STAND. COM. REP. NO. 116

Honolulu, Hawaii

FEB 0 9 2023

RE: S.B. No. 992

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 992 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 increase the mandatory retirement age for justices and judges from seventy to seventy-five years of age.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Community Alliance on Prisons, and two individuals. Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that the mandatory retirement age of seventy years ignores the fact that many people work well beyond the age of seventy as productive, contributing members of society. Forcing qualified, competent judges to retire simply based on an arbitrarily imposed age can adversely affect the quality of the Judiciary by removing from office competent judges who possess years of knowledge and experience. This measure will ensure that the State does not lose competent and experienced judges merely because of their age.



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As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 992 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

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KARL RHOADS, Chair



The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date: 2/3/23	
The Committee is reconsidering its previous decision on this measure.					
The Regommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		V,		-	
GABBARD, Mike (VC)			•		
ELEFANTE, Brandon J.C.		V			
SAN BUENAVENTURA, Joy A.					
AWA, Brenton			·		
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TOTAL		4	/		
Recommendation:					
Chair'e or Designee's Signature:					
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*Only <u>one</u> measure per Record of Votes