STAND. COM. REP. NO. 2004

Honolulu, Hawaii

Feb. 15

, 2006

RE: S.B. No. 992

S.D. 1

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. 992 entitled:

"A BILL FOR AN ACT RELATING TO JUDGES,"

begs leave to report as follows:

The purpose of this measure is to establish requirements for per diem judges, including for their nomination, discipline, minimum days of service, and reappointment.

Testimony in support of this measure was submitted by the Office of the Public Defender and an individual. The Judiciary submitted testimony in opposition to this measure.

Your Committee finds that there is some concern over the quality of per diem judges, as well as their selection and retention.

Your Committee amended this measure to:

- (1) Delete the requirement that per diem district judges serve a minimum of three days per month, to address a concern by the Judiciary; and
- (2) Provide that per diem district judges shall serve no more than three consecutive terms unless, based upon the discretion of the chief justice, the per diem district judge is recommended for additional consecutive terms

and the recommendation is submitted to the judicial selection commission.

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. 992, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 992, S.D. 1, and be referred to the Committee on Ways and Means.

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:*	Committee Referral:		Date:	Date:	
SB 992	JHW, WAM			2/10/06	
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 Hold Recommit (2312) (2311) (2310) (2313)					
Members		Ayes	Ayes(WR)	Nays	Excused
HANABUSA, Colleen (C)	Et 195	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \			
HEE, Clayton (VC)					
CHUN OAKLAND, Suzanne		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \			
ENGLISH, J. Kalani					
IHARA, Jr., Les WHALEN, Paul		120	.:		
WITALEN, Faul				, _{san} Afgeta	
10 10 10 10 10 10 10 10 10 10 10 10 10 1					
1 124 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					
	. 1 de Proposition La companya de la companya del companya del companya de la com		. ::		
- 47、1000年11日 1986年11日 1986年1					M.
TOTAL		5 60	0	0	0 //
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: Stranw Chur Qalcland_					
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.