

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 2113
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2113 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 supplemental funds for the Judiciary for the fiscal biennium beginning July 1, 2021, and ending June 30, 2023.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Hawaii County Bar Association, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Hawaii State Bar Association Appellate Section, West Hawaii Bar Association, and Hawaii Access to Justice Commission.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has had a major financial impact on the Judiciary. To help address the severe budget shortfall that the State faced at the onset of the pandemic, the Judiciary's budget was reduced by \$9,000,000 in fiscal year 2019-2020 and \$14,700,000 in fiscal year 2020-2021, for a total reduction of \$23,700,000. During the same period, one hundred ninety-two vacant positions



were defunded, including twelve permanent positions and eight per diem judge positions. Your Committee notes that the Judiciary adjusted to these budget reductions by cutting its expenditures for service contracts, regular pay, utilities, jury costs, guardian ad litem and attorney fees, travel expenses, repair and maintenance, and overtime pay.

Your Committee further finds that in addition to the capital improvement projects listed in this measure as received by your Committee, the Judiciary has identified seventeen smaller capital improvement projects, the costs of which total \$3,120,000, that are necessary to ensure that the court system continues to function effectively and efficiently:

(1) For the first circuit:

(A) Kaahumanu Hale - \$150,000 to waterproof judges' elevator 8, create an apron to divert water from the base of the building, make associated interior repairs, and re-landscape;

(B) Kauikeaouli Hale - \$500,000 to add fencing and gates to secure entry courtyard against after-hours occupancy by unauthorized persons; and

(C) Abner Paki Hale - \$250,000 to excavate and waterproof foundation exterior;

(2) For the second circuit: Hoapili Hale - \$250,000 to replace broken cast iron storm water piping with plastic piping where not already done;

(3) For the third circuit: Hale Kaulike - \$50,000 to fund a power purchase agreement request for proposals to add solar power above parking;

(4) For the fifth circuit:

(A) Puuhonua Kaulike - \$125,000 to perform crack repair, reseal and restripe, and reapply miscellaneous markings in parking areas to renew the parking lot;



- (B) Puuhonua Kaulike - \$300,000 to upgrade security cameras and related cabling to improve courthouse and grounds security;
 - (C) Puuhonua Kaulike - \$500,000 to remove failing duct insulation and install new insulation in multiple open-air locations, including the judges' garage, sally port, and sheriff's holding area;
 - (D) Puuhonua Kaulike - \$500,000 to replace select air handling units;
 - (E) Puuhonua Kaulike - \$100,000 to retrofit lighting in building interior to LEDs; and
 - (F) Puuhonua Kaulike - \$70,000 to retrofit emergency lighting and ballasts to LEDs; and
- (5) For administration and courts of appeal:
- (A) Aliiolani Hale and Kapuaiwa - \$25,000 for sprinkler system reconfiguration, repair, and upgrade;
 - (B) Aliiolani Hale - \$50,000 for temporary mitigation of the worst roof leaks and damages while a long-term solution is explored and implemented;
 - (C) Aliiolani Hale - \$25,000 to regrade and mitigate ponding and disperse condensate disposed from roof level air conditioning equipment along Queen Street;
 - (D) Aliiolani Hale - \$75,000 for skylight repairs;
 - (E) Kapuaiwa - \$50,000 for temporary mitigation of the worst roof leaks and damages while a long-term solution is explored and implemented; and
 - (F) Kapuaiwa - \$100,000 to repair a drain and add an enclosure at the electric service entry stairs.



Your Committee has amended this measure by:

- (1) Appropriating an additional \$200,000 in general funds to Administration (JUD601) for fiscal year 2022-2023 to be allocated as follows:
 - (A) \$100,000 for court-appointed guardians ad litem; and
 - (B) \$100,000 for court-appointed attorneys;
- (2) Making a corresponding reduction of \$203,406 in the amount of general funds appropriated for the First Circuit (JUD310). These funds are currently allocated to fund the following five vacant positions:
 - (A) Janitor II (position no. 500722) - \$22,146;
 - (B) Court bailiff I (position no. 15958) - \$39,540;
 - (C) Estate & guardianship specialist (position no. 4735) - \$50,016;
 - (D) Judicial clerk II (position no. 25250) - \$48,084; and
 - (E) Juvenile counselor I (position no. 500649) - \$43,620;
- (3) Authorizing the Judiciary to expend moneys appropriated by this Act to provide compensation to court-appointed guardians ad litem and attorneys at rates greater than those specified in section 571-87, Hawaii Revised Statutes; and
- (4) Authorizing an additional \$3,120,000 in general obligation bonds to fund the additional, smaller capital improvement projects identified by the Judiciary.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2113, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as S.B. No. 2113, S.D. 1, and
be referred to your Committee on Ways and Means.

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

Karl Rhoads

KARL RHOADS, Chair



