

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2385
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2385 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3 OF THE HAWAII CONSTITUTION TO PLACE PROCEDURAL RESTRICTIONS ON THE TIMING OF JUDICIAL APPOINTMENTS AND CONFIRMATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to improve government efficiency by proposing an amendment to the Hawaii State Constitution that places procedural restrictions on the timing of judicial appointments and confirmations.

Specifically, this measure proposes to amend the State Constitution by:

- (1) Establishing a window between September 1 and November 30 during which the Judicial Selection Commission may not present a list of judicial nominees to the Governor or Chief Justice; and
- (2) Prohibiting the Senate from being called into more than two special sessions to consent to judicial appointments, and requiring that any subsequent appointments made during a legislative interim be held until the beginning of the next regular session for consideration by the Senate.



Your Committee did not receive written comments on this measure.

Your Committee finds that convening multiple special sessions of the Senate each year to confirm judicial appointments increases taxpayers' cost for the payment of transportation and other necessary expenses for Senators who do not reside on Oahu. Your Committee further finds that placing procedural restrictions on the timing of judicial appointments and confirmations to reduce the number of times the Senate must convene a special session each year will result in taxpayer savings and increase government efficiency.

Your Committee has amended this measure by:

- (1) Clarifying that, during each interim between regular sessions of the Legislature, the Senate shall be called into no more than two special sessions to consent to any judicial appointments;
- (2) Clarifying that any subsequent appointments made during that interim shall be held until the start of the next regular session, when the Senate may consent to the appointment or appointments within thirty days of the date the regular session convenes; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2385, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2385, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



