



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,

DAVID Y. IGE  
Governor, State of Hawai'i

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# 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 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.

18



## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
The Judicial System							
1.	JUD101	- COURTS OF APPEAL					
				78.00*		78.00*	
				1.48#		1.48#	
	OPERATING		JUD	7,679,908A		7,679,908A	
2.	JUD310	- FIRST JUDICIAL CIRCUIT					
				1,102.50*		1,102.50*	
				58.58#		58.58#	
	OPERATING		JUD	84,083,696A		84,083,696A	
				41.00*		41.00*	
			JUD	4,555,232B		4,555,232B	
3.	JUD320	- SECOND JUDICIAL CIRCUIT					
				210.50*		210.50*	
				1.68#		1.68#	
	OPERATING		JUD	17,334,494A		17,334,494A	
4.	JUD330	- THIRD JUDICIAL CIRCUIT					
				240.00*		240.00*	
				5.20#		5.20#	
	OPERATING		JUD	20,759,344A		20,759,344A	
5.	JUD350	- FIFTH JUDICIAL CIRCUIT					
				103.00*		103.00*	
				2.60#		2.60#	
	OPERATING		JUD	8,103,054A		8,103,054A	
6.	JUD501	- JUDICIAL SELECTION COMMISSION					
				1.00*		1.00*	
	OPERATING		JUD	101,194A		101,194A	
7.	JUD601	- ADMINISTRATION					
				226.00*		226.00*	
				9.48#		9.48#	
	OPERATING		JUD	26,829,796A		26,829,796A	
				1.00*		1.00*	
				9.00#		9.00#	
			JUD	8,110,454B		8,110,454B	
			JUD	343,261W		343,261W	
	INVESTMENT CAPITAL		JUD	5,886,000C		2,200,000C	
				5,220,000V			V



**PART III. PROGRAM PROVISIONS**

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

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

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

**PART IV. CAPITAL IMPROVEMENT PROJECTS**



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.  
12



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1	A.	ECONOMIC DEVELOPMENT					
2	JUD601	- ADMINISTRATION					
3							
4	1.	ALIIOLANI HALE, AIR CONDITIONING					
5		UPGRADES, OAHU					
6							
7		DESIGN, CONSTRUCTION, AND EQUIPMENT					
8		FOR A/C SYSTEMS UPGRADE AT ALIIOLANI					
9		HALE; VENTILATION IMPROVEMENTS;					
10		TOTAL FUNDING	JUD	3,700	V		V
11							
12	2.	HOAPILI HALE SECURITY IMPROVEMENTS,					
13		MAUI					
14							
15		DESIGN AND CONSTRUCTION FOR SECURITY					
16		IMPROVEMENTS AT HOAPILI HALE.					
17		TOTAL FUNDING	JUD		C	2,200	C
18							
19	3.	HOAPILI HALE, PARKING STRUCTURE					
20		PIPING RENOVATIONS, MAUI					
21							
22		DESIGN AND CONSTRUCTION FOR PARKING					
23		STRUCTURE PIPING RENOVATIONS AT HOAPILI					
24		HALE FOR THE STORM DRAIN, FIRE					
25		SUPPRESSION, SEWER, AND AIR CONDITIONING					
26		(CHILLED WATER) PIPING SYSTEMS.					
27		TOTAL FUNDING	JUD	2,886	C		C
28							



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F

4. LUMP SUM CIP FOR JUDICIARY  
FACILITIES, STATEWIDE

PLANS, DESIGN, CONSTRUCTION, AND  
EQUIPMENT FOR THE GENERAL ALTERATIONS,  
UPGRADES, AND IMPROVEMENTS TO JUDICIARY  
FACILITIES, STATEWIDE.

TOTAL FUNDING JUD 3,000 C C

5. RONALD T.Y. MOON JUDICIARY COMPLEX,  
NEW CHILLER, OAHU

DESIGN AND CONSTRUCTION FOR NEW  
CHILLER AT RONALD T.Y. MOON. JUDICIARY  
COMPLEX; VENTILATION IMPROVEMENTS.

TOTAL FUNDING JUD 1,520 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.



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



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.



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<sup>th</sup> day of JUN, 2021



GOVERNOR OF THE STATE OF HAWAII



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.



Scott K. Saiki  
Speaker  
House of Representatives




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