
A BILL FOR AN ACT

RELATING TO BUDGETING.

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

1 SECTION 1. The purpose of this Act is to address the
2 executive and judiciary budgets.

3 More specifically, this Act:

4 (1) Requires the executive budget and related documents to
5 identify the position ceiling for each budget program;

6 (2) Requires the position ceiling to separately identify
7 the maximum numbers of permanent and temporary full-
8 time equivalent positions authorized; and

9 (3) Prohibits an agency from exceeding the position
10 ceiling, with certain exceptions.

11 The legislature intends that this Act also apply to the
12 judiciary budget by operation of section 601-2, Hawaii Revised
13 Statutes.

14 This Act applies to budget documents submitted to the
15 legislature beginning with the regular session of 2017. The
16 legislature has instituted the delay so that the information



1 technology system for the budget may be upgraded to accommodate
2 the implementation of this Act.

3 SECTION 2. Chapter 37, Hawaii Revised Statutes, is amended
4 by adding a new section to part IV to be appropriately
5 designated and to read as follows:

6 "§37- Position ceiling. Whenever this part requires a
7 position ceiling to be specified:

8 (1) The number of permanent positions and temporary
9 positions shall be separately identified; and

10 (2) The position ceiling shall be expressed in units or
11 fractions of full-time equivalent positions."

12 SECTION 3. Section 37-62, Hawaii Revised Statutes, is
13 amended by adding seven new definitions to be appropriately
14 inserted and to read as follows:

15 "Casual hire position" means an hourly-paid temporary
16 position, the services of which are required intermittently.

17 "Full-time equivalent position" means a position, the
18 occupant of which is employed for a normal work week of at least
19 forty hours or its equivalent.

20 "Permanent position" means a position, the existence of
21 which has no time limitation.



1 "Position" means a specific job, whether occupied or
2 vacant, consisting of all duties and responsibilities assigned
3 or delegated by competent authority, requiring the full or part-
4 time employment of one person.

5 "Position ceiling" means the maximum number of permanent
6 and temporary full-time equivalent positions that an expending
7 agency is authorized for a particular program.

8 "Temporary position" means a position, the existence of
9 which has a time limitation, or a position that is not otherwise
10 a permanent position.

11 "Vicing position" means a temporary position created to
12 back-fill for an incumbent who is on an extended period of
13 authorized leave of absence."

14 SECTION 4. Section 37-69, Hawaii Revised Statutes, is
15 amended by amending subsections (c) and (d) to read as follows:

16 "(c) The financial plan for the ensuing six fiscal years
17 shall more specifically include:

18 (1) Economic data for the State and the counties of the
19 following kinds:

20 (A) Population: Including historical, current, and
21 projected population count; population



- 1 distribution by age and sex; estimated increases
2 and decreases, including increases and decreases
3 by immigration;
- 4 (B) Employment: Including magnitude of labor force
5 by age and sex; labor force participation rates;
6 employment by age and sex; industry and
7 occupational surpluses and shortages; effects of
8 government programs on employment rate;
- 9 (C) Income: Including per capita and per family
10 income; disposable income; income distribution;
- 11 (D) Wages and prices: Including wages by industry
12 and occupational groups; prices for government
13 procurement items; construction costs; cost of
14 living index; price indices for components of
15 personal consumption;
- 16 (E) Industry and business trends; and
- 17 (F) Effects of national economic and financial
18 policies and conditions;
- 19 (2) Brief statements disclosing the basis upon which the
20 revenue estimates in the plan were made, including for
21 each specific tax and nontax revenue source:



- 1 (A) The previous projections for the last completed
- 2 fiscal year and the fiscal year in progress;
- 3 (B) The variance between the projections and the
- 4 actual or revised estimate, and the reasons for
- 5 the variances;
- 6 (C) Tax or source base and rates;
- 7 (D) Yield projections of existing revenue sources and
- 8 existing taxes at authorized rates;
- 9 (E) Assumptions made and methodology used in
- 10 projections;
- 11 (F) Changes recommended; and
- 12 (G) Projected yields if changes are adopted; etc.;
- 13 (3) At the lowest level on the state program structure,
- 14 for each program:
- 15 (A) The total actual program cost for the last
- 16 completed fiscal year, the estimated cost for the
- 17 fiscal year in progress, and the estimated cost
- 18 for each of the next six fiscal years; research
- 19 and development, operating, and capital costs
- 20 shall be included and the means of financing
- 21 shall be identified. The ~~[number of personnel~~



1 ~~positions]~~ position ceiling and all lease
2 payments shall be shown for the program,
3 identified by their means of financing;

4 (B) The program size indicators; the actual size
5 attained in the last completed fiscal year, the
6 estimated size for the fiscal year in progress,
7 and the estimated size for each of the next six
8 fiscal years; and

9 (C) The effectiveness measures; the actual level of
10 effectiveness attained in the last completed
11 fiscal year, the estimated level of effectiveness
12 for the fiscal year in progress, and the
13 estimated level for each of the next six fiscal
14 years;

15 (4) Appropriate displays of paragraph (3)(A) and (C), at
16 every level of the state program structure above the
17 lowest level, by the major groupings of programs
18 encompassed within the level. The displays of
19 [+]paragraph[+] (3)(A) shall appropriately identify
20 the means of financing and [~~the number of positions]~~
21 position ceiling included in the level;



1 (5) Financial summaries displaying the State's financial
2 condition, actual for the last completed fiscal year,
3 and estimated for the fiscal year in progress and each
4 of the next six fiscal years, including:
5 (A) A display of the programmed, total state
6 expenditures, by cost categories, the total state
7 resources anticipated from existing tax and
8 nontax sources at existing rates, by resource
9 categories, including the fund balance or deficit
10 at the beginning of the fiscal year and bond
11 receipts, and the resulting fund balance or
12 deficit at the close of each fiscal year. Lease
13 payments in each cost category shall be stated
14 separately; and
15 (B) The changes proposed to the existing tax and
16 nontax rates, sources or structure, and the
17 estimated increases or reductions in revenues,
18 the estimated cumulative increases or reductions,
19 and the estimated fund balance or deficit in each
20 of the next six fiscal years as a result of such
21 proposed changes. Proposals for changes in the



1 existing tax and nontax rates, sources or
2 structure shall be made in every case where the
3 proposed, total state expenditures exceed the
4 total resources anticipated from existing tax and
5 nontax sources at existing rates.

6 [~~Sueh~~] The financial summaries shall be prepared for
7 the total state expenditures and resources and for the
8 general fund and special fund portions thereof;

9 (6) A summary of the balance of each special fund, actual
10 for the last completed fiscal year and estimated for
11 the fiscal year in progress and estimated for each of
12 the next six fiscal years;

13 (7) A summary of the State's total bond fund required to
14 carry out the recommended programs and the kinds of
15 bonds and amounts thereof through which the
16 requirements were met in the last completed fiscal
17 year, are to be met in the fiscal year in progress,
18 and are proposed to be met in each of the next six
19 fiscal years. The summary shall detail, for each
20 fiscal year:



- 1 (A) Of the total bond fund requirements, the amount,
2 by cost categories, requiring new bond issuance
3 authorization and the kinds and amounts of bonds
4 planned for issuance under [~~sueh~~] the new
5 authorizations;
- 6 (B) By bond categories, the total, cumulative balance
7 of bonds authorized in prior years but unissued
8 and the amount thereof proposed to be issued; and
- 9 (C) A recapitulation of the total bonds to be issued,
10 including both new authorizations and prior
11 authorizations, by bond categories;
- 12 (8) Separately for general fund tax revenues, special fund
13 tax revenues, general fund nontax revenues, and
14 special fund nontax revenues:
- 15 (A) By kinds of taxes or sources, the amount of
16 revenue from existing, authorized taxes or
17 sources at existing rates received in the last
18 completed fiscal year and estimated to be
19 received in the fiscal year in progress and in
20 each of the next six fiscal years;



- 1 (B) A summary of the proposed changes in the existing
- 2 taxes or sources or rates, and the estimated
- 3 increases or reductions in revenues in each of
- 4 the next six fiscal years resulting from such
- 5 changes; and
- 6 (C) The total estimated revenues with and without the
- 7 proposed changes in each of the next six fiscal
- 8 years; and
- 9 (9) A summary of the State's total payments due under
- 10 financing agreements required to carry out the
- 11 recommended programs and the kinds of financing
- 12 agreements and amounts thereof through which the
- 13 requirements were met in the last completed fiscal
- 14 year, are to be met in the fiscal year in progress,
- 15 and are proposed to be met in each of the next six
- 16 fiscal years. The summary shall detail, for each
- 17 fiscal year:
- 18 (A) Of the total financing agreement requirements,
- 19 the amount, by cost categories, requiring new
- 20 financing agreement authorizations and the kinds
- 21 and amounts of financing agreements planned for

1 execution and delivery under [~~such~~] the new
2 authorizations;

3 (B) By cost category, the cumulative balance of
4 financing agreements authorized in prior years
5 but not executed and delivered and the amount
6 proposed to be executed and delivered; and

7 (C) A recapitulation of the total financing
8 agreements to be executed and delivered,
9 including both new authorizations and prior
10 authorizations, by cost categories.

11 (d) The program plans for the ensuing six fiscal years
12 shall more specifically include:

13 (1) At the lowest level on the state program structure,
14 for each program:

15 (A) A statement of its objectives;

16 (B) Measures by which the effectiveness in attaining
17 the objectives is to be assessed;

18 (C) The level of effectiveness planned for each of
19 the ensuing six fiscal years;

20 (D) A brief description of the activities
21 encompassed;



- 1 (E) The program size indicators;
- 2 (F) The program size planned for each of the next six
- 3 fiscal years;
- 4 (G) A narrative explanation of the plans for the
- 5 program. It shall contain, and in general be
- 6 limited to, the following:
 - 7 (i) A description of the kinds of activities
 - 8 carried out or unusual technologies
 - 9 employed;
 - 10 (ii) A statement of key policies pursued;
 - 11 (iii) Identification of important program or
 - 12 organizational relationships involved;
 - 13 (iv) A description of major external trends
 - 14 affecting the program;
 - 15 (v) A discussion of significant discrepancies
 - 16 between previously planned cost,
 - 17 effectiveness, and program size levels and
 - 18 those actually achieved;
 - 19 (vi) Comments on, and an interpretation of, cost,
 - 20 effectiveness, and program size data over
 - 21 the upcoming budget period, with special



1 attention devoted to changes from the
2 current budget period;

3 (vii) Comments on, and an interpretation of, cost,
4 effectiveness, and program size data over
5 the four years of the planning period and
6 how they relate to the corresponding data
7 for the budget period; and

8 (viii) A summary of the special analytic study,
9 program evaluation, or other analytic report
10 supporting a substantial change in the
11 program where such a major program change
12 recommendation has been made;

13 (H) The full cost implications of the recommended
14 programs, by cost categories and cost elements,
15 actually experienced in the last completed fiscal
16 year, estimated for the fiscal year in progress,
17 and estimated for each of the next six fiscal
18 years. The means of financing shall be
19 identified for each cost category. The personal
20 services cost element and the lease payments cost
21 element shall be shown separately; the cost



1 elements of other current expenses, equipment,
2 and motor vehicles may be combined. The [~~number~~
3 ~~of positions included in~~] position ceiling for
4 the program shall be appropriately identified by
5 means of financing;

6 (I) A recapitulation of subparagraph (H) for the last
7 completed fiscal year, the fiscal year in
8 progress and each of the next six fiscal years,
9 by means of financing grouped under each cost
10 category. The [~~number of positions included in~~]
11 position ceiling for any program shall be
12 appropriately identified;

13 (J) An identification of the revenues generated in
14 the last completed fiscal year and estimated to
15 be generated in the fiscal year in progress and
16 in each of the next six fiscal years, and the
17 fund into which [~~such~~] the revenues are
18 deposited;

19 (K) Details of implementation of each capital
20 improvement project included in the total program
21 cost, including:



- 1 (i) A description of the project, location, and
2 scope;
- 3 (ii) The initially estimated, currently
4 estimated, and final cost of the project, by
5 investment cost elements and by means of
6 financing;
- 7 (iii) The amounts previously appropriated by the
8 legislature for the project, by cost
9 elements and by means of financing specified
10 in the acts appropriating the sums, and an
11 identification of the acts so appropriating;
- 12 (iv) The costs incurred in the last completed
13 fiscal year and the estimated costs to be
14 incurred in the fiscal year in progress and
15 in each of the next six fiscal years, by
16 cost elements and by means of financing; and
- 17 (v) A commencement and completion schedule, by
18 month and year, of the various phases of the
19 capital improvement project (i.e., land
20 acquisition, design, construction, and
21 occupancy) as originally intended, as



- 1 currently estimated, and as actually
2 experienced; and
- 3 (L) A crosswalk of the program expenditures, by cost
4 categories and cost elements between the program
5 and expending agencies for the next two fiscal
6 years. The means of financing [~~and the number of~~
7 ~~positions included in~~] for the program costs to
8 be expended by, and position ceiling for, each
9 agency shall be specified; and
- 10 (2) Appropriate displays at every level of the state
11 program structure above the lowest level. The
12 displays shall include:
- 13 (A) A listing of all major groupings of programs
14 included within the level, together with the
15 objectives, measures of effectiveness, and
16 planned levels of effectiveness for each of the
17 ensuing six fiscal years for each [~~such~~] of the
18 major groupings of programs; and
- 19 (B) A summary of the total cost of each cost category
20 by the major groupings of programs encompassed
21 within the level, actual for the last completed



1 fiscal year and estimated for the fiscal year in
2 progress and for each of the next six fiscal
3 years."

4 SECTION 5. Section 37-71, Hawaii Revised Statutes, is
5 amended by amending subsection (c) to read as follows:

6 "(c) The display of financial requirements for the ensuing
7 two fiscal years shall more specifically include:

8 (1) At the lowest level on the state program structure,
9 for each program:

10 (A) The total recommended expenditures, including
11 research and development, capital and operating
12 costs, by cost categories and cost elements for
13 the ensuing biennium; the planned allocation of
14 the total biennial request, by cost categories,
15 and cost elements, between the two fiscal years
16 of the biennium. The means of financing and [~~the~~
17 ~~number of positions~~] position ceiling included in
18 any cost category amount shall be appropriately
19 identified;

20 (B) A summary showing means of financing the total
21 recommended expenditures, those amounts requiring



1 and those amounts not requiring legislative
2 appropriation or authorization for spending in
3 each fiscal year of the biennium;

4 (C) A crosswalk of the total proposed biennial
5 expenditures between the program and expending
6 agencies. The means of financing [~~the number of~~
7 positions], position ceiling, and the lease
8 payments included in any cost amount, and the net
9 amount requiring appropriation or authorization
10 shall be appropriately identified for each
11 expending agency; and

12 (D) The proposed changes in the levels of
13 expenditures, by cost categories, between the
14 biennium in progress and the ensuing biennium,
15 together with a brief explanation of the major
16 reasons for each change. The reasons shall
17 include, as appropriate, the following:

18 (i) Salary adjustments to existing positions of
19 personnel;

20 (ii) The addition or deletion of positions[+] to
21 or from the position ceiling;

- 1 (iii) Changes in the number of persons being
2 served or to be served by the program;
- 3 (iv) Changes in the program implementation
4 schedule;
- 5 (v) Changes in the actual or planned level of
6 program effectiveness;
- 7 (vi) Increases due to the establishment of a
8 program not previously included in the
9 State's program structure;
- 10 (vii) Decreases due to the phasing out of a
11 program previously included in the State's
12 program structure; and
- 13 (viii) Changes in the purchase price of goods or
14 services;
- 15 As appropriate, references to the program and
16 financial plan shall be noted for an explanation of
17 the changes. Notwithstanding the provisions of
18 subsection (b) (5), the proposed changes in the levels
19 of expenditures may be shown to the nearest thousand
20 dollars;



- 1 (2) Appropriate summaries of paragraph (1)(A) and (C)
2 immediately above at every level of the state program
3 structure above the lowest level. [~~Such~~] The
4 summaries shall be by the major groupings of programs
5 encompassed within the level. The summaries of
6 paragraph (1)(A) shall identify the means of financing
7 [~~and the number of positions~~], position ceiling, and
8 [~~the~~] lease payments included in any cost category
9 amount; and
- 10 (3) A summary listing of all capital improvement projects
11 included in the proposed capital investment costs for
12 the ensuing biennium. The listing shall be by
13 programs at the lowest level of the state program
14 structure and shall show for each project, by
15 investment cost elements:
- 16 (A) The cost of the project;
- 17 (B) The amount of funds previously appropriated and
18 authorized by the legislature; and
- 19 (C) The amount of new appropriations and
20 authorizations proposed in each of the two fiscal
21 years of the ensuing biennium and in each of the



1 succeeding four years. The amount of the new
2 appropriations and authorizations proposed shall
3 constitute the proposed new requests for the
4 project in each of the fiscal bienniums.

5 In every instance, the means of financing shall be
6 noted."

7 SECTION 6. Section 37-74, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§37-74 Program execution.** (a) Except as limited by
10 policy decisions of the governor, appropriations by the
11 legislature, and other provisions of law, the several agencies
12 responsible for administering state programs shall administer
13 their program assignments and shall be responsible for their
14 proper management.

15 (b) The appropriations by the legislature for a biennium
16 shall be allocated between the two fiscal years of the biennium
17 in the manner provided in the budget or appropriations act and
18 as further prescribed by the director of finance. The amounts
19 allocated for each fiscal year shall be subject to the allotment
20 system prescribed in chapter 37, part II. Each agency (except
21 the courts), in estimating its quarterly requirements under



1 chapter 37, part II, shall prepare a plan for the fiscal year
 2 for the operation of each of the programs it is responsible for
 3 administering. The operations plan shall be in [~~such~~] a form
 4 and content as the department of budget and finance may
 5 prescribe. It shall be submitted, together with the estimated
 6 quarterly requirements, to the department of budget and finance
 7 on [~~such~~] a date as the department may prescribe.

8 (c) The department of budget and finance shall:

9 (1) Review each operations plan to determine:

10 (A) That it is consistent with the policy decisions
 11 of the governor and appropriations by the
 12 legislature;

13 (B) That it reflects proper planning and efficient
 14 management methods; and

15 (C) That appropriations have been made for the
 16 planned purpose and will not be exhausted before
 17 the end of the fiscal year;

18 provided that the department of budget and finance
 19 shall review the operations plan submitted by the
 20 University of Hawaii solely for consistency with the
 21 allotment ceilings established by the governor under



1 section 37-34, appropriations by the legislature, the
2 requirements of chapter 37D, and the status of
3 revenues to support operations plans for all state
4 programs;

5 (2) Approve the operations plan if satisfied that it meets
6 the requirements under paragraph (1). Otherwise, the
7 department of budget and finance shall require
8 revision of the operations plan in whole or in part;
9 and

10 (3) Modify or withhold the planned expenditures at any
11 time during the appropriation period if the department
12 of budget and finance finds that the expenditures are
13 greater than those necessary to execute the programs
14 at the level authorized by the governor and the
15 legislature, or that state receipts and surpluses will
16 be insufficient to meet the authorized expenditure
17 levels; provided that the planned expenditures for the
18 University of Hawaii may be modified or withheld only
19 in accordance with sections 37-36 and 37-37.



1 (d) No appropriation transfers or changes between programs
2 or agencies shall be made without legislative authorization;
3 provided that:

4 (1) Authorized transfers or changes, when made, shall be
5 reported to the legislature;

6 (2) Except with respect to appropriations to fund
7 financing agreements under chapter 37D, the University
8 of Hawaii [~~shall have the flexibility to~~] may transfer
9 appropriated funds and positions for the operating
10 cost category among programs, among cost elements in a
11 program, and between quarters, as applicable; except
12 with respect to appropriations to fund financing
13 agreements under chapter 37D, the department of
14 education [~~shall have the flexibility to~~] may transfer
15 appropriated funds and positions for the operating
16 cost category among programs and among cost elements
17 in a program, and between quarters, as applicable; and
18 the Hawaii health systems corporation and its regional
19 system boards [~~shall have the flexibility to~~] may
20 transfer special fund appropriations among regional
21 system hospital facilities as applicable and as



1 mutually agreed to by the corporation and the
2 respective regional system board; provided that the
3 Hawaii health systems corporation and the regional
4 system boards shall maintain the integrity and
5 services of each individual regional system and shall
6 not transfer appropriations out of any regional system
7 that would result in a reduction of services offered
8 by the regional system, with due regard for statutory
9 requirements, changing conditions, the needs of the
10 programs, and the effective utilization of resources;
11 and

12 (3) The university and the department of education shall
13 account for each transfer implemented under this
14 subsection in quarterly reports to the governor and
15 annual reports at the end of each fiscal year to the
16 legislature and the governor, which shall be prepared
17 in the form and manner prescribed by the governor and
18 shall include information on the sources and uses of
19 the transfer.

20 (e) Effective July 1, 2017, no funds shall be expended to
21 fill a permanent or temporary position for the lowest level of a



1 program if the filling of that position causes the position
2 ceiling for that level of the program to be exceeded; provided
3 that this subsection shall not apply to a:

4 (1) Position established by the University of Hawaii or
5 the Hawaii health systems corporation;

6 (2) Position that is entirely federally funded;

7 (3) Position necessary for compliance, without undue
8 delay, with a court order or decree if the director of
9 human resources development determines that
10 recruitment through normal civil service procedures
11 would result in delay or noncompliance;

12 (4) Position approved by the governor for a special,
13 research, or demonstration project of an agency;

14 (5) Position approved by the governor to perform an
15 emergency management function under the department of
16 defense pursuant to the authority of section
17 127A-12(b)(9);

18 (6) Casual hire position;

19 (7) Vicing position;

20 (8) Position established by an agency pursuant to express
21 statutory authorization to establish the position; and



1 (9) Position established by an agency for a program or
2 project funded by an appropriation in an act other
3 than a general or supplemental appropriations act."

4 SECTION 7. Section 37-75, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§37-75 Variance report.** Not fewer than thirty days prior
7 to the convening of each regular session of the legislature, the
8 governor shall submit to the legislature and to each member
9 thereof a report on program performance for the last completed
10 fiscal year and the fiscal year in progress. In format, the
11 report generally shall follow the fiscal requirements portion of
12 the executive budget or budgets. The report shall include:

13 (1) At the lowest level of the program structure, for each
14 program contained in the budget finally approved by
15 the legislature for the last completed fiscal year and
16 the fiscal year in progress:

17 (A) A comparison, by the operating and research and
18 development cost categories, of the budgeted
19 expenditures and the actual expenditures for the
20 last completed fiscal year and the budgeted



1 expenditures and the estimated expenditures for
2 the fiscal year in progress;

3 (B) A comparison, for the operating and research and
4 development cost categories, of the budgeted
5 expenditures and [~~positions authorized~~] position
6 ceiling and the actual expenditures and positions
7 filled in the last completed fiscal year and a
8 comparison of the budgeted expenditures and the
9 [~~number of positions authorized~~] position ceiling
10 for the fiscal year in progress and the actual
11 expenditures and number of positions filled in
12 the first three months of the fiscal year in
13 progress and the estimated expenditures and
14 number of positions expected to be filled in the
15 remaining months of the fiscal year in progress;

16 (C) The program size indicators and a comparison of
17 the program size anticipated and the size
18 actually realized in the last completed fiscal
19 year and the program size anticipated and the
20 size estimated for the fiscal year in progress;



- 1 (D) The effectiveness measures and a comparison of
2 the level of effectiveness anticipated and the
3 level actually attained in the last completed
4 fiscal year and the level of effectiveness
5 anticipated and the level estimated for the
6 fiscal year in progress; and
- 7 (E) A narrative explanation of the significant
8 differences for the last completed fiscal year in
9 each of the comparisons made in subparagraphs
10 (A), (B), (C), and (D), including an explanation
11 of the basis upon which the original estimates
12 were made and the reasons why the estimates
13 proved accurate or inaccurate, and a statement of
14 what the actual experience portends for the
15 future of the program in terms of costs, size,
16 and effectiveness;
- 17 provided that expenditure amounts in the comparisons
18 shall be shown to the nearest thousand dollars;
- 19 (2) Appropriate summaries at each level of the state
20 program structure for each major grouping of programs
21 encompassed therein, showing:



- 1 (A) A comparison of the total budgeted expenditure
2 and the total actual expenditure for the last
3 completed fiscal year and the total budgeted
4 expenditure and the total estimated expenditure
5 for the fiscal year in progress; provided that
6 the expenditure amounts shall be shown to the
7 nearest thousand dollars;
- 8 (B) The effectiveness measures and a comparison of
9 the level of effectiveness anticipated and the
10 level actually attained in the last completed
11 fiscal year and the level of effectiveness
12 anticipated and the level estimated for the
13 fiscal year in progress; and
- 14 (C) A narrative explanation summarizing the major
15 reasons for the differences in the comparisons
16 made for the last completed fiscal year in
17 subparagraphs (A) and (B); and
- 18 (3) A narrative explanation of the significant variations
19 in capital improvement costs; provided that capital
20 improvement project variances shall be referenced to
21 the six-year program and financial plan, which shall



1 contain the information specified in section
2 37-69(d)(1)(K)."

3 SECTION 8. Section 601-2, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) The chief justice shall possess the following powers,
6 subject to such rules as may be adopted by the supreme court:

7 (1) To assign circuit judges from one circuit to another;

8 (2) In a circuit court with more than one judge, (A) to
9 make assignments of calendars among the circuit judges
10 for such period as the chief justice may determine
11 and, as deemed advisable from time to time, to change
12 assignments of calendars or portions thereof (but not
13 individual cases) from one judge to another, and (B)
14 to appoint one of the judges, for [~~such~~] a period as
15 the chief justice may determine, as the administrative
16 judge to manage the business of the court, subject to
17 the rules of the supreme court and the direction of
18 the chief justice;

19 (3) To prescribe for all of the courts a uniform system of
20 keeping and periodically reporting statistics of their
21 business;



- 1 (4) To procure from all of the courts estimates for their
2 appropriations; with the cooperation of the
3 representatives of the court concerned to review and
4 revise them as the chief justice deems necessary for
5 equitable provisions for the various courts according
6 to their needs and to present the estimates, as
7 reviewed and revised by the chief justice, to the
8 legislature as collectively constituting a unified
9 budget for all of the courts;
- 10 (5) To exercise exclusive authority over the preparation,
11 explanation, and administration of the judiciary
12 budget, programs, plans, and expenditures, including
13 without limitation policies and practices of financial
14 administration and the establishment of guidelines as
15 to permissible expenditures, provided that all
16 expenditures of the judiciary shall be in conformance
17 with program appropriations and provisions of the
18 legislature, and all powers of administration over
19 judiciary personnel that are specified in Title 7; and
- 20 (6) To do all other acts [~~which~~] that may be necessary or
21 appropriate for the administration of the judiciary.



1 The budget, supplemental budget, six-year program and financial
2 plan, and the variance report of the judiciary shall be
3 submitted by the chief justice to the legislature in accordance
4 with the schedule of submission specified for the governor in
5 chapter 37 and shall contain the program information prescribed
6 in that chapter[-] as applicable to the judiciary. By
7 November 1 of each year preceding a legislative session in which
8 a budget is to be submitted, the chief justice shall provide
9 written notification to the governor of the proposed total
10 expenditures, by cost categories and sources of funding, and
11 estimated revenues of the judiciary for each fiscal year of the
12 next fiscal biennium[-] or fiscal year, as applicable."

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

15 SECTION 10. This Act shall take effect on July 1, 2115,
16 and shall apply to the six-year program and financial plans,
17 budgets, supplemental budgets, and variance reports submitted to
18 the legislature, beginning with the regular session of 2017.



Report Title:

State Budget; Position Ceiling, Temporary Positions

Description:

Requires inclusion of position ceilings in the executive budget and related documents and separate identification of the maximum number of permanent and temporary positions authorized. Prohibits the expenditure of funds on positions exceeding the applicable ceiling, with certain exceptions. Applies to Executive and Judicial Branch budgets and documents. (SB1361 HD1)

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

