

Honolulu, Hawaii

May 1, 2012

RE: H.B. No. 1800
H.D. 2
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1800, 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.

Your Committee on Conference finds that the Ronald T.Y. Moon Judiciary Complex, which opened in Kapolei in phases during early 2010, has maintenance and warranty contracts that are expiring, just two years later. Accordingly, your Committee on Conference has provided \$696,446 for maintenance and building security contracts required to keep the facility operating efficiently.

In addition, your Committee on Conference finds staffing of the Kapolei detention facility inadequate, which has resulted in considerable overtime use of staff. To address this issue, your Committee has authorized 4 juvenile detention worker positions and appropriated \$154,416 for this purpose. Your Committee expects the

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Judiciary to work toward significantly reducing use of overtime at the facility.

The on-call nurse's contract must be sustained in order for nurses to be present at the detention facility on off hours and holidays where day staff is not present. The nurses will provide care when necessary at the contract rate instead of a regular rate. Accordingly, your Committee on Conference has appropriated \$100,000 in order to provide for the on-call nurse contract.

Your Committee on Conference is mindful that the Department of Public Safety has or will soon stop providing adult community service sentencing services in the second, third, and fifth circuits. The loss of these services would make it difficult for indigent members of the community to pay fines owed to the State. If this occurs, the only other alternative available to judges would be to order incarceration. To maintain adult community service sentencing as a viable option, your Committee on Conference has authorized eight positions and provided \$271,380 to enable the Judiciary to provide adult community service sentencing on the islands of Maui, Hawaii, and Kauai.

Your Committee on Conference further finds that court interpreter services offered for various court cases for community members needing assistance is currently limited. To expand these services, your Committee on Conference has provided \$234,728. The funds will be used to make additional languages available for court interpreter services. This will allow greater public access to the courts.

Your Committee on Conference is aware that district family court judges have recently experienced significant increases in caseloads. In 2007, the Legislature authorized positions for this purpose, though funding was not available to fill the positions. Your Committee on Conference has provided \$267,684 to fund a previously established judge and three support positions. This funding will assist with the caseloads and promote the efficient delivery of judicial services to the public.

Your Committee on Conference notes that work began on the Justice Reinvestment Initiative (JRI) in June 2011. The ultimate goal of the JRI is to bring inmates home from non-state facilities and prepare inmates for reintegration into society. This is anticipated to result in significant cost savings over time. In order to achieve this goal, various programs must be expanded, and the Judiciary will play an important role in the process. Your



Committee on Conference is supportive of the JRI and has authorized two positions and provided \$125,000 for probationary services.

Your Committee also notes that the Judiciary requested an appropriation of \$200,000 to pay for projected costs of unemployment insurance benefits for its employees. This resulted from an executive branch proposal to shift payment of this cost from the Department of Human Resources Development to the Judiciary. Your Committee finds that efficiency is not gained under this proposal and will continue to provide for the Judiciary's unemployment insurance benefits expenses through executive branch appropriations.


Lastly, your Committee has appropriated \$21,382,000 in general obligation bond funding for capital improvement projects for the FY 2012-2013 supplemental budget. The amount includes funding for various internal maintenance and upgrade projects to resolve issues with air handling systems on Maui and Oahu, as well as exterior building improvements at various sites across Oahu.

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. 1800, 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. 1800, 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



DAVID Y. IGE, Chair



GILBERT KEITH-AGAYAN, Co-Chair



MARCUS R. OSHIRO, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

CCR 132-12

Bill / Concurrent Resolution No.: HB 1800, HD 2, SD 2	Date/Time: 4/28/12 2:50 AM
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The recommendation of the House and Senate managers is to pass with amendments (CD).



The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
HBE, Clayton, Chr.					KEITH-AGARAN, Gilbert S.C., Co-Chr.	<input checked="" type="checkbox"/>			
IGE, David Y., Co Chr.	<input checked="" type="checkbox"/>				OSHIRO, Marcus R., Co-Chr.	<input checked="" type="checkbox"/>			
SLOM, Sam				<input checked="" type="checkbox"/>	LEE, Marilyn B.	<input checked="" type="checkbox"/>			
TOKUDA, Jill, CHR	<input checked="" type="checkbox"/>				THIELEN, Cynthia				<input checked="" type="checkbox"/>
TOTAL	2	0	0	1	TOTAL	3	0	0	1

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

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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