

1 periods, as denoted by an asterisk for permanent full-time
2 equivalent positions and a pound sign for temporary full-time
3 equivalent positions.

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

7 **PART II. PROGRAM APPROPRIATIONS**

8 SECTION 3. The following sums, or so much thereof as may
9 be sufficient to accomplish the purposes and programs designated
10 herein, are appropriated or authorized from the sources of
11 funding specified to the judiciary for the fiscal biennium
12 beginning July 1, 2017, and ending June 30, 2019. The total
13 expenditures and the number of permanent and temporary full-time
14 equivalent positions established in each fiscal year of the
15 fiscal biennium shall not exceed the sums and the position
16 ceilings indicated for each year, except as provided in this
17 Act.

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PROGRAM APPROPRIATIONS

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ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2017-2018	M O F	FISCAL YEAR 2018-2019	M O F
The Judicial System							
1.	JUD101	COURTS OF APPEAL		73.00*		73.00*	
				1.00#		1.00#	
	OPERATING		JUD	6,926,345A		6,973,769A	
2.	JUD310	FIRST CIRCUIT		1,086.50*		1,086.50*	
				91.58#		91.58#	
	OPERATING		JUD	84,598,659A		84,873,533A	
			JUD	41.00*		41.00*	
			JUD	4,303,649B		4,303,649B	
3.	JUD320	SECOND CIRCUIT		207.00*		207.00*	
				1.68#		1.68#	
	OPERATING		JUD	16,897,963A		16,937,804A	
4.	JUD330	THIRD CIRCUIT		228.00*		228.00*	
				5.68#		5.68#	
	OPERATING		JUD	19,970,037A		20,018,501A	
5.	JUD350	FIFTH CIRCUIT		99.00*		99.00*	
				2.60#		2.60#	
	OPERATING		JUD	7,765,050A		7,782,815A	
6.	JUD501	JUDICIAL SELECTION COMMISSION		1.00*		1.00*	
	OPERATING		JUD	98,790A		98,790A	
7.	JUD601	ADMINISTRATION		227.00*		227.00*	
				10.48#		10.48#	
	OPERATING		JUD	27,690,596A		27,483,387A	
			JUD	1.00*		1.00*	
			JUD	9.00#		9.00#	
			JUD	7,993,737B		7,993,737B	
			JUD	343,261W		343,261W	
	INVESTMENT CAPITAL		JUD	15,785,000C		12,001,000C	



PART III. PROGRAM PROVISIONS

1 SECTION 4. Provided that whenever the need arises, the
2 chief justice, in administering an equitable and expeditious
3 judicial process, may transfer sufficient funds and positions
4 between programs for operating purposes; provided further that
5 the transfer authority conferred upon the chief justice by this
6 section shall not apply to the funds appropriated and positions
7 authorized in section 7; and provided further that no transfer
8 shall be made to implement any collective bargaining contract
9 signed after this legislature adjourns sine die.

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

19 SECTION 6. Provided that the judiciary may transfer
20 savings from its general fund appropriation to the driver



1 education and training fund to accommodate any temporary cash
2 flow deficits.

3 SECTION 7. Provided that of the general fund
4 appropriations for fiscal year 2017-2018 and fiscal year 2018-
5 2019 for judiciary administration (JUD601):

6 (1) The chief justice shall expend \$178,000 or so much
7 thereof as may be necessary for fiscal year 2017-2018
8 and the sum of \$316,000 or so much thereof as may be
9 necessary for fiscal year 2018-2019 for the purposes
10 specified in one of the following three subparagraphs;
11 provided that no expenditure shall be made for the
12 purpose of subparagraph (B) unless the condition under
13 that subparagraph for the passage of another act is
14 met:

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

16 (i) Personal services for 1.00 permanent
17 district family court judge, 2.00 permanent
18 circuit court clerk II positions, and 1.00
19 permanent bailiff II position, all of which
20 were established before January 1, 2017, and
21 fall under the position ceiling established



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 this Act that is

16 enacted during the regular session of 2017 or

17 2018; or

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

19 (i) Personal services for 1.00 permanent family

20 court judge, 2.00 permanent circuit court

21 clerk II positions, and 1.00 permanent

22 bailiff II position;



- 1 (ii) Other current expenses; and
- 2 (iii) Equipment;
- 3 (2) If the chief justice decides to expend a portion of
- 4 the general fund appropriation of paragraph (1) for
- 5 the family court of the first circuit, the chief
- 6 justice shall transfer a portion of the amount
- 7 appropriated to the first circuit (JUD310) and expend
- 8 the transferred appropriation for the purpose
- 9 specified under paragraph (1)(A) for fiscal year 2017-
- 10 2018 and fiscal year 2018-2019, as applicable. From
- 11 fiscal biennium 2019-2021, the general fund
- 12 appropriation transferred pursuant to this paragraph
- 13 for fiscal year 2018-2019 shall be deemed part of and
- 14 included in the base budget for the first circuit
- 15 (JUD310);
- 16 (3) If the chief justice decides to expend a portion of
- 17 the general fund appropriation of paragraph (1) for
- 18 the district court of the second circuit, the chief
- 19 justice shall:
- 20 (A) Transfer a portion of the amount appropriated to
- 21 the second circuit (JUD320) and expend the
- 22 transferred appropriation for the purpose



1 specified under paragraph (1)(B) for fiscal year
2 2017-2018 and fiscal year 2018-2019, as
3 applicable; and

4 (B) Establish for fiscal year 2017-2018 and fiscal
5 year 2018-2019 the permanent positions listed in
6 paragraph (1)(B)(i), notwithstanding the position
7 ceiling established under part II for the second
8 circuit (JUD320).

9 From fiscal biennium 2019-2021, the 4.00 positions
10 identified pursuant to paragraph (1)(B)(i) and the
11 general fund appropriation transferred pursuant to
12 this paragraph for fiscal year 2018-2019 shall be
13 deemed part of and included in the base budget for the
14 second circuit (JUD320), and the position ceiling for
15 the second circuit (JUD320) shall be deemed increased
16 accordingly;

17 (4) If the chief justice decides to expend a portion of
18 the general fund appropriation of paragraph (1) for
19 the family court of the fifth circuit, the chief
20 justice shall:

21 (A) Transfer a portion of the amount appropriated to
22 the fifth circuit (JUD350) and expend the



1 transferred appropriation for the purpose
2 specified under paragraph (1)(C) for fiscal year
3 2017-2018 and fiscal year 2018-2019, as
4 applicable; and

5 (B) Establish for fiscal year 2017-2018 and fiscal
6 year 2018-2019 the permanent positions listed in
7 paragraph (1)(C)(i), notwithstanding the position
8 ceiling established under part II for the fifth
9 circuit (JUD350).

10 From fiscal biennium 2019-2021, the funding
11 appropriated for the 4.00 positions identified in
12 paragraph (1)(C)(i) and the general fund appropriation
13 transferred pursuant to this paragraph for fiscal year
14 2018-2019 shall be deemed part of and included in the
15 base budget for the fifth circuit (JUD350), and the
16 position ceiling for the fifth circuit (JUD350) shall
17 be deemed increased accordingly; and

18 (5) The chief justice shall notify the legislature of the
19 purpose for which the general fund appropriation under
20 paragraph (1) will be expended, within ten days after
21 commencing the expenditure.



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PART IV. CAPITAL IMPROVEMENT PROJECTS

SECTION 8. The sum of \$27,786,000 appropriated or authorized in part II of this Act for capital improvement projects shall be expended by the judiciary for the projects listed below; provided that several related or similar projects may be combined into a single project, if a combination is advantageous or convenient for implementation; and provided further that the total cost of the projects thus combined shall not exceed the total of the sums specified for the projects separately. The amount after each cost element and the total funding for each project listed in this part are in thousands of dollars.



CAPITAL IMPROVEMENT PROJECTS

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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
		THE JUDICIAL SYSTEM					
		A. ECONOMIC DEVELOPMENT					
		JUD601 - ADMINISTRATION					
	1.	KA'AHUMANU HALE FIRE ALARM AND ELEVATOR SYSTEMS UPGRADE AND MODERNIZATION, O'AHU.					
		DESIGN AND CONSTRUCTION FOR FIRE ALARM AND ELEVATOR SYSTEMS UPGRADE AND MODERNIZATION AT KA'AHUMANU HALE, O'AHU.					
		DESIGN			400		
		CONSTRUCTION			8,900		6,300
		TOTAL FUNDING	JUD		9,300 C		6,300 C
	2.	KONA JUDICIARY COMPLEX, HAWAI'I.					
		EQUIPMENT FOR A NEW JUDICIARY COMPLEX AT KONA, HAWAI'I.					
		EQUIPMENT					1
		TOTAL FUNDING	JUD			C	1 C
	3.	LUMP SUM CIP FOR JUDICIARY FACILITIES, STATEWIDE.					
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE GENERAL ALTERATIONS, UPGRADES, AND IMPROVEMENTS TO JUDICIARY FACILITIES, STATEWIDE.					
		PLANS			50		50
		DESIGN			300		300
		CONSTRUCTION			2,625		2,625
		EQUIPMENT			25		25
		TOTAL FUNDING	JUD		3,000 C		3,000 C



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							
2	4.	HOAPILI HALE SECURITY IMPROVEMENTS,					
3		MAUI.					
4							
5		DESIGN AND CONSTRUCTION FOR SECURITY					
6		IMPROVEMENTS AT HOAPILI HALE, MAUI.					
7		DESIGN			100		150
8		CONSTRUCTION			900		1,450
9		TOTAL FUNDING	JUD		1,000 C		1,600 C
10							
11	5.	KAUA'I JUDICIARY COMPLEX REROOF AND					
12		REPAIR LEAKS AND DAMAGES, KAUA'I.					
13							
14		DESIGN AND CONSTRUCTION TO REROOF AND					
15		REPAIR LEAKS AND DAMAGES AT KAUA'I					
16		JUDICIARY COMPLEX, KAUA'I.					
17		DESIGN				390	
18		CONSTRUCTION			1,000		1,100
19		TOTAL FUNDING	JUD		1,390 C		1,100 C
20							
21	6.	KAPUAIWA BUILDING SEPARATE STORM					
22		DRAIN AND SANITARY SEWER SYSTEMS,					
23		O'AHU.					
24							
25		DESIGN AND CONSTRUCTION FOR SEPARATE					
26		STORM DRAIN AND SANITARY SEWER SYSTEMS AT					
27		KAPUAIWA BUILDING, O'AHU.					
28		DESIGN				125	
29		CONSTRUCTION				550	
30		TOTAL FUNDING	JUD			675 C	C
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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							
2	7.	EWA DISTRICT COURT MITIGATE WATER					
3		INTRUSION AND SETTLEMENT - PHASE 2,					
4		O'AHU.					
5							
6		DESIGN AND CONSTRUCTION TO MITIGATE					
7		WATER INTRUSION AND SETTLEMENT - PHASE 2,					
8		O'AHU.					
9		DESIGN			20		
10		CONSTRUCTION			200		
11		TOTAL FUNDING	JUD		220 C		C
12							
13	8.	EWA DISTRICT COURT ROOF FALL					
14		PROTECTION AND RE-ROOFING, O'AHU.					
15							
16		DESIGN AND CONSTRUCTION OF ROOF FALL					
17		PROTECTION AND RE-ROOFING, O'AHU.					
18		DESIGN			25		
19		CONSTRUCTION			175		
20		TOTAL FUNDING	JUD		200 C		C
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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 \$27,786,000.

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 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 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 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 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 judiciary project adjustment
8 fund; 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 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 15. 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 16. 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 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 the Act and any provision thereof shall
12 not be affected. If any portion of a specific appropriation is
13 held to be invalid for any reason, the remaining portion shall
14 be independent of the invalid portion and shall be expended to
15 fulfill the objective and intent of the appropriation to the
16 extent possible.

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

22 SECTION 19. 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 July 1, 2017, and ending June 30, 2019. Effective July 1, 2017. (SD2)

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

