
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 2019.

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

6 "Means of Financing," or "MOF," means the source from which
7 funds are appropriated, or authorized, as the case may be, to be
8 expended for the programs and projects specified in this Act. All
9 appropriations are followed by letter symbols. The letter symbols,
10 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 W Revolving funds

16 "Position ceiling" means the maximum number of permanent or
17 temporary positions authorized for a particular program during a



1 specified period or periods, as noted by an asterisk or pound sign,
2 respectively.

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

6 PART II. PROGRAM APPROPRIATIONS

7 SECTION 3. The following sums, or so much thereof as may be
8 sufficient to accomplish the purposes and programs designated
9 herein, are appropriated or authorized from the sources of funding
10 specified to the judiciary for the fiscal biennium beginning
11 July 1, 2019, and ending June 30, 2021. The total expenditures and
12 the number of permanent and temporary positions established in each
13 fiscal year of the fiscal biennium shall not exceed the sums and
14 the position ceilings indicated for each year, except as provided
15 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 2019-20 | M O F | FISCAL YEAR 2020-21 | M O F |
|----------|----------|---|------------------|---------------------|-------|---------------------|-------|
| 1 | | THE JUDICIAL SYSTEM | | | | | |
| 2 | | | | | | | |
| 3 | | 1. JUD101 - COURTS OF APPEAL | | | | | |
| 4 | | | | 74.00 | * | 74.00 | * |
| 5 | | | | 1.00 | # | 1.00 | # |
| 6 | | OPERATING | JUD | 7,273,126 | A | 7,319,421 | A |
| 7 | | | | | | | |
| 8 | | 2. JUD310 - FIRST CIRCUIT | | | | | |
| 9 | | | | 1,112.50 | * | 1,112.50 | * |
| 10 | | | | 77.58 | # | 77.58 | #** |
| 11 | | OPERATING | JUD | 89,173,796 | A | 89,719,138 | A |
| 12 | | | | 41.00 | * | 41.00 | * |
| 13 | | | JUD | 4,429,112 | B | 4,429,112 | B |
| 14 | | | | | | | |
| 15 | | 3. JUD320 - SECOND CIRCUIT | | | | | |
| 16 | | | | 214.50 | * | 214.50 | * |
| 17 | | | | 1.68 | # | 1.68 | # |
| 18 | | OPERATING | JUD | 18,136,872 | A | 18,274,456 | A |
| 19 | | | | | | | |
| 20 | | 4. JUD330 - THIRD CIRCUIT | | | | | |
| 21 | | | | 234.00 | * | 234.00 | * |
| 22 | | | | 5.68 | # | 5.68 | # |
| 23 | | OPERATING | JUD | 20,941,887 | A | 21,004,042 | A |
| 24 | | | | | | | |
| 25 | | 5. JUD350 - FIFTH CIRCUIT | | | | | |
| 26 | | | | 103.00 | * | 103.00 | * |
| 27 | | | | 2.60 | # | 2.60 | # |
| 28 | | OPERATING | JUD | 8,290,636 | A | 8,447,902 | A |
| 29 | | | | | | | |
| 30 | | 6. JUD501 - JUDICIAL SELECTION COMMISSION | | | | | |
| 31 | | | | 1.00 | * | 1.00 | * |
| 32 | | OPERATING | JUD | 103,414 | A | 103,414 | A |
| 33 | | | | | | | |
| 34 | | | | | | | |



| | | | | | | |
|----|----------------------------|-----|------------|---|------------|---|
| 1 | 7. JUD601 - ADMINISTRATION | | | | | |
| 2 | | | 227.00 | * | 227.00 | * |
| 3 | | | 10.48 | # | 10.48 | # |
| 4 | OPERATING | JUD | 27,469,382 | A | 27,470,435 | A |
| 5 | | | 1.00 | * | 1.00 | * |
| 6 | | | 9.00 | # | 9.00 | # |
| 7 | | JUD | 8,034,802 | B | 8,034,802 | B |
| 8 | | JUD | 343,261 | W | 343,261 | W |
| 9 | INVESTMENT CAPITAL | JUD | 23,326,000 | C | 15,881,000 | C |
| 10 | | | | | | |

11 PART III. PROGRAM PROVISIONS

12 SECTION 4. Whenever the need arises, the chief justice, in
13 administering an equitable and expeditious judicial process, may
14 transfer sufficient funds and positions between programs for
15 operating purposes; provided that no transfer shall be made to
16 implement any collective bargaining contract signed after this
17 legislature adjourns sine die.

18 SECTION 5. If the chief justice or any agency or government
19 unit secures federal funds or other property under any act of
20 Congress, or any funds or other property from private organizations
21 or individuals that are to be expended in connection with any
22 program or works authorized by this Act or otherwise, the chief
23 justice, or the agency with the chief justice's approval, may enter
24 into the undertaking with the federal government, private
25 organization, or individual.



1 SECTION 6. The judiciary may transfer savings from its
2 general fund appropriation to the driver education and training
3 fund to accommodate any temporary cash flow deficits.

4 PART IV. COMMUNITY OUTREACH COURT

5 SECTION 7. There is appropriated out of the general revenues
6 of the State of Hawaii the sum of \$445,768 or so much thereof as
7 may be necessary for the community outreach court project which is
8 administered and operated under the judiciary in collaboration with
9 the office of the public defender and the office of the prosecuting
10 attorney of the city and county of Honolulu.

11 (1) Of the amounts appropriated:

12 (A) The office of the public defender shall expend the
13 sum of \$154,000 or so much thereof as may be
14 necessary for the following 3.00 permanent positions
15 for the performance of duties under the community
16 outreach court project:

- 17 (i) 1.00 permanent deputy public defender;
- 18 (ii) 1.00 permanent paralegal; and
- 19 (iii) 1.00 permanent social worker or advocate;

20 (B) Notwithstanding any law to the contrary, the public
21 defender shall transfer to the judiciary of the
22 State of Hawaii the sum of \$126,364 or so much



1 thereof as may be necessary for the administration
2 and operation of the community outreach court
3 project; and

4 (C) Notwithstanding any law to the contrary, the public
5 defender shall transfer to the office of the
6 prosecuting attorney of the city and county of
7 Honolulu the sum of \$165,404 or so much thereof as
8 may be necessary for payment of the personal
9 services and fringe benefit costs of the following
10 2.00 permanent positions for the operation of the
11 community outreach court project:

- 12 (i) 1.00 deputy prosecuting attorney; and
- 13 (ii) 1.00 paralegal;

14 (2) If requested by the public defender, the director of
15 finance shall make the transfers under paragraphs (1)(B)
16 and (C) on behalf of the public defender;

17 (3) The public defender shall enter into memoranda of
18 agreement with the chief justice and prosecuting attorney
19 of the city and county of Honolulu with respect to the
20 transfers and expenditure of funds as specified under
21 paragraphs (1)(B) and (C); and



1 (4) The public defender shall submit the memoranda of
2 agreement to the legislature at least twenty days before
3 the convening of the regular sessions of 2020 and 2021.
4 The public defender may request the chief justice to
5 include the memoranda of agreement with the community
6 court outreach project reports required of the chief
7 justice.

8 The sums appropriated shall be expended by the office of the
9 public defender (BUF151) for the purposes of this Act.

10 PART V. CAPITAL IMPROVEMENT PROJECTS

11 SECTION 8. The sum of \$26,807,000 appropriated or authorized
12 in part II of this Act for capital improvement projects shall be
13 expended by the judiciary for the projects listed below; provided
14 that several related or similar projects may be combined into a
15 single project, if a combination is advantageous or convenient for
16 implementation; provided further that the total cost of the
17 projects thus combined shall not exceed the total of the sums
18 specified for the projects separately. The amount after each cost
19 element and the total funding for each project listed in this part
20 are in thousands of dollars.



CAPITAL IMPROVEMENT PROJECTS

| ITEM NO. | CAPITAL PROJECT NO. | TITLE | EXPENDING AGENCY | APPROPRIATIONS (IN 000s) | | | |
|----------|---------------------|--|------------------|--------------------------|-------|---------------------|---------|
| | | | | FISCAL YEAR 2019-20 | M O F | FISCAL YEAR 2020-21 | M O F |
| 1 | | THE JUDICIAL SYSTEM | | | | | |
| 2 | | | | | | | |
| 3 | | JUD601 - ADMINISTRATION | | | | | |
| 4 | | | | | | | |
| 5 | 1. | KA'AHUMANU HALE FIRE ALARM AND | | | | | |
| 6 | | ELEVATOR SYSTEMS UPGRADE AND | | | | | |
| 7 | | MODERNIZATION, O'AHU. | | | | | |
| 8 | | | | | | | |
| 9 | | CONSTRUCTION FOR FIRE ALARM | | | | | |
| 10 | | AND ELEVATOR SYSTEMS UPGRADE AND | | | | | |
| 11 | | MODERNIZATION AT KA'AHUMANU HALE, O'AHU. | | | | | |
| 12 | | CONSTRUCTION | | | 9,188 | | 8,081 |
| 13 | | TOTAL FUNDING | JUD | | 9,188 | C | 8,081 C |
| 14 | | | | | | | |
| 15 | 2. | LUMP SUM CIP FOR JUDICIARY FACILITIES, | | | | | |
| 16 | | STATEWIDE. | | | | | |
| 17 | | | | | | | |
| 18 | | PLANS, DESIGN, CONSTRUCTION, AND | | | | | |
| 19 | | EQUIPMENT FOR GENERAL ALTERATIONS, UPGRADES, | | | | | |
| 20 | | AND IMPROVEMENTS TO JUDICIARY FACILITIES, | | | | | |
| 21 | | STATEWIDE. | | | | | |
| 22 | | PLANS | | | 50 | | 50 |
| 23 | | DESIGN | | | 250 | | 250 |
| 24 | | CONSTRUCTION | | | 2,300 | | 2,300 |
| 25 | | EQUIPMENT | | | 400 | | 400 |
| 26 | | TOTAL FUNDING | JUD | | 3,000 | C | 3,000 C |
| 27 | | | | | | | |
| 28 | 3. | KA'AHUMANU HALE REPAIR BASEMENT LEAKS | | | | | |
| 29 | | AND DAMAGES, O'AHU. | | | | | |
| 30 | | | | | | | |
| 31 | | DESIGN AND CONSTRUCTION TO REPAIR | | | | | |
| 32 | | BASEMENT LEAKS AT KA'AHUMANU HALE, O'AHU. | | | | | |
| 33 | | DESIGN | | | 179 | | |
| 34 | | CONSTRUCTION | | | 1,816 | | |
| 35 | | TOTAL FUNDING | JUD | | 1,995 | C | 0 C |
| 36 | | | | | | | |



CAPITAL IMPROVEMENT PROJECTS

| ITEM NO. | CAPITAL PROJECT NO. | TITLE | EXPENDING AGENCY | APPROPRIATIONS (IN 000s) | | | |
|----------|---------------------|---|------------------|--------------------------|-------|---------------------|-------|
| | | | | FISCAL YEAR 2019-20 | M O F | FISCAL YEAR 2020-21 | M O F |
| 1 | | | | | | | |
| 2 | 4. | KA'AHUMANU HALE ATRIUM SECURITY AND | | | | | |
| 3 | | MONITORING OFFICE RENOVATION, O'AHU. | | | | | |
| 4 | | | | | | | |
| 5 | | DESIGN AND CONSTRUCTION FOR ATRIUM SECURITY | | | | | |
| 6 | | AND MONITORING OFFICE RENOVATION AT | | | | | |
| 7 | | KA'AHUMANU HALE, O'AHU. | | | | | |
| 8 | | DESIGN | | | 105 | | |
| 9 | | CONSTRUCTION | | | 1,438 | | |
| 10 | | TOTAL FUNDING | JUD | | 1,543 | C | 0 C |

11 PART V. ISSUANCE OF BONDS

12 SECTION 9. General obligation bonds may be issued, as
13 provided by law, to yield the amount that may be necessary to
14 finance projects authorized in part II and listed in part IV of
15 this Act; provided that the sum of the general obligation bonds
16 so issued shall not exceed \$26,807,000.

17 PART VI. SPECIAL PROVISIONS

18 SECTION 10. Any law or any provision of this Act to the
19 contrary notwithstanding, the appropriations made for capital
20 improvement projects authorized in part II and listed in part IV
21 of this Act shall not lapse at the end of the fiscal year for
22 which the appropriations are made; provided that all



1 appropriations made for fiscal year 2019-2020 and fiscal year
2 2020-2021 that are unencumbered as of June 30, 2022, shall lapse
3 as of that date.

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

9 SECTION 12. All unrequired balances in the general
10 obligation bond fund, after the objectives of part II
11 appropriations for capital improvements program purposes listed
12 as projects in part IV of this Act have been met, shall be
13 transferred to the judiciary project adjustment fund.

14 SECTION 13. If the amount allocated from the general
15 obligation bond fund for a capital improvement project listed in
16 part IV of this Act is insufficient, the chief justice may make
17 supplemental allotments from the project adjustment fund;
18 provided that supplemental allotments shall not be used to
19 increase the scope of the project.

20 SECTION 14. Where it has been determined that changed
21 conditions, such as a reduction in the particular population



1 being served, permit the reduction in the scope of a project
2 listed in part IV of this Act, the chief justice may authorize
3 this reduction of project scope.

4 SECTION 15. The chief justice shall determine when and the
5 manner in which the authorized capital improvement projects
6 shall be initiated. The chief justice shall notify the governor
7 from time to time of the specific amounts required for the
8 projects, and the governor shall provide for those amounts
9 through the issuance of bonds authorized in part V of this Act.

10 SECTION 16. Any law or any provision of this Act to the
11 contrary notwithstanding, the chief justice may supplement funds
12 for any cost element for a capital improvement project
13 authorized under this Act by transferring any sums as may be
14 needed from the funds appropriated for other cost elements of
15 the same project by this Act or by any other prior or future Act
16 that has not lapsed; provided that the total expenditure of
17 funds for all cost elements for the project shall not exceed the
18 total appropriation for that project.

19 PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

20 SECTION 17. If any portion of this Act or its application
21 to any person or circumstances is held to be invalid for any



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

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

12 SECTION 19. This Act shall take effect on July 1, 2019.



Report Title:

Judiciary Package; Appropriations; Budget

Description:

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/19, and ending 6/30/21. Effective 7/1/19. (HB510 HD1)

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

