

STAND. COM. REP. NO. 1481

Honolulu, Hawaii

March 23, 2007

RE: S.B. No. 948
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 948, S.D. 1, entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO REDUCE THE NUMBER OF NOMINEES FOR JUDICIAL VACANCIES,"

begs leave to report as follows:

The purpose of this bill is to propose a constitutional amendment to reduce the number of nominees for:

- (1) Vacancies in the office of the chief justice, supreme court, intermediate appellate court, and circuit courts, from between four and six nominees, to three nominees; and
- (2) District court vacancies from not less than six nominees to three nominees.

The Mestizo Association testified in support of this bill. The Attorney General, Judicial Selection Commission (JSC), and Hawaii State Bar Association opposed this measure. The League of Women Voters of Hawaii provided comments.



Your Committee has amended this bill by:

- (1) Specifying that the number of nominees presented to the Governor by JSC for the Supreme Court, Intermediate Court of Appeals, and Circuit Courts be reduced from between four and six nominees to between three and five nominees;
- (2) Requiring JSC to rank the nominees based on suitability and qualifications for the vacancy;
- (3) Specifying that JSC present to the Chief Justice between three and five nominees for vacancies in the district courts; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 948, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 948, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



