

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

CONFERENCE COMMITTEE ON HJR 19

June 29, 1991Hearing Room C 11:30 p.m.Tape 2

SENATE MEMBERS PRESENT: Sen. Scott Duff Sen. Dick Springer

HOUSE MEMBERS PRESENT: Rep. Randy Miller, Chair Rep. Bill Markham
Rep. Gail Shibley

STAFF PRESENT: Randall Jones, Committee Administrator Shannon
Gossack, Committee Assistant Ted Reutlinger, Legislative Counsel

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TAPE 2, SIDE A

007 CHAIR MILLER: Calls hearing to order at 12:50 p.m.

008 RANDY JONES, COMMITTEE COUNSEL: HJR 19-A says that no person shall serve more than 12 consecutive years as a member of the legislative assembly and HJR 19-B says that no person shall serve no more than 12 consecutive years in any one office in the legislative assembly.

011 CHAIR MILLER: We have had a Conference Committee on this subject before and we failed to reach an agreement. The House conferees believed that the Senate amendments do not create a limit. We recognize that there are many people in this building who are not in favor of limits at all. However, people outside this building favor limits and polls indicate that this issue will be on the ballot in the General Election 1992. HJR 19 is an opportunity for us to responsibly compete with that particular measure and address our concerns. Unless we have a version of this out before the public clearly the only choice available to them will pass and pass overwhelmingly.

033 SEN. DUFF: Is there some middle ground between the two versions?

039 CHAIR MILLER: If we don't have a break in service imposed than I just don't think we can honestly tell the public that this limits anything. I think that 12 years will be competitive with the measure that will be on the ballot. The measure that will be on the ballot is a 12 year limit period. The House version says that a person can do 12 consecutive years, re-acquaint themselves with the private sector and if they care to come back to the legislative assembly they can.

053 SEN. DUFF: Are the states where this type of measure has passed comprised of citizen legislators or full time legislators?

055 CHAIR MILLER: They may carry on the same debate as to whether we are a citizen or professional legislators.

057 SEN. DUFF: The salary doesn't allow for a person to be a professional legislator.

060 CHAIR MILLER: I have heard that argument, however, we probably have 30-45% who exist on this salary exclusively.

065 SEN. SPRINGER: The Senate is pretty strongly behind their version of HJR 19.

076 SEN. DUFF: Your not willing to give the Senate version a chance on the ballot?

078 CHAIR MILLER: It doesn't really represent a limit. If we're going to have term limits we ought to have limits.

081 SEN. DUFF: I think it does. If in 12 years I were re-elected I would have to run under different circumstances.

082 CHAIR MILLER: There are certain advantages to incumbency. I think that if you were a member of the Senate for 12 years and then sought a position in the House of Representatives running against an unknown challenger there would be an advantage. Therefore, the thrust of the limit would be lost.

091 SEN. DUFF: In that circumstance you would probably be running against an incumbent. The Senate version does provide the limit that the public is looking for.

096 CHAIR MILLER: I think it tends to retain legislators longer then the people would choose to retain them via another initiative.

100 SEN. DUFF: My concern is that when I hear the issue of term limits it is directed at the legislature not the legislator. That is why I wonder about imposing a strict 12 year limit. My part of the state is saying they don't like the legislature not their legislators. I think the Senate version would satisfy the public.

113 CHAIR MILLER: The House version is not as restrictive as the one that will be on the ballot. If we go with a light weight limitation the public will turn it down. It needs to be a meaningful package.

123 REP. SHIBLEY: I am not convinced that term limitations are in the best interest of the public but I understand constitutionally the difference between the House and the Senate in terms of elected terms that they serve. It makes sense to be consistent in this distinction as far as taking something to the voters. I would support this going out to the voters but as a citizen I would not. There isn't a term limitation between the Governor and the Secretary of State. I am trying to draw an analogy between this and other state offices. We should be consistent.

153 CHAIR MILLER: I think the public may not understand that distinction. This would limit the terms of legislators not just a Representative or a Senator. As the one that wrote this measure I am a

little bit protective of what is in it and I would like it to pass in a meaningful way. In short of doing that I wouldn't be able to support it.

189 CHAIR MILLER: Adjourns hearing on HJR 19.

Submitted by, Reviewed by,

Shannon Gossack Randall Jones Assistant Administrator