STAND. COM. REP. NO. 16

Honolulu, Hawaii , 2016

RE: H.B. No. 1649 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1649 entitled:

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

begs leave to report as follows:

The purpose of this measure is to appropriate supplemental funds for the operating and capital improvement costs of the Judiciary for fiscal year (FY) 2016-2017.

The Judiciary, Legal Aid Society of Hawaii, Hawaii Chapter of Mothers Against Drunk Driving, and two concerned individuals supported this measure.

Your Committee supports the Judiciary's modest supplemental budget request for 24 new permanent positions and \$2,200,000 in additional funding to support essential staffing needs for the courts and administrative operations. The capital improvement program funding request totaling \$13,700,000 to address the Judiciary's infrastructure is reasonable.

Your Committee has amended this measure by:

- Changing the appropriation amount for the operating costs of the administration of the Judiciary (JUD601) to \$28,237,653 for FY2016-2017;
- (2) Requiring that of the general funds appropriated for administration (JUD601), the sum of \$2,159,632 for



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FY2016-2017 shall be used for the purchase of service contracts for civil legal services for low- and moderate income persons; and

- (3) Requiring the Administrative Director of the courts to submit to the Legislature by February 1, 2017, a report listing:
  - (A) The purchase of service contracts entered into from July 1, 2016, to December 31, 2016;
  - (B) The purpose of the contracts;
  - (C) Contract award amounts; and
  - (D) Expenditures and encumbrances under the contracts.

Your Committee added additional funds in the amount of \$2,159,632 for the Judiciary to contract with civil legal services providers to deliver civil legal services for low- and moderateincome individuals. The funding amount and selection of the Judiciary to administer legal service funding was recommended by a working group established by House Resolution No. 12, H.D.1 (2015). The working group, convened by the Hawaii Access to Justice Commission, determined that the Judiciary is the best agency to house the administration of legal services funding for low- and moderate-income individuals. The funding amount would restore civil legal services to prerecession levels. The legal services funding is in addition to the Judiciary's supplemental budget request; it is not the Committee's intent that it be used to supplant these requests.

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. 1649, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1649, H.D. 1, and be referred to your Committee on Finance.

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Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

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## State of Hawaii House of Representatives The Twenty-eighth Legislature



## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1649	Committee Referral: JYD, FIN		Date: 2/16/16	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: □ Pass, unamended (as is) ☑ Pass, with amendments (HD) □ Hold   □ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. SAN BUENAVENTURA, Joy A. (V	VC)			
3. BELATTI, Della Au	*			
4. BROWER, Tom				
5. CREAGAN, Richard P.				-
6. HASHEM, Mark J.				
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.				
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob				
14. THIELEN, Cynthia				
TOTAL (14)	12			2
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				