



The Vermont Legislative Research Service

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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).¹

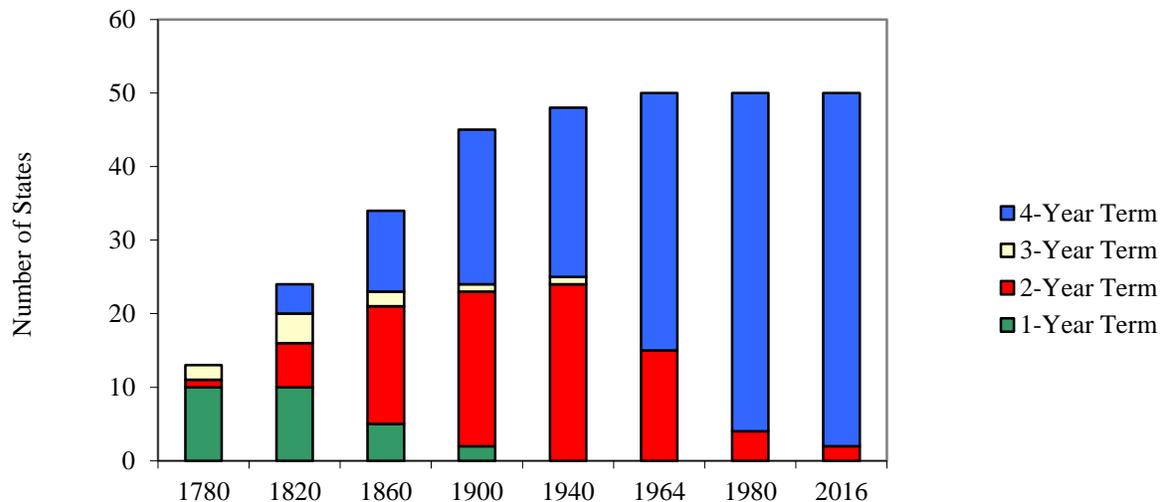


Figure 1: Historical Changes in Term Lengths

¹ Illinois and New Jersey have shifting state senate terms with two four-year terms followed by one two-year term. Nebraska has no state house but their senators have four year terms.

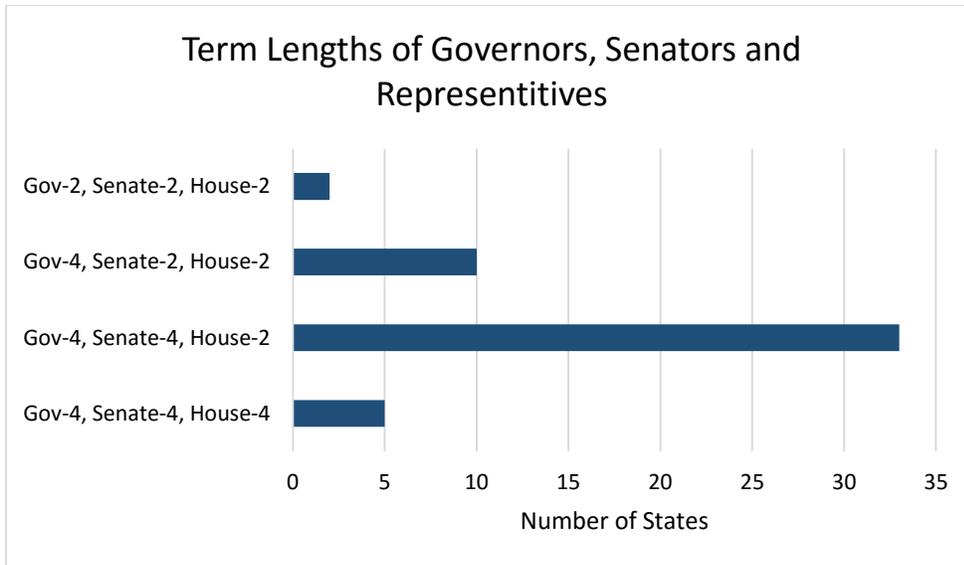


Figure 2: Current Term Lengths of Governors, Senators and Representatives

Source: Pervill Squire and Gary Moncrief, *State Legislatures Today: Politics Under the Domes*, (Lanham, Maryland, Rowman & Littlefield, 2015), pg. 16.

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.”² 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.”³ 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.”⁴

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.⁵ In addition, a longer tenure is necessary for intergovernmental relationships to mature so that policy can be more

² Larry Sabato, *Goodbye to Good-time Charlie: The American Governorship Transformed, Second Edition* (Washington, D.C, CQ Press, 1983).

³ Larry Sabato, *Goodbye to Good-time Charlie: The American Governorship Transformed*.

⁴ Thad Beyle, email message to author, February 26, 2004.

⁵ Larry Sabato, *Goodbye to Good-time Charlie: The American Governorship Transformed, Second Edition*

effective.⁶ Overall it is 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.”⁷

Current and former Vermont governors disagree on proposed constitutional amendments which would extend term lengths from two to four years. Former Governors Madeleine Kunin and Jim Douglas both support the idea of a change, while former Governor Howard Dean and current Governor Peter Shumlin favor two-year terms.^{8,9} Governors Douglas and Kunin argue that longer terms would enable future governors to engage in better long-term planning, while Shumlin and Dean both believe that the shorter two-year term increases the governor’s accountability to citizens.^{10,11}

John Fitzhugh points out that in Vermont all of the governors since 1961 have served at least two terms.¹² For the purposes of this study, this fact would suggest that in the state of Vermont the two-year term is already a de facto 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-eight gubernatorial elections in Vermont since 1960, only eight have been competitive (political scientists typically define a competitive election as one in which the margin of victory is 10 percent or less, indicated by the line in Figures 3 and 4). Six elections were exceedingly uncompetitive, with a margin of victory over 25 percent (see Figures 3 and 4). During this same time period in New Hampshire, all governors but one served at least two terms.¹³ Of the twenty-eight gubernatorial elections in New Hampshire since 1960, twelve have been competitive and seven were exceedingly uncompetitive.

⁶ Thad Beyle, “The Governors.” in *Politics in the American States*, edited by Virginia Gray and Russell L. Hanson. (Washington, D.C, CQ Press. 1999).

⁷ William Anderson, Clara Penniman and Edward W. Weidner, *Government in the Fifty States*, (New York, NY, Holt, Rinehart, Winston, Inc., 1960), Pg. 262-263.

⁸ Kinzel, Bob, “On 4-Year Terms, 2 Vermont Governors Disagree,” *Vermont Public Radio*, February 8, 2016, accessed April 21, 2016, <http://digital.vpr.net/post/4-year-terms-2-vermont-governors-disagree#stream/0>.

⁹ Gram, Dave, “Dean, Douglas debate a 4-year gov term,” *Burlington Free Press*, January 11, 2016, accessed April 23, 2016, <http://www.burlingtonfreepress.com/story/news/politics/2016/01/11/vermont-governor-howard-dean-jim-douglas/78633924/>.

¹⁰ Kinzel, Bob, “On 4-Year Terms, 2 Vermont Governors Disagree.”

¹¹ Gram, Dave, “Dean, Douglas debate a 4-year gov term.”

¹² John Fitzhugh, “The Executive.” in *Vermont State Government Since 1965*, edited by Michael Sherman. (Burlington, VT: The University of Vermont and The Snelling Center for Government, 1999).

¹³ “New Hampshire Governor-History,” *Our Campaigns*, accessed April 21, 2016, <http://www.ourcampaigns.com/ContainerHistory.html?ContainerID=155>.

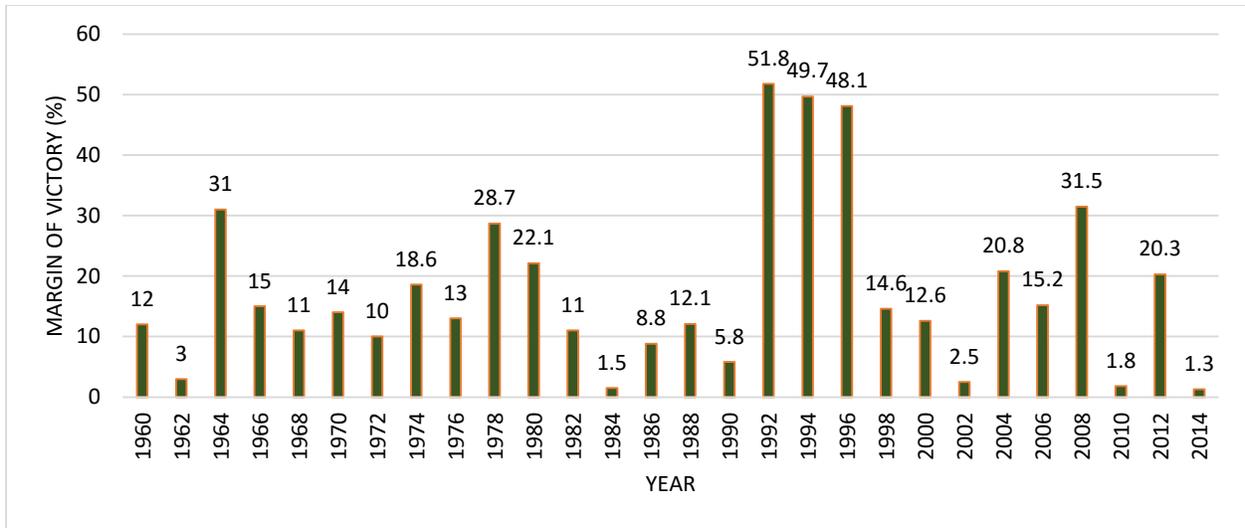


Figure 3: Competitiveness in Vermont Gubernatorial Elections, 1960-2014 (Line indicates a 10 percent margin of victory)

Source: "Historical Election Database," Vermont Secretary of State, accessed April 21, 2016, http://vtelectionarchive.sec.state.vt.us/elections/search/year_from:1974/year_to:2016/office_id:3/stage:General.

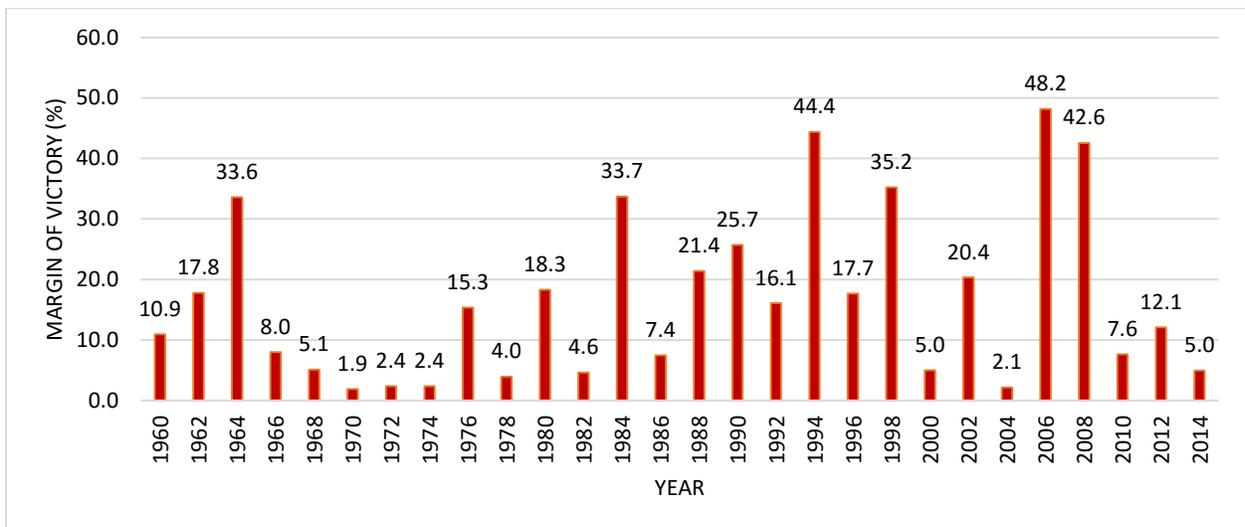


Figure 4: Competitiveness in New Hampshire Gubernatorial Elections, 1960-2014 (Line indicates a 10 percent margin of victory)

Source: "New Hampshire Governor-History," Our Campaigns, accessed April 21, 2016, <http://www.ourcampaigns.com/ContainerHistory.html?ContainerID=155>.

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. In Vermont, the state legislature possesses power over the budget process and other specific 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-four other states).^{14,15}

Beginning in the 1960s state legislatures began to modernize. As legislators received higher salaries, personal staffing resources, and longer legislative sessions, legislatures became equipped to more effectively counter the executive's influence over policymaking processes. In their 2015 book *State Legislatures Today*, political scientists Gary Moncrief and Peverill Squire rank state legislative chambers by professionalization—an aggregate measure of member pay, staff per member, and the number of days in a chambers' legislative session.¹⁶ Scores range on a scale from 0 to 1, with higher scores representing greater degrees of professionalization (wherein '1' would represent the US Congress). Moncrief and Squire draw a connection between higher degrees of professionalization and legislators' ability to digest information in the policymaking process. Legislative efficiency, or the percentage of proposed bills which are passed in a given legislative session, may also be a product of a legislature's level of professionalization.¹⁷

If the legislature's ability to check the power of the governor is contingent upon its level of professionalization, the Vermont legislature is disadvantaged when balancing the executive, relative to legislatures in other states. As of 2009, Vermont's legislature ranked just 41st in professionalization, with a score of .110. The weekly salary and covered expenses paid out to Vermont legislators during the 2014 session totaled \$19,780—less than half of the state's median household income in 2012 (\$52,977).¹⁸ For comparison, the median of all state legislative salaries in 2014 was \$31,238.¹⁹ Vermont's level of legislative professionalization may be most adversely impacted by members' complete lack of personal staff. If the increase to a four-year gubernatorial term still made some people nervous about the ability of the

¹⁴ "The Governor's Powers," *The Council of State Governments Knowledge Center*, last modified July 1, 2013, accessed April 20, 2016, http://knowledgecenter.csg.org/kc/system/files/4.4_2013.pdf.

¹⁵ Item veto power is the power of an executive to reject particular parts of a bill without vetoing the entire bill.

¹⁶ Peverill Squire and Gary Moncrief, *State Legislatures Today: Politics Under The Domes*, (Lanham, Maryland, Rowman & Littlefield, 2015).

¹⁷ Peverill Squire and Gary Moncrief, *State Legislatures Today: Politics Under The Domes*.

¹⁸ Peverill Squire and Gary Moncrief, *State Legislatures Today: Politics Under The Domes*.

¹⁹ Peverill Squire and Gary Moncrief, *State Legislatures Today: Politics Under The Domes*.

legislature to balance gubernatorial power, then an increase in the professionalization of the legislature could alleviate some of that concern.

Conclusion

Vermont and New Hampshire are the only two states that have two-year gubernatorial terms. Those who argue for two-year terms including former Vermont governors Peter Shumlin and Howard Dean say it makes governors more accountable to their constituents.^{20,21} Opponents argue that two-year terms do not allow Governors enough time to engage in long term planning.^{22,23} Additionally, gubernatorial elections in both New Hampshire and Vermont have often been uncompetitive over the past 50 years and all but one governor in these states has served at least two terms.^{24,25} Vermont has one of the least professionalized legislatures in the country and that could lead to concern about relative gubernatorial power increasing if their terms were extended to four years.²⁶ Currently, the legislative branch does have the ability to change the executive budget and the governor has no item veto power.²⁷ These checks, along with an increase in professionalism of the legislature could ease the concerns about lopsided balance of power if the gubernatorial term length was changed.

This report was updated by Max Knutsen and Scott Pavsek on April 27, 2016 under the supervision of Professors Robert Bartlett, Eileen Burgin, and Anthony Gierzynski.

Original report was prepared at the request of Senator Doyle by J.W. Dunnivant, Rebecca McCarty, and Selene M. Hofer-Shall on March 31, 2004. Revised on February 6, 2008.

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.

²⁰ Kinzel, Bob, "On 4-Year Terms, 2 Vermont Governors Disagree."

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²⁵ "New Hampshire Governor-History," Our Campaigns, accessed April 21, 2016, <http://www.ourcampaigns.com/ContainerHistory.html?ContainerID=155>.

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²⁷ "The Governor's Powers," *The Council of State Governments Knowledge Center*, last modified July 1, 2013, accessed April 20, 2016, http://knowledgecenter.csg.org/kc/system/files/4.4_2013.pdf.