

JAN 20 2023

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 2023.

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 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
2 sign, respectively.

3 "Program ID" means the unique identifier for the specific
4 program, and consists of the abbreviation for the judiciary
5 (JUD) 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
8 be sufficient to accomplish the purposes and programs designated
9 herein, are appropriated or authorized from the sources of
10 funding specified to the judiciary for the fiscal biennium
11 beginning July 1, 2023, and ending June 30, 2025. The total
12 expenditures and the number of permanent and temporary positions
13 established in each fiscal year of the fiscal biennium shall not
14 exceed the sums and the position ceilings indicated for each
15 year, except as provided in this Act.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1		THE JUDICIAL SYSTEM					
2		1. JUD101 - COURTS OF APPEAL					
3				82.00 *		82.00 *	
4				1.48 #		1.48 #	
5		OPERATING	JUD	8,649,904 A		8,960,647 A	
6							
7		2. JUD310 - FIRST CIRCUIT					
8				1,107.50 *		1,107.50 *	
9				64.58 #		64.58 #	
10		OPERATING	JUD	93,530,037 A		95,881,481 A	
11				35.00 *		35.00 *	
12			JUD	4,177,883 B		4,261,273 B	
13							
14		3. JUD320 - SECOND CIRCUIT					
15				210.50 *		210.50 *	
16				1.68 #		1.68 #	
17		OPERATING	JUD	19,398,739 A		19,951,098 A	
18							
19		4. JUD330 - THIRD CIRCUIT					
20				242.00 *		242.00 *	
21				5.20 #		5.20 #	
22		OPERATING	JUD	23,362,911 A		23,988,817 A	
23							
24		5. JUD350 - FIFTH CIRCUIT					
25				103.00 *		103.00 *	
26				2.60 #		2.60 #	
27		OPERATING	JUD	8,755,703 A		9,004,124 A	
28							
29		6. JUD501 - JUDICIAL SELECTION COMMISSION					
30				1.00 *		1.00 *	
31		OPERATING	JUD	110,099 A		114,074 A	
32							
33							



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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1		7. JUD601 - ADMINISTRATION					
2				228.00	*	228.00	*
3				8.48	#	8.48	#
4		OPERATING	JUD	30,932,985	A	31,040,535	A
5				1.00	*	1.00	*
6				9.00	#	9.00	#
7			JUD	8,195,369	B	8,241,219	B
8			JUD	343,261	W	343,261	W
9		INVESTMENT CAPITAL	JUD	16,225,000	C		0 C
10							
11							



1 **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; 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 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, to be
13 expended in connection with any program or works authorized by
14 this Act or otherwise, the chief justice, or the agency or
15 government unit with the chief justice's approval, may enter
16 into the undertaking with the federal government, private
17 organization, or 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. The sum of \$16,225,000 appropriated or
3 authorized in part II of this Act for capital improvement
4 projects shall be expended by the judiciary for the projects
5 listed below; provided that several related or similar projects
6 may be combined into a single project, if a combination is
7 advantageous or convenient for implementation; and provided
8 further that the total cost of the projects thus combined shall
9 not exceed the total of the sums specified for the projects
10 separately. The amount after each cost element and the total
11 funding for each project listed in this part are in thousands of
12 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F

1	A.	ECONOMIC DEVELOPMENT					
2		JUD601 - ADMINISTRATION					
3							
4	1.	NON-POSITION RELATED FURNISHINGS AND					
5		EQUIPMENT FOR NEW JUDICIARY COMPLEX					
6		AT THE WAHIAWA CIVIC CENTER, O'AHU.					
7							
8		EQUIPMENT FOR WAHIAWA CIVIC CENTER					
9		INCLUDING NEW JUDICIARY COMPLEX, O'AHU.					
10		EQUIPMENT			775		
11		TOTAL FUNDING	JUD		775 C		0 C
12							
13	2.	KA'AHUMANU HALE ELEVATOR SYSTEMS					
14		UPGRADES AND MODERNIZATION, O'AHU.					
15							
16		CONSTRUCTION FOR ELEVATOR SYSTEMS					
17		UPGRADE AND MODERNIZATION AT KA'AHUMANU					
18		HALE, O'AHU.					
19		CONSTRUCTION			5,000		
20		TOTAL FUNDING	JUD		5,000 C		0 C
21							
22	3.	KAUA'I JUDICIARY COMPLEX REROOFING					
23		AND RELATED IMPROVEMENTS PHASE 3,					
24		KAUA'I.					
25							
26		DESIGN AND CONSTRUCTION TO REROOF AND					
27		REPAIR LEAKS AND DAMAGES AT KAUA'I					
28		JUDICIARY COMPLEX, KAUA'I.					
29		DESIGN			150		
30		CONSTRUCTION			4,000		
31		TOTAL FUNDING	JUD		4,150 C		0 C
32							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1	4.	ALI`IOLANI HALE A/C REPLACEMENT,					
2		O`AHU.					
3							
4		CONSTRUCTION AND EQUIPMENT FOR A/C					
5		SYSTEM REPLACEMENT AT ALI`IOLANI HALE,					
6		O`AHU.					
7		CONSTRUCTION		2,000			
8		EQUIPMENT		1,000			
9		TOTAL FUNDING	JUD	3,000 C			0 C
10							
11	5.	HOAPILI HALE REDIRECTION OF					
12		CONDENSATE DISCHARGE, MAUI.					
13							
14		PLANS AND DESIGN FOR REDIRECTION OF					
15		CONDENSATE DISCHARGE AT HOAPILI HALE,					
16		MAUI.					
17		PLANS		100			
18		DESIGN		200			
19		TOTAL FUNDING	JUD	300 C			0 C
20							
21	6.	LUMP SUM CIP FOR JUDICIARY					
22		FACILITIES, STATEWIDE.					
23							
24		PLANS, DESIGN, CONSTRUCTION, AND					
25		EQUIPMENT FOR GENERAL ALTERATIONS,					
26		UPGRADES, AND IMPROVEMENTS TO JUDICIARY					
27		FACILITIES, STATEWIDE.					
28		PLANS		150			
29		DESIGN		500			
30		CONSTRUCTION		2,000			
31		EQUIPMENT		350			
32		TOTAL FUNDING	JUD	3,000 C			0 C
33							
34							



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 \$16,225,000.

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 2023-2024 and fiscal year
14 2024-2025 that are unencumbered as of June 30, 2026, 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 judiciary project adjustment
10 fund; 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 such 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 such 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 this Act and any provision thereof
16 shall not be affected. If any portion of a specific
17 appropriation is held to be invalid for any reason, the
18 remaining portion shall be independent of the invalid portion
19 and shall be expended to fulfill the objective and intent of the
20 appropriation to the 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, 2023.

7

INTRODUCED BY:



By Request



S.B. NO. 482

Report Title:

Judiciary Package; Appropriations; Budget

Description:

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/2023, and ending 6/30/2025. Effective 7/1/2023.

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

