

Utah

The 22nd Amendment to the Constitution, which limits a person to being elected to the presidency two times, and sets additional eligibility conditions for presidents who succeed to the presidency, was voted out of Congress by a supermajority vote in both chambers. Between 1947 and 1951, the 22nd Amendment was ratified by 41 state legislatures and officially came into effect after 36 states ratified the amendment in February 1951. Since the history of the 22nd Amendment's passage and the intent of those who ratified it has become relevant again, this factsheet is part of a series covering each state's ratification process.

Utah's consideration of the 22nd Amendment:

- The Utah legislature voted to ratify the 22nd Amendment on February 26, 1951, roughly two years after the legislature first rejected the [amendment](#).
- Utah was the 35th state to [ratify](#) the amendment, doing so minutes before it crossed the 36 state threshold to become part of the Constitution.
- House Joint Resolution 15 was [introduced](#) by [Republican](#) Representatives Dilworth Woolley and Clair Hopkins.
- On February 19, 1951, the House Committee on Elections [reported](#) that it "carefully considered said resolution and reports the same out favorably."

Amendment Limiting Presidential Tenure Ends Dangers of Perpetuation in Office

The 22nd amendment, which limits presidential tenure to two terms, is now part of the United States constitution as the result of action taken Monday in the legislatures of Utah and Nevada, the 35th and 36th states to ratify.

Although the amendment originated with the Republicans in Congress and was inspired by the example of Franklin D. Roosevelt, the only man to be elected president more than twice, it received support in both parties and six of the states which ratified this year had Democratic-controlled legislatures. In Utah, nine Democrats joined with 29 Republicans in the House and six Democrats with eight Republicans in the Senate to vote for ratification.

The reason for bipartisan support is not hard to find. The two-term tradition has deep roots in American history and only one president was able to break it: George Washington gave the tradition much of its force, although he declined a third term for purely personal reasons. Thomas Jefferson, in refusing to run again, expressed belief that if a limit were not fixed by law or practice the office would "become in fact for life." Other presidents held similar views. Some recommended constitutional changes and both major political parties have favored limitation of tenure at one time or another.

The 22nd amendment has been going the rounds for a long time. Ratification came exactly three years and 11 months after the measure was submitted to the states, the slowest constitutional revision on record. After the amendment passed Congress, on March 26, 1947, there was a rush of states to ratify. Eighteen acted favorably the first year. Then the process slowed down, with only three ratifying in 1948, two in 1949 and one in 1950. As late as last January the odds seemed against the amendment being accepted by the necessary number of states before the 1954

deadline. Then a rush began and in less than two months 12 more legislatures gave approval.

Some political commentators view the adoption of the 22nd amendment as a warning to President Truman not to seek reelection, although the law specifically exempts the incumbent. They argue that ratification creates a formidable ethical roadblock to any notion he might have about another term and that the constitutional change reflects a widespread feeling that more than 10 years in the White House is too much for any man.

On the latter point they are undoubtedly right. The presidency is a man-killing job. The powers of the executive are as great as presidential influence, particularly within his political party, so extensive as to permit—or even encourage—perpetuation in office. That, too, the amendment will have a beneficial effect upon political life. It will end speculation as to whether a president will seek a third term; thus relieving him of the terrific pressure to run again and by letting party leaders know in advance they must select another man, it will enable the conventions to choose between announced candidates whose public life is on the record.

Our recent history might have been a great deal different if the 22nd amendment had been in effect in 1940. President Roosevelt was then completing his second term. He had made an enviable record as a leader in both the depression and the years of preparing for war. If he had limited himself to two terms he would have gone down in history as one of our greatest presidents. Instead he ran again and again. He took on the burdens of the presidency in a time of crisis when he was already weary of the buffettings of eight turbulent years of office. The result was that he made his worst mistakes in his later years—Casablanca, Tehran and Yalta all came in his third or fourth terms.

UTAH SOLONS ENJOY A TOUCH OF STAR DUST

SALT LAKE CITY, Feb. 27 (UP)—After joining with Nevada in making history, Utah legislators brushed off the star dust today and settled down to business closer to home.

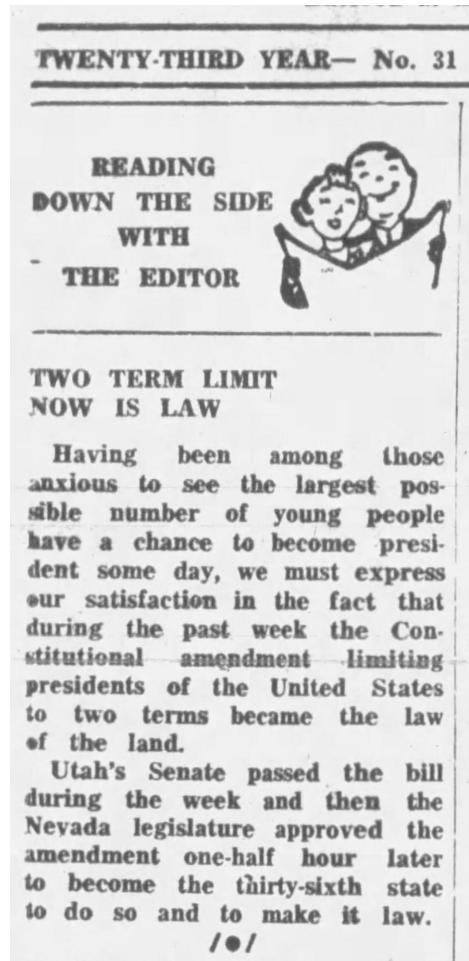
With a photographer from Life magazine thrusting his tiny camera into the noses of Utah senators, they took turns yesterday in debate, then passed the 22nd amendment, allowing the Nevada legislature to make it the law of the land by being the 36th state to ratify.

Utah became the 35th state in a Democrat-controlled senate where the traditionally conservative bloc supported the drive to ratify the house joint resolution limiting the president of the United States to two terms.

Majority floor leader, Sen. Alonzo F. Hopkins, D., Croyden helped bring the measure out of senate sifting committee. It passed earlier in the house, where it had been brought out as a political "trial balloon."

Senate Democrats divided ranks on what had been regarded as a strict party issue. Six voted "yes" and eight were against, with one absent. All of the eight Republicans voted for the resolution.

- On February 26, 1951, the House passed H.J.R. 15 to ratify the 22nd Amendment in a bipartisan vote of 38 to 18 (with 4 absent).
- In the Senate, Republican Senator Elias Day moved to suspend the rules to expedite consideration of the House Joint Resolution.
- The Senate approved the measure to ratify the 22nd Amendment in a bipartisan vote of 14 to 8 (with 1 absent), with photographers from *Life Magazine* brought in to capture the moment.
- Despite being characterized by *The Herald-Journal* as a “strict party issue”, six Democratic senators in the Democratically-controlled chamber were joined by all eight Republican senators in supporting the measure.
- Utah's *The Garland Times* published an editorial on the amendment from the perspective of young people: “Having been among those anxious to see the largest possible number of young people have a chance to become president some day, we must express our satisfaction in the fact that during the past week the Constitutional amendment limiting presidents of the United States to two terms became the law of the land.”
- The editorial page of *The Salt Lake Tribune* noted that although the amendment arose in response to President Franklin Roosevelt's reelections, it “received support in both parties [including Utah] and that six of the states which ratified [in 1951] had Democratic-controlled legislatures.” The editorial board explained, “The reason for bipartisan support is not hard to find. The two-term tradition has deep roots in American history and only one president was able to break it. ... [The amendment] will end speculation as to whether a president will seek a third term, thus relieving him of the terrific pressure to run again and, by letting party leaders know in advance they must select another man.”



Cases involving the 22nd Amendment in Utah:

- There are no relevant cases in Utah that analyze the requirements of the 22nd Amendment.