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Changes in Gubernatorial Term Lengths

Since 1780, gubernatorial term lengths in the United States have gradually evolved from an average term length of one year to two years, to today's common term length of four years. Today, forty-eight of the fifty states have gubernatorial term lengths of four years (see Figure 1). Vermont and New Hampshire are the only remaining states in the Union with two-year terms. Thirty-three of the states with four-year gubernatorial terms also have state senate terms of four years, and state house terms of two years (see Figure 2).

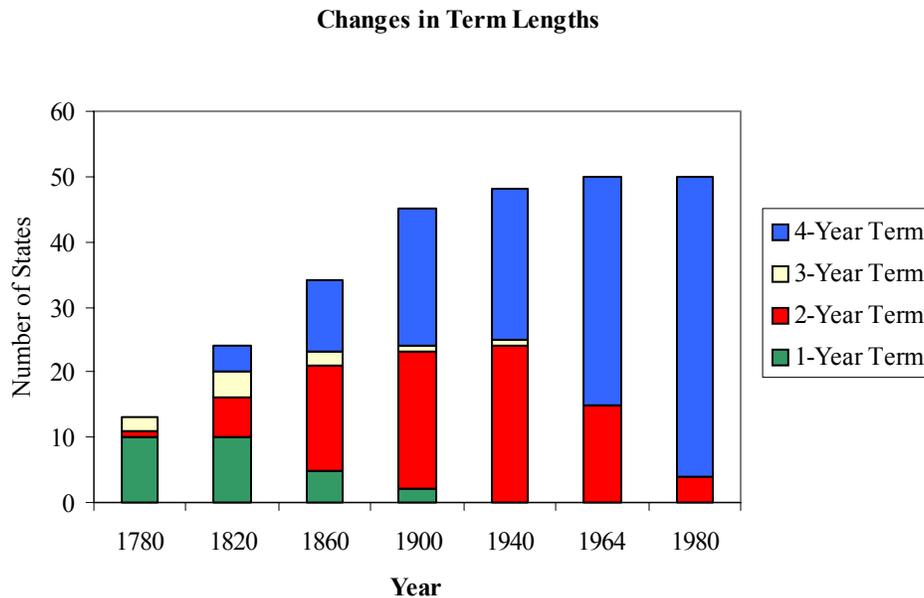


Figure 1: Historical Changes in Term Lengths

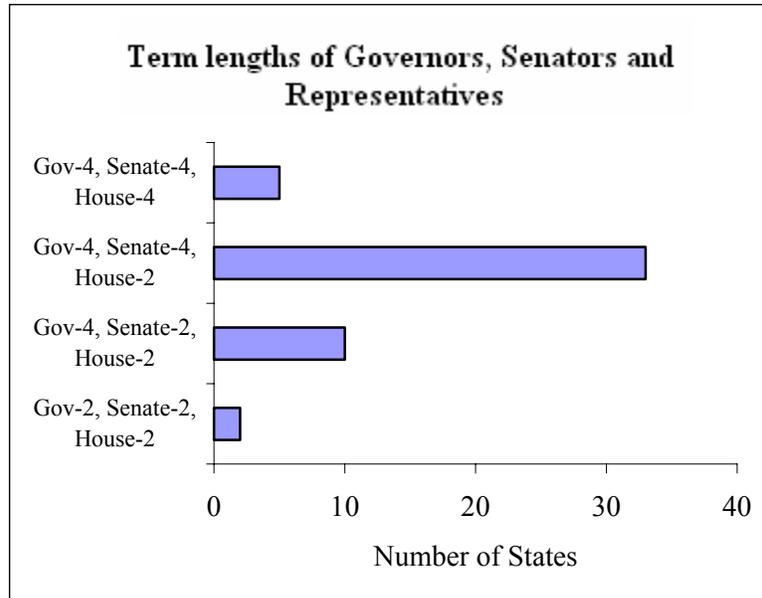


Figure 2: Current Term Lengths of Governors, Senators and Representatives

Two-Year versus Four-Year Terms

Political Scientist Larry Sabato, a highly respected expert on state politics, argued that historically two-year terms were “considered more democratic, because [they] subjected the governor to the judgment of the people at more frequent intervals.” Conversely, two-year terms leave the governor “in the situation where, in the first term, he must spend the first year getting acquainted with his position and the second year in campaigning for reelection.”¹ In a February 26, 2004 email, University of North Carolina at Chapel Hill Political Scientist Thad Beyle, a nationally recognized scholar of governors and state legislatures concurred, saying that “The one message that I repeatedly heard about four-year terms is that in the first year you learn how to be governor, in the second and third year you can do what you had hoped to do, then in the fourth year you are running for reelection. With two-year terms, you do not get those productive second and third years.”²

According to Sabato, two-year terms limit the governor’s opportunity to develop a sound policy as it forces the governor to campaign after the first year of his or her term. The bureaucracy is less likely to be cooperative with a two-year governor because he may not be in office long enough to follow through with future policy.³ In addition, a longer tenure is necessary for intergovernmental relationships to mature so that policy can be more effective.⁴ Overall it is

¹ Sabato, Larry. *Goodbye to Good-time Charlie: The American Governorship Transformed, Second Edition*. Washington, D.C.: CQ Press. 1983. Pg. 97-8.

² Beyle, Thad. Email Interview, February 26, 2004.

³ Sabato, Larry.

⁴ Beyle, Thad. “The Governors.” In, *Politics in the American States*. Gray, Virginia, and Russell L. Hanson, editors. Washington, D.C.: CQ Press, 1999.

believed “that four-year terms are more conducive to successful incumbency ... than two-year terms. State government reformers have argued this case for years on the grounds that the longer a governor has to implement his programs, and to demonstrate his ability to administer the state’s affairs, the more likely he is to be a successful governor.”⁵

John Fitzhugh points out that in Vermont all of the governors since 1961 have served at least two terms.⁶ For the purposes of this study, this fact would suggest that in the state of Vermont the two-year term is already a defacto four-year term. The argument that states with two-year term limits are more democratic than those with four-year terms assumes that a qualified candidate pool is available for each election. If there are no viable candidates that are both interested and willing to run, the elections will not be competitive and thus not democratic. Of the twenty-two gubernatorial elections in Vermont since 1960, only six have been competitive (political scientists typically define a competitive election as one in which the margin of victory is 10% or less, indicated by the line in Figure 3). Six elections were exceedingly *uncompetitive*, with a margin of victory over 25% (see Figure 3).

Competitiveness in Elections

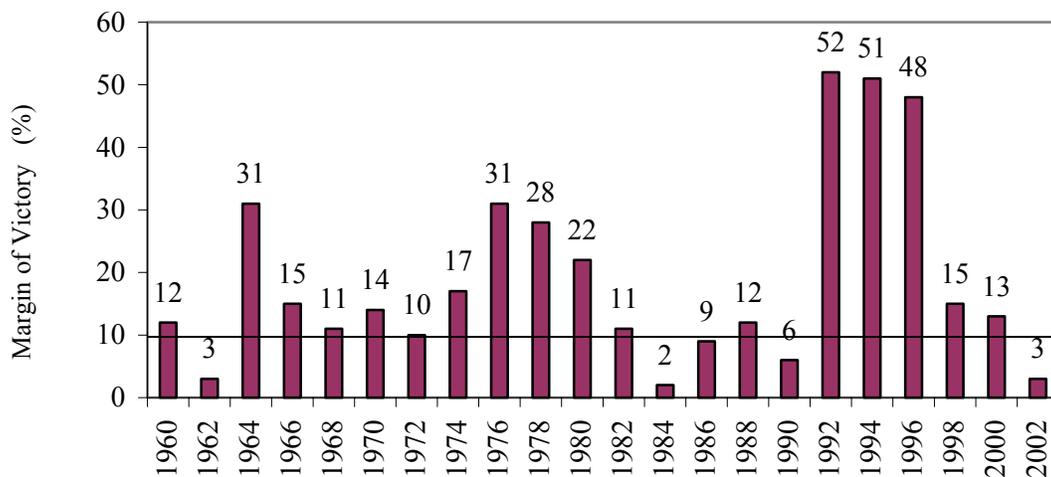


Figure 3: Competitiveness in Vermont Gubernatorial Elections, 1960-2002 (the line indicates a 10% margin of victory)

⁵ William, Anderson, Clara Penniman, Edward W. Weidner. *Government in the Fifty States*. New York, NY: Holt, Rinehart, Winston, Inc., 1960. Pg. 262-263.

⁶ Fitzhugh, John. "The Executive." In, *Vermont State Government Since 1965*, Michael Sherman, editor. Burlington, VT: The University of Vermont and The Snelling Center for Government, 1999.

Balance of Power Issues

Regulating the governor's term length is not the only means to preserve the balance of power between the state legislature and the governor. There are various institutional powers that the state legislature or the governor may use to check one another. While the Governor has specific veto, appointment, and budgetary powers, the legislature's power is derived from its independence from the executive. This permits the state legislature to review the governor's initiatives with relatively little interference. "Legislative independence vis-à-vis the executive is largely the outgrowth of the modernization movement of the late 1960s and 1970s. [Prior to modernization] governors had little difficulty with their legislatures." As a result "...legislators expanded their time spent on the job...[and] had the time and resources to examine and refashion the governor's program."⁷ Given the independence legislatures have obtained due to modernization, the potential impact of changing the governor's term length is lessened. Increases in pay, staffing, and time in session help ensure that legislators are able to check the power of the executive.

According to Professor Thad Beyle's index of gubernatorial power, the institutional power of Vermont's governor was calculated at 2.8 out of 5. If Vermont's gubernatorial term was increased to 4 years (with no restraint on reelection) the institutional power of the Vermont governorship would total 3.3, still ranking below the national gubernatorial average of 3.5.⁸

Even with an increase in term length, the Vermont state legislature would maintain its power in the budgetary process, as well as power in broader policy areas. Although the Vermont governor has the full responsibility of developing the budget, the legislature has unlimited power to change the executive budget, unlike legislatures in several other states. In addition, the Vermont governor has no item veto power (unlike the governors in forty-one other states). In Vermont it takes a two-thirds majority vote of legislators *present* to override the governor's veto, compared to 28 states in which it takes a two-thirds majority of *elected* legislators to override the governor's veto. If the increase to a four-year gubernatorial term still made some people nervous about the ability of the legislature to balance gubernatorial power, then an increase in the professionalization of the legislature could alleviate some of that concern. Since the legislature's ability to check the power of the governor is also related to its level of professionalization, the Vermont legislature is at a disadvantage compared to other state legislatures. Only North Dakota and Wyoming have fewer permanent staff than Vermont, and according to Squire's Ranking of professionalism (computed with legislative salary, staff, and session length), the Vermont state legislature ranks 33rd in professionalism overall in the nation.⁹

⁷ Rosenthal, Alan. *The Decline of Representative Democracy*. Washington, D.C.: CQ Press, 1998.

⁸ Beyle, Thad. "The Governors." Pg. 212.

⁹ Hamm, Keith E and Gary F. Moncrief. "Legislative Politics in the States." In, *Politics in the American States*. Gray, Virginia, and Russell L. Hanson, editors. Washington, D.C.: CQ Press, 1999.

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Disclaimer: This report was prepared by undergraduate students at the University of Vermont under the supervision of Professor Anthony Gierzynski. The material contained in the reports does not reflect official policy of the University of Vermont.