

STAND. COM. REP. NO.

3073

Honolulu, Hawaii

MAR 21 2014

RE: H.B. No. 1638  
H.D. 2  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 1638, H.D. 2, 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 to the Judiciary for fiscal year 2014-2015.

Your Committee received testimony in support of this measure  
from the Judiciary, the Hawaii State Bar Association, the Office  
of the Mayor of the County of Hawaii, the Office of the  
Corporation Counsel of the County of Hawaii, the West Hawaii Bar  
Association, Farrell and Associates, and one individual.

Your Committee finds that the supplemental operating and  
capital improvement project appropriations authorized under this  
measure meet the Judiciary's resource requirements for fiscal year  
2014-2015.

Your Committee has amended this measure as follows:

- (1) Increasing the general fund appropriation sum proposed  
in the House version for JUD310 from \$77,170,459 to  
\$79,529,463, and increasing the corresponding position  
count from 1,073.50 to 1,075.50;



- (2) Restoring the special fund appropriation sum for JUD310 to \$4,002,620, which is the level appropriated under Act 133, Session Laws of Hawaii 2013;
- (3) Increasing the general fund appropriation sum for JUD320 from \$15,205,506 proposed in the House version, to \$15,239,854, and increasing the corresponding position count from 207.00 to 208.00;
- (4) Increasing the general fund appropriation sum proposed in the House version for JUD330 from \$18,287,274 to \$18,340,638, and increasing the corresponding position count from 229.00 to 231.00;
- (5) Decreasing the general fund appropriation sum proposed in the House version for JUD601 from \$24,199,032 to \$23,910,806, and increasing the corresponding position count from 208.00 to 231.00;
- (6) Deleting the proposed increase and restoring the special fund appropriation sum for JUD601 to \$7,930,290, which is the level appropriated under Act 133, Session Laws of Hawaii 2013;
- (7) Deleting the general fund proviso under JUD601, requiring \$1,000,000 to be used to pay for accrued vacation benefits;
- (8) Adding general fund provisos under JUD310 in the sums of:
  - (A) \$50,799 for a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu relating to veterans court prosecutions;
  - (B) \$107,788 for a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu for drug court prosecutions;
  - (C) \$337,244 for a grant-in-aid to the Department of the Prosecuting Attorney of the City and County of Honolulu relating to Hawaii's opportunity probation with enforcement program (HOPE); and



- (D) \$365,000 for a statewide established temporary restraining order assistance program to support the family court system of the first circuit;
- (9) Adding a general fund proviso under JUD330 in the sum of \$53,364 to establish an exempt program attorney position within the third judicial circuit;
- (10) Adding a general fund proviso under JUD601 in the sum of \$107,640 to establish the position of an exempt special assistant to the Administrative Director of the Courts and the Chief Justice of the Hawaii Supreme Court; and
- (11) Increasing the sum for general obligation bonds and the sum for capital improvement projects for the Judiciary from \$54,015,000 proposed in the House version to \$104,015,000.

Your Committee notes that the \$50,000,000 increase in the total sum authorized for capital improvement projects has been made to fully fund the construction of the new Kona judiciary complex.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1638, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1638, H.D. 2, 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  
Labor,




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CLAYTON HEE, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HB 1638, HD2</b>	Committee Referral: <b>JDL, WAM</b>	Date: <b>3/18/14</b>		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>7</b>			
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