

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 S.B. No. 2347, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- Require the language and meaning of any proposed constitutional amendment and ratification question to be simple, concise, and direct to the extent practicable; and
- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed constitutional amendment and ratification question.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and League of Women Voters of Hawaii.

Your Committee finds that constitutional ratification questions should be posed in simple, concise, and direct language.



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Your Committee further finds that it is an appropriate exercise of the powers of the Hawaii Supreme Court to issue written opinions on the legality of a proposed constitutional ratification question when requested by the presiding officers of the Legislature. This measure provides a mechanism to ensure that the legality of constitutional ratification questions are addressed by the highest court in the State.

Your Committee has amended this measure by:

- Requiring the Supreme Court to provide a written opinion on the legality of a proposed constitutional amendment and ratification question within ten days of receipt of the request, rather than within one week; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

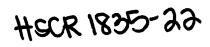
As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2347, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2347, S.D. 1, 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,

ADK M. NAKASHIMA, Chair



State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 2347, SDI Committee Referral: JHA Jate: 3-17-22				
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) 				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)				
			tins: daixing and taken as	
2. MATAYOSHI, Scot Z. (VC)				
3. ICHIYAMA, Linda				
4. KOBAYASHI, Dale T.				
5 LADDESTI Matthews			and a state of the	
5. LoPRESTI, Matthew S.			ki shu	
6. LOWEN, Nicole E.				
7. McKELVEY, Angus L.K.		en in de l'Angel (Color, Color, Co		and the second states of the second states and
8. NAKAMURA, Nadine K.		<u>ita yang manan</u> a kata tana ing kata sa kata kata kata kata kata kata k	and the second	
9. TAKUMI, Roy M.				
10. TOKIOKA, James Kunane	land the second s			
11. WARD, Gene				
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The recommendation is: Adopted In 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				