STAND. COM. REP. NO. 2251

Honolulu, Hawaii

Feb. 17

, 2006

RE: S.B. No. 2604

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2604 entitled:

"A BILL FOR AN ACT RELATING TO INTERMEDIATE APPELLATE COURT PANELS,"

begs leave to report as follows:

The purpose of this measure is to remove the chief judge's discretion in assignment of judges to the intermediate appellate court's three-judge panel.

The Appellate Review Task Force and the Judiciary submitted testimony in support of the measure.

The Hawaii Appellate Review Task Force recommended this measure. Currently, section 602-55, Hawaii Revised Statutes, gives the chief judge of the intermediate appellate court the discretion to assign the judges who serve on the intermediate appellate court's three-judge panel. This measure would allow for the random selection of judges for a panel in order to ensure fairness in the decision-making process.

Your Committee finds that this measure is appropriate and will maintain public confidence in the appellate process.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2604 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* SB 2604	Committee Re JHW	ferral:	Date: 2	18/04	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments (2312) (2311)				R	ecommit (2313)
Members		Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)			. "		
HEE, Clayton (VC)					
CHUN OAKLAND, Suzanne				2 4 - 2 - 2 20 1	
ENGLISH, J. Kalani				Jacobs .	
IHARA, Jr., Les WHALEN, Paul	1, d			:	
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TOTAL		5	0	0	1
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Do <u>not</u> list more than one measure per Record of Votes.