STAND. COM. REP. NO. 978 -18

Honolulu, Hawaii

March 2, 2018

RE: H.B. No. 2194

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2194, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow a court of inferior jurisdiction to certify to the Hawaii Supreme Court a question or proposition of law on which the court of inferior jurisdiction seeks instruction for the proper decision of a remanded case; and
- (2) Require the Supreme Court to answer the certified question or proposition of law from a lower court within an unspecified number of calendar days.

The Hawaii State Bar Association's Appellate Section, Ho'omanapono Political Action Committee, Ho'omana Pono, LLC, and a concerned individual opposed this measure. The Judiciary, Office of the Prosecuting Attorney of the County of Kauai, and Land Use Research Foundation of Hawaii provided comments.

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

Committee is in accord with the intent and purpose of H.B. No. 2194, H.D. 1, and recommends that it pass Third Reading.

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

SYLV A LUKE. Chair

## State of Hawaii House of Representatives The Twenty-ninth Legislature

## HSCR 978-18

## **Record of Votes of the Committee on Finance**

The committee is reconsidering its previous decision on the measure.    The recommendation is to:   Pass, sunamended (as is)   Pass, with amendments (HD)   Hold   Pass short form bill with HD to recommit for future public hearing (recommit)	Bill/Resolution No.:	Committee			Date: 2/27/2018		
The recommendation is to:    Pass short form bill with IID to recommit for future public hearing (recommit)	HB 2194 HDI	JUD, F	<i>IN</i>		2/2//2		
FIN Members  Ayes Ayes (WR) Nays Excused  1. LUKE, Sylvin (C) 2. CULLEN, Ty J.K. (VC) 3. CACHOLA, Romy M. 4. DeCOTTE, Lynn 5. FUKUMOTO, Beth 6. GATES, Cedric Asuega 7. HOLT, Daniel 8. KECHOKALOLE, Jarrett 9. KOBAYASHI, Bertrand 10. LOWEN, Nicole E. 11. NAKAMURA, Nadine K. 12. TODD, Chris 13. YAMASHITA, Kyle T. 14. TUPOLA, Andria P.L. 15. WARD, Gene  TOTAL (15)  The recommendation is:  Adopted If joint referral, committee acronyn(s)  Vice Chair's or designee's signature:  Ayes Ayes (WR) Nays Excused  Ayes Ayes (WR) Nays  Excused  Ayes Ayes (WR) Nays  Excused  Ayes Ayes (WR) Nays  Excused  Ayes Ayes (WR) Nays  Excused  In June 1988  Ayes (WR) Nays  Excused  In June 1988  Ayes (WR) Nays  Excused  In June 1988  In June 298  In	☐ The committee is reconsidering its previous decision on the measure.						
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Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO	Vice Chair's or designee's signature:						
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