

STAND. COM. REP. NO.

1315

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 300
H.D. 1
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 300, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose of this bill is to appropriate funds for the operating and capital improvement costs of the Judiciary for the fiscal biennium from July 1, 2009, through June 30, 2011.

Your Committee received two written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that the Governor's financial plan, as presented to the Legislature in December 2008, characterized the entire judicial branch of government as "discretionary" and proposed reducing its general fund operating budget by a full twenty per cent. The Judiciary did not agree with the Governor's plan and, in fact, presented the Legislature with a request for increases to their general fund budget of \$7,023,237 in fiscal year 2009-2010 and \$10,105,072 in fiscal year 2010-2011.

In an attempt to meet the Governor's target reduction amount of twenty per cent, the House of Representatives reduced the Judiciary's general fund appropriation request by nearly \$40,000,000, as reflected in H.B. No. 300, H.D. 1.



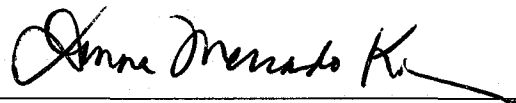
Concerned with the significant reduction to the Judiciary's budget proposed by the Governor and endorsed by the House, the Committee on Judiciary and Government Operations restored \$20,000,000 of the proposed general fund reduction of \$40,000,000, as well as the total requested budget for capital improvement projects.

Your Committee likewise recognizes the damage to the operations of the court system that would occur under the Governor's proposed budget for the Judiciary. Therefore, your Committee believes that the operating portion of this measure should be adopted unamended.

Your Committee further finds that it is crucial for the State to continue to be supportive of the provision of necessary funding for repair, maintenance, and improvements for Judiciary facilities. Additionally, your Committee is mindful that the provision of such funding will help to ensure the infusion of funds and the creation of new jobs, which are immediate priorities for the State. However, your Committee believes that it is important to closely monitor the economy in conjunction with the needs and abilities of the Judiciary to undertake capital projects in fiscal year 2009-2010 prior to making funding decisions for fiscal year 2010-2011. Therefore, your Committee has amended the measure by removing appropriations for capital projects for fiscal year 2010-2011, with the intention of revisiting the matter during the next regular session.

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 H.B. No. 300, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 300, H.D. 1, S.D. 2.

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



DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:	
HB 300 HD1 SD1	JGO, WAM	APRIL 7 2009	

☐ 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
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Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton				/
HOOSER, Gary L.				/
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
TOTAL	10	0	0	2

Recommendation:
 ☒ Adopted
☐ Not Adopted

Chair's or Designee's Signature:

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*Only one measure per Record of Votes