
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1 **PART I. GENERAL PROVISIONS**

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

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

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

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

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



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

4 **PART II. PROGRAM APPROPRIATIONS**

5 SECTION 3. The following sums, or so much thereof as may
6 be sufficient to accomplish the purposes and programs designated
7 herein, are appropriated or authorized from the sources of
8 funding specified to the judiciary for the fiscal biennium
9 beginning July 1, 2011, and ending June 30, 2013. The total
10 expenditures and the number of permanent positions established
11 in each fiscal year of the fiscal biennium shall not exceed the
12 sums and the position ceilings indicated for each year, except
13 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
The Judicial System							
1.	JUD101	COURTS OF APPEAL					
	OPERATING		JUD	79.00*		79.00*	
			JUD	6,829,867A		6,829,867A	
			JUD	243,261W		243,261W	
2.	JUD310	FIRST JUDICIAL CIRCUIT					
	OPERATING		JUD	1,057.50*		1,057.50*	
			JUD	69,794,700A		69,794,700A	
			JUD	41.00*		41.00*	
			JUD	4,002,620B		4,002,620B	
3.	JUD320	SECOND JUDICIAL CIRCUIT					
	OPERATING		JUD	206.00*		206.00*	
			JUD	14,426,601A		14,442,207A	
4.	JUD330	THIRD JUDICIAL CIRCUIT					
	OPERATING		JUD	225.00*		225.00*	
			JUD	16,745,777A		16,791,353A	
5.	JUD350	FIFTH JUDICIAL CIRCUIT					
	OPERATING		JUD	98.00*		98.00*	
			JUD	6,506,371A		6,529,159A	
6.	JUD501	JUDICIAL SELECTION COMMISSION					
	OPERATING		JUD	1.00*		1.00*	
			JUD	89,248A		89,248A	
7.	JUD601	ADMINISTRATION					
	OPERATING		JUD	213.00*		213.00*	
			JUD	20,916,139A		20,916,139A	
			JUD	1.00*		1.00*	
			JUD	6,930,290B		6,930,290B	
			JUD	100,000W		100,000W	
	INVESTMENT CAPITAL		JUD	21,574,000C		14,350,000C	



1 PART III. PROGRAM PROVISIONS

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

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

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

21 SECTION 7. Provided that of the general fund appropriation
22 for the judiciary, the sum of \$8,062,376 or so much thereof as

1 may be necessary for fiscal year 2011-2012 and the sum of
2 \$8,062,376 or so much thereof as may be necessary for fiscal
3 year 2012-2013 shall be expended to end the furlough program
4 implemented by the judiciary; provided further that the funds
5 shall not be expended for any other purpose; and provided
6 further that any unexpended funds shall lapse to the general
7 fund.

8 **PART IV. CAPITAL IMPROVEMENT PROJECTS**

9 SECTION 8. The sum of \$35,924,000 appropriated or
10 authorized in part II of this Act for capital improvement
11 projects shall be expended by the judiciary for the projects
12 listed below; provided that several related or similar projects
13 may be combined into a single project, if a combination is
14 advantageous or convenient for implementation; provided further
15 that the total cost of the projects thus combined shall not
16 exceed the total of the sums specified for the projects
17 separately. The amount after each cost element and the total
18 funding for each project listed in this part is in thousands of
19 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.	KAPOLEI JUDICIARY COMPLEX, OAHU					
24							
25		DESIGN FOR A NEW ADMINISTRATIVE					
26		SERVICES OFFICE BUILDING AT KAPOLEI,					
27		OAHU.					
28		DESIGN			6,500		
29		TOTAL FUNDING	JUD		6,500 C		C
30							
31	4.	KAPUAIWA BUILDING WINDOW REPLACEMENT					
32		AND UPGRADE, OAHU					
33							
34		DESIGN AND CONSTRUCTION FOR					
35		REPLACEMENT AND UPGRADE OF WINDOWS AT					
36		KAPUAIWA BUILDING, OAHU.					
37		DESIGN			185		
38		CONSTRUCTION				1,850	
39		TOTAL FUNDING	JUD		185 C	1,850 C	
40							
41							



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
5.		KAUIKEAOULI HALE CELLBLOCK UPGRADE AND IMPROVEMENTS, OAHU					
		PLANS AND DESIGN FOR SECURITY-RELATED UPGRADE AND IMPROVEMENTS TO THE MAIN CELLBLOCK AND CUSTODY HOLDING AREAS AT KAUIKEAOULI HALE, OAHU.					
		PLANS			65		
		DESIGN			240		
		TOTAL FUNDING	JUD		305 C		C
6.		KAAHUMANU HALE FIRE ALARM SYSTEM UPGRADE AND IMPROVEMENTS, OAHU					
		PLANS AND DESIGN FOR FIRE ALARM SYSTEMS UPGRADE AND IMPROVEMENTS AT KAAHUMANU HALE, OAHU.					
		PLANS			7		
		DESIGN			140		
		TOTAL FUNDING	JUD		147 C		C
7.		KAAHUMANU HALE ELEVATOR SYSTEM UPGRADE AND MODERNIZATION, OAHU					
		PLANS AND DESIGN FOR UPGRADES AND MODERNIZATION TO THE ELEVATORS AT KAAHUMANU HALE, OAHU.					
		PLANS			22		
		DESIGN			270		
		TOTAL FUNDING	JUD		292 C		C
8.		LUMP SUM CIP FOR JUDICIARY FACILITIES, STATEWIDE					
		PLANS			250		250
		DESIGN			2,250		2,250
		CONSTRUCTION			2,250		2,250
		EQUIPMENT			250		250
		TOTAL FUNDING	JUD		5,000 C		5,000 C



1 **PART V. ISSUANCE OF BONDS**

2 SECTION 9. 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 \$35,924,000.

7 **PART VI. SPECIAL PROVISIONS**

8 SECTION 10. 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 11. The judiciary may delegate to other state or
17 county agencies the planning, acquisition of land, design,
18 construction, and equipment of any capital improvement project
19 when it is determined by the judiciary to be advantageous to do
20 so.

21 SECTION 12. All unrequired balances in the general
22 obligation bond fund, after the objectives of the appropriations



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

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

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

21 SECTION 16. 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 has 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 17. 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 18. 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 19. 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. (SD2)

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

