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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 2015.

4           SECTION 2.   Unless otherwise clear from the context, as used  
5   in this Act:

6           (a)   "Program ID" means the unique identifier for the specific  
7   program, and consists of the abbreviation for the judiciary (JUD)  
8   followed by a designated number for the program.

9           (b)   "Means of Financing," or "MOF," means the source from  
10   which funds are appropriated, or authorized, as the case may be, to  
11   be expended for the programs and projects specified in this Act.

12   All appropriations are followed by letter symbols.  The letter  
13   symbols, where used, shall have the following meanings:

14                   A     General funds  
15                   B     Special funds  
16                   C     General obligation bond funds  
17                   N     Other federal funds



1                   W     Revolving funds

2           (c)   "Position ceiling" means the maximum number of permanent  
3 positions authorized for a particular program during a specified  
4 period or periods, as noted by an asterisk.

5                               PART II.   PROGRAM APPROPRIATIONS

6           SECTION 3.   The following sums, or so much thereof as may be  
7 sufficient to accomplish the purposes and programs designated  
8 herein, are appropriated or authorized from the sources of funding  
9 specified to the judiciary for the fiscal biennium beginning July  
10 1, 2015, and ending June 30, 2017.   The total expenditures and the  
11 number of permanent positions established in each fiscal year of  
12 the fiscal biennium shall not exceed the sums and the position  
13 ceilings indicated for each year, except as provided in this Act.



## PROGRAM APPROPRIATIONS

A P P R O P R I A T I O N S

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL YEAR 2015-16	M O F	FISCAL YEAR 2016-17	M O F
1		THE JUDICIAL SYSTEM					
2							
3		1. JUD101 - COURTS OF APPEAL					
4				73.00	*	73.00	*
5		OPERATING	JUD	6,713,337	A	6,853,202	A
6							
7		2. JUD310 - FIRST CIRCUIT					
8				1,079.50	*	1,081.50	*
9		OPERATING	JUD	82,263,925	A	83,743,247	A
10				41.00	*	41.00	*
11			JUD	4,144,799	B	4,150,321	B
12							
13		3. JUD320 - SECOND CIRCUIT					
14				207.00	*	207.00	*
15		OPERATING	JUD	16,509,577	A	16,774,835	A
16							
17		4. JUD330 - THIRD CIRCUIT					
18				230.00	*	230.00	*
19		OPERATING	JUD	19,486,511	A	19,754,189	A
20							
21		5. JUD350 - FIFTH CIRCUIT					
22				102.00	*	102.00	*
23		OPERATING	JUD	7,708,843	A	7,835,623	A
24							
25		6. JUD501 - JUDICIAL SELECTION COMMISSION					
26				1.00	*	1.00	*
27		OPERATING	JUD	93,418	A	93,418	A
28							
29		7. JUD601 - ADMINISTRATION					
30				228.00	*	228.00	*
31		OPERATING	JUD	26,558,434	A	27,060,911	A
32				1.00	*	1.00	*
33			JUD	7,976,193	B	7,989,841	B
34			JUD	343,261	W	343,261	W
35		INVESTMENT CAPITAL	JUD	58,000,000	C	3,000,000	C
36							



## 1                                   PART III. PROGRAM PROVISIONS

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

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

16          SECTION 6. Provided that the judiciary is authorized to  
17 transfer savings from its general fund appropriation to the driver  
18 education and training fund to accommodate any temporary cash flow  
19 deficits.



1                   PART IV. CAPITAL IMPROVEMENT PROJECTS

2           SECTION 7. The sum of \$61,000,000 appropriated or authorized  
3 in Part II of this Act for capital improvement projects shall be  
4 expended by the judiciary for the projects listed below; provided  
5 that several related or similar projects may be combined into a  
6 single project, if a combination is advantageous or convenient for  
7 implementation; and provided further that the total cost of the  
8 projects thus combined shall not exceed the total of the sums  
9 specified for the projects separately. The amount after each cost  
10 element and the total funding for each project listed in this Part  
11 are in thousands of dollars.



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR	M O	FISCAL YEAR	M O
				2015-16	F	2016-17	F
1		THE JUDICIAL SYSTEM					
2							
3		JUD601 - ADMINISTRATION					
4							
5	1.	KONA JUDICIARY COMPLEX, HAWAI'I.					
6							
7		CONSTRUCTION FOR A NEW JUDICIARY					
8		COMPLEX AT KONA, HAWAI'I.					
9		CONSTRUCTION		55,000			
10		TOTAL FUNDING	JUD	55,000	C		0 C
11							
12	2.	LUMP SUM CIP FOR JUDICIARY FACILITIES,					
13		STATEWIDE.					
14							
15		PLANS, DESIGN, CONSTRUCTION, AND					
16		EQUIPMENT FOR GENERAL ALTERATIONS,					
17		UPGRADES, AND IMPROVEMENTS TO JUDICIARY					
18		FACILITIES, STATEWIDE.					
19		PLANS		10			10
20		DESIGN		75			75
21		CONSTRUCTION		2,900			2,900
22		EQUIPMENT		15			15
23		TOTAL FUNDING	JUD	3,000	C		3,000 C



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 \$61,000,000.

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 2015-2016 and fiscal year  
14 2016-2017 which are unencumbered as of June 30, 2018, shall  
15 lapse as of that date.

16          SECTION 10.   The judiciary is authorized to delegate to  
17 other state or county agencies the planning, acquisition of  
18 land, design, construction, and equipment of any capital  
19 improvement project when it is determined by the judiciary to be  
20 advantageous to do so.

21          SECTION 11.   All unrequired balances in the general  
22 obligation bond fund, after the objectives of Part II



1 appropriations for capital improvements program purposes listed  
2 as projects in Part IV of this Act have been met, shall be  
3 transferred to the judiciary project adjustment fund.

4 SECTION 12. If the amount allocated from the general  
5 obligation bond fund for a capital improvement project listed in  
6 Part IV of this Act is insufficient, the chief justice may make  
7 supplemental allotments from the project adjustment fund;  
8 provided that supplemental allotments shall not be used to  
9 increase the scope of the project.

10 SECTION 13. Where it has been determined that changed  
11 conditions, such as a reduction in the particular population  
12 being served, permit the reduction in the scope of a project  
13 listed in Part IV of this Act, the chief justice may authorize  
14 the reduction of the project scope.

15 SECTION 14. The chief justice shall determine when and the  
16 manner in which the authorized capital improvement projects  
17 shall be initiated. The chief justice shall notify the governor  
18 from time to time of the specific amounts required for the  
19 projects, and the governor shall provide for those amounts  
20 through the issuance of bonds authorized in Part V of this Act.

21 SECTION 15. Any law or any provision of the law to the  
22 contrary notwithstanding, the chief justice may supplement funds





1 for any cost element for a capital improvement project  
2 authorized under this Act by transferring such sums as may be  
3 needed from the funds appropriated for other cost elements of  
4 the same project by this Act or by any other prior or future Act  
5 that has not lapsed; provided that the total expenditure of  
6 funds for all cost elements for the project shall not exceed the  
7 total appropriation for that project.

8 PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

9 SECTION 16. If any portion of this Act or its application  
10 to any person or circumstances is held to be invalid for any  
11 reason, the remainder of the Act and any provision thereof shall  
12 not be affected. If any portion of a specific appropriation is  
13 held to be invalid for any reason, the remaining portion shall  
14 be independent of the invalid portion and shall be expended to  
15 fulfill the objective and intent of the appropriation to the  
16 extent possible.

17 SECTION 17. If any manifest clerical, typographical, or  
18 other mechanical error is found in this Act, the chief justice  
19 may correct the error. All changes made pursuant to this  
20 section shall be reported to the legislature at its next regular  
21 session.

22 SECTION 18. This Act shall take effect on July 1, 2015.



**Report Title:**

Judiciary Package; Budget; Appropriations

**Description:**

Appropriates funds for the judiciary for the fiscal biennium beginning 7/1/15 and ending 6/30/17. Effective 7/1/15. (HB290 HD1)

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

