STAND. COM. REP. NO. 72 -22

Honolulu, Hawaii MAR 03, 2022 RE: H.B. No. 1878 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1878 entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend the period in which the Hawaii Supreme Court is in session to annual terms commencing on the first Monday in January of each year beginning in 2024.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that there are concerns regarding the current term of the Hawaii Supreme Court. Apparently, if a justice of the Hawaii Supreme Court retires before a decision has been issued on a case, then the Intermediate Court of Appeals ruling stands. Your Committee believes that the requirement that the Hawaii Supreme Court sit in continuous session, rather than annual session merits further study.

Accordingly, your Committee has amended this measure by deleting language that would have amended the period in which the Hawaii Supreme Court is in session and instead requiring the Legislative Reference Bureau to:



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- Conduct a study to consider if the Hawaii Supreme Court should be a single term like the United States Supreme Court; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the regular session of 2023.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1878, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1878, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

ABK M. NAKASHIMA, Chair

2022-1250 HB1878 HD1 HSCR HMSO

## State of Hawaii House of Representatives The Thirty-first Legislature

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## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

| Bill/Resolution No.:<br>HD1878   | Committee Referral: JHA   |   |   | Date: 2-14-22       |   |                                    |
|--|---|---|---|---------------------|---|------------------------------------|
| □ The committee is reconsidering its previous decision on the measure.   |   |   |   |                     |   |                                    |
| The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul> |   |   |   |                     |   |                                    |
| JHA Members  |   | Ayes  | Ayes (WR)                                 |                     | Nays  | Excused                            |
| 1. NAKASHIMA, Mark M. (C)  |   |   |   |                     |   |                                    |
|  |   |   |   |                     |   |                                    |
| 2. MATAYOSHI, Scot Z. (VC)   |   |   |   |                     | 제품 사람이 있는 것같이 있다.                                     |                                    |
|  |   |   | ·   |                     |   |                                    |
| 3. ICHIYAMA, Linda   |   |   |   |                     |   |                                    |
| 4. KOBAYASHI, Dale T.  | <u></u>   |   |   |                     |   |                                    |
| •. KODATASIII, Date 1.   |   |   |   |                     |   |                                    |
| 5. LoPRESTI, Matthew S.  |   |   | Baidi aga main                            | For in the state    | ala di di taki taka di ta                             | $\bigvee$                          |
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| 6. LOWEN, Nicole E.  |   |   |   |                     |   |                                    |
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| 7. McKELVEY, Angus L.K.  |   |   |   |                     |   |                                    |
| 8. NAKAMURA, Nadine K.   | a a chuir ann an ann an tha an tha | ~   |   |                     |   | <u>, data da territo data d</u>    |
|  |   |   |   |                     |   |                                    |
| 9. TAKUMI, Roy M.  |   | 1/  | •   |                     |   | e general de minimum en en estatue |
|  |   |   | in an |                     |   |                                    |
| 10. TODD, Chris  |   |   |   | weisi ni biye.      |   |                                    |
|  |   |   | an a  |                     |   |                                    |
| 11. TOKIOKA, James Kunane  |   |   |   |                     |   |                                    |
| 12. WARD, Gene   | <u></u>   | ×   | and particularity because                 | <u>nittink bur.</u> | like dishara tarih mana ana                           |                                    |
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|  |   |   | ~~~~                                      |                     |   |                                    |
| <b>TOTAL (12)</b>  |   | 11  | Q   |                     | Q   |                                    |
| The recommendation is:       Adopted       Not Adopted         If joint referral,  |   |   |   |                     |   |                                    |
| Vice Chair's or designee's signature:  |   |   |   |                     |   |                                    |
| Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO   |   |   |   |                     |   |                                    |