

Honolulu, Hawaii

**APR 29 2022**

RE: S.B. No. 2347  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2347, S.D. 1, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) 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 on Conference finds that constitutional ratification questions should be posed in simple, concise, and direct language. Your Committee on Conference 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 on Conference has amended this measure by:

- (1) Requiring the Hawaii Supreme Court to provide a written opinion in response to written request from the President of the Senate or Speaker of the House of Representatives within fifteen days instead of ten days;
- (2) Clarifying provisions requiring the Hawaii Supreme Court to include detailed and specific explanations in a written opinion provided in response to a written request to be consistent with statutory language providing for the content of the written opinion; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2347, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2347, S.D. 1, H.D. 1, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



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MARK M. NAKASHIMA  
Co-Chair



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KARL RHOADS  
Chair



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SCOTT Y. NISHIMOTO  
Co-Chair



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GILBERT S.C. KEITH-AGARAN  
Co-Chair



Hawai'i State Legislature

CCR 107-22

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2347, SD 1, HD 1</b>	Date/Time: <b>04/28/22</b> <span style="float:right; margin-right: 20px;"><i>2:13 pm</i></span>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				NISHIMOTO, Scott Y., Co-Chr.	✓			
GABBARD, Mike	✓				MATAYOSHI, Scot Z.	✓			
FEVELLA, Kurt	✓				WARD, Gene	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>

A = Aye                      WR = Aye with Reservations                      N = Nay                      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**                      **Original**                      **Yellow**                      **Pink**                      **Goldenrod**  
File with Conference Committee Report                      House Clerk's Office                      Senate Clerk's Office                      Drafting Agency