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# SENATE RESOLUTION

REQUESTING THE NATIONAL CONFERENCE OF STATE LEGISLATURES AND COUNCIL OF STATE GOVERNMENTS TO UPDATE THE FINDINGS OF THE 2004 JOINT PROJECT ON TERM LIMITS ON THE 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25           WHEREAS, the legislatures of Idaho and Utah have repealed  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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2 WHEREAS, the expenses for nonincumbents seeking election to  
3 the Legislature and the small chance of winning reduce the  
4 number of seriously contested races, which may increase voter  
5 apathy and undermine the entire foundation and process of  
6 representative democracy; and  
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8 WHEREAS, from 2001 through 2004, a Joint Project on Term  
9 Limits was conducted as a cooperative effort by the National  
10 Conference of State Legislatures, Council of State Governments,  
11 State Legislative Leaders Foundation, and a number of  
12 legislative scholars; and  
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14 WHEREAS, the massive project assessed the effects of term  
15 limits on state legislatures and identified approaches for  
16 coping with term limits; now, therefore,  
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18 BE IT RESOLVED by the Senate of the Thirty-second  
19 Legislature of the State of Hawaii, Regular Session of 2023,  
20 that the National Conference of State Legislatures and Council  
21 of State Governments is requested to update the findings of the  
22 2004 Joint Project on Term Limits on the potential positive and  
23 negative consequences of implementing term limits for members of  
24 the Legislature; and  
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26 BE IT FURTHER RESOLVED that certified copies of this  
27 Resolution be transmitted to the President of the Executive  
28 Committee of the National Conference of State Legislatures and  
29 National President of the Council of State Governments.

