
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1 SECTION 1. This Act shall be known and may be cited as the
2 Judiciary Supplemental Appropriations Act of 2016.

3 SECTION 2. Act 138, Session Laws of Hawaii 2015, is amended
4 by amending part II to read as follows:

5 "PART II. PROGRAM APPROPRIATIONS

6 SECTION 3. The following sums, or so much thereof as may be
7 sufficient to accomplish the purposes and programs designated
8 herein, are appropriated or authorized from the sources of funding
9 specified to the judiciary for the fiscal biennium beginning July
10 1, 2015, and ending June 30, 2017. The total expenditures and the
11 number of permanent positions established in each fiscal year of
12 the fiscal biennium shall not exceed the sums and the position
13 ceilings indicated for each year, except 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 2015-2016	M O F	FISCAL YEAR 2016-2017	M O F
1		THE JUDICIAL SYSTEM					
2							
3	1.	JUD101 - COURTS OF APPEAL					
4				71.00*		71.00*	
5		OPERATING	JUD	6,563,752A		6,713,204A	
6							
7	2.	JUD310 - FIRST [JUDICIAL] CIRCUIT					
8				1,077.50*		[1,077.50*]	
9						<u>1,079.50*</u>	
10		OPERATING	JUD	80,710,960A		[82,178,576A]	
11						<u>82,288,002A</u>	
12				41.00*		41.00*	
13			JUD	4,144,799B		4,150,321B	
14							
15	3.	JUD320 - SECOND [JUDICIAL] CIRCUIT					
16				207.00*		207.00*	
17		OPERATING	JUD	16,145,386A		16,414,724A	
18							
19	4.	JUD330 - THIRD [JUDICIAL] CIRCUIT					
20				228.00*		[228.00*]	
21						<u>229.00*</u>	
22		OPERATING	JUD	19,145,986A		19,427,874A	
23							
24	5.	JUD350 - FIFTH [JUDICIAL] CIRCUIT					
25				99.00*		99.00*	
26		OPERATING	JUD	7,379,519A		7,513,151A	
27							
28	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
29				1.00*		1.00*	
30		OPERATING	JUD	93,418A		93,418A	
31							
32	7.	JUD601 - ADMINISTRATION					
33				227.00*		227.00*	
34		OPERATING	JUD	26,028,018A		[25,841,778A]	
35						<u>26,771,778A</u>	
36				1.00*		1.00*	
37			JUD	7,976,193B		7,989,841B	
38			JUD	343,261W		343,261W	
39		INVESTMENT CAPITAL	JUD	55,000,000C		C"	
40							



1 SECTION 4. Act 138, Session Laws of Hawaii 2015, is
2 amended by amending Part III as follows:

3 (1) By adding a new section to read:

4 "SECTION 7.1. Provided that of the general fund
5 appropriation for fiscal year 2016-2017 for judiciary
6 administration (JUD601):

7 (1) The chief justice shall expend \$330,000 or so much
8 thereof as may be necessary for the purpose specified
9 in one of the following subparagraphs (A), (B), or
10 (C); provided that an expenditure may be made for the
11 purpose of subparagraph (B) only if the condition
12 under that subparagraph for the passage of another act
13 is met:

14 (A) For the family court of the first circuit:

15 (i) Personal services for 1.00 permanent
16 district family court judge, 2.00 permanent
17 circuit court clerk II positions, and 1.00
18 permanent court bailiff II position, all of
19 which were established before January 1,
20 2016, and fall under the position ceiling



1 under part II for the first circuit

2 (JUD310);

3 (ii) Other current expenses; and

4 (iii) Equipment;

5 (B) For the district court of the second circuit, if

6 another act is enacted to authorize a fourth

7 district court judge for the second circuit:

8 (i) Personal services for 1.00 permanent

9 district court judge, 2.00 permanent

10 district court clerk II positions, and 1.00

11 permanent bailiff II position;

12 (ii) Other current expenses; and

13 (iii) Equipment.

14 For the purpose of this subparagraph, "another

15 act" means an act other than Act 138, Session

16 Laws of Hawaii 2015, as amended by this Act; or

17 (C) For the family court of the fifth circuit:

18 (i) Personal services for 1.00 permanent family

19 court judge, 2.00 permanent circuit court

20 clerk II positions, and 1.00 permanent

21 bailiff II position;



- 1 (ii) Other current expenses; and
- 2 (iii) Equipment.
- 3 (2) If the chief justice decides to expend the \$330,000
- 4 general fund appropriation of paragraph (1) for the
- 5 family court of the first circuit, the chief justice
- 6 shall transfer the general fund appropriation to the
- 7 first circuit (JUD310) and expend the transferred
- 8 appropriation for the purpose specified under
- 9 paragraph (1)(A) for fiscal year 2016-2017. From the
- 10 fiscal biennium 2017-2019, the \$330,000 general fund
- 11 appropriation shall be deemed part of and included in
- 12 the base budget for the first circuit (JUD310).
- 13 (3) If the chief justice decides to expend the \$330,000
- 14 general fund appropriation of paragraph (1) for the
- 15 district court of the second circuit, the chief
- 16 justice shall:
- 17 (A) Transfer the general fund appropriation to the
- 18 second circuit (JUD320) and expend the
- 19 transferred appropriation for the purpose
- 20 specified under paragraph (1)(B) for fiscal year
- 21 2016-2017; and

1 (B) Establish for fiscal year 2016-2017 the permanent
2 positions listed in paragraph (1)(B),
3 notwithstanding the position ceiling under part
4 II for the second circuit (JUD320).

5 From the fiscal biennium 2017-2019, the 4.00 positions
6 established and \$330,000 general fund appropriation
7 shall be deemed part of and included in the base
8 budget for the second circuit (JUD320) and the
9 position ceiling for the second circuit (JUD320) shall
10 be deemed increased accordingly.

11 (4) If the chief justice decides to expend the \$330,000
12 general fund appropriation of paragraph (1) for the
13 family court of the fifth circuit, the chief justice
14 shall:

15 (A) Transfer the general fund appropriation to the
16 fifth circuit (JUD350) and expend the transferred
17 appropriation for the purpose specified under
18 paragraph (1)(C) for fiscal year 2016-2017; and

19 (B) Establish for fiscal year 2016-2017 the permanent
20 positions listed in paragraph (1)(C),



1 notwithstanding the position ceiling under part
2 II for the fifth circuit (JUD350).

3 From the fiscal biennium 2017-2019, the 4.00 positions
4 established and \$330,000 general fund appropriation
5 shall be deemed part of and included in the base
6 budget for the fifth circuit (JUD350) and the position
7 ceiling for the fifth circuit (JUD350) shall be deemed
8 increased accordingly.

9 (5) The chief justice shall notify the legislature of the
10 purpose for which the \$330,000 general fund
11 appropriation under paragraph (1) will be expended,
12 within ten days after commencing the expenditure."

13 (2) By amending section 4 to read:

14 "SECTION 4. Provided that whenever the need arises, the
15 chief justice, in administering an equitable and expeditious
16 judicial process, may transfer sufficient funds and positions
17 between programs for operating purposes; provided further that
18 the transfer authority conferred upon the chief justice by
19 section 7.1 shall be additional to the transfer authority
20 conferred by this section; and provided further that no transfer



1 shall be made to implement any collective bargaining contract
2 signed after this legislature adjourns sine die."

3 (3) By amending section 7 to read:

4 "SECTION 7. Provided that of the general funds
5 appropriated for administration (JUD601), the sum of \$600,000 or
6 so much thereof as may be necessary for fiscal year 2015-2016
7 and the same sum or so much thereof as may be necessary for
8 fiscal year 2016-2017 shall be expended for purchase of service
9 contracts for civil legal services; provided further that the
10 administrative director of the courts shall submit to the
11 legislature by February 1, 2016, a report listing the purchase
12 of service contracts entered into from July 1, 2015, to December
13 31, 2015, the purpose of the contracts, and contract award
14 amounts; and provided further that the administrative director
15 of the courts at least twenty days prior to the convening of the
16 regular sessions of 2016 and 2017, shall submit to the
17 legislature a report listing[+] the following: the purchase of
18 service contracts entered into in the immediately preceding
19 fiscal year; the purpose of the contracts; the contract award
20 amounts; expenditures and encumbrances under the contracts; and
21 program measures achieved by the contractors."



1 SECTION 5. If any portion of this Act or its application
2 to any person or circumstances is held to be invalid for any
3 reason, the remainder of the Act and any provision thereof shall
4 not be affected. If any portion of a specific appropriation is
5 held to be invalid for any reason, the remaining portion shall
6 be independent of the invalid portion and shall be expended to
7 fulfill the objective and intent of the appropriation to the
8 extent possible.

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

14 SECTION 7. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect on July 1, 2016.



Report Title:

Judiciary Package; Supplemental Appropriations

Description:

Appropriates funds to the Judiciary for FY 2016-2017. (SD1)

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

