
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. SHORT TITLE. This Act shall be known and may
3 be cited as the Judiciary Appropriations Act of 2017.

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

6 (a) "Means of financing," or "MOF," means the source from
7 which funds are appropriated or authorized to be expended for
8 the programs and projects specified in this Act. All
9 appropriations are followed by letter symbols. The letter
10 symbols, where used, shall have the following meanings:

- | | | |
|----|---|-------------------------------|
| 11 | A | General funds |
| 12 | B | Special funds |
| 13 | C | General obligation bond funds |
| 14 | N | Federal funds |
| 15 | P | Other federal funds |
| 16 | W | Revolving funds |



1 (b) "Permanent position ceiling" means the maximum number
2 of permanent positions that an expending agency is authorized
3 for a particular program during a specified period or periods,
4 as denoted by an asterisk.

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

9 **PART II. PROGRAM APPROPRIATIONS**

10 SECTION 3. APPROPRIATIONS. The following sums, or so much
11 thereof as may be sufficient to accomplish the purposes and
12 programs designated herein, are hereby appropriated or
13 authorized from the means of financing specified to the
14 judiciary for the fiscal biennium beginning July 1, 2017, and
15 ending June 30, 2019. The total expenditures and the number of
16 positions in each fiscal year of the biennium shall not exceed
17 the sums and the number indicated for each fiscal year, except
18 as provided elsewhere in this Act, or as provided by general
19 law.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2017-2018	M O F	FISCAL YEAR 2018-2019	M O F
1							
2		The Judicial System					
3							
4	1.	JUD101 - COURTS OF APPEAL					
5				72.00*		72.00*	
6		OPERATING	JUD	6,969,713A		7,017,137A	
7							
8	2.	JUD310 - FIRST JUDICIAL CIRCUIT					
9				1,076.50*		1,076.50*	
10		OPERATING	JUD	84,362,500A		84,571,106A	
11				41.00*		41.00*	
12			JUD	4,303,649B		4,303,649B	
13							
14	3.	JUD320 - SECOND JUDICIAL CIRCUIT					
15				207.00*		207.00*	
16		OPERATING	JUD	17,022,300A		16,895,435A	
17							
18	4.	JUD330 - THIRD JUDICIAL CIRCUIT					
19				228.00*		228.00*	
20		OPERATING	JUD	19,950,257A		19,998,721A	
21							
22	5.	JUD350 - FIFTH JUDICIAL CIRCUIT					
23				99.00*		99.00*	
24		OPERATING	JUD	7,755,550A		7,773,315A	
25							
26	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
27				1.00*		1.00*	
28		OPERATING	JUD	98,790A		98,790A	
29							
30	7.	JUD601 - ADMINISTRATION					
31				227.00*		227.00*	
32		OPERATING	JUD	26,737,667A		26,392,458A	
33				1.00*		1.00*	
34			JUD	7,993,737B		7,993,737B	
35			JUD	343,261W		343,261W	
36		INVESTMENT CAPITAL	JUD	1,000,000C		1,600,000C	
37							



1

PART III. PROGRAM APPROPRIATION PROVISIONS

2 SECTION 4. Provided that whenever the need arises, the
3 chief justice, in administering an equitable and expeditious
4 judicial process, may transfer sufficient funds and positions
5 between programs for operating purposes; and provided further
6 that no transfer shall be made to implement any collective
7 bargaining contract signed after this legislature adjourns sine
8 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 justice's approval, may enter into the undertaking
16 with the federal government, private organization, or
17 individual.

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



1 **PART IV. CAPITAL IMPROVEMENT PROJECTS**

2 SECTION 7. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED. The
3 sums of money appropriated or authorized in part II of this Act
4 for capital improvements shall be expended for the projects
5 listed below. Several related or similar projects may be
6 combined into a single project if such combination is
7 advantageous or convenient for implementation; provided that the
8 total cost of the projects thus combined shall not exceed the
9 total of the sum specified for the projects separately. (The
10 amount after each cost element and the total funding for each
11 project listed in this part are in thousands of dollars.)



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2017-2018	M O F	FISCAL YEAR 2018-2019	M O F
1		THE JUDICIAL SYSTEM					
2							
3		A. ECONOMIC DEVELOPMENT					
4		JUD601 - ADMINISTRATION					
5							
6	1.	HOAPILI HALE SECURITY IMPROVEMENTS					
7		PHASES 1, 2, AND 3, MAUI					
8							
9		DESIGN AND CONSTRUCTION FOR SECURITY-					
10		RELATED IMPROVEMENTS AT HOAPILI HALE,					
11		MAUI.					
12		DESIGN			100		150
13		CONSTRUCTION			900		1,450
14		TOTAL FUNDING	JUD		1,000 C		1,600 C
15							



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 \$2,600,000.

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 2017-2018 and fiscal year
14 2018-2019 that are unencumbered as of June 30, 2020, shall lapse
15 as of that date.

16 SECTION 10. 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 11. All unrequired balances in the general
22 obligation bond fund, after the objectives of part II



1 appropriations for capital improvements listed as projects in
2 part IV of this Act have been met, shall be transferred to the
3 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 judiciary project adjustment
8 fund; 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 a 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 such 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 this Act 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 16. If any portion of this Act or its application
10 to any person, entity, or circumstance is held to be invalid for
11 any reason, the legislature declares that the remainder of the
12 Act and each and every other provision thereof shall not be
13 affected thereby. If any portion of a specific appropriation is
14 held to be invalid for any reason, the remaining portion shall
15 be expended to fulfill the objective of such appropriation to
16 the extent possible.

17 SECTION 17. In the event manifest clerical, typographical,
18 or other mechanical errors are found in this Act, the chief
19 justice is hereby authorized to correct such errors.

20 SECTION 18. This Act shall take effect on July 1, 2017.



Report Title:

Judiciary Package; Appropriations; Budget

Description:

Appropriates funds for the judiciary for the fiscal biennium beginning 7/1/2017 and ending 6/30/2019. Effective 7/1/2017.
(HD1)

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

