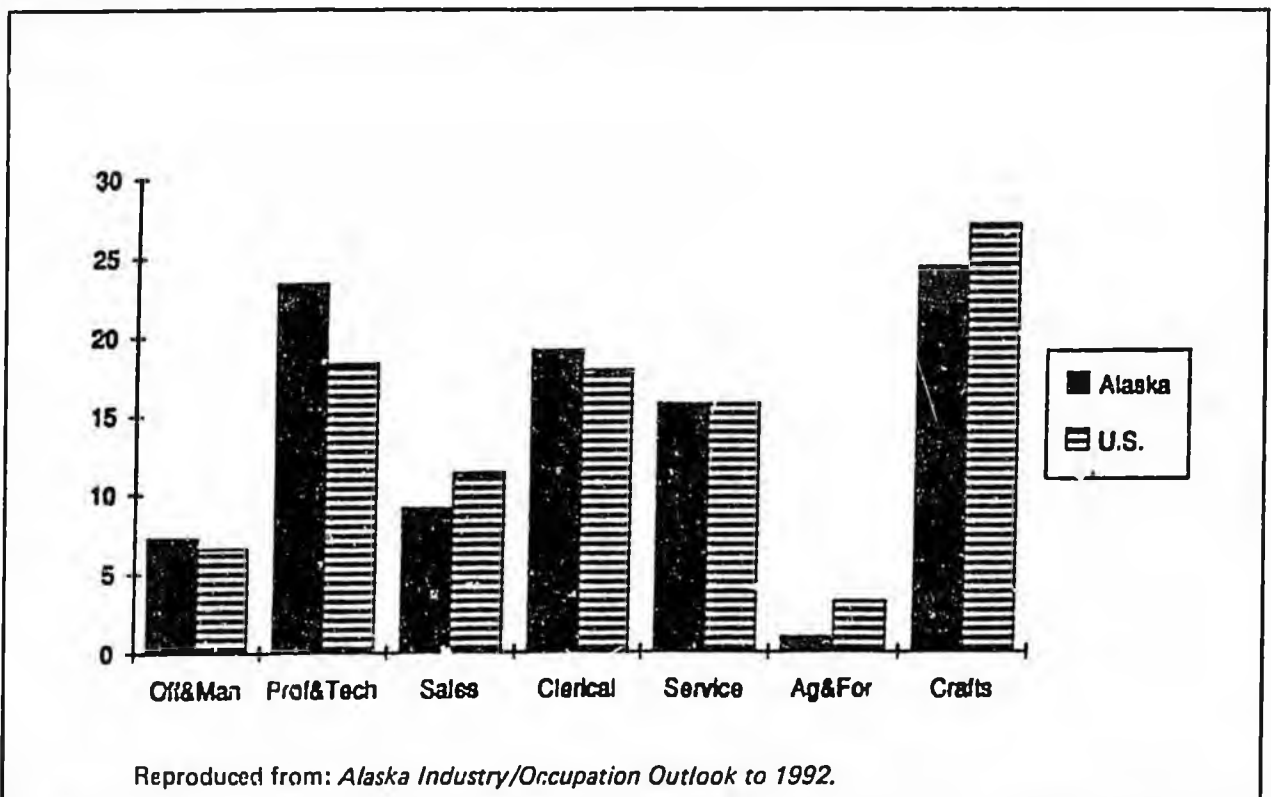
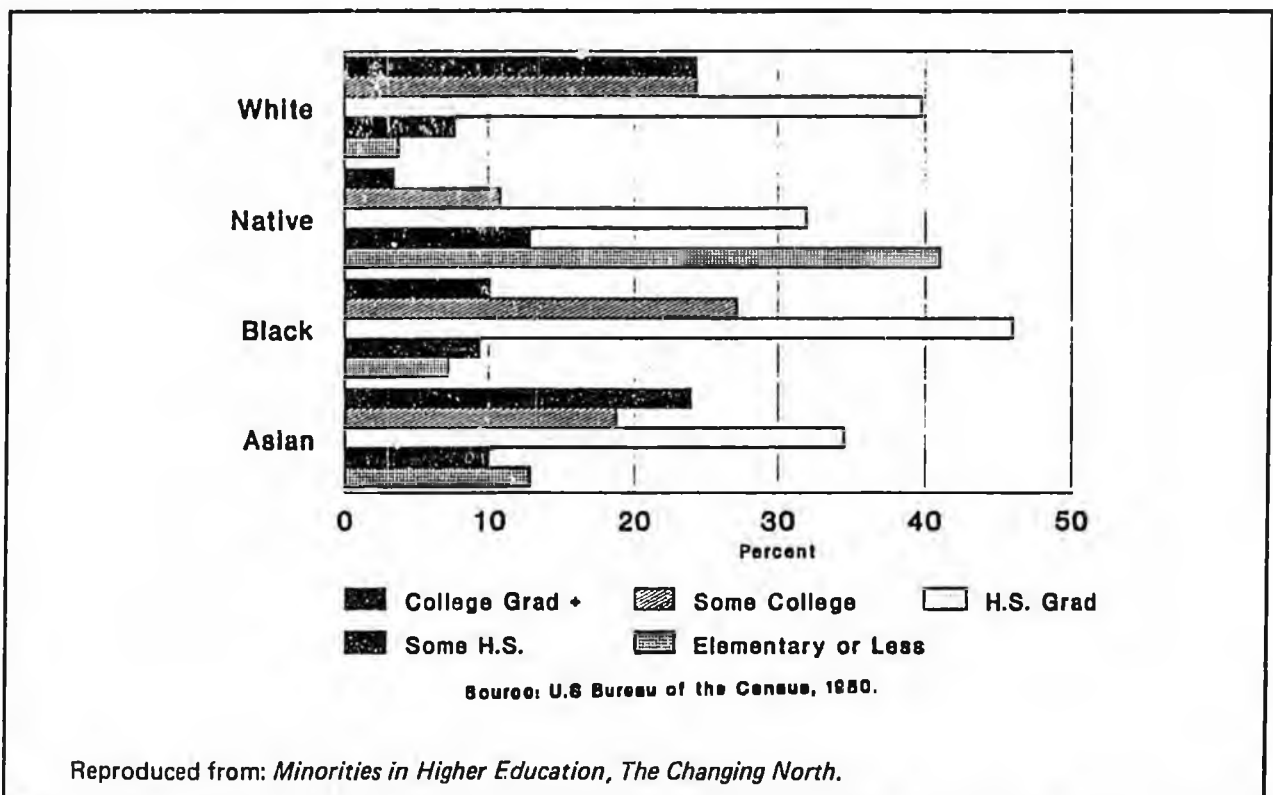


Figure 20. Occupational Composition of Civilian Employment Alaska 1987 vs. U.S. 1986

Alaska Natives face serious disadvantage in competing with non-Natives for managerial, professional and technical jobs that require a college education. In 1980, the percentage of the adult non-Native population that had college degrees was five times the percentage of the adult Native population with degrees. Figure 21 illustrates the competitive disadvantage. Slightly less than 25 percent of white residents 25 years of age or older had college degrees compared to less than 5 percent of Alaska Natives. Asian adults with college degrees were comparable to whites. Black residents had acquired college degrees at a rate twice that of Natives.



**Figure 21. Educational Attainment by Race and Ethnic Group of Persons Aged 25 and Over, 1980: Alaska**

Prior to 1970 when the majority of Natives lived in rural villages without high schools, only one in five Native adults had a high school education. Figure 21 illustrates the limited access that Native students in rural villages had to high schools prior to 1970. Over 50 percent of the rural adult population had no high school experience, less than 22 percent had high school diplomas and the median number of years of school completed by rural Natives was 7.5.

#### VILLAGE HIGH SCHOOLS ARE CLOSING THE GRADUATION GAP

In the 1970s the State of Alaska began building village high schools. As a result, Native access to secondary education significantly improved, as did the percentage of young Native adults with high school diplomas. Figure 22 indicates that by 1984 approximately 73 percent of Natives between 18 and 24 years of age were either attending high school or had graduated, at a time when 88 percent of their non-Native counterparts were either attending high school or had graduated. The 1984 figures are a significant improvement from 1970 when only 37 percent of Natives had graduated from high school, compared to 68 percent of non-Natives.

Of the 73 percent of Natives between 18 and 24 years of age who had graduated or were attending high school in 1980, 14 percent were still attending school, compared to 3 percent of non-Natives the same age, an in-school rate for Natives almost three times that of non-Natives. These data suggest that Native students are either taking longer to complete their studies or starting high school later than their non-Native counterparts.

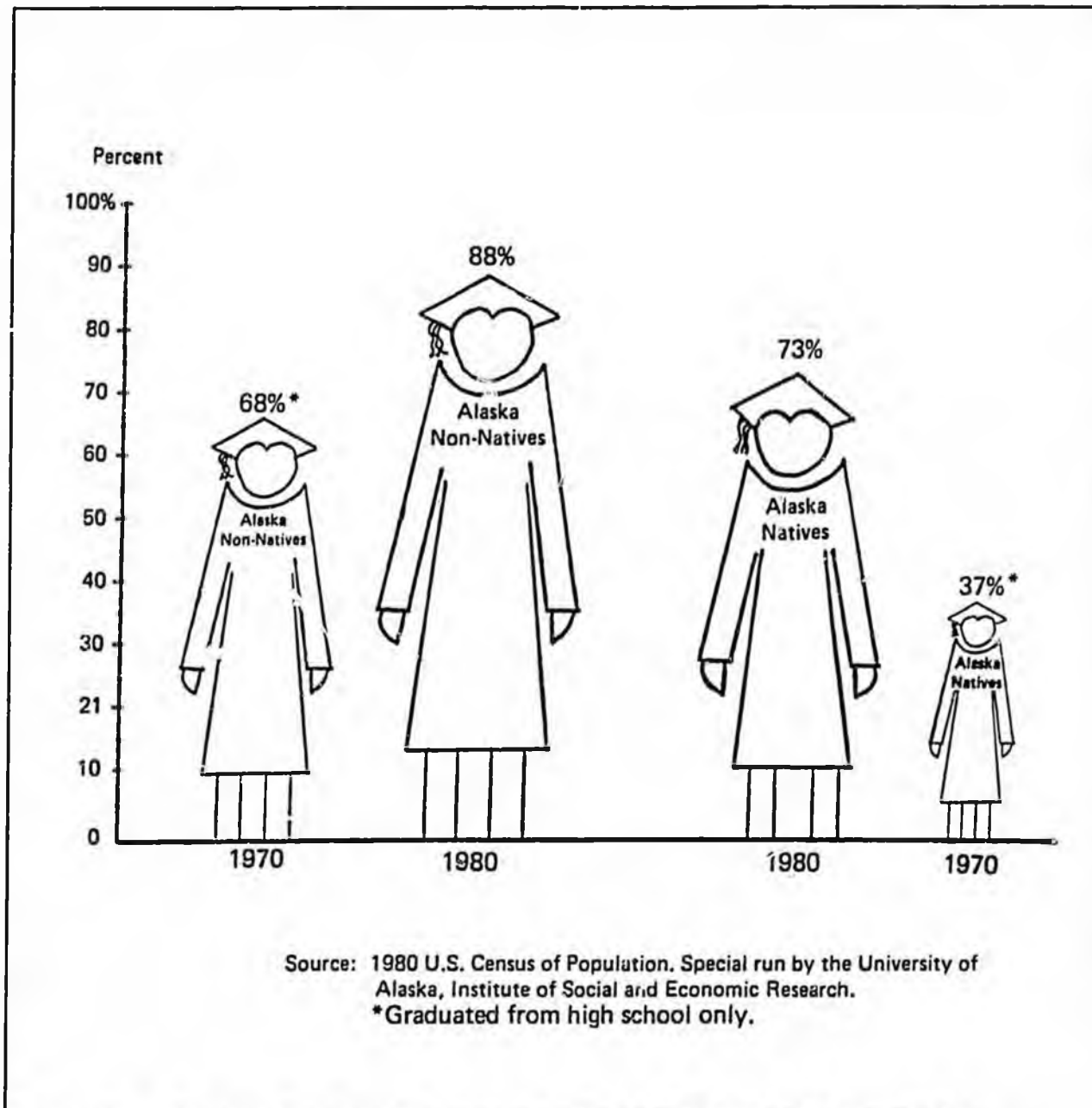


Figure 22. Persons Graduated from or Enrolled in High School, Ages 18-24

Although substantial progress has been made in increasing the Native high school graduation rate, the Native drop-out rate is more than twice the non-Native drop-out rate, 27 percent compared to 12 percent. But the Native drop-out rate may be declining. A 1984 University of Alaska study found that in two-

thirds of small village high schools the reported drop-out rate was less than 10 percent. However, the gain may be being partially offset by the continued high Native drop-out rate in urban high schools. Anchorage, Alaska's largest school district, continues to report a 30 percent Native drop-out rate, and high schools in Fairbanks, Juneau and other urban areas also report high Native drop-out rates.

The 1990 Census will likely report that the gap between Natives and non-Natives who complete high school has continued to narrow. But the continued high Native drop-out rate in urban high schools, where a majority of Native students now attend school, suggests that during the 1980s the narrowing has been modest and that a significant gap will persist until the Native drop-out rates in urban high schools are reduced.

#### SMALL VILLAGE HIGH SCHOOLS

Much of the improvement in closing the high school graduation gap can be directly attributed to the State of Alaska's village high school construction program. The program began in 1976 when the State settled a lawsuit filed on behalf of Native students who had been compelled to attend high school in regional boarding home programs far from home. As part of the settlement, the State agreed to construct and operate a high school in any village with eight or more high school age students, a commitment that resulted in the construction and operation of 126 schools. Table 2 summarizes the number and size of small high schools, only 36 of which predated settlement of the litigation.

Size of School	Approximate Number of Schools	Proportion of Schools	Approximate Number of Students	Proportion of Students
10 students or fewer *	52	32%	305	8%
11-20 students	36	22	548	15
21-40 students	47	29	1388	38
41-100 students	27	17	1445	39
<b>N =</b>	<b>162</b>	<b>100%</b>	<b>3686</b>	<b>100%</b>

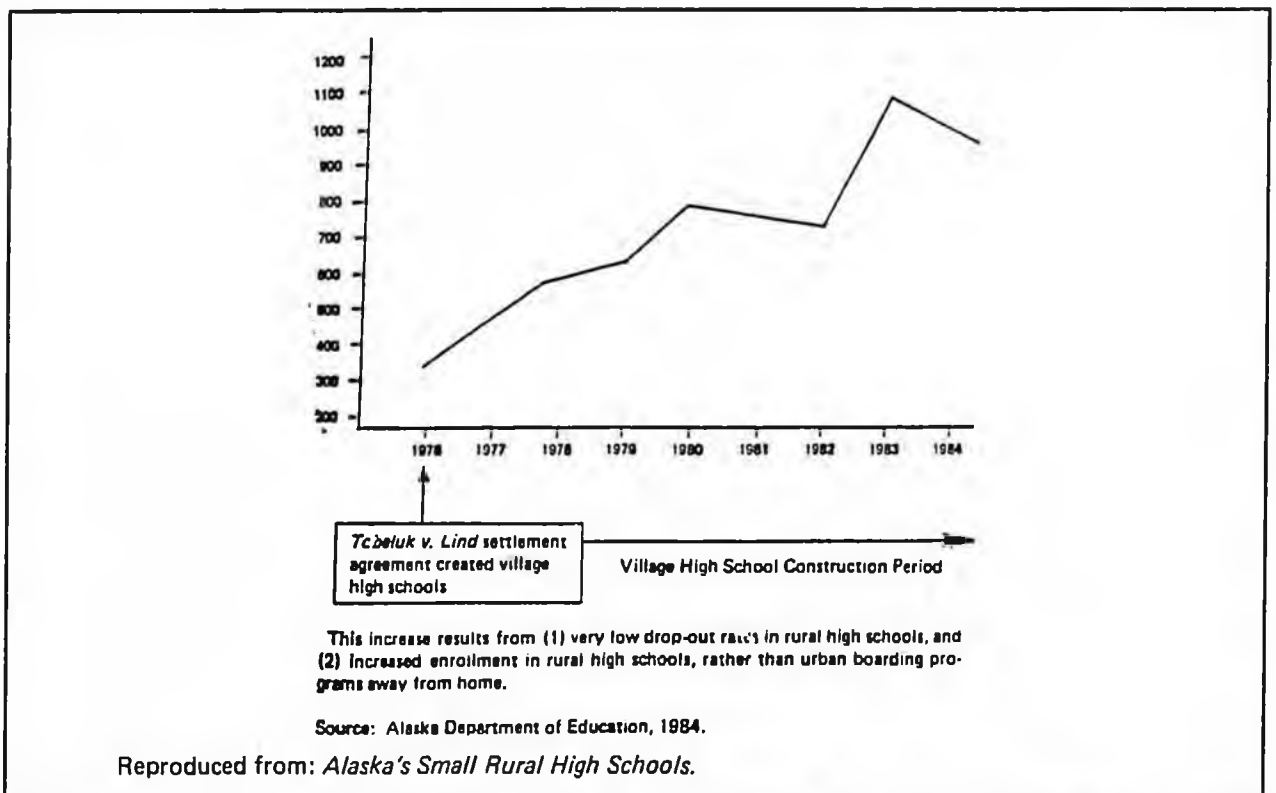
\*These very small high schools are unstable in numbers. They increase or decline from year to year depending on the numbers of students in particular grade levels and whether the community and district decide the school should remain open.

Source: ISER Small High School Survey, 1984.

Reproduced from: *Alaska's Small Rural High Schools*.

**Table 2. Most Rural High School Students Attend High Schools of 20 to 100 Students**

Eight years after the new village high schools began opening, the number of Natives graduating from small village high schools had increased more than three-fold. Indeed, annual increases in the number of Native students attending and graduating from high school corresponded closely with the village high school construction schedule. By 1984 approximately 1,000 students were annually graduating from small village high schools. If the schools had not been built, some students would have graduated from one of the regional high school boarding home programs, but by no means would all have done so.

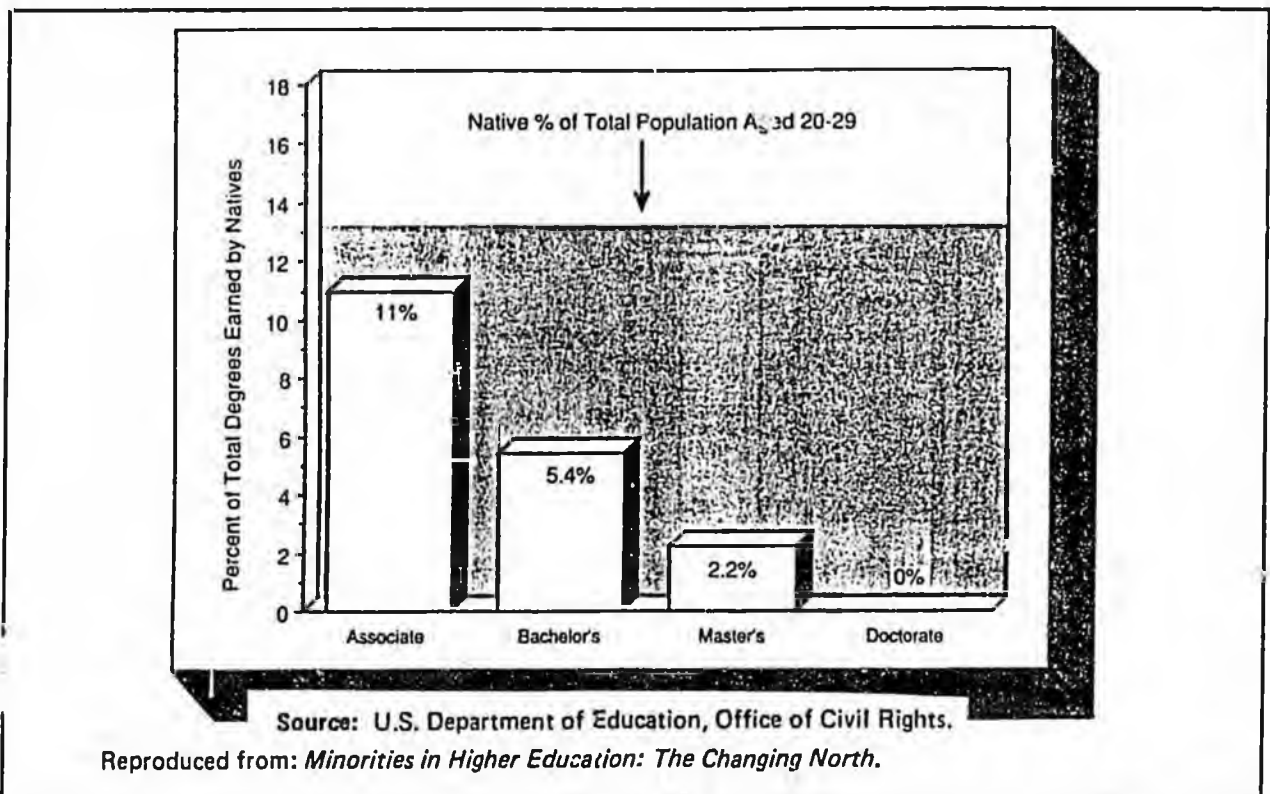


**Figure 23. Village High Schools Have Increased the Number of Rural High School Graduates**

## NATIVE PROGRESS IN POST-SECONDARY EDUCATION

Figure 24 illustrates a logical progression from the observations reported in Figure 3. As more Natives graduate from high school, more Natives are attending college.

In 1980 Natives between 20 and 29 years of age were approximately 13 percent of that age-group statewide. Natives comprised 11 percent of Alaska residents between 20 and 29 years of age with associate degrees, 5.4 percent of baccalaureate degrees, 2.2 percent of master's degrees, and no PhD's. These percentages pose a clear challenge to village high school teachers and administrators, since a solid high school education is a prerequisite to academic success in college.



**Figure 24. Alaskan Degrees Earned by American Indians and Alaskan Natives Compared with Representation in the Population, 1980: Alaska**

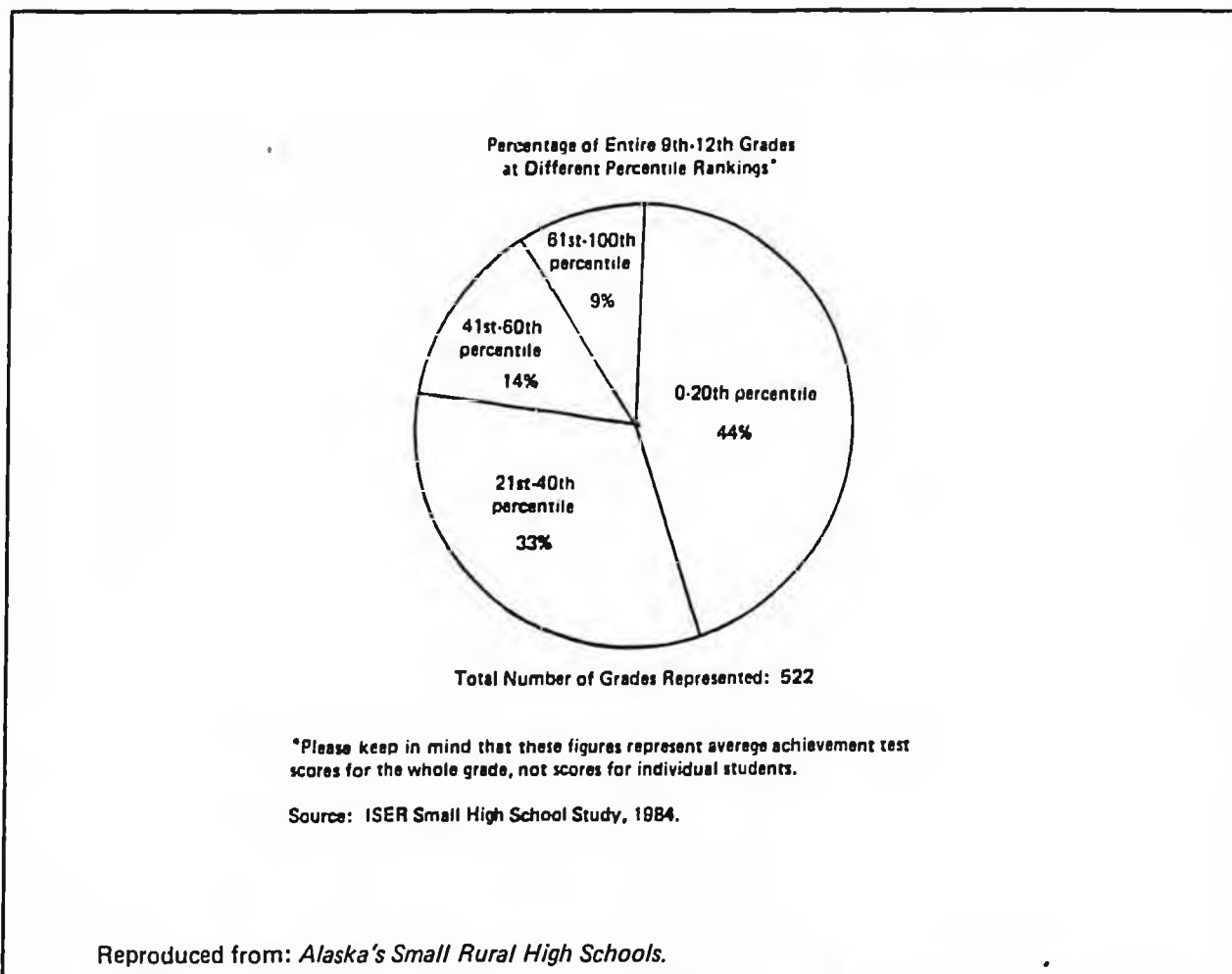
After high school, post-secondary education usually proceeds on a dual track, one leading to vocational/associate degrees, the other to baccalaureate degrees. Baccalaureate degree study usually requires more academic preparation. The fact that Natives are significantly under-represented among holders of baccalaureate degrees indicates that many Native high school graduates are not sufficiently prepared to succeed in a four-year program.

#### LOW ACHIEVEMENT IS PERVASIVE IN RURAL HIGH SCHOOLS

The increasing number of high school diplomas being awarded to Native graduates of small village high schools masks many graduates' abysmally low standardized achievement test scores. Admittedly, standardized test scores are only one measure of a student's, or a school's, academic achievement. Standardized tests are often appropriately criticized for geographical, cultural and other biases, and for lack of relevance to the subject matter actually being taught and learned. Yet, notwithstanding these limitations, standardized test scores are one means of comparing a student's academic ability with that of his peers attending school elsewhere in the nation.

Figure 25 documents the low academic achievement of village high school students. In 1984 44 percent of rural high school classes scored below the 20th percentile, and another 33 percent scored between the 21st and the 40th percentile. The scores indicate that 80 percent of the nation's high school grades scored higher than 44 percent of the grades in rural Alaska high

schools. Only 9 percent of rural high school grades scored above the 61st percentile.



**Figure 25. Students in Rural High Schools Have Low Achievement Test Scores**

More recent test scores indicate that the pattern of low achievement is persisting. Figure 26 summarizes average achievement scores for four rural school districts in which most high school students are Native. In most of the districts the students scored in the 20 to 30 percentile, and in some districts few students scored at or above the 50th percentile.

TRENDS IN BASIC SKILLS: PERCENTILE OF AVERAGE SCORES

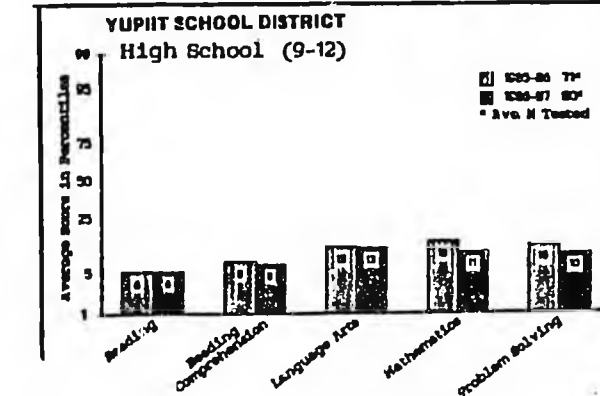
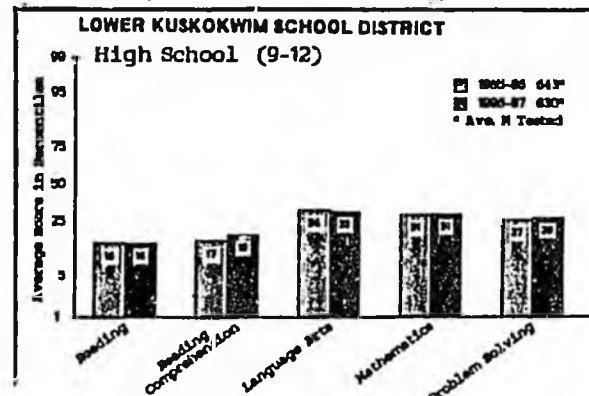
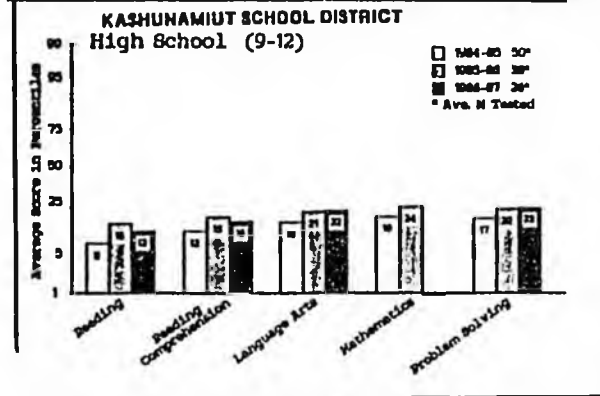
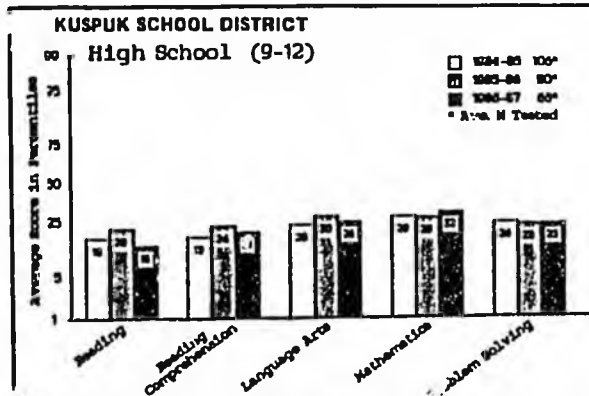


Figure 26. Trends in Basic Skills: Percentile of Average Scores

Native students attending high schools in Anchorage scored considerably higher than Native students attending village high schools. The Anchorage School District reported that its Native students scored at or slightly above the national average, and that Native test scores more or less paralleled the national distribution. For example, 18 percent of Native students scored in the nation's top 25 percent, and 24 percent were among the nation's lowest 25 percent.

In comparing the high Anchorage test scores with the low village scores, the high Native drop-out rate in Anchorage and the low drop-out rate in village schools may be important variables. Assuming that, if tested, the estimated 30 percent of Native students who dropped out would have been low academic achievers, their absence could bias the test results. If the Native drop-out rate in the Anchorage School District were the same as the drop-out rate in village high schools, overall test scores in the Anchorage School District would likely be lower than the scores reported.

On a positive note, Native students who attended school in Anchorage for five or more years had an average composite standardized test score of 53 percent. In contrast, Native students who had attended school in the district for less than five years scored considerably lower. Thus, the length of time a Native student had attended school in the community correlated with higher test scores. While there are undoubtedly many other contributing factors, higher test scores imply higher academic achievement.

It is extremely important to note that the innate potential of Native students is no different from that of non-Natives. Consequently, if Native students are to be afforded an opportunity to realize their academic potential, the education they are now receiving must be significantly improved. Although recommendations as to how Native education can be improved are numerous, the lack of commitment to improving Native education appears to be as pervasive as the lack of commitment to the nationwide educational improvements recommended by the Commission on Excellence in Education.

The Alaska Department of Education's recent report entitled "Basic Skills Performance of Alaska's Students" presents a particularly distressing observation. In rural districts in which most of the students attending school are Native, children in the early elementary grades scored in the same 25 to 35 percentile range as students in the higher grades. Thus, as students progressed from grade to grade, their academic performance did not improve. While there is no evidence that racial or ethnic groups attending school in Anchorage significantly improved their percentile standing as they progressed through the district's program, the fact is that too many children in Native villages begin their formal education seriously disadvantaged and never surmount the original handicap.

The situation for Native students who attend school in Anchorage is significantly better, since Native students in the early elementary grades in Anchorage score near the 50th percentile. However, while higher than those of their peers in

village grade schools, their scores are still 20 percent below their white classmates.

A number of Native villages participate in the Head Start program, in many respects a model program for pre-school children. But Headstart reaches less than a quarter of the children who, based on eligibility guidelines, are eligible to participate. In addition to expanding Headstart into more villages, a program to remedy the educational deficits of Native children must include increased pre- and postnatal infant care and parent education. Unless learning deficits that become apparent by ages 5 or 6 can be remedied in timely fashion, Native children beginning school with learning deficits may well be permanently barred from realizing their potential.

## FINDINGS AND RECOMMENDATIONS

The preceding analysis of the status of Alaska Natives stands in sharp contradiction to the improved physical health of Alaska Natives that has occurred in recent decades. The analysis documents alarmingly high rates of self-destructive behavior and demonstrates that the major victims of such behavior -- Native infants, children, and young adults -- are increasing in number. Most Alaska Natives are living in communities in which the local economies cannot provide a life-sustaining standard of living without substantial, on-going public subsidies. The analysis suggests that, more often than not, public policies and interventions intended to assist Native individuals, families and communities have created and perpetuated dependence, rather than self-sufficiency. It also indicates that in Native villages government has largely failed to discharge its most important obligation - the obligation to provide children an adequate education.

Social scientists convened by the National Science Foundation have identified the fundamental issue confronting Alaska Natives as "the struggle of previously self-sufficient individuals and family units to adjust to rapid social change largely imposed from outside." In their view, the struggle to adjust to political and economic systems over which Natives living in rural villages have little real control generates feelings of helplessness and frustration and results in

destructive behavior, generally directed internally or toward family and friends. If the situation is to be improved, federal Native policy must be premised on facilitating self-help and on assisting individuals, families and communities to cope with social and economic change. Applying this principle, the following findings suggest a framework for redesigning existing Native programs and developing new initiatives.

The findings purposely do not include detailed recommendations. Rather, it is the intent of this report to open a broad debate among Native leaders, government officials and other interested parties on the causes of, and solutions to, the Native crisis.

**Finding 1: A plague of alcohol abuse, violence and self-destruction is afflicting Alaska Natives. Alcohol abuse, pervasive throughout the Native community, is undermining the ability of Alaska Natives to control their lives. It is the fuel that fires the cycle of violence and self-destruction. It takes its greatest toll on young Native adults, particularly men, infants not yet born, and abused children.**

Policies and programs must encourage, build and reinforce the self-help efforts of individuals, families and communities to combat alcoholism, intervene in and prevent mental health crises, protect Native children from abuse and neglect and take individual responsibility for individual behavior.

**Finding 2.** Alaska Natives are more vulnerable to serious injury, infectious diseases and death than non-Natives. The rising Native birth rate will engender rapid population growth and significantly increase the segments of the Native population most at risk, i.e., infants, children and young Native adults. Between 1980 and 1990 the demand for children's services will have grown by 40 percent.

Unless the health care system expands to accommodate the increasing need, improvements in Native health status may quickly deteriorate. At a minimum, the current quantity and quality of health care must be maintained. To respond adequately to behavioral problems engendered by alcohol abuse, additional monetary and human resources are needed, particularly resources to address maternal and infant care and education.

**Finding 3:** Alaska Natives have a growing "at risk" population. In ten years Native population growth will double the number of young Native adults, the segment of the Native population most at risk. Although the Native population is becoming increasingly urban, a majority of Natives will continue to live in rural villages. Because the capacity of village economies to absorb anticipated population growth is limited, increasing population growth poses serious physical, environmental, social, and economic challenges.

The decision to stay or leave the village is influenced by cultural and family ties, the degree to which needed public services are available and the extent to which village residents

have incentives to stay or leave. Policies are needed that both foster sustainable village economic self-sufficiency and enlarge the opportunity for Natives so inclined to work outside their home villages.

**Finding 4:** The village economy cannot meet the needs of the growing Native population. In rural Alaska, most new jobs have been provided, either directly or indirectly, by increased federal and state expenditures. But despite government spending, large numbers of Natives who want to work in their home villages or region have no possibility of doing so. In most Native villages, the prospects for private sector economic development are limited, and due to declining oil revenues, state spending is projected to steadily decline throughout the 1990s. The projected decline in economic activity in rural Alaska coincides with the steadily increasing number of young Native adults who will be seeking to enter the work force. Every effort to take advantage of limited opportunities for private economic development should be encouraged, and Native access to employment opportunities expanded, including providing necessary training and support, including financial support to relocate, if necessary to secure permanent employment.

**Finding 5:** Villages are precariously dependent upon the public sector spending and the cost of living in villages is exorbitant. The expansion of the public sector economy, combined with the absence of self-sustaining economic growth, has contributed to village population growth and fostered increased

dependency on public assistance. Public sector emphasis on capital improvements have saddled Native villages with operation and maintenance costs the communities, and the Native families who live in them, cannot sustain. Policies and initiatives that target economically realistic improvements in the physical quality of village life and do not undermine options for residents who want to pursue economic opportunities away from their home villages are needed.

Finding 6: Native children enter and exit village schools with serious educational handicaps and their education is worse than mediocre. The educational achievement of Native children, particularly children who attend village schools, is far below national norms. As a result, Native students are being denied the opportunity to realize their potentials and to become full participants in society by grade and high school educations that are condemning an entire generation to an underclass status and a life of limited choices.

To afford Native students attending village schools the opportunity to obtain an education equivalent to their non-Native peers, they must be afforded the opportunity to begin their formal education on a par with their non-Native peers. Expanded Headstart, infant learning and early childhood education programs, combined with parent education, are essential if educational handicaps are to be overcome.

## APPENDIX: A BRIEF HISTORY OF FEDERAL NATIVE POLICY

On October 18, 1867, General Jefferson Davis ordered the stars and stripes run up the flagpole in front of the Russian Governor's house at Sitka, thus beginning the American administration of Alaska. At the time, more than 99 percent of Alaska's population were Tlingit, Haida and Athabascan Indians, Yup'ik, Chugach and Inupiat Eskimos, Aleuts and Creoles, i.e., mixed bloods. As late as 1880, the United States Census estimated that of a total population of 33,426, only 430 whites lived in the Territory.

The 1867 Treaty of Cession with Russia consummated the Alaska purchase. In Article III of the Treaty, the United States government assumed the same fiduciary responsibility to provide for the educational, health, safety, social and economic needs of Alaska Natives resident in its new domain that it had assumed with respect to other Native Americans.

In the first exercise of that responsibility, in 1868 Congress enacted the Alaska Customs Act, which inter alia authorized the President to prohibit the importation and sale of alcohol, a commodity, first distributed by American and English fur traders and American whalers as a trade good, that was damaging Native health and shredding the fabric of traditional village life.

In 1884 Congress enacted the Alaska Organic Act. At the behest of Sheldon Jackson, the chief Presbyterian missionary operating in the Territory, the Organic Act authorized the

Secretary of the Interior to establish a school system. Although Congress instructed the Secretary to provide for the education of school age children "without reference to race," 99 percent of the Territory's school age children were Native. Again at Jackson's behest, in 1885 Secretary of the Interior Henry Teller assigned the Bureau of Education, rather than the Bureau of Indian Affairs, responsibility for Alaska education. The assignment was not inadvertent. Sheldon Jackson and the group of Indian rights advocates of which he was a member believed that the paternalistic policies the Bureau of Indian Affairs was then pursuing on Indian reservations had failed, and that the Bureau of Education would afford Alaska Natives more self-determination. But if asked, Jackson and J.D.C. Atkins, then Commissioner of Indian Affairs, would have agreed that the Department of the Interior had responsibility to implement the commitment the United States government had made in the Treaty of Cession to provide for the educational, health, safety, social and economic needs of Alaska Natives.

By 1895 the Bureau of Education was operating 19 grade schools between Metlakatla, an Indian village on the southern end of the Alaska Panhandle to Gambell, a remote Eskimo village on St. Lawrence Island at the mouth of Bering Strait. By 1909 the Bureau was operating 69 schools, and by 1930 94 schools.

The Bureau of Education also operated a Native health care system. Initially, army, and later revenue service, physicians provided sporadic medical services to Alaska Natives. However,

in 1885 A.P. Swineford, the Territorial Governor, urged the Secretary of the Interior to construct a Native hospital. As he told the Secretary in 1886, "a hospital for the care and treatment of Natives is not only very much needed, but absolutely indispensable."

In response to pneumonia, measles, influenza, whooping cough and diphtheria epidemics that periodically swept through Native villages, in 1907 Congress made its first appropriation to the Bureau of Education earmarked for medical services. By 1915 the Bureau was operating hospitals at Nushagak, a Yup'ik Eskimo village at Bristol Bay, Nulato, an Athabascan Indian village on the Yukon River, and Kotzebue, an Inupiat Eskimo trading center on the coast of the Arctic Ocean. Bureau doctors were also stationed at Nome, Russian Mission, Seward, Juneau and Sitka. Nurses were stationed at St. Michael, Koggiung and Hydaburg, and an itinerant nurse traveled to Tlingit and Haida Indian villages in southeast Alaska. Each Bureau of Education school was equipped with a medicine chest.

By 1930 the Bureau was operating 6 hospitals, a health care system far below the need of an indigenous population being decimated by infectious diseases contracted from whites. A 1930 report on the subject estimated that "It is highly probable that Native hospitals are not prepared to care for more than 5 percent of the Natives who should be hospitalized in order to insure their recovery or to prevent the spread of acute infectious diseases among the rest of the Native population."

In addition to addressing the educational and health needs of Alaska Natives, the Bureau of Education also administered Native economic development programs. Through the fur trade and the commercial whaling economy Alaska Natives had had limited access to the non-Native material culture since the Eighteenth Century. By 1867, iron knives and kettles, firearms, cotton and wool clothing and similar items were available in many Native villages. However, the subsistence economy predominated, and most Natives followed the cycle of the seasons, migrating between summer fish camps, fall hunting camps and more than 200 winter villages. But by the Twentieth Century, the construction of churches and schools at village sites and wage work in the salmon canning industry and the mines had begun to alter traditional subsistence patterns. And in many villages sugar, flour, gillnet twine, wool and cotton clothing, firearms and similar items, once luxuries, had become necessities.

But the schools and the white culture of which they were part having created the consumer demand, with the exception of fur trapping, commercial fishing during the summer months and occasional wage work far from home in the mines or at whaling stations and lumber camps, in most rural villages Alaska Natives had few opportunities to participate in ' . . . native economy.

Consequently, the Bureau of Education created and administered several village economic development programs. The Bureau managed reindeer herds in the northwest arctic and on the Yukon-Kuskokwim River delta, and, when it deemed necessary,

distributed general assistance to enable village residents to purchase food, clothing and other essentials.

In 1931 Secretary of the Interior Ray Lyman Wilbur reversed the policy the Department of the Interior had followed since 1885 by transferring responsibility for administration of Native programs from the Bureau of Education to the Bureau of Indian Affairs. The transfer had two practical effects. First, henceforth the Snyder Act, enacted by Congress in 1921 to authorize the Bureau of Indian Affairs to spend federal money "for the benefit, care and assistance of the Indians throughout the United States," governed appropriations for Native programs. As a matter of law, Alaska Natives were deemed "Indians of the United States" whose entitlement to participate in federal Indian programs was no different from that of any other Indians. Second, drawing on the agency's experience in the lower 48 states, during the 1940s the Bureau of Indian Affairs tried to protect Native land rights and advance Native economic development by establishing reservations around Native villages whose boundaries encompassed land Natives had traditionally used and occupied and natural resources (e.g., salmon, timber and fur-bearing animals) needed to sustain village economies. Controversial from the outset, the reservation policy was abandoned in 1950.

In 1955 Congress transferred administration of the Indian Health Service (IHS), both in Alaska and elsewhere, from the Bureau of Indian Affairs to the Public Health Service. Today the

IHS Alaska Area Native Health Service administers a Native health care system that includes the 170 bed Alaska Native Medical Center in Anchorage, smaller hospitals in Sitka, Dillingham, Bethel, Fairbanks, Nome, Kotzebue and Barrow, seven health stations and 142 village clinics. IHS also administers a safe water program that designs and constructs water and sewer systems for remote villages.

In 1959 Alaska was admitted into the federal union as the 49th State. Although it continues to pay a substantial portion of the cost of Native education, in 1985, the Bureau of Indian Affairs completed the transfer, first begun in 1936, of Bureau schools to the State of Alaska. Today, 22 rural school districts now operate grade schools, many of which are former Bureau schools, and high schools in 177 rural communities, most of which are Native villages.

In addition to funding Native education, pursuant to such statutes as the Indian Self-Determination Act, the Bureau of Indian Affairs also supports the operation of village governments and provides technical assistance to ANCSA village corporations.

Enacted in 1971, the Alaska Native Claims Settlement Act extinguished all Native claims to Alaska based on aboriginal use and occupancy. In exchange, Alaska Natives received \$962.5 million and the right to select and be conveyed 44 million acres of land, most of which surrounds Native villages.

Individual Natives received little of the money and even less of the land. Congress divided Alaska into 12 geographic regions, and required Natives living in each region to organize a

regional corporation. Natives living in each of more than 200 villages were required to organize village corporations. Each Native alive on December 21, 1971 was then issued 100 shares of stock in the regional corporation and 100 shares of stock in the village corporation in which he or she was enrolled. Natives who did not live in villages only received regional corporation stock.

The money and land was then distributed to the regional and village corporations, although Congress required regional corporations to distribute some of the money and required village corporations to convey a small amount of land to their shareholders.

In the 122 years since the United States assumed control of Alaska the Native population has more than doubled to 75,000 persons. But as it has increased in absolute number, because of non-Native in-migration, the Native population has decreased as a percentage of the Alaska population, from more than 99 percent in 1867 to 14 percent in 1989. But as they did a century ago, a majority of Natives living in Alaska continue to live in one of more than 200 rural villages.

Over the past century, and particularly over the past two decades, the health status and standard of living of Alaska Natives has improved. But as this report describes, as old problems have been solved, new problems, most of which have been exacerbated by an intensifying firestorm of alcohol abuse, have taken their place. Today, many Alaska Natives face a social, health and economic crisis of potentially disastrous proportion.

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**HJR**

**56**

# HOUSE COMMITTEE ON STATE AFFAIRS

## RECAP OF HJR 56

### *Nuclear-Free Arctic and Subarctic*

Received May 7, 1989

by Reps. Koponen, Brown, Davidson, MacLean,  
and Finkelstein

Heard January 30, 1990

Passed Out of Committee January 30, 1990

3 Do Pass

1 No Recommendation

1 Do Not Pass

## TABLE OF CONTENTS

### HJR 56: Nuclear-Free Arctic and Subarctic

- Item 1:** HJR 56 by Reps. Koponen, Brown, Davidson,  
MacLean, and Finkelstein  
CS HJR 56 (SA)
- Item 2:** Fiscal Note by House State Affairs
- Item 3:** Ballot Measure No. 1, Initiative No. 83-03

# HOUSE COMMITTEE REPORT

(7)

Date Referred: May 8, 1989

FURTHER REFERRALS:

Date of Committee Action: \_\_\_\_\_

The STATE AFFAIRS Committee considered:

HJR 56

HOUSE JOINT RESOLUTION NO. 56

NUCLEAR-FREE ARCTIC AND SUBARCTIC

Relating to the promotion of a nuclear weapons-free treaty for the arctic and subarctic.

### RECOMMENDATIONS:

- be replaced with CS HJR 56 (SA)  the same title  
 have attached amendment(s)  a new title  
 do pass  
 do not pass  
 no recommendation  
 individual recommendations  
 additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(S):  
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- fiscal impact \_\_\_\_\_  
 zero fiscal note SA  
 zero with analysis \_\_\_\_\_

- fiscal note(s) \_\_\_\_\_  
 zero fiscal note(s) \_\_\_\_\_  
 zero fn/analysis \_\_\_\_\_

### SIGNING DO PASS:

[Signature]  
Eileen P. Maclean  
Dave Douley

### SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>[Signature]</u>		<input checked="" type="checkbox"/>	
<u>[Signature]</u>	<input checked="" type="checkbox"/>		
<u>Strength of U.S depends on a strong military against Communist countries</u>			<input checked="" type="checkbox"/>

Eileen P. Maclean  
Vice-Chairman's Signature

CS HR 56 (SA)

page 4, line 11

delete Honourable  
insert President

1 IN THE HOUSE

BY KOPONEN, BROWN, DAVIDSON,  
MACLEAN, AND FINKELSTEIN

2

HOUSE JOINT RESOLUTION NO. 56

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the promotion of a nuclear

6

weapons-free treaty for the arctic and

7

subarctic.

8

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

9

WHEREAS the unprecedented thawing of the cold war following the con-  
versations between former President Reagan and General Secretary Gorbachev  
necessitates a continuing restructuring of the relationship between Alaska  
and the neighboring areas of the Soviet Union; and

13

WHEREAS the main purpose of negotiating a nuclear weapons-free treaty,  
as of all rational security policies, is to prevent nuclear war; and

15

WHEREAS an emphatic expression of feeling by citizens and their local  
and state governments can help initiate steps by the United States, the  
Soviet Union, and other nuclear powers towards world peace and away from  
the brink of nuclear war; and

19

WHEREAS over the past five years more than 4,225 communities in 23  
nations have adopted resolutions calling for the establishment of nuclear-  
free zones; and

22

WHEREAS 42 of the 50 states in the United States have proposals for  
nuclear-free zones introduced or approved at state or local levels; and

24

WHEREAS there are five treaties in existence with as many as 83 signa-  
tories, including the United States and the Soviet Union, pertaining to  
nuclear-free zones in the Antarctic, outer space, Latin America, the South  
Pacific, and on the ocean floor; and

28

WHEREAS nuclear weapons are themselves nuclear targets, and to remove  
the targets will reduce the risk of destruction to the territory in which

1 they were located in case of nuclear war; and

2 WHEREAS 58.4 percent of Alaska voters in the August 1986 election  
3 expressed their strong support for Ballot Measure No. 1, which declared as  
4 the policy of the state the promotion of a mutual and verifiable nuclear  
5 weapons freeze to be followed by a reduction in nuclear warheads, missiles,  
6 and other delivery systems in order to halt the nuclear arms race and  
7 reduce the risk of nuclear war; and

8 WHEREAS the Chernobyl nuclear power plant disaster in the Soviet Union  
9 has resulted in the spread of nuclear poison to neighboring territories,  
10 including arctic regions of Scandinavia; and

11 WHEREAS the environmental devastation of these regions has seriously  
12 jeopardized the health and lifestyle of the Saami people; and

13 WHEREAS the radioactive contamination of the region above the Arctic  
14 Circle from the previous use and testing of nuclear weapons has caused the  
15 permanent inhabitants of the arctic region to carry body-burdens of long-  
16 lived, biologically dangerous radionuclides in amounts in excess of all the  
17 world's people except for the atomic bomb victims in Hiroshima and Nagasaki  
18 during August 1945; and

19 WHEREAS any further deposition of nuclear materials in the food-chain  
20 of the arctic and subarctic regions will result in biologically unaccept-  
21 able radiation standards for people and ecosystems; and

22 WHEREAS the storage or transportation of high level radioactive nu-  
23 clear wastes in Alaska could pose serious health, safety, and environmental  
24 risks to the state's residents; and

25 WHEREAS the Inuit Circumpolar Conference and the legislative bodies of  
26 the Northwest Territories, the Yukon, and Greenland have unanimously ap-  
27 proved resolutions calling for restriction of the arctic to uses that are  
28 peaceful and environmentally safe, and prohibiting the deployment and  
29 testing of nuclear weapons in this area; and

1           WHEREAS a ban on nuclear weapons testing, the deployment of most  
2 nuclear weapons delivery systems, and the production of fissile materials  
3 can be verified with high confidence by on-site inspections, and a world-  
4 wide network of seismic monitors, satellites, and other verification tech-  
5 nology; and

6           WHEREAS the people of Alaska desire to continue to live in freedom in  
7 a world that is at peace and safe from nuclear pollution; and

8           WHEREAS the ratification of a multi-lateral and verifiable nuclear-  
9 free arctic and subarctic treaty represents a creative and meaningful first  
10 step towards establishing a nuclear-weapons free world, which is the ulti-  
11 mate intent of this resolution;

12           BE IT RESOLVED by the Alaska State Legislature that the Governor and  
13 the Alaska congressional delegation are requested to promote and initiate  
14 efforts to

15                   (1) encourage verifiable bilateral and multilateral agreements  
16 and treaties between the United States, the Soviet Union, and other nations  
17 establishing the arctic and subarctic regions as a nuclear weapons-free  
18 zone;

19                   (2) obtain verifiable bilateral and multilateral agreements and  
20 treaties between the United States, the Soviet Union, and other nations to  
21 ban nuclear weapons from the arctic and subarctic regions;

22                   (3) prevent all parties, including military forces, from dispos-  
23 ing of radioactive and nuclear wastes and materials in the arctic and  
24 subarctic regions;

25                   (4) obtain verifiable bilateral and multilateral agreements and  
26 treaties between the United States, the Soviet Union, and other nations to  
27 prevent nuclear weapons testing or the placement of nuclear weapons-related  
28 devices in the arctic and subarctic regions; and

29                   (5) promote and encourage the location of the next US/USSR

1 summit conference to be in Alaska so that world attention and concern can  
2 be drawn to the environmental and security concerns of arctic and subarctic  
3 areas; and be it

4 FURTHER RESOLVED that the Alaska State Legislature does not seek to  
5 limit the use of nuclear technology for medical treatment or other safe and  
6 benign purposes; and be it

7 FURTHER RESOLVED that the Alaska State Legislature does not seek to  
8 discourage or prohibit United States Navy nuclear-powered vessels from  
9 entering Alaska waters or visiting Alaska ports.

10 COPIES of this resolution shall be sent to the Honorable George Bush,  
11 President of the United States; ~~the Honorable~~ Mikhail Gorbachev, <sup>PRESIDENT</sup> ~~General~~  
12 ~~Secretary~~ of the Communist Party of the Soviet Union; the Honorable James  
13 A. Baker, III, U.S. Secretary of State; to the Honorable Richard R. Burt,  
14 Head of Delegation and Negotiator; and to the Honorable Ted Stevens and the  
15 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.  
16 Representative, members of the Alaska delegation in Congress.

Bush has reopened Arctic inspection zone. Bush following  
TRENCH OPEN NEGOTIATIONS WITH USSR - AIRTEL INSPECTION  
WEAPON FREE AREA INITIATIVE - "ARCTIC OPEN STRIPS" INITIATIVE

intent; promote / initiate bilateral treaty  
NEXT summit meeting in AK - .

### FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Nuclear-Free Arctic and  
Subarctic  
Sponsor: Koponen  
Requestor: \_\_\_\_\_

Agency Affected: \_\_\_\_\_  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

No fiscal impact.

Prepared by: House State Affairs  
Division: \_\_\_\_\_

Phone: 465-4963  
Date: Jan 25, 1990

Approved by Commissioner: H. W. Redden, Chair  
Agency: \_\_\_\_\_

Date: Jan 25, 1990

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)

1986

BALLOT MEASURE NO. 1  
Initiative No. 83-03

**NUCLEAR WEAPONS FREEZE**

The initiative would officially recognize that the prevention of nuclear war is the greatest challenge facing the Earth, and that the nuclear arms race dangerously increases the risk of a war that would destroy humanity. The initiative would promote mutual and verifiable nuclear weapons freeze, to be followed by nuclear weapons reduction. The initiative would direct the governor to conduct the state's affairs in conformity with the initiative's goals.

A vote "FOR" adopts the initiative.  
A vote "AGAINST" rejects the initiative.

FOR   
AGAINST

**NEUTRAL SUMMARY—83-03**  
**Prepared by the Legislative Affairs Agency**

This initiative would declare as the policy of the state the promotion of a mutual and verifiable nuclear freeze to be followed by a reduction in nuclear warheads, missiles, and other delivery systems in order to halt the nuclear arms race and to reduce the risk of nuclear war. The initiative bases this policy on its recognition that the greatest challenge facing the earth is the prevention of nuclear war by accident or by design and that the nuclear arms race is dangerously increasing the risk of a holocaust that could be humanity's final war. The governor is directed to conduct the affairs of the state and to carry out state programs in conformity with this policy.

**FULL TEXT OF THE PROPOSITION**

**For An Act Entitled:** "An Act relating to the establishment of a nuclear freeze as the policy of the State."

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:**

Section 1. **DECLARATION OF POLICY.** It is the policy of the State of Alaska: (1) to recognize that the greatest challenge facing the Earth is to prevent the occur-

rence of nuclear war by accident or design;

(2) to recognize that the nuclear arms race is dangerously increasing the risk of a holocaust that would be humanity's final war;

(3) to promote a mutual and verifiable freeze followed by reductions in nuclear warheads, missiles, and other delivery systems in order to halt the nuclear arms race and to reduce the risk of nuclear war.

Section 2. **IMPLEMENTATION.** (a) The governor shall conduct the affairs of state and carry out state programs in conformity with this policy.

(b) The lieutenant governor shall deliver copies of this Act to Congress and the President of the United States.

Section 3. **EFFECTIVE DATE.** This initiative shall be effective when enacted according to law.

**Statement IN SUPPORT of the  
Nuclear Arms Freeze Proposition**

Alaskans have a wonderful opportunity to make a meaningful contribution to world peace when they vote August 26. They can do this by casting their vote in the "For" (meaning "yes") column on the Nuclear Freeze Initiative question they'll find on the ballot.

It is important, however, to realize several things the initiative does **not** do:

The Initiative does **not** encourage or obligate the U.S. to any sort of unilateral or "go-it-alone" policy regarding a freeze or reduction of nuclear warheads. It calls, instead, for a **mutual** freeze and reduction of such weapons. If other nations—particularly the Soviet Union—will not participate, then there is no obligation for the U.S. to do so.

And, the initiative does not call for any sort of "blind trust" toward the Soviets or any other nation. Instead it specifies that any agreement must be not only mutual but **verifiable** before we agree to participate. In other words we have to have arrangements in place to scientifically verify that no one is cheating, or there's no deal.

Truly, we have nothing to lose by adopting this policy.  
But what will we gain?

For starters, just the freezing of production of nuclear weapons, just the limiting of arsenals to their present strength—which is already sufficient to destroy civilization as we know it today, many times over—will be a significant step forward in the

(CONTINUED ON BACK SIDE)

Item 3

HJR 56

May 2 1990

The Alaska Federal constitution charge you with protecting the general welfare of the people. Clearly nuclear weapons do not protect the general welfare of the people; these weapons endanger the welfare of the people.

Tax payers now work until May 15<sup>th</sup> to pay for the cost of the federal government. A peace dividend is available if funds are instead spent on human services or public works in infrastructure. Defense Secretary Frank Carlucci has extended the freeze on military construction \$7 billion on 207 projects, see the Anchorage Times' Wednesday May 2<sup>nd</sup> edition.

Peace is a growth industry. Summit conferences held in Anchorage and perhaps in United Nations outposts in same, will provide economic diversification. Finally, democracy. The people of the state of Alaska deserve a vote by the full Senate even if individual members of the State Affairs Committee do not support the bill. Support democracy, pass HJR 56

Jed Whittaker

HJR

57

# HOUSE COMMITTEE ON STATE AFFAIRS

## RECAP OF HJR 57

### Limiting Terms of Legislators

Received January 5, 1990  
by Rep. Leman, Sharp

Heard April 10, 1990

Adopted CSHJR 57 (SA) April 10, 1990

Passed Out of Committee April 10, 1990  
3 Do Pass  
1 No Recommendation

## TABLE OF CONTENTS

### HJR 57: Limiting Terms of Legislators

- Item 1: HJR 57 by Rep. Leman, Sharp  
CSHJR 57 (SA)
- Item 2: Fiscal Note and Analysis by Division of Elections
- Item 3: Backup Information

# HOUSE COMMITTEE REPORT

(7))

Date Referred: January 5, 1990

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: \_\_\_\_\_

The STATE AFFAIRS Committee considered:

HJR 57

HOUSE JOINT RESOLUTION NO. 57

LIMITING TERMS OF LEGISLATORS

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

**RECOMMENDATIONS:**

- be replaced with CS HJR 57(SA)  the same title
- have attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:** \_\_\_\_\_ letter of intent


**ATTACHES NEW FISCAL NOTE(S):** (Dept) **APPROVES PREVIOUS:** (Date/Dept)

- fiscal impact Elections  fiscal note(s) \_\_\_\_\_
- zero fiscal note \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_
- zero with analysis \_\_\_\_\_  zero fn/analysis \_\_\_\_\_

**SIGNING DO PASS:**

**SIGNING:**  
(Check approp. column)

		Do Not Pass	No Rec	Amend
<u>Alvin Hanley</u> Hanley	<u>Jim Zawacki</u> Zawacki	X		
<u>David Finkelstein</u> Finkelstein				
<u>Ed A. Boucher</u> Boucher				

  
 \_\_\_\_\_  
 Chairman's Signature

Item 2

STATE OF ALASKA  
1990 LEGISLATIVE SESSION

BILL VERSION: HJR 57  
PUBLISH DATE: 1/8/90

FISCAL NOTE

REQUEST:

Revision Date: 1/18/90  
Title: Relating to the terms of  
legislators.  
Sponsor: Rep. Leman  
Requestor: Rep. Leman

Agency Affected: Office of the Governor  
BRU: Division of Elections  
Components: 11 - Elections

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.2*	-0-	-0-	-0-	-0-	-0-
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.2*	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	2.2*	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	2.2*	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

\* Costs included cover 2 to 3 pages in each Official Election Pamphlet, for printing and typesetting, and costs estimated to cover computer programming requirements for vote counting purposes.

Prepared by: Linda Edgeworth Phone: 465-4611  
Division: Division of Elections Date: \_\_\_\_\_  
Approved by Commissioner: [Signature] Date: 1.19.90  
Agency: Division of Elections

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management and Budget
  - Impacted Agency(ies)

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. HJR 57

However, these costs are based on the assumption that all candidates and issues will fit on three ballot cards, which is the norm. It should be noted, however that should the inclusion of this issue require a 4th ballot to be printed, the cost increase would have to be calculated at 16 cents per ballot x approximately 320,000 voters. The total cost of printing the additional ballot card would be \$51.2

Under these circumstances the fiscal note would be:

53.4

Item 3

# Alaska State Legislature

Legislative Research Agency



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

April 5, 1990

**MEMORANDUM**

**TO:** Representative Loren Leman  
**FROM:** Leola Weimer LW  
Legislative Analyst  
**RE:** Initiatives to Limit Legislative Terms  
Research Request 90.257

You asked us to provide information about ballot initiatives proposing to limit the number of terms a legislator may serve. Specifically, you requested copies of various state initiatives and background information about them.

**SUMMARY**

No state has yet amended its constitution to restrict the number of terms a legislator may serve.

Legislative resolutions for constitutional change are pending in 21 states, and initiative drives for constitutional change are underway in three states.

Oklahoma is the first state to have a tenure limitation amendment placed on the ballot as a result of an initiative. The Oklahoma Supreme Court has certified the signatures, and the governor of Oklahoma is due to call a special election to consider this amendment within the next 90 days (by June 1990).

**BACKGROUND**

Historically, the issue of limiting terms of office has focused on the executive branch of state and federal governments. Since the 1970s, however, there has been a growing concern over the number of terms which legislators may serve in the U.S. Congress and in state legislatures.

Proponents argue that restricting the number of terms an elected official may serve will 1) promote the concept of "citizen legislators" versus "professional legislators," 2) diminish the advantages for incumbency, 3) equalize the influence of districts and citizens, 4) make the legislature more responsive and

accountable for its actions, and 5) reduce the influence of special interests and bureaucracy over the legislature.<sup>1</sup>

Opponents argue that restricting the number of terms a legislator may serve would 1) remove experienced legislators who are knowledgeable of government and are best able to make complex decisions in today's governments (e.g., people like John Sherman, Robert Wagoner, Henry Clay, Steven Douglas and Robert LaFollette who developed programs of great importance late in their legislative careers), 2) send a message that is antidemocratic because it assumes that people do not have the wisdom to oust a legislator who is not properly representing them, 3) add to the problems of transitions between legislators and "lame duck" legislators, and 4) fail to discourage special interests or bureaucratic influence.<sup>2</sup>

Limiting the number of terms of elected officials requires a constitutional amendment at the federal and state levels. The Twenty-second Amendment of the U.S. Constitution, passed in 1951, limits the U. S. President to two successive terms in office. There is no limit on the number of congressional terms, and no state has yet adopted an amendment limiting the tenure of state legislative officials.

Additional historical information is found in Attachment A.

#### PROPOSITIONS TO LIMIT LEGISLATIVE TERMS

Proposals currently being considered to restrict the number of terms for state legislators have been introduced by legislators or organized through the initiative process.

#### Legislative Proposals

Legislative proposals for a constitutional amendment have been introduced in at least 21 states (Alaska, Arizona, California, Colorado, Connecticut, Florida, Hawaii, Idaho, Indiana, Kansas, Nebraska, New Hampshire, New York, Oklahoma, Oregon, Rhode Island, South Dakota, Texas, Utah, Washington, and West Virginia).<sup>3</sup> United States Senator Humphrey has also introduced a resolution to amend the U.S.

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<sup>1</sup>George G. Humphreys, "Legislative Tenure," report prepared for the Oklahoma State Legislative Council, July 25, 1979, pp. 2-3.

<sup>2</sup>Humphreys, pp. 3-4.

<sup>3</sup>Phil Thompson, Americans To Limit Congressional Terms, telephone conversation March 13, 1990, Telephone: (303) 863-9200.

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Constitution. Copies of several of these resolutions and a draft model resolution written by the national organization Americans to Limit Congressional Terms are found in Attachment B.

### Initiatives

Citizen petition drives to place a term limitation amendment on the ballot have been organized in California, Colorado and Oklahoma.<sup>4</sup>

Four separate petition drives are underway in California. One proposal by Mr. Mac Donald would place a maximum eight-year limit on service in either or both houses for all legislators. Another initiative by Scharbarum, Uhler and Ford (members of the National Taxpayers Group) would limit assembly members to three, two-year terms. It would also limit legislative spending to no more than \$950,000 per member or 80 percent of the previous year's budget, whichever is less. A third petition drive by current Attorney General Van de Kamp entitled the "Clean Government Act 1990" proposes a series of reforms, one of which would limit the service of statewide elected officials to eight successive years and state legislators to twelve successive years. The fourth initiative, organized by Operation New Broom, would limit all elected officials to a maximum of two full terms, change retirement benefits, require participation in the federal Social Security program, and prohibit elected officials from seeking, soliciting or accepting contributions for other elected offices.

Operation New Broom and Attorney General Van de Kamp's "Clean Government Act 1990" initiatives have received the most support. Copies of these initiatives and background information are found in Attachments C and D.

In Colorado, an initiative drive was begun when a concurrent resolution by state Senator Considine failed to pass last year.<sup>5</sup> The wording of the initiative is the same as Senator Considine's resolution which he reintroduced this year (Attachment E).

Oklahoma is the first state to have a tenure limitation amendment placed on the ballot as a result of an initiative. According to Lloyd Nobel, chairman of

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<sup>4</sup>Alaska's constitution (and presumably those of other states) may not be amended by the initiative process. In Alaska, only the legislature or a constitutional convention may propose amendments to the constitution. After an amendment is proposed by a "deliberative body," it may then be ratified by the electorate (Gordon Harrison, *Alaska's Constitution A Citizen's Guide*, 1986, p. 110).

<sup>5</sup>Andy Bane, special assistant for Colorado Senator Considine, telephone conversation March 13, 1990, Telephone: (303) 863-9200.

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Oklahomans for Legislative Reform, 205,418 signatures were gathered (17 percent more than required by law) and certified by the Oklahoma Supreme Court. The governor will call a special election within 90 days (by June 1990) to consider passage of this proposed constitutional amendment. A copy of the initiative petition, supporting studies, opposing letters and newspaper clippings are found in Attachment F.

I hope this information is useful. Please contact this agency if you have any further questions.

Attachments

**ATTACHMENT A**

**Historical Background from  
Americans to Limit Congressional Terms  
and the  
Oklahoma Legislature**

AMERICANS  
TO LIMIT  
CONGRESSIONAL  
TERMS



Americans to Limit Congressional Terms is a non-profit, educational organization dedicated to raising the level of national debate on the centuries-old public policy issue of limiting Congressional terms.

Enclosed with this memorandum you will find three documents:

- 1) A white paper tracing the debate of limitation of Congressional terms from colonial days to the present;
- 2) A white paper examining the related topic of presidential term limitation and the Twenty-second Amendment, and;
- 3) An overview of survey research conducted by the Gallup Organization, on behalf of Americans to Limit Congressional Terms, regarding the issue of limitation of Congressional terms.

You have received this package in the hopes that you will find either the pieces contained in it or the topic addressed worthy of inclusion in a future curriculum.

If you have any questions concerning the information enclosed or about our group, or have any other thoughts, please call David Freibert at (202) 842-4446.

Thank you.

DR. ROBERT E. ENGLAND  
POLITICAL SCIENCE DEPT.  
519 MATH SCIENCES  
STILLWATER, OK 74078

LIMITING CONGRESSSIONAL TERMS:

An Historical Perspective

by

Michael H. Klein

Americans to Limit Congressional Terms  
Washington, DC

September 25, 1989

DR. ROBERT E. ENGLAND  
OKLAHOMA STATE UNIV.  
POLITICAL SCIENCE DEPT.  
101 MATH BLDG.

perceived obstacles to Congressional accountability.<sup>1</sup>

One proposal that is structural in nature is a constitutional amendment to limit Congressional terms. This proposal revives a long standing debate as to the advisability of turnover in the legislative branch, one that is older than the Constitution itself.

#### HISTORICAL CONTEXT

The promotion of turnover in the legislative branch is an idea that in fact predates the present incarnation of Congress. In 1777, the Articles of Confederation were amended to mandate that "no person shall be capable of being a delegate (to the Continental Congress) for more than three years in any term of six years."<sup>2</sup> The primary idea behind this provision, according to historians of the era, was that the legislative branch should reflect the makeup and outlook of the citizenry that it purports to represent.

The initial attempt at term limitation, however, abruptly was terminated in 1784, when an attempt to enforce the provision

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<sup>1</sup>. According to a June, 1989 poll taken by the Wirthlin Group, a prominent national public opinion research firm, 48 per cent of Americans are dissatisfied with the performance of Congress, while only 45 per cent approve.

<sup>2</sup>. Edmund C. Burnett, The Continental Congress, (Macmillan, 1941), p. 250.

led to a near-rebellion on the floor of the Continental Congress.<sup>3</sup> After a committee of delegates was established to rule on the eligibility of delegates, its rulings were met with pitched resistance from those who were faced with expulsion from the proceedings. Said James Monroe about the level of discourse on the subject: "I never saw more indecent conduct in any assembly before."<sup>4</sup>

In addition to the distraction the term limitation had caused to the deliberations of the Continental Congress, it was also determined that the removal of those delegates who had overstayed their statutory welcome would cause the Congress to suspend its business entirely, as a quorum could not be retained.<sup>5</sup>

With regard to the Constitution, no term limitation provision was proposed at the outset, primarily due to the problems of implementing such a provision under the Articles of

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<sup>3</sup>. Ibid. p.605. On March 1, 1784, it was determined that the first such three year period had indeed passed, and a committee was assembled to determine the eligibility of delegates to the Congress. The first delegate to be ruled ineligible, Samuel Osgood of Massachusetts, angrily bade "farewell all connection with public life." The committee then declared both Delaware delegates retroactively ineligible, and the Rhode Island delegation was slated for dismissal.

<sup>4</sup>. Ibid.

<sup>5</sup>. Ibid.

Confederation. However, the idea of encouraging congressional turnover was one that enjoyed widespread support in the Constitutional Convention.

In attacking a proposal by James Madison for triennial elections, Massachusetts Delegate Elbridge Gerry called such a lengthy term "limited monarchy".<sup>6</sup> As supporters of annual and triennial elections to the House clashed in the Convention, a compromise proposal to mandate biennial elections to the House of Representatives passed unanimously.<sup>7</sup>

While there was much contention over the specific proposals to ensure turnover in the legislative branch, the general goal of using rotation to ensure accountability was widely supported at this point in time. Rhode Island's Roger Sherman typified the prevailing sentiment by remarking that "Representatives ought to return home and mix with the people. By remaining at the seat of government, they would acquire the habits of the place, which might differ from those of their constituents."<sup>8</sup>

In essence, Sherman and others believed wholeheartedly in the notion of the "citizen legislator", one who would serve his

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<sup>6</sup>. Charles O. Jones, Every Second Year, (Brookings Institute, 1968), p.4.

<sup>7</sup>. Ibid. p.6.

<sup>8</sup>. Ibid. p.4.

constituents out of a sense of civic duty, rather than vocational or personal ambition.

In the nineteenth century, Congressional term limitation, at least from a structural or statutory standpoint, was never much of an issue. Aside from the obvious hardships of transportation and climatic extremities that tended to encourage turnover, there was also a tradition in many districts of voluntary term limitations.<sup>9</sup> Abraham Lincoln, for instance, was limited to a single term by virtue of the tradition in his Illinois district.<sup>10</sup>

There were also internal reasons within the House during this period mitigating against extended tenure. Specifically, the House leadership structure was not driven by seniority, instead, party control had a tendency to shift frequently and those Representatives who wished to pursue politics as a career sought seats in the Senate or in their respective Governors' mansions. Of the seven Speakers of the House elected between 1870 and 1894, for instance, one was elected in his third term of service, two in their fourth term, two in their fifth, one in his sixth, and one in his seventh term.<sup>11</sup> Additionally, three of those Speakers

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<sup>9</sup>. Nelson W. Polsby, The Congressional Career, (Random House, 1971), p.23.

<sup>10</sup>. Ibid.

<sup>11</sup> Ibid.

left the House to serve in the Senate, one died, and one left to join a Wall Street law firm.

In contrast to Congressional term limitation, Presidential term limitation was an oft-discussed issue since the Constitutional Convention. Every President to serve in the 1800's, with the exception of Abraham Lincoln, publicly supported a two-term, eight-year limit on Presidential service.<sup>12</sup> Even Lincoln, who did not take an explicit stand of the issue, commented: "If our American society and United States Government are overthrown, it will come from the voracious desire for office, this wriggle to live without toil, work, and labor--from which I am not free myself."<sup>13</sup>

In 1951, a limitation on Presidential service was finally ratified as the Twenty-second Amendment to the U.S. Constitution. The 22nd Amendment was introduced in 1947 by the then-majority Republicans in the House in response to Democrat Franklin D. Roosevelt's election to four consecutive Presidential terms. Despite its origin as a partisan initiative, it was ratified by the states in 1951 with widespread support. Said the Washington Post in an editorial describing the bi-partisan nature of ratification:

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12. Presidential and Congressional Term Limitation: The Issue That Stays Alive, (Foundation for the Study of Presidential and Congressional Terms, 1981) pp. 10-11.

13. Ibid

The only basic reason for writing this additional restriction into the constitution is the fear that, in these days of big government and perpetual emergency, some future president with dictatorial tendencies might perpetuate himself in office indefinitely. Perhaps that chance is remote, but power-grasping officials are common enough in both history and current world experience to warrant this safeguard.<sup>14</sup>

Despite the passage of the 22nd Amendment, the issue of Presidential term succession was never fully settled, at least in the eyes of some scholars. In the 1970's the issue resurfaced as proposals emerged to limit the President to a single, six-year term of service, an idea that was supported by then-President Jimmy Carter.<sup>15</sup>

At the same time, in the post-Watergate reform era, the idea of Congressional term limitation resurfaced once again, most notably in several academic discussion forums in 1979 and 1980.<sup>16</sup> While Senator Dennis DeConcini (D-Arizona) and Senator John Danforth (R-Missouri) introduced a bill during this period to limit members of Congress to twelve years of individual service, the lack of organized external pressure and a basic resistance

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<sup>14</sup>. "22nd Amendment", Washington Post, February, 29, 1951, p.8.

<sup>15</sup>. Limiting Presidential and Congressional Terms, (American Enterprise Institute, 1979), pp.1-5.

<sup>16</sup>. How Long Should They Serve?: Limiting Terms for the President and Congress, (American Enterprise Institute, 1980) 25 pages.

among sitting members to restrict their own incumbencies prevented this legislation from becoming enacted.<sup>17</sup>

In the mid to late 1980's, in the wake of an unprecedented 99 percent re-election rate for incumbent members of the House of Representatives, and following a number of ethics scandals in the House leadership, several reform minded grass-roots and educational groups with an interest in limiting Congressional terms were established.

#### CONCLUSION

The low estimation in which the American public holds the Congress at this point indicates that there may be the needed impetus to write into the Constitution the expressed wish of its framers for a "citizen legislature". According to a poll taken by the Gallup Organization in 1989, 57 per cent of those surveyed explicitly support a constitutional amendment to limit Congressional terms. With the emergence of a broad-based, bipartisan consensus behind term limitation, a distinct possibility exists that congressional term limitation will reemerge as a salient political issue.

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17. Ibid.

THE TWENTY-SECOND AMENDMENT:

Term Limitation in the Executive Branch

by

Michael H. Klein

Americans to Limit Congressional Terms  
Washington, DC

September 25, 1989

DR. ROBERT E. ENGLAND  
OKLAHOMA STATE UNIV.  
POLITICAL SCIENCE DEPT.  
519 MATH SCIENCES  
STILLWATER, OK 74074

election. However, Nixon failed to serve through the course of his second term, and Eisenhower later became an avid supporter of a six-year term with no right of succession.<sup>11</sup> Reagan is the only President elected under the Twenty-second Amendment who has argued for its repeal.

#### IMPLICATIONS OF THE TWENTY-SECOND AMENDMENT

While as of this stage of the American Presidency the Amendment has registered little impact, the Twenty-second Amendment serves as an important precedent for term limitation at the Federal level, and it also presents a counterpoint with the notoriety and controversy that proposed amendments to the Constitution generate in the present day.

Unlike several controversial recent proposals to amend the Constitution as the Equal Rights Amendment, the Human Life/Anti-Abortion Amendment, and the District of Columbia Voting Rights Amendment, the ratification of the Twenty-second Amendment was remarkable for the lack of media attention afforded it. Between 1947 and 1951, no items discussing the ratification battle or even the final passage of the Twenty-second Amendment appeared in the periodicals indexed in the Readers Guide to Periodical Literature.

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<sup>11</sup> Presidential and Congressional Term Limitation: The Issue That Stays Alive, (Foundation for The Study of Presidential and Congressional Terms, Washington, 1980) p.12.

Newspaper coverage was also scant. No mention was made in the Washington or New York papers of the Congressional passage of the Amendment.<sup>12</sup> The ratification process was not reported on at any length in the national press, and it was not until final passage in Nevada that the Washington and New York papers discussed the issue at any length. Even in Utah, the penultimate state to ratify the Amendment, on the same day as Nevada, the article published in the state's leading daily was an Associated Press item which barely mentioned the Utah Legislature's action.<sup>13</sup>

Insofar as the impact of the Amendment as a precedent for term limitation at the federal level, it is important to consider the political climate in which it was ratified. The Twenty-second Amendment, despite its beginnings as a partisan initiative, was ratified as a result of a broad-based bipartisan consensus of public opinion. It was the emergence of such a consensus among the citizenry for a Presidential term limitation that the Twenty-second Amendment has come to pass.

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<sup>12</sup> According to a review of the indices of the New York Times, New York Herald Tribune, Washington Post, and the Washington Evening Star from 1947.

<sup>13</sup> "Nevada's Action Ends Third Term", Deseret News. op cit.

GALLUP POLL DATA

JUNE 1989

Limiting Congressional Terms

DR. ROBERT E. ENGLAND  
OKLAHOMA STATE UNIV.  
POLITICAL SCIENCE DEPT.  
519 MATH SCIENCES  
STILLWATER, OK 74078

# AMERICANS TO LIMIT CONGRESSIONAL TERMS

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In early June, 1989 Americans to Limit Congressional Terms (ALCT) retained the Gallup Organization of Princeton, New Jersey to conduct a national public opinion poll on the subject of limiting Congressional terms. The survey was conducted among 1008 adults and had an error factor of plus or minus 4%.

The following question was asked of the respondents:

Currently, the Constitution places no time limit on how long members of the House of Representatives and U.S. Senate can serve in office. Some people have proposed a Constitutional Amendment to limit to twelve years the amount of time U.S. Congressman and U.S. Senators could serve in office. Others think there should not be a limit to the amount of time Congressmen and Senators can serve in office. Which of these statements comes closest to your own view?

A total of 57% of the sample believed there should be a limit on time members of Congress and Senate should spend in office. A total of 34% opposed limiting terms.

There is no difference between Republican, Democrats and Independents, with each group showing virtually equal support for the measure.

There is a slight tendency towards greater support for the proposal as age increases. Conversely there is a slight decrease for the proposal as levels of education increase.

Finally, among the regions of the country, the greatest support for limiting terms comes from the midwest.

## Congressional Term in Office

	<u>Limit</u> %	<u>No</u> <u>Limit</u> %	<u>Don't</u> <u>Know</u> %	<u>Total</u> %	<u>N</u>
All Respondents	57	34	9	100	( 1008)
<u>Sex</u>					
Male	59	35	6	100	( 503)
Female	56	33	11	100	( 505)
<u>Age</u>					
18-29 years	53	37	10	100	( 254)
30-49 years	58	36	6	100	( 404)
50 and over	60	31	9	100	( 334)
<u>Party ID</u>					
Republican	58	38	4	100	( 352)
Democrat	56	35	9	100	( 292)
Independent	59	28	13	100	( 339)
<u>Education</u>					
College grad.	57	41	5	100	( 444)
H.S. grad.	60	32	8	100	( 415)
Less than h.s. grad.	59	25	16	100	( 148)
<u>Region</u>					
East	54	36	10	100	( 241)
Midwest	62	30	8	100	( 264)
South	57	33	10	100	( 298)
West	56	38	6	100	( 205)

TECHNICAL APPENDIX

## Composition of the Sample

	<u>Unweighted Number of Interviews</u>	<u>Weighted Percent</u>
Total	1008	100.0
<u>Sex of Respondent</u>		
Male	503	47.7
Female	504	<u>52.3</u>
		100.0
<u>Age of Respondent</u>		
18 - 29 Years	254	24.5
30 - 49 Years	404	38.2
50 Years and Older	334	35.8
Undesignated	16	<u>1.5</u>
		100.0
<u>Education</u>		
High School Incomplete	148	20.3
High School Graduate	415	40.3
College Education	444	39.3
Undesignated	1	<u>0.1</u>
		100.0

Region of Country

East:	Maine, New Hampshire, Rhode Island, New York, Connecticut, Vermont, Massachusetts, New Jersey, Pennsylvania, West Virginia, Delaware Maryland, District of Columbia	241	24.9
Midwest:	Ohio, Indiana, Illinois, Michigan, Minnesota, Wisconsin, Iowa, North Dakota, South Dakota, Kansas, Nebraska, Missouri	264	24.9
South:	Kentucky, Tennessee, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Texas, Arkansas, Oklahoma, Louisiana	298	29.8
West:	Arizona, New Mexico, Colorado, Nevada, Montana, Idaho, Wyoming, Utah, California, Washington, Oregon, Alaska, Hawaii	205	20.4
			<u>100.0</u>

## Sample Design

The sampling procedure used for this study was designed to produce an approximation of the adult civilian population, eighteen years and older, living in the United States, except those persons in institutions such as prison or hospitals.

The design of the sample is that of a replicated, probability sample down to the block level in the case of urban areas, and to segments of townships in the case of rural areas, in over three hundred sampling locations.

The sample design includes stratification by seven size-of-community strata, using 1980 Census data: (a) incorporated cities of population 1,000,000 and over; (b) incorporated cities of population 250,000 to 999,999; (c) incorporated cities of population 50,000 to 249,999; (d) urbanized places not included in (a)-(c); (e) cities over 2,500 population outside of urbanized areas; (f) towns and villages with less than 2,500 population; and (g) rural places not included within town boundaries. Each of these strata are further stratified into four geographic regions: East, Midwest, South and West. Within each city size-regional stratum, the population is arrayed in geographic order and zoned into equal sized groups of sampling units. Pairs of localities are selected in each zone, with probability of selection and each locality proportional to its population size in the 1980 census, producing two replicated samples of localities.

Within each subdivision so selected, for which block statistics are available, a sample of blocks or block clusters is drawn with probability of selection proportional to the number of dwelling units. In all other subdivisions or areas, blocks or segments are drawn at random or with equal probability.

In each cluster of blocks and each segment so selected, a randomly selected starting point is designated on the interviewer's map of the area. Starting at this point, interviewers are required to follow a given direction in the selection of households until their assignment is completed.

Interviewing is conducted at times when adults, in general, are most likely to be at home, which means on weekends, or if on weekdays, after 4:00 P.M. for women and after 6:00 P.M. for men.

Allowance for persons not at home is made by a "times at home" weighting<sup>1</sup> procedure which is a standard method for reducing the sample bias that would otherwise result from under-representation in the sample of persons who are difficult to find at home.

The pre-stratification of the sample by size-of-community and region is routinely supplemented by fitting each obtained sample to the latest available Census Bureau estimates of the regional distribution of the population. Also, adjustments are made to bring the demographic characteristics of the sample such as age, sex, race and education into alignment with the demographic characteristics of the population of civilian adults living in the United States. The population characteristics are derived from the Census Bureau's Current Population Survey (March 1987).

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<sup>1</sup>Politz, A. Simmons, W., "An Attempt to Get the 'Not at Homes' into the Sample without Callbacks," JOURNAL OF THE AMERICAN STATISTICAL ASSOCIATION, Volume 44, (March, 1949), pp.9-31.

## Sampling Tolerances

In interpreting survey results, it should be borne in mind that all sample surveys are subject to sampling error, that is, the extent to which the results may differ from what would be obtained if the whole population had been interviewed. The size of such sampling errors depends largely on the number of interviews.

The following tables may be used in estimating the sampling error of any percentage in this report. The computed allowances have taken into account the effect of the sample design upon sampling error. They may be interpreted as indicating the range (plus or minus the figure shown) within which the results of repeated samplings in the same time period could be expected to vary, 95 percent of the time, assuming the same sampling procedures, the same interviewers, and the same questionnaire.

The first table shows how much allowance should be made for the sampling error of a percentage:

	<u>Recommended Allowance for Sampling Error</u>				
	<u>of a Percentage</u>				
	In Percentage Points (at 95 in 100 confidence level) <sup>2</sup>				
	<u>Sample Size</u>				
	<u>1000</u>	<u>750</u>	<u>500</u>	<u>200</u>	<u>100</u>
Percentages near 10	2	3	3	5	7
Percentages near 20	3	4	5	7	10
Percentages near 30	4	4	5	8	12
Percentages near 40	4	5	6	8	12
Percentages near 50	4	5	6	9	13
Percentages near 60	4	5	6	8	12
Percentages near 70	4	4	5	8	12
Percentages near 80	3	4	5	7	10
Percentages near 90	2	3	3	5	7

The table would be used in the following manner: Let us say a reported percentage is 33 for a group which includes 1000 respondents. Then we go to row "percentages near 30" in the table and go across to the column headed "1000". The number at this point is 4, which means that the

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<sup>2</sup>The chances are 95 in 100 that the sampling error is not larger than the figures shown.

33 percent obtained in the sample is subject to a sampling error of plus or minus 4 points. Another way of saying it is that very probably (95 chances out of 100) the true figure would be somewhere between 29 and 37, with the most likely figure the 33 obtained.

In comparing survey results in two samples, such as, for example, men and women, the question arises as to how large a difference between them must be before one can be reasonably sure that it reflects a real difference. In the tables below, the number of points which must be allowed for in such comparisons is indicated.

Two tables are provided. One is for percentages near 20 or 80; the other for percentages near 50. For percentages in between, the error to be allowed for is between those shown in the two tables.

Recommended Allowance for Sampling  
Error of the Difference  
In Percentage Points  
(at 95 in 100 confidence level)<sup>3</sup>

TABLE A  
Size of Sample

500
400
250
100

Percentages near 20 or 80			
500	400	250	100
6			
7	7		
8	8	9	
11	11	12	14

TABLE B  
Size of Sample

500
400
250
100

Percentages near 50			
500	400	250	100
8			
8	9		
10	10	11	
14	14	15	18

<sup>3</sup>The chances are 95 in 100 that the sampling error is not larger than the figures shown.

Here is an example of how the tables would be used: Let us say that 50 percent of men responded a certain way and 40 percent of women respond that way also, for a difference of 10 percentage points between them. Can we say with any assurance that the 10 point difference reflects a real difference between the two groups on the question? Let us consider a sample which contains approximately 500 in each of these groups.

Since the percentages are near 50, we consult Table B, and since the two samples are about 500 persons each, we look for the number in the column headed "500" which is also the row designated "500". We find the number 8 here. This means that the allowance for error should be 8 points, and that in concluding that the percentage among men is somewhere between 2 and 18 points higher than the percentage among women, we should be wrong only about 5 percent of the time. In other words, we can conclude with considerable confidence that a difference exists in the direction observed and that it amounts to at least 2 percentage points.

If, in another case, responses among a group of 500 men amount to 22 percent and 24 percent in a group of 500 women, we consult Table A because these percentages are near 20. We look for the number in the column headed "500" which is also in the row designated "500" and see that the number is 6. Obviously, then, the two-point difference is inconclusive.

THE QUESTION

1. Currently, the Constitution places no time limit on how long members of the U.S. House of Representatives and U.S. Senate can serve in office. Some people have proposed a Constitutional Amendment to limit to twelve years the amount of time U.S. Congressman and U.S. Senators could serve in office. Others think there should not be a limit to the amount of time Congressmen and Senators can serve in office. Which of these statements comes closest to your own view?

1 A Constitutional Amendment limiting to twelve years the amount of time Congressmen and the Senators can serve in office, or

2 Not limiting the time Congressman and Senators can serve in office

0 DON'T KNOW

DETAILED TABULATIONS

◆◆ EDDIE MAHE & ASSOCIATES ◆◆

Q.10 WHICH OF THESE STATEMENTS COMES CLOSEST TO YOUR OWN VIEW?

	SEX		AGE			PARTY ID			EDUCATION			REGION				
	TOTAL	MALE	FEMALE	18-29	30-49	50 & OLDER	REPUB- LICAN	INDEP- ENDENT	DEMO- CRAT	COL- LEGE EDUC.	H.S. GRAD.	LESS THAN H.S.	EAST	MID- WEST	SOUTH	WEST
TOTAL RESPONDENTS	1008	503	505	254	404	334	352	292	339	444	415	148	241	264	298	205
WEIGHTED BASE	1632	778	854	400	623	584	551	468	574	641	658	331	406	407	487	332
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
<b>STATEMENTS</b>																
A CONSTITUTIONAL AMENDMENT LIMITING TO TWELVE YEARS THE AMOUNT OF TIME CONGRESSMEN AND SENATORS CAN SERVE IN OFFICE	936	461	475	212	362	350	318	274	323	345	396	194	220	254	275	187
	57.3	59.3	55.6	53.0	58.1	59.9	57.8	58.6	56.2	53.8	60.1	58.6	54.1	62.5	56.5	56.3
NOT LIMITING THE TIME CONGRESSMEN AND SENATORS CAN SERVE IN OFFICE	556	270	287	148	223	182	212	132	199	263	209	84	148	121	162	126
	34.1	34.7	33.6	37.2	35.8	31.1	38.4	28.3	34.6	41.0	31.8	25.4	36.4	29.7	33.3	37.8
DON'T KNOW	140	47	93	39	37	53	21	61	53	33	53	53	39	32	50	20
	8.6	6.1	10.8	9.9	6.0	9.0	3.8	13.1	9.2	5.2	8.1	16.0	9.6	7.8	10.2	5.9

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## STATE LEGISLATIVE COUNCIL

305 STATE CAPITOL  
 OKLAHOMA CITY 73105  
 405/521-3201

July 25, 1979

MEMORANDUM

TO: Representative Stanley Alexander

FROM: George G. Humphrays, Research Assistant

SUBJECT: Legislative Tenure

Although no state has yet amended its constitution to provide constitutional restraints on the tenure of its state legislators, the question of whether it would be advantageous or not to do so does have considerable merit. In order to deal with the problem on its own merits, this memo shall briefly examine the history of term legislation in general, the status of legislative restrictions in particular, and shall attempt to provide an extensive list of arguments for and against legislative tenure.

History

The issue of term succession has generally centered on the executive branch of state and federal governments. This is generally believed to be a legacy of the colonial experience with the tyranny of the British king. The Founding Fathers agreed that the presidents should be limited in their succession, but the Constitutional Convention could not decide on a clause that would do so. The precedent of Washington's two terms established the custom of a two-term tradition until Franklin D. Roosevelt's third election in 1940. Finally, the two-term concept was constitutionally established by the Twenty-second Amendment in 1951.

State action to limit the number of terms a governor can serve has been quite extensive. Presently there are over 20 states with some form of constitutional provision against reeligibility.

Noteworthy, however, is the fact that the subject reeligibility or tenure sanctions against legislators has, until recently, been ineffective. A possible explanation could be offered in that before the vast extension of the government into the lives of Americans, there was no sharp concern among citizens of the "possible abuses" of a full-time professional legislature.

Over the past decade, the concern has generally kept pace with the public debate on the efficacy of state and federal government. It is more than coincidental that the debate on term reeligibility of legislators followed the campaign for tax limitations.

#### Recent Discussion of Legislative Tenure Restrictions

The most evident development in the subject of a movement to restrict the number of terms which legislators may serve has taken place in the U. S. Congress. In 1978, the Subcommittee on the Constitution of the Committee on the Judiciary in the Senate held hearings on Senate Joint Resolutions Nos. 27 and 28. In essence, these resolutions sought to propose constitutional amendments that would limit senators to two terms and representatives to six or seven terms. Although the resolutions failed, there were many legislators who expressed support including Senators DeConcini, Danforth, Wallop, Hayakawa, Goldwater, Schmitt and Zorinski.

#### Arguments for Restrictions of Legislative Tenure

1. The government has a great need for "citizen legislators." Supporters of term reeligibility provisions are generally adamant regarding the philosophical advantages of the citizen-legislator over the professional legislator. Senator DeConcini forcefully represented this position at the Senate hearings:

"On a more philosophical level, I am deeply committed to the concept of the citizen-legislator. An enlarged pool of political candidates would certainly generate a wealth of new ideas. The growth of the professional-legislator on the other hand is frightening, for it is yet another step away from the democratic ideal, leading toward rapid, unrepresentative institutions."

2. Term reeligibility restrictions would diminish the advantages for an incumbent in retaining his office in perpetuity. Critics of the professional legislator point out the difficulties of a challenger in unseating the incumbent. Incumbency not only brings certain mailing and traveling advantages, but many voters realize that the present system which rewards seniority is a deterrent for many voters in voting against the incumbent.
3. Term reeligibility restrictions would tend to equalize the influence of districts and citizens. Senator Birch Bayh, although not a strong supporter of such measures, did note that important advantages are to be derived by districts and citizens who have influential senior legislators to represent them.