

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 650
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 650 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE CONSTITUTION OF THE STATE OF HAWAII AUTHORIZING THE CHIEF JUSTICE OF THE STATE SUPREME COURT TO APPOINT RETIRED JUDGES TO SERVE AS EMERITUS JUDGES,"

begs leave to report as follows:

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to authorize the Chief Justice of the Hawaii Supreme Court to appoint judges who have retired upon attaining the age of seventy years to serve as per diem judges or judicial mentors for terms not to exceed three months.

The Judiciary supported this measure. The Office of the Public Defender commented on this measure.

Your Committee has amended this measure by:

- (1) Replacing the term "per diem judges or judicial mentors" with the term "temporary judges";
- (2) Clarifying that each three-month term is per appointment; and



- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee has added the phrase "per each appointment" to demonstrate that this measure anticipates that multiple temporary judges may be appointed for more than one term. Additionally, your Committee notes that "judges" as used in this measure is contemplated to include "justices" as may be applicable.

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. 650, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 650, H.D. 1, and be referred to the Committee on Finance.

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



GILBERT KEITH-AGARAN, Chair



