

STAND. COM. REP. NO.

1382

Honolulu, Hawaii

MAR 24 2023

RE: H.B. No. 382
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 382, H.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 moneys for the Judiciary for the fiscal biennium that begins on July 1, 2023, and ends on June 30, 2025.

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

Your Committee received comments on this measure from the Domestic Violence Action Center.

Your Committee finds that the appropriations made by this measure are intended to assist the Judiciary in its efforts to fulfill its constitutional and statutory duties during the 2023-2025 fiscal biennium.



Your Committee notes that the Judiciary indicated in its testimony that this measure and its related budget worksheets inadvertently reflect an incorrect number of authorized permanent positions for JUD601 (Administration). Your Committee has amended this measure to accurately reflect two hundred twenty-eight full-time equivalent (228.0 FTE) permanent positions. However, your Committee notes that the corresponding budget worksheets also must be amended to correct this error and requests that your Committee on Ways and Means make the corresponding corrections.

Your Committee also notes the testimony of the Domestic Violence Action Center, which requested that the amount of moneys available for nonprofit organizations providing legal and social services procured through purchase of service contracts be increased by five percent, to ensure that these entities have sufficient funds to meet the costs of doing business in the State and to further ensure that these organizations are able to recruit and retain qualified staff members. Accordingly, your Committee has amended this measure to increase the appropriation for JUD601 (Administration) by \$447,207, to meet this need. These additional funds are intended for nonprofit organizations providing legal and social services throughout the Judiciary, and your Committee notes that your Committee on Ways and Means may need to adjust this figure or redistribute the funds across other program IDs throughout the Judiciary as needed.

Your Committee has further amended this measure by:

- (1) Increasing the amount appropriated to the Third Circuit in each fiscal year of the biennium by \$75,000 to fund the Zero to Three Court;
- (2) Increasing the amount appropriated to the First Circuit (JUD310) by \$618,000 for fiscal year 2023-2024 and \$622,000 for fiscal year 2024-2025 to:
 - (A) Establish one new First Circuit district court judge position and three new support staff positions; and
 - (B) Restore funding for a First Circuit Court judge position and an Adult Client Services Branch judicial clerk position;



- (3) Increasing the number of permanent full-time equivalent positions authorized for the First Circuit to reflect the four new positions;
- (4) Increasing the appropriation amounts to the Fifth Circuit (JUD350) by \$61,000 in fiscal year 2023-2024 and \$63,000 in fiscal year 2024-2025 to restore funding for a social worker position;
- (5) Increasing the amount of general obligation bond funds authorized for the Kaahumanu Hale elevator upgrade and modernization project by \$5,000,000;
- (6) Removing from the measure \$6,000,000 of general obligation bond funds authorized for the Children's Justice Center, Oahu;
- (7) Changing the amount of general obligation bonds authorized for issuance to reflect the amended capital improvement project authorizations; and
- (8) Changing the effective date to July 1, 2023.

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 H.B. No. 382, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 382, H.D. 1, 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,

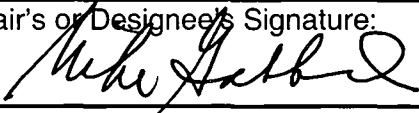


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

**Record of Votes
 Committee on Judiciary
 JDC**

Bill / Resolution No.:* HB 382 HD1	Committee Referral: JDC, WAM	Date: 3/21/23		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
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