

STAND. COM. REP. NO.

1076

Honolulu, Hawaii

APR 07 2011

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

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 300, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to appropriate funds for the operating and capital improvements program budget of the Judiciary for the fiscal biennium beginning July 1, 2011, and ending on June 30, 2013.

Your Committee received comments in support of this measure from W. Tom Mick, Policy and Planning Department Head, The Judiciary, State of Hawaii; Hawaii State Bar Association; Robert D.S. Kim, President, West Hawaii Bar Association; Tom Farrell, Esq., Chair, Family Law Section, Hawaii State Bar Association; Board of Directors of the Mediation Center of the Pacific; Tracey Wiltgen, Executive Director, the Mediation Center of the Pacific, Inc.; Karen K. Kosasa, Associate Director, Department of American Studies, University of Hawaii at Manoa; Alan Rosenfeld, Ph.D., Assistant Professor of History, University of Hawaii-West Oahu; Robert G. Buss, Executive Director, Hawaii Council for the Humanities; and eight individuals.

Your Committee received comments on this measure from Kalbert K. Young, Director, Department of Budget and Finance.



Your Committee is mindful of the importance the Senate Committee on Judiciary and Labor has placed on ending furlough days for the Judiciary and the significant effort it has invested in locating the funds needed to effectuate this goal through economies within the Judiciary budget and other budgets under its purview.

Your Committee concurs that the Judiciary is an agency facing unique circumstances and that furloughs have severely hampered its constitutional mission to provide access to justice and protect constitutional rights and liberties. As such, your Committee has strived to implement many of the findings made by the Committee on Judiciary and Labor.

Your Committee has restored the funding needed to end the furlough of Judiciary employees, amounting to approximately \$8.1 million. Your Committee understands that this is the top priority of the Judiciary. However, the State's deteriorating revenue outlook requires that some method of achieving savings be implemented. Your Committee reduced the budget by \$2.3 million to reflect personnel and other types of savings. Additionally, during the 2010 Regular Session, the Legislature added \$1.3 million for fiscal year 2011 to fund specialty courts and purchase-of-services contracts. Given the current economic climate, your Committee has reduced this amount.

Although the economic outlook is uncertain, your Committee acknowledges that the courts provide various services that reduce recidivism. As such, your Committee has provided four positions to allow Neighbor Island courts to assume responsibility for adult community service sentencing duties currently performed by the Department of Public Safety.

Your Committee has also amended the measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 300, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 300, H.D. 2, S.D. 2.



1076

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

David Y. Ige

DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 300, HD2, SD1	JDL, WAM	4-5-11		
<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
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/	<i>mike</i>		
SLOM, Sam	/			
TOTAL	13	1	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Michelle N. Kidani</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes