

STAND. COM. REP. NO.

649

Honolulu, Hawaii

MAR 01 2013

RE: S.B. No. 229  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 229 entitled:

"A BILL FOR AN ACT RELATING TO IMPEACHMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the  
causes, manner, and procedures for the removal of the Governor,  
Lieutenant Governor, and appointive officers by impeachment.

Your Committee received testimony in support of this measure  
from two individuals.

Your Committee finds that article III, section 19, of the  
Hawaii State Constitution requires the Legislature to establish  
laws providing the causes, manner, and procedure for the  
impeachment of the Governor, Lieutenant Governor, and any  
appointive officers for whose removal the consent of the Senate is  
required. However, existing law does not establish an impeachment  
process. This measure fulfills the Legislature's constitutional  
requirement.

Your Committee has amended this measure by:

- (1) Specifying that the accused may object to the  
sufficiency of the articles of impeachment within thirty  
days of having been served the articles of impeachment  
or within thirty days of the last publication of the



articles of impeachment pursuant to the notice requirements for an impeachment hearing;

- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 229, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 229, S.D. 1, and be placed on the calendar for Third Reading.

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



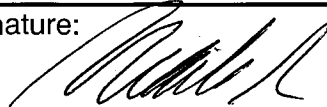
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CLAYTON HEE, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 229	JDL	2/20/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
<b>TOTAL</b>	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes