

STAND. COM. REP. NO. **2489**

Honolulu, Hawaii

**FEB 23 2016**

RE: S.B. No. 2418

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2418 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to propose an amendment to the Hawaii State Constitution to provide that the Attorney General be elected to office from among nonpartisan candidates in a general election.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Crime Victim Compensation Committee, and four individuals.

Your Committee finds that the Attorney General is nominated and, by and with the advice and consent of the Senate, appointed by the Governor. However, there are concerns that an appointed Attorney General creates the perception that the Attorney General is solely the Governor's counsel. Furthermore, there have been numerous prior instances where the Attorney General has a conflict of interest, especially on issues between the executive branch and Legislature. This measure provides for an independent Attorney General who is accountable to the public.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report,

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your Committee is in accord with the intent and purpose of S.B. No. 2418 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

  
\_\_\_\_\_  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

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

Bill / Resolution No.:* <b>SB 2418</b>	Committee Referral: <b>JDL</b>	Date: <b>2/10/16</b>		
<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 checked="" type="checkbox"/> Pass, unamended <span style="margin-left: 100px;"><input type="checkbox"/> Pass, with amendments</span> <span style="margin-left: 100px;"><input type="checkbox"/> Hold</span> <span style="margin-left: 100px;"><input type="checkbox"/> Recommit</span> <span style="margin-left: 100px;">2312</span> <span style="margin-left: 100px;">2311</span> <span style="margin-left: 100px;">2310</span> <span style="margin-left: 100px;">2313</span>				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)		✓		
GABBARD, Mike		✓		
██████████				
KIM, Donna Mercado	✓			
THIELEN, Laura H.			✓	
SLOM, Sam				✓
<b>TOTAL</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 100px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
<b>Distribution:</b> <span style="margin-left: 50px;">Original</span> <span style="margin-left: 50px;">Yellow</span> <span style="margin-left: 50px;">Pink</span> <span style="margin-left: 50px;">Goldenrod</span> <span style="margin-left: 50px;">File with Committee Report</span> <span style="margin-left: 50px;">Clerk's Office</span> <span style="margin-left: 50px;">Drafting Agency</span> <span style="margin-left: 50px;">Committee File Copy</span>				

\*Only one measure per Record of Votes