

Honolulu, Hawaii

May 1, 2009

RE: H.B. No. 300  
H.D. 1  
S.D. 2  
C.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 300, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

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 appropriate funds for the operating budget of the Judiciary for fiscal years 2009-2010 and 2010-2011 and capital improvement budget for fiscal year 2009-2010.

Your Committee on Conference finds that the Governor's financial plan, as presented to the Legislature in December 2008, characterized the entire judicial branch of government as "discretionary" and proposed reducing its general fund operating budget by a full twenty per cent. The Judiciary did not agree with the Governor's plan and, in fact, presented the Legislature with a request for increases to their general fund budget of \$7,023,237 in fiscal year 2009-2010 and \$10,105,072 in fiscal year 2010-2011.



Your Committee on Conference is concerned by the damage to the court system's operations that would occur under the Governor's proposed budget for the Judiciary, but also recognizes that reductions are unavoidable under present fiscal conditions. Your Committee on Conference restored nearly \$20,000,000 of the Governor's proposed general fund reduction of \$40,000,000. This reduces the Judiciary's general fund appropriation request, as reflected in H.B. No. 300, H.D. 1, by twelve per cent in fiscal year 2009-2010 and fourteen per cent in fiscal year 2011.

The timely opening of the Juvenile Detention Center and Family Court in Kapolei is a priority for the Judiciary. As such, your Committee on Conference provided twenty-two positions and \$2,065,183 for additional costs related to the Kapolei Court Complex.

In an effort to remain cognizant and supportive of the need for capital improvements to all Judiciary facilities, statewide, your Committee on Conference has provided \$9,775,000 in general obligation bond funding for critically needed projects. Such funding has been provided only in the first year of the biennium, with the intention of enabling the Judiciary to immediately address these needs while also creating additional jobs and economic stimulus, which are immediate priorities for the State. Your Committee will continue to closely monitor economic conditions, but also believes it important to remain mindful of not only the Judiciary's future capital needs, but also their ability to undertake such projects, before making funding decisions for fiscal year 2010-2011.

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 H.B. No. 300, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 300, H.D. 1, S.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

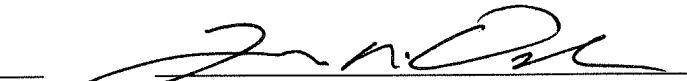
ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

  
BRIAN T. TANIGUCHI, Chair

  
JON RIKI KARAMATSU, Co-Chair

  
DONNA MERCADO KIM, Co-Chair

  
MARCUS R. OSHIRO, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 300, HD 1, SD 2	Date/Time: 4/29/09 7:30pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).


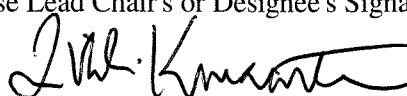
The Committee is reconsidering its previous decision.

<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
TANIGUCHI, Brian T., Chr.	✓				KARAMATSU, Jon Riki, Co-Chr.	✓			
KIM, Donna Mercado, Co-Chr.	✓				OSHIRO, Marcus R., Co-Chr.	✓			
SLOM, Sam	✓				PINE, Kymberly Marcos	✓			
Isutsui	✓								
<b>TOTAL</b>	4	0	0	0	<b>TOTAL</b>	3	0	0	0

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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