

GOV. MSG. NO. 1229

EXECUTIVE CHAMBERS HONOLULU

DAVID Y. IGE GOVERNOR

June 30, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki, Speaker and Members of the House of Representatives Thirty First State Legislature State Capitol, Room 431 Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 30, 2021, the following bill was signed into law:

HB185 HD1 SD2 CD1

RELATING TO THE JUDICIARY **ACT 127 (21)**

Sincerely,

Governor, State of Hawai'i

Approved by the Governor 30 2021

HOUSE OF REPRESENTATIVES THIRTY-FIRST LEGISLATURE, 2021 STATE OF HAWAII

ORIGINAL

ACT 127 H.B. NO. H.D. 1 S.D. 2 C.D. 1

A BILL FOR AN ACT

PART I. GENERAL PROVISIONS

RELATING TO THE JUDICIARY.

1

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

2	SECTION 1. This Act shall be known and may be cited as the
3	Judiciary Appropriations Act of 2021.
4	SECTION 2. Unless otherwise clear from the context, as
5	used 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.
9	All 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	V American Rescue Plan funds
16	W Revolving funds



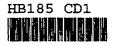
1	"Position ceiling" means the maximum number of permanent or
2	temporary positions authorized for a particular program during a
3	specified period or periods, as noted by an asterisk or pound
4	sign, respectively.
5	"Program ID" means the unique identifier for the specific
6	program, and consists of the abbreviation for the judiciary
7	(JUD) followed by a designated number for the program.
8	PART II. PROGRAM APPROPRIATIONS
9	SECTION 3. The following sums, or so much thereof as may
10	be sufficient to accomplish the purposes and programs designated
11	herein, are appropriated or authorized from the sources of
12	funding specified to the judiciary for the fiscal biennium
13	beginning July 1, 2021, and ending June 30, 2023. The total
14	expenditures and the number of permanent and temporary positions
15	established in each fiscal year of the fiscal biennium shall not
16	exceed the sums and the position ceilings indicated for each
17	year, except as provided in this Act.

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PROGRAM APPROPRIATIONS

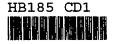
				APPROPRIATIONS			
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	М О F
The Jud:	icial Syst	cem					
1.		- COURTS OF APPEA	L				
				78.0		78.0	
O	PERATING		DUL	1.4 7,679,90		1.48 7,679,90	
2.	JUD310 -	- FIRST JUDICIAL	CIRCUIT				
				1,102.5	0*	1,102.5	0*
				58.5	• • •	58.5	8#
0	PERATING		JUD	84,083,69		84,083,69	
			TID	41.0		41.0	
			JUD	4,555,23	25	4,555,23	2B
3.	JUD320 ·	- SECOND JUDICIAL	CIRCUIT				
				210.5	0*	210.5	0*
				1.6	8#	1.6	8#
0	PERATING		anr	17,334,49	4A	17,334,49	4A
4.	. птоззо	- THIRD JUDICIAL	ר ד די מיד די מידי				
7.	000330	- THIRD GODICIAL	CIRCUII	240.0	0*	240.0	n*
				5.2		5.2	
0	PERATING		JUD	20,759,34	4A	20,759,34	
5.	.1110350	- FIFTH JUDICIAL	СТРСПТТ				
٥.	002330	TITIN GODICIAL	CIRCUII	103.0	0*	103.0	0*
				2.6		2.6	
0	PERATING		JUD	8,103,05	4A	8,103,05	4A
6.	JUD501	- JUDICIAL SELECT	ION COMMISSION				
				1.0	0*	1.0	0*
0	PERATING		JUD	101,19	4A	101,19	4A
7.	.пт	- ADMINISTRATION					
	000001	ADMINIDIRATION		226.0	0*	226.0	0*
				9.4		9.4	
0	PERATING		מטנ	26,829,79	6A	26,829,79	6A
	,			1.0		1.0	
				9.0		9.0	
			JUD	8,110,45		8,110,45	
т	NVESTMENT	'	AND. AND	343,26 5,886,00		343,26 2,200,00	
_	TATIFIE OF A 1-1		302	5,220,00		2,200,00	V
				,			



H.B. NO. H.D. 185 S.D. 2

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	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, may transfer sufficient funds and positions
- 5 between programs for operating purposes; provided further 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 which 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, may enter into the undertaking
- 15 with the federal government, private organization, or
- 16 individual.
- 17 SECTION 6. Provided that the judiciary may transfer
- 18 savings from its general fund appropriation to the driver
- 19 education and training fund to accommodate any temporary cash
- 20 flow deficits.
- 21 PART IV. CAPITAL IMPROVEMENT PROJECTS



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H.B. NO. H.D. 1 S.D. 2

- 1 SECTION 7. The sum of \$13,306,000 appropriated or
- 2 authorized in part II of this Act for capital improvement
- 3 projects shall be expended by the judiciary for the projects
- 4 listed below; provided that several related or similar projects
- 5 may be combined into a single project, if a combination is
- 6 advantageous or convenient for implementation; provided further
- 7 that the total cost of the projects thus combined shall not
- 8 exceed the total of the sums specified for the projects
- 9 separately. The amount after each cost element and the total
- 10 funding for each project listed in this part are in thousands of
- 11 dollars.

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CAPITAL IMPROVEMENT PROJECTS

				APPROPE	RIATI	ONS (IN 000'	'S)
	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL YEAR 2021-2022	0	FISCAL YEAR 2022-2023	М О F
	NOMIC DEVEL - ADMINISTR						
1.		ANI HALE, AIR CON DES, OAHU	DITIONING				
	FOR A/C S	N, CONSTRUCTION, A YSTEMS UPGRADE AT FILATION IMPROVEM	ALIIOLANI				
	•	TAL FUNDING	JUD	3,7	00 V		V
2.	HOAPII MAUI	LI HALE SECURITY 1	MPROVEMENTS,				
		N AND CONSTRUCTION NTS AT HOAPILI HA					
	TO	TAL FUNDING	JUD		C	2,20	0 C
3.		LI HALE, PARKING S G RENOVATIONS, MAI					
	STRUCTURE	N AND CONSTRUCTION PIPING RENOVATION	NS AT HOAPILI				
	SUPPRESSI	THE STORM DRAIN, ON, SEWER, AND AI WATER) PIPING SYS	R CONDITIONING				
	TO	TAL FUNDING	JUD	2,8	86 C	!	С

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CAPITAL IMPROVEMENT PROJECTS

				APPROPRIATIONS (IN 000'S)			
ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL YEAR 2021-2022	M O F	YEAR	M O F
4.		UM CIP FOR JUDICI TIES, STATEWIDE	IARY				
	PLANS, EQUIPMENT UPGRADES, FACILITIES	DESIGN, CONSTRUCTOR THE GENERAL AND IMPROVEMENTS , STATEWIDE. AL FUNDING	ALTERATIONS,	3,0	00 C	:	C
5.		T.Y. MOON JUDIC: ILLER, OAHU	IARY COMPLEX,	·			
	CHILLER AT COMPLEX; V	AND CONSTRUCTION RONALD T.Y. MOON ENTILATION IMPROMAL FUNDING	N. JUDICIARY	1,5	320 V	,	v

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 of the general obligation bonds
- 6 so issued shall not exceed \$8,086,000.

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 2021-2022 and fiscal year
- 14 2022-2023 that are unencumbered as of June 30, 2024, 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.



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- 1 SECTION 11. All unrequired balances in the general
- 2 obligation bond fund, after the objectives of part II
- 3 appropriations for capital improvements program purposes listed
- 4 as projects in part IV of this Act have been met, shall be
- 5 transferred to the judiciary project adjustment fund.
- 6 SECTION 12. If the amount allocated from the general
- 7 obligation bond fund for a capital improvement project listed in
- 8 part IV of this Act is insufficient, the chief justice may make
- 9 supplemental allotments from the project adjustment fund;
- 10 provided that supplemental allotments shall not be used to
- 11 increase the scope of the project.
- 12 SECTION 13. Where it has been determined that changed
- 13 conditions, such as a reduction in the particular population
- 14 being served, permit the reduction in the scope of a project
- 15 listed in part IV of this Act, the chief justice may authorize
- 16 this reduction of project scope.
- 17 SECTION 14. The chief justice shall determine when and the
- 18 manner in which the authorized capital improvement projects
- 19 shall be initiated. The chief justice shall notify the governor
- 20 from time to time of the specific amounts required for the



H.B. NO. H.D. 1 S.D. 2

- 1 projects, and the governor shall provide for those amounts
- 2 through the issuance of bonds authorized in part V of this Act.
- 3 SECTION 15. Any law or any provision of this Act to the
- 4 contrary notwithstanding, the chief justice may supplement funds
- 5 for any cost element for a capital improvement project
- 6 authorized under this Act by transferring any sums as may be
- 7 needed from the funds appropriated for other cost elements of
- 8 the same project by this Act or by any other prior or future Act
- 9 that has not lapsed; provided that the total expenditure of
- 10 funds for all cost elements for the project shall not exceed the
- 11 total appropriation for that project.
- 12 PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE
- 13 SECTION 16. If any portion of this Act or its application
- 14 to any person or circumstances is held to be invalid for any
- 15 reason, the remainder of the Act and any provision thereof shall
- 16 not be affected. If any portion of a specific appropriation is
- 17 held to be invalid for any reason, the remaining portion shall
- 18 be independent of the invalid portion and shall be expended to
- 19 fulfill the objective and intent of the appropriation to the
- 20 extent possible.



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- 1 SECTION 17. If any manifest clerical, typographical, or
- 2 other mechanical error is found in this Act, the chief justice
- 3 may correct the error. All changes made pursuant to this
- 4 section shall be reported to the legislature at its next regular
- 5 session.
- 6 SECTION 18. This Act shall take effect on July 1, 2021.

APPROVED this 30 day of JUN, 2021

Awid I by GOVERNOR OF THE STATE OF HAWAI

HB185 CD1

HB No. 185, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021 Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.

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Scott K. Saiki Speaker House of Representatives

Mi Li Ille

Brian L. Takeshita

Chief Clerk

House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 27, 2021 Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.

President of the Senate

Clerk of the Senate