

STAND. COM. REP. NO.

986

Honolulu, Hawaii

March 13, 2009

RE: H.B. No. 300
H.D. 1

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 300 entitled:

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

begs leave to report as follows:

The purpose of this bill is to appropriate funds for the operating and capital improvement costs of the Judiciary for fiscal biennium from July 1, 2009, through June 30, 2011.

Your Committee has carefully considered the Judiciary's budget request and sought to provide general funds to further the Judiciary's mission of administering justice in an impartial, efficient, and accessible manner.

Given Hawaii's current economic situation, the Governor made several key assumptions in balancing the State's financial plan, as presented to the Legislature in December of 2008. One of these was a 20 percent reduction to the Judiciary's operating budget.

However, as a separate branch of government, the Judiciary did not prepare for such a scenario when it presented its budget to your Committee on January 6, 2009. A second budget briefing was conducted with the Judiciary on January 29, 2009.

HB300 HD1 HSCR FIN HMS 2009-2924



Your Committee on Finance instructed the Judiciary to propose reductions totaling 20 percent of its entire budget, in compliance with the Governor's instructions. The Judiciary identified savings in the areas of guardians ad litem, juror fees, per diem judges, and purchase-of-service contracts. However, the Judiciary chose to cut just enough to justify its requests for additional funding. The resulting budget, claimed the Judiciary, would cost the State no additional moneys. However, because fiscal constraints require major cuts in state government spending, this net reduction of zero is unacceptable to your Committee.

Accordingly, your Committee was left with little choice but to find additional ways to reduce the Judiciary's budget. In doing so, your Committee looked at the Judiciary's operating expenses, including transportation and allowances; vacant positions; and unbudgeted positions.

Your Committee remains concerned about the Judiciary's continued increase in spending on electricity. The Judiciary does not appear to have made any attempts to curb energy consumption. Nor does it seem to have made any serious inquiries into upgrading its facilities to increase energy efficiency. Your Committee advises the Judiciary to invest in new energy-conserving technology and work toward making its facilities more energy-efficient.

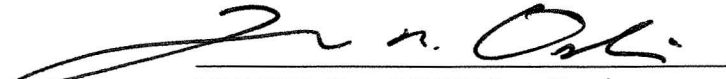
The Judiciary, the Legal Aid Society of Hawaii, The Children's Alliance of Hawaii, and a concerned individual testified in support of this bill.

In all, your Committee is proposing a budget for the Judiciary that amounts to \$120,407,824 in general funds for fiscal year (FY) 2009-2010 and \$120,479,524 in general funds for FY 2010-2011. These amounts are approximately \$35,000,000 per fiscal year less than the budget originally submitted by the Judiciary in December 2008 for introduction.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 300, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 300, H.D. 1.



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


MARCUS R. OSHIRO, Chair



