

STAND. COM. REP. NO.

915

Honolulu, Hawaii

MAR 10 2017

RE: S.B. No. 469
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 469, S.D. 1, 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 for the operating costs of the Judiciary for fiscal biennium 2017-2019.

Your Committee received written comments in support of this measure from the Judiciary; Hawaii State Bar Association; Legal Aid Society of Hawaii; Volunteer Legal Services Hawaii; Americans For Democratic Action Hawaii; Mothers Against Drunk Driving Hawaii; Hawaii Disability Legal Services, LLC; Surfrider Spirit Sessions; The National Crittenton Foundation; Pahoia High and Intermediate School; Hawai'i Society of Addiction Medicine; and ten individuals.

Your Committee received written comments in opposition to this measure from the Kaua'i Bar Association.

Your Committee received comments on this measure from the Hawaii County Bar Association, West Hawaii Bar Association, Domestic Violence Action Center, and one individual.



OPERATING BUDGET

Your Committee notes that the Judiciary had requested an increase of \$7,099,958 for fiscal year 2017-2018 and \$8,032,722 for fiscal year 2018-2019 in general funds. Your Committee has approved an increase of \$5,764,715 for fiscal year 2017-2018 and \$5,985,874 for fiscal year 2018-2019 in general funds for the Judiciary's operating budget.

With the adjustments contained in this measure, the total general fund appropriation for the Judiciary is \$163,947,440 for fiscal year 2017-2018 and \$164,168,599 for fiscal year 2018-2019.

Judges' Salary Differential

Your Committee recognizes that justices and judges are due salary increases pursuant to the 2013 Commission on Salaries report. Therefore, your Committee approves the number one funding priority for the Judiciary by providing \$361,196 in fiscal year 2017-2018 and \$729,216 in fiscal year 2018-2019 in general funds for salary increases for justices, judges, the administrative director and the deputy administrative director.

Judgeship

Your Committee approves \$178,000 in fiscal year 2017-2018 and \$316,000 in fiscal year 2018-2019 in general funds to establish one judgeship at the discretion of the Chief Justice pursuant to the proviso in section 7 of the measure.

Your Committee believes that the Chief Justice should identify the judgeship that is of highest priority and represents the greatest need so as to warrant the establishment of an additional court.

Civil Legal Services

Your Committee approves \$750,000 in general funds in each fiscal year for purchase of service contracts for civil legal services.

Your Committee reaffirms its support for funding legal services through purchase of service contracts instead of grants.



This approach was implemented under Act 138, Session Laws of Hawaii 2015, in order to create competition among indigent legal service providers and to give the Judiciary more discretion in procuring these services.

Hawaii Zero To Three

Your Committee recognizes the importance of providing services that focus on the well-being of infants and toddlers who have been removed from parental custody.

Your Committee approves 1.00 permanent social worker position and \$27,116 in fiscal year 2017-2018 and \$50,772 in fiscal year 2018-2019 in general funds for the Hawaii Zero To Three Program.

To generate savings from the base budget to fund this increase, your Committee has eliminated 2.00 vacant temporary positions that were among the lowest in priority of the Judiciary and reduced \$56,640 in personal services appropriations for them.

Mental Health Court

With respect to the Mental Health Court, your Committee concurs with the Judiciary's overall goals of bringing stability to partnerships with other relevant agencies, increasing client referrals and the population served, reducing recidivism, and increasing public safety. Efforts to attain these goals require additional staff and support for supervision of felony offenders who suffer from serious mental illness.

Therefore, your Committee approves 2.00 permanent positions and \$58,932 in fiscal year 2017-2018 and \$101,544 in fiscal year 2018-2019 in general funds for the Mental Health Court.

CAPITAL BUDGET

Your Committee finds that Ka'ahumanu Hale, Oahu is in need of critical improvements to both its fire alarm and elevator systems, and thus provides \$9,300,000 in fiscal year 2017-2018 and \$6,300,000 in fiscal year 2018-2019 in general obligation bond funds for system upgrades and modernization at Ka'ahumanu Hale, Oahu.



Your Committee also approves \$3,000,000 in each fiscal year in general obligation bond funds for alterations, upgrades and improvements to judiciary facilities statewide.

Your Committee recognizes a need for enhanced security at Hoapili Hale, Maui. Therefore, your Committee provides \$1,000,000 in fiscal year 2017-2018 and \$1,600,000 in fiscal year 2018-2019 in general obligation bond funds for security improvements at Hoapili Hale, Maui.

Your Committee finds that the Kaua'i Judiciary Complex in need of roof work and therefore appropriates \$1,390,000 in fiscal year 2017-2018 and \$1,100,000 in fiscal year 2018-2019 in general obligation bond funds to reroof and repair leaks at the Kaua'i Judiciary Complex, Kaua'i.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 469, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 469, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

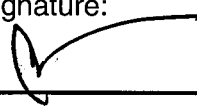


JILL N. TOKUDA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 469, SDI	SDL, WAM	3/2/17		
<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
TOKUDA, Jill N. (C)	✓			
DELA CRUZ, Donovan M. (VC)				✓
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
KAHELE, Kaiali'i	✓			
RIVIERE, Gil	✓			
SHIMABUKURO, Maile S.L.	✓			
TANIGUCHI, Brian T.	✓			
WAKAI, Glenn	✓			
TOTAL	10			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes