

JAN 25 2023

SENATE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY
OF POTENTIAL POSITIVE AND NEGATIVE CONSEQUENCES OF
IMPLEMENTING TERM LIMITS FOR MEMBERS OF THE LEGISLATURE.

1 WHEREAS, when the United States Supreme Court decided in
2 Buckley v. Valeo, 424 U.S. 1 (1976), that certain campaign
3 spending limits were unconstitutional, the ability of
4 nonincumbents to challenge elected officials was substantially
5 impaired; and
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7 WHEREAS, in 1974, the year of the only Hawaii election that
8 observed spending limits, twenty-two new members were elected to
9 the House of Representatives and eight new members were elected
10 to the Senate; in other words, forty-three percent of the
11 representatives and thirty-two percent of the senators elected
12 in 1974 were new to the Legislature; and
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14 WHEREAS, fifteen States have imposed term limits on state
15 legislators: Arizona, Arkansas, California, Colorado, Florida,
16 Louisiana, Maine, Michigan, Missouri, Montana, Nebraska, Nevada,
17 Ohio, Oklahoma, and South Dakota; and
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19 WHEREAS, thirty-six states have imposed term limits on
20 their governors; and
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22 WHEREAS, thirty-three states have imposed term limits on
23 their members in the United States Congress; and
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25 WHEREAS, the legislatures of Idaho and Utah have repealed
26 term limits on state legislators; and
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28 WHEREAS, the supreme courts of Massachusetts, Oregon,
29 Washington, and Wyoming have invalidated term limits on state
30 legislators due to procedural concerns, and not the merits of
31 the applicable laws; and
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33 WHEREAS, the expenses for nonincumbents seeking election to
34 the Legislature and the small chance of winning reduce the
35 number of seriously contested races, which may increase voter



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1 apathy and undermine the entire foundation and process of
2 representative democracy; now, therefore,
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4 BE IT RESOLVED by the Senate of the Thirty-second
5 Legislature of the State of Hawaii, Regular Session of 2023,
6 that the Legislative Reference Bureau is requested to conduct a
7 study of potential positive and negative consequences of
8 implementing term limits for members of the Legislature; and
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10 BE IT FURTHER RESOLVED that the Legislative Reference
11 Bureau is requested to report its findings to the Legislature no
12 later than twenty days prior to the convening of the Regular
13 Session of 2024; and
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15 BE IT FURTHER RESOLVED that a certified copy of this
16 Resolution be transmitted to the Director of the Legislative
17 Reference Bureau.
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OFFERED BY:



