

ACT 26

S.B. NO. 2150

A Bill for an Act Relating to the Judiciary.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act shall be known and may be cited as the Judiciary Supplemental Appropriations Act of 2018.

SECTION 2. Act 195, Session Laws of Hawaii 2017, is amended by amending part II to read as follows:

“PART II. PROGRAM APPROPRIATIONS

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

PROGRAM APPROPRIATIONS					
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O	FISCAL M YEAR O
				2017-2018 F	2018-2019 F
The Judicial System					
1.	JUD101 -	COURTS OF APPEAL		73.00 *	73.00 *
				1.00 #	1.00 #
	OPERATING		JUD	6,926,345 A	6,973,769 A
2.	JUD310 -	FIRST [JUDICIAL] CIRCUIT		[-1,085.50*]	[-1,085.50*]
				1,087.50 *	1,099.50 *
				93.58 #	[-93.58 #]
					81.58 #

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2017-2018 F	FISCAL M YEAR O 2018-2019 F
		OPERATING	JUD	84,618,183 A 41.00 *	84,869,401 A 41.00 *
			JUD	4,303,649 B	4,303,649 B
3.	JUD320 - SECOND	JUDICIAL CIRCUIT		207.00 *	[—207.00*] 210.50 *
		OPERATING	JUD	1.68 # 16,897,963 A	1.68 # [16,937,804 A] 17,184,262 A
4.	JUD330 - THIRD	JUDICIAL CIRCUIT		228.00 *	[—228.00*] 234.00 *
		OPERATING	JUD	5.68 # 19,970,037 A	5.68 # [20,018,501 A] 20,218,755 A
5.	JUD350 - FIFTH	JUDICIAL CIRCUIT		99.00 *	99.00 *
		OPERATING	JUD	2.60 # 7,765,050 A	2.60 # 7,782,815 A
6.	JUD501 - JUDICIAL SELECTION COMMISSION			1.00 *	1.00 *
		OPERATING	JUD	98,790 A	98,790 A
7.	JUD601 - ADMINISTRATION			227.00 *	227.00 *
		OPERATING	JUD	10.48 # 26,762,596 A	10.48 # [26,417,387 A] 26,867,387 A
				1.00 *	1.00 *
				9.00 #	9.00 #
			JUD	7,993,737 B	7,993,737 B
			JUD	343,261 W	343,261 W
		INVESTMENT CAPITAL	JUD	7,750,000 C	[—1,600,000 C] 8,500,000 C"

SECTION 3. Act 195, Session Laws of Hawaii 2017, is amended by adding a new section to part III to read as follows:

“SECTION 7.1. Provided that of the general fund appropriation for administration (JUD601), the sum of \$450,000 or so much thereof as may be necessary for fiscal year 2018-2019 shall be expended for general civil legal services for indigent residents; provided further that general civil legal services to indigent residents shall be provided by legal service providers:

- (1) With clients whose income levels do not exceed 250 per cent of the applicable federal poverty level for Hawaii;
- (2) With current and valid IRS 501(c)(3) status;
- (3) That can demonstrate that it has in place and utilizes guidelines that effectively screen for income eligibility and type of cases accepted;
- (4) Whose essential mission is the provision of general civil legal services and may not have as its central mission the provision of specialized types of legal services; and

- (5) That complete the requisite detailed application requesting funding from the governmental entity or its designee responsible for the allocation of this funding.”

SECTION 4. Act 195, Session Laws of Hawaii 2017, is amended by amending part IV to read as follows:

“PART IV. CAPITAL IMPROVEMENT PROJECTS

SECTION 8. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED.

The sums of money appropriated or authorized in part II of this Act for capital improvements shall be expended for the projects listed below. Several related or similar projects may be combined into a single project if such combination is advantageous or convenient for implementation; provided 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 amount of total funding for each project in this part are listed in thousands of dollars.

CAPITAL IMPROVEMENT PROJECTS

			APPROPRIATIONS (IN 000'S)		
ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL M YEAR O	FISCAL M YEAR O
				2017-2018 F	2018-2019 F
A. ECONOMIC DEVELOPMENT					
JUD601 - ADMINISTRATION					
1.		EWA DISTRICT COURT MITIGATE WATER INTRUSION AND SETTLEMENT - PHASE 2, OAHU			
		DESIGN AND CONSTRUCTION TO MITIGATE WATER INTRUSION AND SETTLEMENT - PHASE 2, OAHU.			
		DESIGN		20	
		CONSTRUCTION		200	
		TOTAL FUNDING	JUD	220 C	C
2.		EWA DISTRICT COURT ROOF FALL PROTECTION AND RE-ROOFING, OAHU			
		DESIGN AND CONSTRUCTION OF ROOF FALL PROTECTION AND RE-ROOFING, OAHU.			
		DESIGN		25	
		CONSTRUCTION		175	
		TOTAL FUNDING	JUD	200 C	C
3.		HOAPILI HALE SECURITY IMPROVEMENTS PHASES 1, 2, AND 3, MAUI			
		DESIGN AND CONSTRUCTION FOR SECURITY-RELATED IMPROVEMENTS AT HOAPILI HALE, MAUI			
		DESIGN		100	150
		CONSTRUCTION		900	1,450
		TOTAL FUNDING	JUD	1,000 C	1,600 C

CAPITAL IMPROVEMENT PROJECTS

			APPROPRIATIONS (IN 000'S)		
ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2017-2018 F	FISCAL M YEAR O 2018-2019 F
4.		KAAHUMANU HALE FIRE ALARM AND ELEVATOR SYSTEMS UPGRADE AND MODERNIZATION, OAHU.			
		PLANS AND DESIGN FOR FIRE ALARM AND ELEVATOR UPGRADE AND MODERNIZATION AT KAAHUMANU HALE, OAHU.			
		PLANS		253	
		DESIGN		1,012	
		TOTAL FUNDING	JUD	1,265 C	C
5.		KAPUAIWA BUILDING SEPARATE STORM DRAIN AND SANITARY SEWER SYSTEMS, OAHU			
		DESIGN AND CONSTRUCTION FOR THE STORM DRAINAGE AND BASEMENT LEVEL SANITARY SEWER LINES OF THE JUDICIARY'S KAPUAIWA BUILDING. THE KAPUAIWA BUILDING CURRENTLY COMBINES AND DISCHARGES INTO THE CITY AND COUNTY OF HONOLULU'S ("CITY") SANITARY SEWER COLLECTION SYSTEM. NOT ONLY IS THIS COMBINED DISCHARGE CONTRIBUTING TO THE RECENT FLOODING IN THE KAPUAIWA BASEMENT, BUT IT IS A VIOLATION OF CITY AND COUNTY OF HONOLULU ORDINANCE. THIS PROJECT WILL ADD A NEW SANITARY SEWER LIFT STATION, MODIFY THE EXISTING PUMP STATION TO SERVE THE STORM DRAINAGE, AND SEPARATE STORM WATER AND WASTEWATER DISCHARGE FLOWS.			
		DESIGN		125	
		CONSTRUCTION		550	
		TOTAL FUNDING	JUD	675 C	C
[6.		KAUAI JUDICIARY COMPLEX REROOF AND REPAIR LEAKS AND DAMAGES, KAUAI			
		DESIGN AND CONSTRUCTION TO REROOF COURTHOUSE. REPAIR COOLING TOWER ROOF. INSTALL FALL PROTECTION SAFETY ANCHORS. INSTALL ROOF ACCESS HATCH AND LADDER. REPAIR AND REPAINT EXTERIOR FINISH SYSTEM AT EXTERIOR WALLS. RESEAL WINDOWS. REPLACE EXTERIOR DOORS. REPAIR WATER DAMAGES AT INTERIOR LOCATIONS. REPAIR OTHER INCIDENTAL DAMAGES.			
		DESIGN		390	
		CONSTRUCTION		1,000	
		TOTAL FUNDING	JUD	1,390 C	C

CAPITAL IMPROVEMENT PROJECTS

			APPROPRIATIONS (IN 000'S)		
ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2017-2018 F	FISCAL M YEAR O 2018-2019 F
6.		<u>KAUAI JUDICIARY COMPLEX REROOF AND REPAIR LEAKS AND DAMAGES, KAUAI</u>			
		<u>DESIGN AND CONSTRUCTION TO REROOF COURTHOUSE. REPAIR COOLING TOWER ROOF. INSTALL FALL PROTECTION SAFETY ANCHORS. INSTALL ROOF ACCESS HATCH AND LADDER. REPAIR AND REPAINT EXTERIOR FINISH SYSTEM AT EXTERIOR WALLS. RESEAL WINDOWS. REPLACE EXTERIOR DOORS. REPAIR WATER DAMAGES AT INTERIOR LOCATIONS. REPAIR OTHER INCIDENTAL DAMAGES.</u>			
		DESIGN		390	
		CONSTRUCTION		1,000	1,100
		TOTAL FUNDING	JUD	1,390 C	1,100 C
7.		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	
		DESIGN		300	
		CONSTRUCTION		2,625	
		EQUIPMENT		25	
		TOTAL FUNDING	JUD	3,000 C	C
7.01.		<u>KONA JUDICIARY COMPLEX, HAWAII</u>			
		<u>PROVIDE FURNITURE AND EQUIPMENT FOR NEW JUDICIARY COMPLEX AT KONA, HAWAII</u>			
		CONSTRUCTION			5,800
		TOTAL FUNDING	JUD	C	5,800 C

SECTION 5. Act 195, Session Laws of Hawaii 2017, is amended by amending part V to read as follows:

“PART V. ISSUANCE OF BONDS

SECTION 9. General obligation bonds may be issued, as provided by law, to yield the amount that may be necessary to finance projects authorized in part II and listed in part IV of this Act; provided that the sum total of the general obligation bonds so issued shall not exceed [~~\$9,350,000.~~] \$16,250,000.”

SECTION 6. Act 195, Session Laws of Hawaii 2017, is amended by adding two new sections to part VI to read as follows:

“SECTION 11.1. All unrequired balances in the general obligation bond fund, after the objectives of part II appropriations for capital improvements program purposes listed as projects in part IV of this Act have been met, shall be transferred to the judiciary project adjustment fund.

SECTION 11.2. If the amount allocated from the general obligation bond fund for a capital improvement project listed in part IV of this Act is insufficient, the chief justice may make supplemental allotments from the project adjustment fund, provided that supplemental allotments shall not be used to increase the scope of the project.”

SECTION 7. If any portion of this Act or its application to any person or circumstances is held to be invalid for any reason, the remainder of the Act and any provision thereof shall not be affected. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and shall be expended to fulfill the objective and intent of the appropriation to the extent possible.

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

SECTION 9. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 10. This Act shall take effect on July 1, 2018.

(Approved June 7, 2018.)