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Hawaii News

Lawmaker shelves term-limits bill

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A proposal to allow Hawaii voters to decide whether to impose term limits on state lawmakers died this week after Senate Judiciary and Labor Chairman Gilbert Keith-Agaran told his fellow committee members he was shelving the bill indefinitely.

Keith-Agaran said he scheduled a hearing on the term-limit bill at the request of Sen. Russell Ruderman (D, Puna), but Keith-Agaran said he never intended to allow the measure to pass out of his committee.

"I told the author of the bill that I would hold a hearing and I intended to defer it, and he said all he wanted was a hearing, so I held a hearing and I deferred it, as I promised him," said Keith-Agaran, (D, Waihee-Wailuku-Kahului).

Keith-Agaran said term limits aren't needed because "we already have term limits in the sense that we have elections every two years or every four years for senators, and there's been fair turnover." Keith-Agaran said the Maui senate seat he holds has changed hands three or four times over the past 20 years.

"If the public and the voters are unhappy with their representatives, they have the option of voting them out," he said.

Senate Bill 2753 proposed an amendment to the state Constitution to limit members of the House and Senate to no more than 12 consecutive years in office. If the measure had been approved in both the state Senate and the House, it would have been placed on the ballot for the voters to consider this fall.

About three dozen people submitted testimony in favor of the term-limit measure. Ruderman was traveling on Hawaii island and did not attend the hearing, but said after the bill died that he never heard Keith-Agaran say he planned to hear the measure and then discard it.

"That's something I was unaware of, it went over my head or sideways, I didn't get that part," Ruderman said. "I'm not saying he didn't say that to me. I'm saying I didn't understand that."

Ruderman said he told Keith-Agaran he didn't expect the measure to survive the session, "but I would love for it to get a hearing and have some discussion and move as far as it can."

Ruderman disagreed that elections are prompting much turnover in the state Legislature.

"It's very, very unusual that an incumbent loses an election," Ruderman said. "Many, many times there's not even a challenger to a sitting legislator."

Some members of the Judiciary Committee were also unhappy with Keith-Agaran's decision, including lone Senate Republican Sam Slom, who said he has been introducing term-limit proposals for two decades, and expressed "great disappointment" that Keith-Agaran rejected the measure.

"We have term limits for the governor, we have term limits for the mayor, we have term limits for the Council, we have term limits for everybody except us, who passes all the laws," said Slom (R, Diamond Head-Kahala-Hawaii Kai). "I think it's something that we should have discussed years ago but certainly now when we're talking about transparency."

Sen. Laura Thielen (D, Hawaii Kai-Waimanalo-Kailua) also disagreed with the decision to shelve the bill. She said the Judiciary Committee has approved other proposed constitutional amendments this year that had far less public support than the term-limit measure.

Keith-Agaran said he agreed to hear the bill to allow discussion on the issue.

"If people want to have a debate on it, that's one of the reasons to hold a hearing," he said. "I think throughout the session people will hold hearings at the request of other legislators and other groups, but have no intention of moving the bill forward."

Keith-Agaran also rejected a proposal Wednesday to allow the voters to decide whether the state Constitution should be amended so that judges would be elected. That measure, SB 2239, was opposed by a variety of lawyers and other representatives from the legal community, including the Hawaii State Bar Association.

Hawaii judges are currently nominated by a panel called the Judicial Selection

Commission, and depending on the position are appointed by either the governor or the chief justice of the state Supreme Court. The nominees must also be confirmed by the state Senate.

Keith-Agaran said there was little support in the Senate Democratic caucus for establishing a new system of elected judges.