

ACT 8

A Bill for an Act Relating to the Certification of Questions of Local Law by Federal Appellate Courts to the Hawaii Supreme Court.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 214 of the Revised Laws of Hawaii 1955, as amended, is hereby amended by adding the following sections to be numbered and to read as follows:

“Section 214-26. Supreme court authorized to receive and answer certificates as to state law from federal appellate courts. The supreme court of this State may, by rule of court, provide that, when it shall appear to the supreme court of the United States, to any circuit court of appeals of the United States, or to the court of appeals of the District of Columbia, that there are involved in any proceeding before it questions or propositions of the laws of this State, which are determinative of the said cause, and there are no clear controlling precedents in the decisions of the supreme court of this State, such federal appellate court may certify such questions or propositions of the laws of this state to the supreme court of this State for instructions concerning such questions or propositions of state law, which certificate the supreme court of this State, by written opinion, may answer.”

“Section 214-27. Same; rules. The supreme court of this State is hereby authorized and empowered to collaborate with any and all other courts of last resort, of other states and of the United States, in the preparation and approval of uniform rules of court to make effective this and similar laws.”

SECTION 2. This Act shall take effect upon its approval.

(Approved May 3, 1965.) H.B. 1149.