

STAND. COM. REP. NO.

292

Honolulu, Hawaii

February 12, 2013

RE: H.B. No. 275

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 275 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 as emeritus judges, permitting them to serve as temporary judges in courts no higher than the court level that they reached prior to retirement and for terms not to exceed three months per appointment.

The Judiciary, the League of Women Voters of Hawaii, and a concerned individual supported this bill. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Office of the Public Defender submitted comments.

Your Committee notes concern with the use of the term "justices" as it relates to the title of the bill.

HB275 HD1 HSCR JUD HMS 2013-1762-1



Your Committee has amended this measure by:

- (1) Clarifying that emeritus judge appointments may include judges and justices who have retired upon attaining the age of seventy years and those who have retired for reasons other than age;
- (2) Clarifying that for purposes of the appointment of emeritus judges, the term "retired judges" includes "justices" of the Hawaii Supreme Court; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity 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 H.B. No. 275, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 275, H.D. 1, and be referred to the Committee on Finance.

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



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KARL RHOADS, Chair



