STAND. COM. REP. NO. 2131

Honolulu, Hawaii

FEB 1 6 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.

SB2385 SD1 SSCR LRB 24-0702.docx

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

DONOVAN M. DELA CRUZ,

The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Ways and Means WAM

| Bill / Resolution No.:* AP Committee | Referral: | ferral: Date: | | |
|--|-----------|---------------|-----|--------------|
| SB 2395 -50+ JR, | WAM | 2/13/2024 | | |
| The Committee is reconsidering its previous decision on this measure. | | | | |
| If so, then the previous decision was to: | | | | |
| The Recommendation is: | | | | |
| Pass, unamended X Pass, with amendments Hold Recommit 2312 2311 2310 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| DELA CRUZ, Donovan M. (C) | X | | | |
| MORIWAKI, Sharon Y. (VC) | X | | | |
| AQUINO, Henry J.C. | × | | | |
| DECOITE, Lynn | X | | | |
| HASHIMOTO, Troy N. | | | | \mathbf{X} |
| INOUYE, Lorraine R. | × | | | |
| KANUHA, Dru Mamo | X | | | |
| KIDANI, Michelle N. | × | | | |
| KIM, Donna Mercado | X | | | |
| LEE, Chris | X | | | |
| SHIMABUKURO, Maile S.L. | × | | | |
| WAKAI, Glenn | × | | | |
| FEVELLA, Kurt | X | | | |
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| TOTAL | 12 | | | 1 |
| Recommendation: | | | | |
| X Adopted Not Adopted | | | | |
| Chair's of Designee's Signature: | | | | |
| | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only <u>one</u> measure per Record of Votes