STAND. COM. REP. NO. 2015

Honolulu, Hawaii

FEB 0 3 2012

RE: S.B. No. 2205

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2205 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO LOWER THE NUMBER OF NOMINEES PRESENTED BY THE JUDICIAL SELECTION COMMISSION TO FILL STATE COURT JUDICIAL VACANCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to lower the number of nominees presented by the Judicial Selection Commission to fill state court judicial vacancies.

Your Committee did not receive any written testimony regarding this measure.

Your Committee finds that the Judicial Selection Commission is mandated by the state constitution to present to the Governor a list of not less than four and not more than six nominees to fill a vacancy in the Office of the Chief Justice, Supreme Court, Intermediate Court of Appeals, and Circuit Courts. The Judicial Selection Commission also presents to the Chief Justice a list of not less than six nominees to fill a vacancy in the District Courts. Lowering the number of nominees for consideration to fill a state court judicial vacancy to three nominees enhances the level of review the Judicial Selection Commission engages in when selecting nominees from the pool of judicial applicants. A higher level of review by the commission thereby better enables the

Governor and Chief Justice to appoint the most qualified nominee to serve on the bench.

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. 2205 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,

CLAYTON HEE Chair

The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* SB 22 05	Committee Referral:		Date /	27/	/ MS 12/2
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					-
SHIMABUKURO, Maile (VC)					
GABBARD, Mike					
IHARA, Jr., Les					
SLOM, Sam					
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TOTAL		5			
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature					
Distribution: Original File with Committee Re		ellow 's Office	Pink Drafting Agency		denrod ee File Copy

^{*}Only one measure per Record of Votes