STAND. COM. REP. NO.

Honolulu, Hawaii **Elavay 13**, 2013 RE: H.B. No. 88 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 88 entitled:

"A BILL FOR AN ACT RELATING TO CONSTRUCTION OF LAWS,"

begs leave to report as follows:

The purpose of this measure is to clarify the construction of Hawaii law by repealing the provision establishing that the terms "or" and "and" each have the meaning of the other.

The Hawaii Insurers Council and two concerned individuals testified in opposition to this measure.

Your Committee has amended this measure by establishing that the dictionary definitions of the terms "or" and "and" will apply, except that if the context requires the term "or" may be construed to mean "and" or "or".

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. 88, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 88, H.D. 1, and be placed on the calendar for Third Reading.



STAND. COM. REP. NO. 440 Page 2

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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature



## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.: HB 88	Committee Referral: JUD	Date:	129/13	
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>				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X.			
2. HAR, Sharon E. (VC)	Х I			
3. BELATTI, Della Au	X.			
4. BROWER, Tom	X			
5. CABANILLA, Rida T.R.				X
6. CARROLL, Mele				X.
7. ITO, Ken	X			~~~~~
8. KAWAKAMI, Derek S.K.	×			
9. LEE, Chris	X			
10. TSUJI, Clift	V			
11. WOOLEY, Jessica	X			
12. MCDERMOTT, Bob	×.	4		
13. THIELEN, Cynthia	X	1		
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TOTAL (13)	(Q)	1		2
The recommendation is:       Adopted       Image: 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				