

STAND. COM. REP. NO.

1063

Honolulu, Hawaii

MAR 27 2009

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

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

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 300, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure 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 received testimony in support of this measure from the Judiciary and private organizations. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee notes the Judiciary's testimony regarding the claimed severe cutbacks in its budget as originally submitted. Your Committee has endeavored to restore some of the items which your Committee feels are imperative for the activities and services of the Judiciary that address social ills arising from the economic downturn. Your Committee recognizes that the Judiciary is a separate branch of government that provides its own safety net services to persons under its jurisdiction. If the Judiciary could not afford to adequately provide those services, the onus would likely shift eventually to the Departments of Health or Human Services. In this regard, the Judiciary is oftentimes the first contact for persons requiring help in



addressing problems arising from drug or alcohol abuse who come to the attention of the Judiciary via the court system.

Your Committee finds that state general fund revenues are declining and are projected to continue to decline for at least another year. Your Committee recognizes that financial sacrifices in these lean economic times are the norm rather than the exception. However, your Committee is concerned about the reductions to the Judiciary budget of almost \$40 million and the deletion of 114 permanent positions constituting an estimated payroll cost of about \$4.5 million. The services provided by the Judiciary by way of court and social service programs typically rise in times of economic downturn as the result of a corresponding rise in crime, domestic violence, and illicit drug use. These in turn result in an increased demand for criminal court proceedings, drug court proceedings, mental health court proceedings, domestic violence services and proceedings, and the purchase of services contracts, as well as grants in aid.


Your Committee has amended this measure by:

- (1) Restoring the reductions in funding of programs and expenses and positions;
- (2) Reducing the amount for program I.D. JUD 601 (administration) by \$8,408,626, which along with item (1) amounts to an increase of approximately \$20 million; and
- (3) Restoring the capital improvement project requests for Kapolei and Ka'ahumanu Hale, and lump sum CIP requests in the amount of \$5 million to \$5.9 million for fiscal year 2009-2010, and in the amount of \$10 million to \$20 million for fiscal year 2010-2011.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 300, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 300, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,

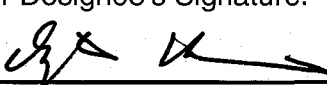


BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 300, HD1	JGO, NAM	3/25/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes