

HIRA'S GENERAL ELECTION 2016: VOTER GUIDE



STATE: Constitutional Amendment Questions

1. Relating to Jury Trials in Civil Cases

Recommended Vote: **YES**

Rationale: By increasing the jurisdictional amount for the first time since 1988 (lots of inflation since then), this would help reduce the number of frivolous lawsuits, encourage private settlement/free market alternatives, and reduce taxpayer costs related to supporting judiciary functions.

2. Relating to the Disposition of Excess Revenues

Recommended Vote: **YES**

Rationale: For Republicans, this is a really a stopgap measure until we become the majority party in Hawaii. In years of surplus, the Democrats treat existing law as a joke and issue token \$1 refunds to taxpayers, blowing the rest of the surplus on wasteful spending. By giving the legislature a new option to appropriate general funds for pre-payment of general obligation bonds or post-employment benefit liabilities, this would reduce the frequency of legislators using tax increases as a first resort in leaner years.



HONOLULU: City Charter Amendments

1. Police Commission

Recommended Vote: **YES**

Rationale: Granting the police commission enhanced powers to suspend or dismiss makes the organization subject to higher competition between public personalities, which, in light of the wisdom of Federalist No. 10 actually would place an organic "check" on corruption between the commission and the chief of police. So yes, of course, the commission needs to fire crooked police chiefs. They pretend they don't have current authority to do so. But after this amendment is in place, Kealoha should start packing up his personal belongings.

2. Ethics Commission

Recommended Vote: **NO**

Rationale: While allowing the Ethics Commission to set staff attorney salaries would make adjustments for cost of living and inflation easier, it remains safer for the public interest to continue to set the salaries by ordinance. After years of scandal, the political hacks on the City's ethics commission have a long way to go before we trust them with tax dollars.

3. Prosecuting Attorney Budget

Recommended Vote: **YES**

Rationale: Control of funding that has already been appropriated by the City Council to the Prosecuting Attorney should rest with the Prosecuting Attorney, rather than with the Mayor, as this gives greater independence to the Prosecuting Attorney and reduces the ability of the Mayor to shut down or unduly influence the Prosecuting Attorney by limiting his/her department's funds (see Federalist 10).

4. Multi-Modal Transportation System

Recommended Vote: **NO**

Rationale: As this gives nebulous authority to the Department of Transportation Services and HART, plus there's some sneaky sleight of hand in this question, the best choice is the status quo, no.

5. Affordable Housing Fund

Recommended Vote: **NO**

Rationale: This would have an inflationary effect on housing costs as it gives the City power to enter into higher levels of public-private development. Politicians and bureaucrats are as good at addressing housing as they are keeping the park restrooms clean. No thanks.

6. Long-Term Plans

Recommended Vote: **YES**

Rationale: Oahu's crumbling infrastructure speaks volumes about the thoughtlessness of City planners. Requiring City departments to state their program objectives would grant the public greater transparency in understanding the agenda of City/County government and, where necessary, political pressure can be applied through both elections and appointments to make changes to strategic plans. This also commits department heads (and their boss) to fulfilling their promises. Key word: accountability.

7. Stewardship of Natural Resources

Recommended Vote: **NO**

Rationale: This proposal creates a city Office of Climate Change, Sustainability and Resiliency. No thanks. The State already has an Office of Environmental Quality Control which is responsible statewide for the functions proposed by this charter amendment. Hawaii government has too many duplicative and overlapping agencies already.

8. Department of Land Management

Recommended Vote: **NO**

Rationale: This would be a significant dilation of market interference by the City/County, and would create a moral hazard in development and real estate. And we don't need yet another City department.

9. Honolulu Zoo

Recommended Vote: **NO**

Rationale: Setting arbitrary minimum percentages on annual real property taxes to fund "The Zoo" does not begin to factor in changing costs which may occur as a result of deflation or inflation. Privatize that facility ASAP and get taxpayers off the hook for what could be a profitable privately-run attraction.

10. Executive Powers

Recommended Vote: **NO**

Rationale: Talk about a loaded question. This proposal warrants a lot of further discussion and is way too complex because of the potential implications it would have on the means of funding and the fiscal impact for taxpayers. This is an easy and clear-cut 'no'.

11. Advisory Commission for Water + Lands Fund

Recommended Vote: **NO**

Rationale: The State already performs these functions with multiple agencies.

12. Periodic Review of Boards and Commissions

Recommended Vote: **YES**

Rationale: All public boards and commissions should, in theory, be under threat of repeal and/or abolishment. This engineers rollback capability for future generations.

13. Grants-in-Aid (GIA) Sole Source

Recommended Vote: **NO**

Rationale: The existing status quo is preferable to this proposed new scheme, as the means of financing amendments may complicate the ability of existing programs to operate and have unintended impacts on procurement. Take our word for it - no.

14. Special Election

Recommended Vote: **YES**

Rationale: By extending the timeline to 120 days, this would allow higher compliance with State and Federal laws in performing special elections. Plus, we really don't need the mayor picking the person who fills a vacancy on the city council because they council didn't do so within 30 days, as is now the case. Yes, we need to fix this.

15. Term Limits

Recommended Vote: **NO**

Rationale: While this places a brand new limit on the prosecuting attorney's time in office (always good to limit terms), it also extends to 12 consecutive years the time that a mayor and city councilmembers can stay in office. Do you really want a third Kirk Caldwell term or a third Ernie Martin term? Next time around, the Charter Commission needs to write a simple charter amendment which limits Keith Kaneshiro to two terms as prosecutor. Then, we'd happily urge a 'yes' vote. For now, no way.

16. City Department Program Planning

Recommended Vote: **YES**

Rationale: This reduces existing op-down micromanagement and allows city departments to have greater functional expertise within their areas of jurisdiction. If you want to improve government efficiency, then this amendment is for you.

17. Delegation of Mayoral Documents

Recommended Vote: **YES**

Rationale: Placing documents before an executive makes these actions highly politicized and also invests the personal public administration skill (or lack thereof) of the Mayor into every document, some of which would be better handled by departmental staff with subject matter expertise. This would allow greater efficiency in government operations and place less waiting time on the Mayor to act when multiple crises emerge. Like efficiency and accountability? Then this one's for you.



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HONOLULU: City Charter Amendments

(continued)

18. Fire Commission

Recommended Vote: **YES**

Rationale: Expansion of the Commission to seven members would allow greater diversity and perspective on the Commission, as well as increase competition among members. Best of all, this beefs up the responsibility of the fire chief significantly by adding new services, including education programs for life safety, and investigation of fires and explosions for cause and origin, as well as adding personnel for emergency response, reviewing construction plans and inspecting buildings to prevent fires. Definitely!

19. City Council Reapportionment Commission

Recommended Vote: **NO**

Rationale: In theory, this could result in a single party commission. Even the liberal Common Cause Hawaii organization called out this scam in a recent newspaper editorial which warns that "the drawing of Honolulu City Council districts (will become) a partisan battle that puts the interests of politicians above those of the public."

20. Housekeeping Amendments

Recommended Vote: **YES**

Rationale: There are quite a few good things in this one. Best of all are the expressly codified requirements for the public to have the power to inspect books and records of all city departments. This will grant greater authority to individual citizens in holding government accountable. It's a no-brainer.



MAUI: County Charter Amendments

1. + 2. Initiative Reforms

Recommended Vote: **YES**

Rationale: HIRA strongly favors citizen ballot measures (initiative, referendum, recall) by honest citizens. But recent agriculture controversies on Maui have put the process under a spotlight. Allowing the county clerk to ensure that fraud has not taken place with 10 extra days to review signatures and allowing people to remove their names if they desire seems reasonable. In addition, Maui wants the power Honolulu already to slightly amend the citizen wording on these initiative petitions (if successful) to ensure conformity with the rest of the county charter. HIRA is leaning 'yes' on both of these proposed amendments.

3. Civil Defense Agency

Recommended Vote: **WHATEVER**

Rationale: Other than the costs of changing letterhead, envelopes, seals on county vehicles and such, if the people of Maui really want to change the name of their existing "Civil Defense Agency" to the "Maui County Emergency Management Agency," then whatever.

4. Approval of and Qualifications for Various Directors

Recommended Vote: **YES**

Rationale: Checks and balances are a good idea. Requiring Council approval of the mayor's appointment of the Managing Director, Director of Finance, Director of Public Works, and all those other departments seems like a no-brainer. But that's now how Maui currently does business. This proposal is a good change which also allows the county council to establish additional qualifications for those department directors via ordinance. On balance, it's a better system than now.

5. Office of Council Services' Attorneys

Recommended Vote: **NO**

Rationale: Typically, we'd rather see government employees kept very busy, so that taxpayers get their money's worth. But this proposal lets the politicians turn county lawyers hired for the sake of helping to draft legislation into lawyers who serve as attorneys for the politicians. This might sound like a good way to save money. But it has conflict of interest written all over it. Uh, NO.



BIG ISLAND: County Charter Amendment

1. Expanding Scope of the County of Hawaii General Plan

Recommended Vote: **NO**

Rationale: Whenever you read that politicians want to expand the scope of their power, be very afraid. There is no reason why the Big Island shouldn't already be the jewel in the crown of the islands when Democrats have dominated county government for decades. Taxpayers deserve results and relief, not make-work for generations of career government planners and other bureaucrats. Nothing is stopping Big Island politicians from improving the economy, the environment, and the "socio-cultural" well-being of the county except the Democrat Machine. Billy Kenoi already spent the entire county budget for alcohol while county employees looked the other way and/or covered for him. Expanded formal county charter approval for these same people to dabble as central planners is ill-advised.



KAUAI: County Charter Amendments

1. Gender Neutral Wording

Recommended Vote: **WHATEVER**

Rationale: In this post-modern era in which the relatively simple demands of feminism are being compounded with the strident demands of political correctness, what could be the harm in the year 2016 of replacing words in the charter like "councilman" to "councilperson" or "chairman" to "chair".

2. Expanding the duties of the Fire Chief

Recommended Vote: **YES**

Rationale: Similar to the charter amendment on Honolulu, this expands the duties of the fire chief for the 21st (really the 20th) century; to include hazardous materials, emergency medical services, and ocean safety. Makes sense to us.

3. Establishing a Zoning Board of Appeals

Recommended Vote: **YES**

Rationale: A sad fact of having big government is that systems need to be in place to let people appeal the decisions of bureaucrats. Due process is central to American values. In a way, it's another layer of government. But government can make mistakes of judgement. Here's where mistakes can be fixed.

4. Civil Defense Agency

Recommended Vote: **WHATEVER**

Rationale: Like Maui voters, Kauai voters are being given the chance to rename its civil defense agency to be the same as Honolulu's. And like HIRA's advice to voters on Maui -- other than the costs of changing letterhead, envelopes, seals on county vehicles and such -- if the people of Kauai really want to change the name of their existing "Civil Defense Agency" to the "Emergency Management Agency," then whatever.

5. Percentage of required voters for an initiative petition, referendum petition or a charter amendment

Recommended Vote: **NO**

Rationale: Having to get the signatures of 10% of voters in order to start the initiative or referendum process would be better than the current requirement of 20%. But the tradeoff for this proposed benefit is the doubling from 5% to 10% of signatures you'd need to push for a charter amendment. The Democrat machine is a LOT more worried about citizens changing the county charter because it's really hard to change (versus a citizen-approved ordinance which can be changed by the politicians after some time). Vote 'no' if you want citizens to retain the power to change the county charter with less difficulty.

6. Enabling the county clerk to determine what is a valid charter amendment

Recommended Vote: **NO**

Rationale: Officers of HIRA have experienced first hand what it's like to have a county clerk abuse her power to keep a citizen initiative off the ballot. Too often, the clerk acts as the 'tip of the political spear' in keeping citizens from expressing their legislative will. Best to keep the clerk focused on checking signatures. Let the courts intervene, if necessary, in deciding what's "valid" should there be a dispute. Empowering a clerk to veto a citizen initiative greatly increases the likelihood of legal action.

7. Establishing a permanent Charter Review Commission

Recommended Vote: **NO**

Rationale: The reason Oahu voters have so many amendments to vote on in 2016 (20 proposed amendments) is because politically-connected appointees to the permanent City Charter Commission have nothing better to do except plot, scheme and tweak the charter to make themselves and their political buddies more powerful and financially empowered at taxpayer expense. Kauai residents are very lucky that their current charter commission is a temporary one which is scheduled to "sunset" and go away at the end of 2016. Take it from Honolulu's experience that these commissioners are usually up to no good. Vote 'no'. You can always have another temporary commission later if you really need one.

