

Honolulu, Hawaii

FEB 11 , 2020

RE: H.B. No. 2549

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2549 entitled:

"A BILL FOR AN ACT RELATING TO CONSTITUTIONAL AMENDMENTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct;
- (2) Allow the presiding officers of the Legislature to request a written opinion from the Supreme Court regarding the legality of a proposed constitutional amendment and ratification question;
- (3) Require the Supreme Court to provide a written opinion within forty-eight hours of receipt of the request;
- (4) Require, for any written opinion by the Supreme Court that invalidates a constitutional ratification question, a detailed and specific explanation of the reasons for the opinion; and
- (5) Prohibit any appeal of a written opinion.



Your Committee received comments on this measure from the Judiciary and Common Cause Hawaii.

Your Committee finds that constitutional ratification questions should be posed in simple, concise, and direct language. Your Committee further finds that it is an appropriate exercise of the powers of the State Supreme Court to issue written opinions on the legality of a proposed constitutional ratification question when asked to by the Senate President or the Speaker of the House. This measure provides a mechanism to ensure the legality of constitutional ratification questions are addressed by the highest court in the State.

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. 2549 and recommends that it pass Second Reading and be referred to your Committee on Finance.

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



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CHRIS LEE, Chair



