
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 GENERAL PROVISIONS

3 SECTION 1. This Act shall be known and may be cited as the
4 Judiciary Appropriations Act of 2011.

5 SECTION 2. Unless otherwise clear from the context, as
6 used in this Act:

7 (a) "Program ID" means the unique identifier for the
8 specific program, and consists of the abbreviation for the
9 judiciary (JUD) followed by a designated number for the program.

10 (b) "Means of Financing," or "MOF," means the source from
11 which funds are appropriated, or authorized, as the case may be,
12 to be expended for the programs and projects specified in this
13 Act. All appropriations are followed by letter symbols. The
14 letter symbols, where used, shall have the following meanings:

- 15 A General funds
16 B Special funds
17 C General obligation bond funds
18 N Other federal funds



1 W Revolving funds

2 (c) "Position ceiling" means the maximum number of
3 permanent positions authorized for a particular program during a
4 specified period or periods, as noted by an asterisk.

5 PART II

6 PROGRAM APPROPRIATIONS

7 SECTION 3. The following sums, or so much thereof as may
8 be sufficient to accomplish the purposes and programs designated
9 herein, are appropriated or authorized from the sources of
10 funding specified to the judiciary for the fiscal biennium
11 beginning July 1, 2011, and ending June 30, 2013. The total
12 expenditures and the number of permanent positions established
13 in each fiscal year of the fiscal biennium shall not exceed the
14 sums and the position ceilings indicated for each year, except
15 as provided in this Act.



PROGRAM APPROPRIATIONS

A P P R O P R I A T I O N S

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL YEAR		FISCAL YEAR	
				2011-2012	M O F	2012-2013	M O F
1		THE JUDICIAL SYSTEM					
2							
3		1. JUD101 - COURTS OF APPEAL					
4				79.00	*	79.00	*
5		OPERATING	JUD	7,089,488	A	7,421,204	A
6			JUD	243,261	W	243,261	W
7							
8		2. JUD310 - FIRST CIRCUIT					
9				1,057.50	*	1,057.50	*
10		OPERATING	JUD	72,577,257	A	74,007,389	A
11				41.00	*	41.00	*
12			JUD	4,002,620	B	4,002,620	B
13							
14		3. JUD320 - SECOND CIRCUIT					
15				209.00	*	209.00	*
16		OPERATING	JUD	15,139,493	A	15,394,607	A
17							
18		4. JUD330 - THIRD CIRCUIT					
19				227.00	*	227.00	*
20		OPERATING	JUD	17,873,833	A	18,202,911	A
21							
22		5. JUD350 - FIFTH CIRCUIT					
23				99.00	*	99.00	*
24		OPERATING	JUD	6,883,879	A	7,003,539	A
25							
26		6. JUD501 - JUDICIAL SELECTION COMMISSION					
27				1.00	*	1.00	*
28		OPERATING	JUD		A		A
29							
30		7. JUD601 - ADMINISTRATION					
31				213.00	*	213.00	*
32		OPERATING	JUD	21,486,894	A	21,486,894	A
33				1.00	*	1.00	*
34			JUD	6,930,290	B	6,930,290	B
35			JUD	100,000	W	100,000	W
36		INVESTMENT CAPITAL	JUD	24,614,000	C	14,350,000	C
37							



1 PART III

2 PROGRAM PROVISIONS

3 SECTION 4. Provided that whenever the need arises, the
4 chief justice, in administering an equitable and expeditious
5 judicial process, is authorized to transfer sufficient funds and
6 positions between programs for operating purposes; provided that
7 no transfer shall be made to implement any collective bargaining
8 contract signed after this legislature adjourns sine die.

9 SECTION 5. Provided that if the chief justice, or any
10 agency, or any government unit secures federal funds or other
11 property under any act of Congress, or any funds or other
12 property from private organizations or individuals that are to
13 be expended in connection with any program or works authorized
14 by this Act, or otherwise, the chief justice, or the agency with
15 the chief justices' approval, shall have the power to enter into
16 the undertaking with the federal government, private
17 organization, or individual.

18 SECTION 6. Provided that the judiciary is authorized to
19 transfer savings from its general fund appropriation to the
20 driver education special fund to accommodate any temporary cash
21 flow deficits.



1 PART IV

2 CAPITAL IMPROVEMENT PROJECTS

3 SECTION 7. The sum of \$38,964,000 appropriated or
4 authorized in part II of this Act for capital improvement
5 projects shall be expended by the judiciary for the projects
6 listed below; provided that several related or similar projects
7 may be combined into a single project, if a combination is
8 advantageous or convenient for implementation; and provided
9 further that the total cost of the projects thus combined shall
10 not exceed the total of the sums specified for the projects
11 separately. The amount after each cost element and the total
12 funding for each project listed in this part is in thousands of
13 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000S)			
				FISCAL YEAR	M O	FISCAL YEAR	M O
1		THE JUDICIAL SYSTEM					
2							
3		JUD601 - ADMINISTRATION					
4							
5	1.	KAPOLEI JUDICIARY COMPLEX, OAHU					
6							
7		DESIGN FOR A NEW ADMINISTRATIVE					
8		SERVICES OFFICE BUILDING AT KAPOLEI,					
9		OAHU.					
10		DESIGN		6,500			0.
11		TOTAL FUNDING	JUD	6,500	C		0 C
12							
13	2.	KONA JUDICIARY COMPLEX, HAWAII					
14							
15		LAND AND DESIGN FOR A NEW					
16		JUDICIARY COMPLEX AT KONA, HAWAII.					
17		LAND		4,500			
18		DESIGN				7,500	
19		TOTAL FUNDING	JUD	4,500	C	7,500	C
20							
21	3.	KAHUMANU HALE ROOF AND LANAI					
22		UPGRADES AND IMPROVEMENTS, OAHU					
23							
24		PLANS, DESIGN, AND CONSTRUCTION					
25		FOR ROOF AND LANAI UPGRADES AND					
26		IMPROVEMENTS AT KAHUMANU HALE,					
27		OAHU.					
28		PLANS		80			
29		DESIGN		360			
30		CONSTRUCTION		4,205			
31		TOTAL FUNDING	JUD	4,645	C		0 C
32							
33	4.	ALIOLANI HALE EXTERIOR AND CLOCK					
34		TOWER IMPROVEMENTS, OAHU					
35							
36		DESIGN AND CONSTRUCTION FOR					
37		EXTERIOR AND CLOCK TOWER IMPROVEMENTS					



1	AT ALIILANI HALE, OAHU.				
2	DESIGN		40		
3	CONSTRUCTION		3,000		
4	TOTAL FUNDING	JUD	3,040	C	0 C
5					
6	5. KAPUAIWA BUILDING WINDOW REPLACEMENT				
7	AND UPGRADE, OAHU				
8					
9	DESIGN AND CONSTRUCTION FOR				
10	REPLACEMENT AND UPGRADE OF WINDOWS AT				
11	THE KAPUAIWA BUILDING, OAHU.				
12	DESIGN		185		
13	CONSTRUCTION				1,850
14	TOTAL FUNDING	JUD	185	C	1,850 C
15					
16	6. KAUIKEAOULI HALE CELLBLOCK UPGRADE				
17	AND IMPROVEMENTS, OAHU				
18					
19	PLANS AND DESIGN FOR SECURITY-				
20	RELATED UPGRADE AND IMPROVEMENTS TO				
21	THE MAIN CELLBLOCK AND CUSTODY HOLDING				
22	AREAS AT KAUIKEAOULI HALE, OAHU.				
23	PLANS		65		
24	DESIGN		240		
25	TOTAL FUNDING	JUD	305	C	0
26					
27	7. KAAHUMANU HALE FIRE ALARM SYSTEM				
28	UPGRADE AND IMPROVEMENTS, OAHU.				
29					
30	PLANS AND DESIGN FOR FIRE ALARM				
31	SYSTEM UPGRADE AND IMPROVEMENTS,				
32	OAHU.				
33	PLANS		7		
34	DESIGN		140		
35	TOTAL FUNDING	JUD	147	C	0 C
36					
37	8. KAAHUMANU HALE ELEVATOR SYSTEM				
38	UPGRADE AND MODERNIZATION, OAHU				
39					
40	DESIGN AND CONSTRUCTION FOR				
41	UPGRADES AND MODERNIZATION TO THE				
42	ELEVATORS AT KAUIKEAOULI HALE, OAHU				
43	PLANS		22		
44	DESIGN		270		
45	TOTAL FUNDING	JUD	292	0	C
46					



1	9.	LUMP SUM CIP FOR JUDICIARY FACILITIES,			
2		STATEWIDE			
3					
4		PLANS, DESIGN, CONSTRUCTION, AND			
5		EQUIPMENT FOR GENERAL ALTERATIONS, UPGRADES,			
6		AND IMPROVEMENTS TO JUDICIARY FACILITIES,			
7		STATEWIDE.			
8		PLANS	250		250
9		DESIGN	2,250		2,250
10		CONSTRUCTION	2,250		2,250
11		EQUIPMENT	250		250
12		TOTAL FUNDING	5,000	JUD C	5,000 C

13 PART V

14 ISSUANCE OF BONDS

15 SECTION 8. General obligation bonds may be issued, as
 16 provided by law, to yield the amount that may be necessary to
 17 finance projects authorized in part II and listed in part IV of
 18 this Act; provided that the sum total of the general obligation
 19 bonds so issued shall not exceed \$38,964,000.

20 PART VI

21 SPECIAL PROVISIONS

22 SECTION 9. Any law or any provision of this Act to the
 23 contrary notwithstanding, the appropriations made for capital
 24 improvement projects authorized in part II and listed in part IV
 25 of this Act shall not lapse at the end of the fiscal year for
 26 which the appropriations are made; provided that all
 27 appropriations made for fiscal year 2011-2012 and fiscal year



1 2012-2013 that are unencumbered as of June 30, 2014, shall lapse
2 as of that date.

3 SECTION 10. The judiciary is authorized to delegate to
4 other state or county agencies the planning, acquisition of
5 land, design, construction, and equipment of any capital
6 improvement project when it is determined by the judiciary to be
7 advantageous to do so.

8 SECTION 11. All unrequired balances in the general
9 obligation bond fund, after the objectives of part II
10 appropriations for capital improvements program purposes listed
11 as projects in part IV of this Act have been met, shall be
12 transferred to the judiciary project adjustment fund.

13 SECTION 12. If the amount allocated from the general
14 obligation bond fund for a capital improvement project listed in
15 part IV of this Act is insufficient, the chief justice may make
16 supplemental allotments from the project adjustment fund;
17 provided that supplemental allotments shall not be used to
18 increase the scope of the project.

19 SECTION 13. Where it has been determined that changed
20 conditions, such as reduction in the particular population being
21 served, permit the reduction in the scope of a project listed in



1 part IV of this Act, the chief justice may authorize such
2 reduction of project scope.

3 SECTION 14. The chief justice shall determine when and the
4 manner in which the authorized capital improvement projects
5 shall be initiated. The chief justice shall notify the governor
6 from time to time of the specific amounts required for the
7 projects, and the governor shall provide for those amounts
8 through the issuance of bonds authorized in part V of this Act.

9 SECTION 15. Any law or any provision of the law to the
10 contrary notwithstanding, the chief justice may supplement funds
11 for any cost element for a capital improvement project
12 authorized under this Act by transferring such sums as may be
13 needed from the funds appropriated for other cost elements of
14 the same project by this Act or by any other prior or future Act
15 that have not lapsed; provided that the total expenditure of
16 funds for all cost elements for the project shall not exceed the
17 total appropriation for that project.

18 PART VII

19 MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

20 SECTION 16. If any portion of this Act or its application
21 to any person or circumstances is held to be invalid for any
22 reason, the remainder of this Act and any provision thereof



1 shall not be affected. If any portion of a specific
2 appropriation is held to be invalid for any reason, the
3 remaining portion shall be independent of the invalid portion
4 and shall be expended to fulfill the objective and intent of the
5 appropriation to the extent possible.

6 SECTION 17. If any manifest clerical, typographical, or
7 other mechanical error is found in this Act, the chief justice
8 is authorized to correct the error. All changes made pursuant
9 to this section shall be reported to the legislature at its next
10 regular session.

11 SECTION 18. This Act shall take effect on July 1, 2011.



Report Title:

Judiciary; Appropriations

Description:

Appropriates funds for the judiciary for the fiscal biennium beginning July 1, 2011, and ending on June 30, 2013. Effective July 1, 2011. (HB300 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

