STAND. COM. REP. NO. 811

Honolulu, Hawaii Monchel, 2009

RE: H.B. No. 625 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 625 entitled:

"A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES,"

begs leave to report as follows:

The purpose of this bill is to expand access to the justice system by providing more adequate funding for legal services to indigent persons by:

- Increasing from \$10 to \$35 the surcharge imposed on civil actions in the district court for which an initial filing fee is required to be paid;
- (2) Increasing from \$25 to \$65 the surcharge imposed on civil actions in the circuit court for which an initial filing fee is required to be paid;
- (3) Increasing from \$25 to \$65 the surcharge imposed on civil actions in the courts of appeal for which an initial filing fee is required to be paid; and
- (4) Adjusting the distribution formula of the funds for legal-services organizations for the indigent by:



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- (A) Allocating 70 percent of all funds to be distributed on a pro rate basis to qualifying organizations; and
- (B) Distributing equally the remaining 30 percent of the funds to qualifying organizations whose total budget in the prior year for civil legal services to indigent persons exceeded \$100,000.

The Access to Justice Commission, Volunteer Legal Services Hawaii, Hawaii Disability Rights Center, Hawaii Justice Foundation, Hawaii Immigrant Justice Center, Domestic Violence Action Center, American Civil Liberties Union of Hawaii, Mediation Center of the Pacific, and several concerned individuals testified in support of this bill. The Collection Agency of Hawaii, Inc., Pacific Collections, and several concerned individuals opposed this measure. The Collection Law Section of the Hawaii State Bar Association, Legal Aid Society of Hawaii, Credit Associates of Maui, Ltd., and a concerned individual offered comments.

Your Committee has amended this bill by:

- Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 625, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 625, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Finance,

46 MARCUS R. OSHIRO, Chair



State of Hawaii

House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB625	ee Referral: JUD, F	TN Dat	"March a	2.2009
The committee is reconsidering its previous decision				
The recommendation is to:□Pass, unamended□Pass short form b		ss, with amendments mmit for future publ		
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	V			
2. LEE, Marilyn B. (VC)	1			
3. AQUINO, Henry J.C.	· ·			
4. AWANA, Karen Leinani	1			
5. BROWER, Tom				
6. CHOY, Isaac W.	~			
7. COFFMAN, Denny				
8. HAR, Sharon E.	~			
9. KEITH-AGARAN, Gilbert S.C.				
10. LEE, Chris	- <u>~</u>			
11. NISHIMOTO, Scott Y.	~			
12. SAGUM, Roland D., III				
13. TOKIOKA, James Kunane				
14. WOOLEY, Jessica				
15. YAMASHITA, Kyle T.	V			
16. PINE, Kymberly Marcos				
17. WARD, Gene				
TOTAL (17)	15		0	1
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature: Mary 3, Let				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				