

Honolulu, Hawaii

Apr: 1 23, 2010

RE: H.B. No. 2000
H.D. 2
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
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. 2000, 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 provide the Judiciary with supplemental appropriations and authorizations for its operations and capital improvements for fiscal biennium 2009-2011 by amending the Judiciary Appropriations Act of 2009.

Dramatic reductions of projected State revenue have resulted in a \$1,200,000,000 budget gap through the end of the current fiscal biennium. In response, the Governor restricted fiscal year 2009-2010 executive branch expenditures by an amount equal to 13.85 per cent of payroll and proceeded to reduce the supplemental budget request of executive branch agencies for fiscal year 2010-2011 by a similar percentage. This amount is based on the projected savings



that three furlough days per month would accrue. Though the Judiciary officially requested that its general fund budget for fiscal year 2010-2011 be maintained at its current appropriation level, a similar reduction to the Judiciary's budget would be approximately \$12,000,000.

To reflect the Judiciary's two-day per month furlough savings in a manner comparable to that of other state agencies, your Committee on Conference has amended this measure to reduce the Judiciary budget by a total of \$8,000,000 in general funds as calculated by the Department of Budget and Finance. An additional lump sum reduction of \$1,500,000 was imposed to allow the Judiciary to allocate this reduction in accordance with its priorities. The total reduction, which is significantly smaller than that imposed on most other state agencies, affirms that, on a statewide level, your Committee on Conference has prioritized the core responsibilities of the Judiciary.

Additionally, your Committee on Conference was persuaded by the case made by Judiciary officials and others for specialty courts; that the cost of incarcerating individuals far exceeds that of enrolling them in these programs and that recidivism is markedly decreased for those participating in these programs. Information provided indicates that the annual cost for 387 adult inmates to participate in the Adult Drug Court is \$3,100,000, while the annual cost to incarcerate these same inmates is in excess of \$19,600,000 (\$139 per day, per inmate or \$50,735 per year, per inmate). Similarly, the annual cost for 68 youth offenders to participate in Juvenile Drug Courts is approximately \$1,000,000, while the annual cost to detain these same juveniles is approximately \$6,590,000 (\$278 per day, per offender, or \$101,470 per year, per offender). Significant savings are also realized under the Hawaii's Opportunity Probation with Enforcement ("HOPE") program, which costs approximately \$1.82 per day, per probationer, versus \$139 per day per inmate.

In acknowledgement of the arguments made and the information provided by the Judiciary, \$1,300,000 has been provided for the Judiciary's specialty courts. Your Committee on Conference looks forward to receiving data affirming the cost effectiveness of these programs.

In total, this measure appropriates \$130,730,624 in general funds and \$141,747,129 in all means of financing for the fiscal year 2010-2011 operating budget of the Judiciary.



Your Committee on Conference further finds that, in 2006, the Legislature appropriated funds for master planning for capital improvements and other physical facilities-related projects for the Judiciary. This plan is anticipated to be completed during the summer of 2010. Accordingly, your Committee on Conference expects that the completion of the master plan will assist the Judiciary, as well as the Legislature, in better understanding the future needs for new facilities and for repair and maintenance projects within the Judiciary's purview. Additionally, this information will prove valuable in assessing short- and long-range funding needs, as well as the ability of the Judiciary to execute and complete the work determined necessary under this plan.

Consequently, given the strained economic climate and the fact that it would be prudent to review the master plan before proceeding with further funding as requested, your Committee on Conference has provided no additional capital improvements program funding to the Judiciary for fiscal year 2011.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2000, 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. 2000, 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


 BRIAN T. TANIGUCHI, Chair


 JON RIKI KARAMATSU, Co-Chair


 DONNA MERCADO KIM, Co-Chair


 MARCUS R. OSHIRO, Co-Chair



Hawaii State Legislature
**Record of Votes of a
 Conference Committee**

Bill / Concurrent Resolution No.: HB 2000, HD 2, SD 2
 Date/Time: 4/21/10 6:45 pm


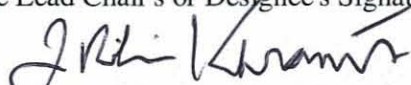
- The recommendation of the House and Senate managers is to pass with amendments (CD).
- The Committee is reconsidering its previous decision.

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
TANIGUCHI, Brian T., Chr.	/				KARAMATSU, Jon Riki, Co-Chr.	/			
KIM, Donna Mercado, Co-Chr.	/				OSHIRO, Marcus R., Co-Chr.	/			
SLOM, Sam	/				THIELEN, Cynthia	/			
TOTAL	3				TOTAL	3			

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: 
 House Lead Chair's or Designee's Signature: 

Distribution: Original Yellow Pink Goldenrod
 File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency