



GOV. MSG. NO. 1164

**EXECUTIVE CHAMBERS
HONOLULU**

**NEIL ABERCROMBIE
GOVERNOR**

May 26, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on May 26, 2011, the following bill was signed into law:

HB300 HD2 SD2 CD1

RELATING TO THE JUDICIARY
Act 061 (11)

Aloha
Sincerely,
Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii

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 PROGRAM APPROPRIATIONS**

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



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2011-2012	M O F	FISCAL YEAR 2012-2013	M O F
1		The Judicial System					
2	1.	JUD101 - COURTS OF APPEAL					
3				79.00*		79.00*	
4		OPERATING	JUD	6,835,851A		6,835,851A	
5			JUD	243,261W		243,261W	
6							
7	2.	JUD310 - FIRST JUDICIAL CIRCUIT					
8				1,057.50*		1,057.50*	
9		OPERATING	JUD	71,483,812A		71,483,812A	
10				41.00*		41.00*	
11			JUD	4,002,620B		4,002,620B	
12							
13	3.	JUD320 - SECOND JUDICIAL CIRCUIT					
14				205.00*		205.00*	
15		OPERATING	JUD	14,777,500A		14,777,500A	
16							
17	4.	JUD330 - THIRD JUDICIAL CIRCUIT					
18				223.00*		223.00*	
19		OPERATING	JUD	17,416,310A		17,416,310A	
20							
21	5.	JUD350 - FIFTH JUDICIAL CIRCUIT					
22				97.00*		97.00*	
23		OPERATING	JUD	6,709,385A		6,709,385A	
24							
25	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
26				1.00*		1.00*	
27		OPERATING	JUD	90,248A		90,248A	
28							
29	7.	JUD601 - ADMINISTRATION					
30				213.00*		213.00*	
31		OPERATING	JUD	15,352,551A		15,352,551A	
32				1.00*		1.00*	
33			JUD	6,930,290B		6,930,290B	
34			JUD	100,000W		100,000W	
35		INVESTMENT CAPITAL	JUD	17,074,000C		14,350,000C	



1 SECTION 6. Provided that the judiciary is authorized to
2 transfer savings from its general fund appropriation to the
3 driver education special fund to accommodate any temporary cash
4 flow deficits.

5 **PART IV CAPITAL IMPROVEMENT PROJECTS**

6 SECTION 7. The sum of \$31,424,000 appropriated or
7 authorized in part II of this Act for capital improvement
8 projects shall be expended by the judiciary for the projects
9 listed below; provided that several related or similar projects
10 may be combined into a single project, if a combination is
11 advantageous or convenient for implementation; and provided
12 further that the total cost of the projects thus combined shall
13 not exceed the total of the sums specified for the projects
14 separately. The amount after each cost element and the total
15 funding for each project listed in this part is in thousands of
16 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2011-2012	M O F	FISCAL YEAR 2012-2013	M O F
1	A.	ECONOMIC DEVELOPMENT					
2		JUD601 - ADMINISTRATION					
3							
4	1.	KAAHUMANU HALE ROOF AND LANAI					
5		UPGRADES AND IMPROVEMENTS, OAHU					
6							
7		PLANS, DESIGN, AND CONSTRUCTION FOR					
8		ROOF AND LANAI UPGRADES AND IMPROVEMENTS					
9		AT KAAHUMANU HALE, OAHU.					
10		PLANS			80		
11		DESIGN			360		
12		CONSTRUCTION			4,205		
13		TOTAL FUNDING	JUD		4,645 C		C
14							
15	2.	KONA JUDICIARY COMPLEX, HAWAII					
16							
17		LAND AND DESIGN FOR A NEW JUDICIARY					
18		COMPLEX AT KONA, HAWAII.					
19		LAND			4,500		
20		DESIGN				7,500	
21		TOTAL FUNDING	JUD		4,500 C	7,500 C	
22							
23	3.	KAPUAIWA BUILDING WINDOW REPLACEMENT					
24		AND UPGRADE, OAHU					
25							
26		DESIGN AND CONSTRUCTION FOR					
27		REPLACEMENT AND UPGRADE OF WINDOWS AT					
28		KAPUAIWA BUILDING, OAHU.					
29		DESIGN			185		
30		CONSTRUCTION				1,850	
31		TOTAL FUNDING	JUD		185 C	1,850 C	



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2011-2012	M O F	FISCAL YEAR 2012-2013	M O F
1	4.	KAUIKEAOULI HALE CELLBLOCK UPGRADE					
2		AND IMPROVEMENTS, OAHU					
3							
4		PLANS AND DESIGN FOR SECURITY-RELATED					
5		UPGRADE AND IMPROVEMENTS TO THE MAIN					
6		CELLBLOCK AND CUSTODY HOLDING AREAS AT					
7		KAUIKEAOULI HALE, OAHU.					
8		PLANS			65		
9		DESIGN			240		
10		TOTAL FUNDING	JUD		305 C		C
11							
12	5.	KAAHUMANU HALE FIRE ALARM SYSTEM					
13		UPGRADE AND IMPROVEMENTS, OAHU					
14							
15		PLANS AND DESIGN FOR FIRE ALARM					
16		SYSTEMS UPGRADE AND IMPROVEMENTS AT					
17		KAAHUMANU HALE, OAHU.					
18		PLANS			7		
19		DESIGN			140		
20		TOTAL FUNDING	JUD		147 C		C
21							
22	6.	KAAHUMANU HALE ELEVATOR SYSTEM					
23		UPGRADE AND MODERNIZATION, OAHU					
24							
25		PLANS AND DESIGN FOR UPGRADES AND					
26		MODERNIZATION TO THE ELEVATORS AT					
27		KAAHUMANU HALE, OAHU.					
28		PLANS			22		
29		DESIGN			270		
30		TOTAL FUNDING	JUD		292 C		C
31							
32	7.	LUMP SUM CIP FOR JUDICIARY					
33		FACILITIES, STATEWIDE					
34							
35		PLANS, DESIGN, CONSTRUCTION AND					
36		EQUIPMENT FOR THE GENERAL ALTERATIONS,					
37		UPGRADES, AND IMPROVEMENTS TO JUDICIARY					
38		FACILITIES, STATEWIDE.					
39		PLANS			250	250	
40		DESIGN			2,250	2,250	
41		CONSTRUCTION			2,250	2,250	
42		EQUIPMENT			250	250	
43		TOTAL FUNDING	JUD		5,000 C	5,000 C	



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2011-2012	M O F	FISCAL YEAR 2012-2013	M O F

1	8.	WAHIAWA COURT FACILITY, OAHU					
2		PLANS AND DESIGN FOR A PERMANENT					
3		COURT FACILITY FOR WAHIAWA, OAHU.					
4		PLANS				1	
5		DESIGN			1,999		
6		TOTAL FUNDING	JUD		2,000	C	C
7							



1 **PART V ISSUANCE OF BONDS**

2 SECTION 8. General obligation bonds may be issued, as
3 provided by law, to yield the amount that may be necessary to
4 finance projects authorized in part II and listed in part IV of
5 this Act; provided that the sum total of the general obligation
6 bonds so issued shall not exceed \$31,424,000.

7 **PART VI SPECIAL PROVISIONS**

8 SECTION 9. Any law or any provision of this Act to the
9 contrary notwithstanding, the appropriations made for capital
10 improvement projects authorized in part II and listed in part IV
11 of this Act shall not lapse at the end of the fiscal year for
12 which the appropriations are made; provided that all
13 appropriations made for fiscal year 2011-2012 and fiscal year
14 2012-2013 that are unencumbered as of June 30, 2014, shall lapse
15 as of that date.

16 SECTION 10. The judiciary is authorized to delegate to
17 other state or county agencies the planning, acquisition of
18 land, design, construction, and equipment of any capital
19 improvement project when it is determined by the judiciary to be
20 advantageous to do so.

21 SECTION 11. All unrequired balances in the general
22 obligation bond fund, after the objectives of part II



1 appropriations for capital improvements program purposes listed
2 as projects in part IV of this Act have been met, shall be
3 transferred to the judiciary project adjustment fund.

4 SECTION 12. If the amount allocated from the general
5 obligation bond fund for a capital improvement project listed in
6 part IV of this Act is insufficient, the chief justice may make
7 supplemental allotments from the project adjustment fund;
8 provided that supplemental allotments shall not be used to
9 increase the scope of the project.

10 SECTION 13. Where it has been determined that changed
11 conditions, such as reduction in the particular population being
12 served, permit the reduction in the scope of a project listed in
13 part IV of this Act, the chief justice may authorize such
14 reduction of project scope.

15 SECTION 14. The chief justice shall determine when and the
16 manner in which the authorized capital improvement projects
17 shall be initiated. The chief justice shall notify the governor
18 from time to time of the specific amounts required for the
19 projects, and the governor shall provide for those amounts
20 through the issuance of bonds authorized in part V of this Act.

21 SECTION 15. Any law or any provision of the law to the
22 contrary notwithstanding, the chief justice may supplement funds



1 for any cost element for a capital improvement project
2 authorized under this Act by transferring such sums as may be
3 needed from the funds appropriated for other cost elements of
4 the same project by this Act or by any other prior or future Act
5 that have not lapsed; provided that the total expenditure of
6 funds for all cost elements for the project shall not exceed the
7 total appropriation for that project.

8 **PART VII MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE**

9 SECTION 16. If any portion of this Act or its application
10 to any person or circumstances is held to be invalid for any
11 reason, the remainder of this Act and any provision thereof
12 shall not be affected. If any portion of a specific
13 appropriation is held to be invalid for any reason, the
14 remaining portion shall be independent of the invalid portion
15 and shall be expended to fulfill the objective and intent of the
16 appropriation to the extent possible.

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

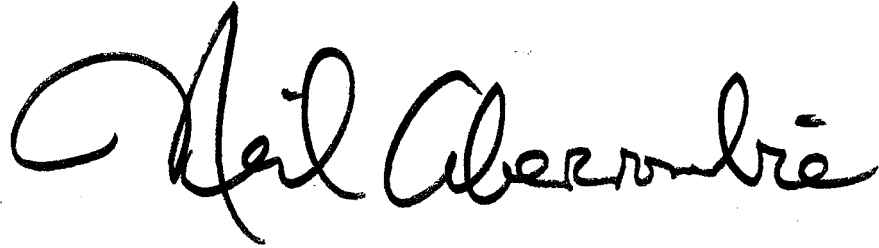
22 SECTION 18. This Act shall take effect on July 1, 2011.



H.B. NO.

300
H.D. 2
S.D. 2
C.D. 1

APPROVED this 26 day of MAY, 2011

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive style with a large initial "N".

GOVERNOR OF THE STATE OF HAWAII