STAND. COM. REP. NO. 20

Honolulu, Hawaii

FEB 1 4 2013

RE: S.B. No. 886

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 886 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to raise the mandatory retirement age for state judges and justices from seventy to eighty years of age.

Your Committee received testimony in support of this measure from the Department of the Attorney General; International Longshore and Warehouse Union, Local 142; and League of Women Voters of Hawaii. Testimony in opposition to this measure was submitted by the Department of the Prosecuting Attorney, City and County of Honolulu; and one private individual. The Office of the Public Defender submitted comments.

Your Committee finds that there are a number of judges and justices who are willing and able to serve on the bench past the mandatory retirement age of seventy. While your Committee recognizes that a mandatory retirement age ensures continued opportunities to serve on the bench, it believes that judges and justices who are willing and able to serve should be allowed to do so until the age of eighty.

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

2013-1041 SSCR SMA.doc



your Committee is in accord with the intent and purpose of S.B. No. 886 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-Seventh Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* Committee	Referral:	Date		2013
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 S.L. (VC)			4 1	
GABBARD, Mike		/		
IHARA, Jr., Les	V			
SLOM, Sam	V			
2				
<u>ilana ana ana ana ana ana ana ana ana ana</u>			······································	
				-
TOTAL	4	/		
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				

*Only one measure per Record of Votes