STAND. COM. REP. NO. 44

941

Honolulu, Hawaii

FEB 28' 2019

RE: H.B. No. 1261

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1261 entitled:

"A BILL FOR AN ACT RELATED TO JUDICIAL PROCEEDINGS,"

begs leave to report as follows:

The purpose of this measure is to make permanent the requirement that decisions in contested case hearings of the Commission on Water Resource Management, Land Use Commission, Public Utilities Commission, Hawaii Community Development Authority, and those involving conservation districts be appealed directly to the Supreme Court, with certain exceptions.

The University of Hawai'i System; Kona-Kohala Chamber of Commerce; Maunakea Observatories; David S. De Luz, Sr. Enterprises, Inc.; Hawaii Island Chamber of Commerce; Land Use Research Foundation of Hawaii; and several individuals testified in support of this measure. An individual testified in opposition. The Judiciary and Department of the Attorney General provided comments.

Your Committee has amended this measure by:

(1) Extending the requirement for two years instead of making it permanent; and (2) 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. 1261, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1261, H.D. 1, and be placed on the calendar for Third Reading.

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

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 941

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HBIฉ6I	Committee Referral: Tq0		Date: 2/8//7	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)				
Select Selection of the				
2. SAN BUENAVENTURA, Joy A.	(VC)			
3. BROWER, Tom				
			MILESTER	
4. CREAGAN, Richard P.				
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5. LOWEN, Nicole E.		CONTROL SOLET		No. of Asset Asset Asset
6. McKELVEY, Angus L.K.	COLUMN TO THE CO			
7. MORIKAWA, Dee		distractive constraints		
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8. SAY, Calvin K.Y.	EUTSCONOMIC PROPERTY OF THE OWN		SPACE FOR ISSUE	NEW COLORS DE PROPERTIES
9. TAKAYAMA, Gregg				
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10. YAMANE, Ryan I.				
		NEW CONTRACTOR		Photo Photo Park
11. THIELEN, Cynthia				
TOTAL (11)	3	1		2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				