



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,
President and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith HB338 HD1 SD1, without my approval and with the statement of objections relating to the measure.

HB338 HD1 SD1

RELATING TO THE JUDICIARY.

Sincerely,

A handwritten signature in black ink, reading "David Y. Ige".

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 338

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 338, entitled "A Bill for an Act Relating to the Judiciary."

The purpose of this bill is to require an appellate court to hold a hearing when a party to an appellate court proceeding files a motion to disqualify or recuse a judge or justice on the basis on a possible conflict of interest.

This bill is objectionable in part because parties to cases pending before the Intermediate Court of Appeals (ICA) and the Hawaii Supreme Court can already file motions to disqualify judges of the ICA or justices of the Supreme Court and nothing precludes litigants from requesting a hearing. In addition, requiring an appellate court to provide for a hearing for every motion to disqualify would limit its ability to reject spurious claims, slowing down the appellate process.

For the foregoing reasons, I am returning House Bill No. 338 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "David Y. Ige", with a stylized flourish at the end.

DAVID Y. IGE
Governor of Hawai'i