Honolulu, Hawaii

April 26 , 2013

RE: H.B. No. 197
H.D. 2
S.D. 2
C.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
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. 197, H.D. 2, 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 bill is to appropriate funds for the operating budget and capital improvement project budget of the Judiciary for the 2013-2015 fiscal biennium.

In concert with the decision to restore the five per cent labor savings reduction to agencies statewide, your Committee on Conference has provided $4,134,343 in general funds to the Judiciary to restore funds for labor costs. In addition, your Committee notes that scheduled pay increases for judges as called for by the 2006 Commission on Salaries were previously deferred. Your Committee on Conference is now able to restore judges' salaries to the amounts scheduled for fiscal year 2013-2014 by the Commission on Salaries.

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As such, your Committee on Conference has provided $4,465,777 in general funds to restore judges" salaries in various judiciary programs.

Your Committee on Conference is cognizant of the need to reinvest in judiciary programs that partner with private and nonprofit providers to administer assessments, treatment, counseling, and shelter services. Investments in these services reduce recidivism and corresponding incarceration costs as well as increase accessibility to court resources for domestic violence victims and drug court offenders, juveniles and adults alike. To this end, your Committee on Conference has provided $718,438 in general funds to restore funding for purchase of service contracts in the Judiciary.

Your Committee on Conference also supports the public-private partnerships between the Judiciary and the community, particularly the Hawaii Children's Justice Centers (Centers). These programs bring together professionals to coordinate their activities and investigations of child abuse and neglect. Lack of professional support and neighbor island outreach for forensic specialist services at the Centers have resulted in many child victims going without timely assessment and returning home to face abuse and neglect. To address these problems, your Committee on Conference has provided $95,652 in fiscal year 2013-2014 and $186,804 in fiscal year 2014-2015 in general funds to support neighbor island Children Justice Centers in the upcoming biennium.

Your Committee on Conference is aware of the high demand for legal services for Hawaii's vulnerable populations. The Judiciary works with the legal community to provide subsidized court services to those who cannot afford to pay on their own. Act 180, Session Laws of Hawaii 2011, included a provision that increased surcharges for various court services in calendar year 2012, which was intended to increase funds available for deposit into the Indigent Legal Assistance Fund (Fund) and expand the Judiciary's capacity to provide low- and moderate income residents with additional access to legal services. However, the lack of a concurrent increase in the Fund's expenditure ceiling has resulted in the Judiciary's inability to expend the additional moneys for their intended purpose. To address this administrative anomaly, your Committee on Conference has authorized a special fund expenditure of an additional $1,000,000 from the Indigent Legal Assistance Fund.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your

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Committee on Conference is in accord with the intent and purpose of
H.B. No. 197, H.D. 2, S.D. 2, as amended herein, and recommends that
it pass Final Reading in the form attached hereto as H.B. No. 197,
H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
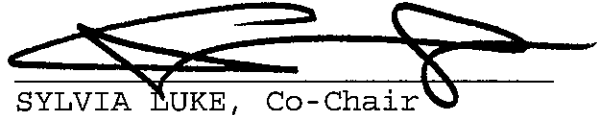of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

_____
CLAYTON HEE, Chair

_____
KARL RHOADS, Co-Chair

_____
DAVID Y. IGE, Co-Chair

_____
SYLVIA LUKE, Co-Chair

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Hawaii State Legislature

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: **HB 197, HD 2, SD 2**	Date/Time: 4/23/13 / 7:20 pm

☒ The recommendation of the House and Senate managers is to pass with amendments (CD).

☐ The Committee is reconsidering its previous decision.

☐ The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					☐ The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HEE, Clayton, Chr.	X				RHOADS, Karl, Co-Chr.	X			
IGE, David Y., Co-Chr.	X				LUKE, Sylvia, Co-Chr.	X			
KOUCHI, Ronald D.	X				NISHIMOTO, Scott Y.	X			
SHIMABUKURO, Maile S.L.				X	JOHANSON, Aaron Ling	X			
SLOM, Sam	X								
TOTAL	4	0	0	1	**TOTAL**	4	0	0	0

A = Aye	WR = Aye with Reservations	N = Nay	E = Excused

Senate Recommendation is: ☒ Adopted ☐ Not Adopted	House Recommendation is: ☒ Adopted ☐ Not Adopted
Senate Lead Chair's or Designee's Signature: *[signature]*	House Lead Chair's or Designee's Signature: *[signature]*

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