

Honolulu, Hawaii

Feb 14, 2008

RE: H.B. No. 3056
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3056 entitled:

"A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF HAWAII,"

begs leave to report as follows:

The purpose of this bill is to improve the process of regulating the conduct of and disciplining judges, and public confidence in this process, by proposing a constitutional amendment to replace the existing Commission on Judicial Discipline created by the Supreme Court with an independent Judicial Conduct Commission.

The Department of the Attorney General testified in support of this bill. The Judiciary opposed this measure.

Your Committee has amended this bill by:

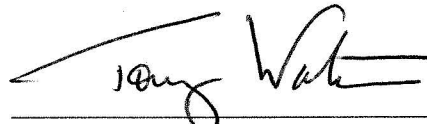
- (1) Providing for an appeals process for a judge or justice whose conduct has resulted in sanction by the proposed commission;
- (2) Providing that this bill shall not take effect upon compliance with Article XVII, Section 3, of the Hawaii Constitution, to encourage further discussion; and



- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 3056, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3056, H.D. 1, and be referred to the Committee on Finance.

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



TOMMY WATERS, Chair



