
SENATE CONCURRENT 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25 WHEREAS, the legislatures of Idaho and Utah have repealed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



1 legislators due to procedural concerns, and not the merits of
2 the applicable laws; and

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4 WHEREAS, the expenses for nonincumbents seeking election to
5 the Legislature and the small chance of winning reduce the
6 number of seriously contested races, which may increase voter
7 apathy and undermine the entire foundation and process of
8 representative democracy; and

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10 WHEREAS, from 2001 through 2004, a Joint Project on Term
11 Limits was conducted as a cooperative effort by the National
12 Conference of State Legislatures, Council of State Governments,
13 State Legislative Leaders Foundation, and a number of
14 legislative scholars; and

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16 WHEREAS, the massive project assessed the effects of term
17 limits on state legislatures and identified approaches for
18 coping with term limits; now, therefore,

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20 BE IT RESOLVED by the Senate of the Thirty-second
21 Legislature of the State of Hawaii, Regular Session of 2023, the
22 House of Representatives concurring, that the National
23 Conference of State Legislatures and Council of State
24 Governments is requested to update the findings of the 2004
25 Joint Project on Term Limits on the potential positive and
26 negative consequences of implementing term limits for members of
27 the Legislature; and

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29 BE IT FURTHER RESOLVED that certified copies of this
30 Concurrent Resolution be transmitted to the President of the
31 Executive Committee of the National Conference of State
32 Legislatures and National President of the Council of State
33 Governments.

