
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

PART I. GENERAL PROVISIONS

SECTION 1. This Act shall be known and may be cited as the
Judiciary Appropriations Act of 2019.

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

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

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

- A General funds
- B Special funds
- C General obligation bond funds
- N Federal funds
- W Revolving funds

"Position ceiling" means the maximum number of permanent or
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, 2019, and ending June 30, 2021. 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.

16



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1		The Judicial System					
2	1.	JUD101 - COURTS OF APPEAL					
3				74.00*		74.00*	
4				1.00#		1.00#	
5		OPERATING	JUD	7,324,744A		7,319,421A	
6							
7	2.	JUD310 - FIRST CIRCUIT					
8				1,105.50*		1,105.50*	
9				55.58#		55.58#	
10		OPERATING	JUD	88,455,533A		88,595,439A	
11				41.00*		41.00*	
12			JUD	4,429,112B		4,429,112B	
13							
14	3.	JUD320 - SECOND CIRCUIT					
15				214.50*		214.50*	
16				1.68#		1.68#	
17		OPERATING	JUD	18,302,376A		18,274,456A	
18							
19	4.	JUD330 - THIRD CIRCUIT					
20				240.00*		240.00*	
21				5.68#		5.68#	
22		OPERATING	JUD	21,729,887A		21,761,042A	
23							
24	5.	JUD350 - FIFTH CIRCUIT					
25				103.00*		103.00*	
26				2.60#		2.60#	
27		OPERATING	JUD	8,455,480A		8,447,902A	
28							
29	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
30				1.00*		1.00*	
31		OPERATING	JUD	103,414A		103,414A	
32							
33	7.	JUD601 - ADMINISTRATION					
34				227.00*		227.00*	
35				9.48#		9.48#	
36		OPERATING	JUD	28,439,142A		28,440,195A	
37				1.00*		1.00*	
38				9.00#		9.00#	
39			JUD	8,034,802B		8,034,802B	
40			JUD	343,261W		343,261W	
41		INVESTMENT CAPITAL	JUD	12,595,000C		9,343,000C	
42							



1 chief justice shall assign as a significant primary duty to that
2 judge the hearing of, among other matters, petitions for
3 guardianships for individuals with severe mental illnesses and
4 petitions for assisted community treatment.

5 **PART IV. COMMUNITY OUTREACH COURT**

6 SECTION 8. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$445,768 or so
8 much thereof as may be necessary for the community outreach
9 court project that is administered and operated under the
10 judiciary in collaboration with the office of the public
11 defender and the office of the prosecuting attorney of the
12 city and county of Honolulu; provided that:

13 (1) Of the amounts appropriated:

14 (A) The office of the public defender shall expend
15 the sum of \$154,000 or so much thereof as may be
16 necessary for the following 3.00 permanent
17 positions for the performance of duties under the
18 community outreach court project:

19 (i) 1.00 permanent deputy public defender;

20 (ii) 1.00 permanent paralegal; and

21 (iii) 1.00 permanent social worker or advocate;



1 (B) Notwithstanding any law to the contrary, the
2 public defender shall transfer to the judiciary
3 of the State of Hawaii the sum of \$126,364 or so
4 much thereof as may be necessary for the
5 administration and operation of the community
6 outreach court project; and

7 (C) Notwithstanding any law to the contrary, the
8 public defender shall transfer to the office of
9 the prosecuting attorney of the city and county
10 of Honolulu the sum of \$165,404 or so much
11 thereof as may be necessary for payment of the
12 personal services and fringe benefit costs of the
13 following 2.00 permanent positions for the
14 operation of the community outreach court
15 project:

16 (i) 1.00 deputy prosecuting attorney; and

17 (ii) 1.00 paralegal;

18 (2) If requested by the public defender, the director of
19 finance shall make the transfers under paragraphs
20 (1)(B) and (C) on behalf of the public defender;



1 (3) The public defender shall enter into memoranda of
2 agreement with the chief justice and prosecuting
3 attorney of the city and county of Honolulu with
4 respect to the transfers and expenditure of funds as
5 specified under paragraphs (1)(B) and (C); and

6 (4) The public defender shall submit the memoranda of
7 agreement to the legislature at least twenty days
8 before the convening of the regular sessions of 2020
9 and 2021. The public defender may request the chief
10 justice to include the memoranda of agreement with the
11 community court outreach project reports required of
12 the chief justice.

13 The sum appropriated shall be expended by the office
14 of the public defender (BUF151) for the purposes of this
15 Act.

16 **PART V. CAPITAL IMPROVEMENT PROJECTS**

17 SECTION 9. The sum of \$21,938,000 appropriated or
18 authorized in part II of this Act for capital improvement
19 projects shall be expended by the judiciary for the projects
20 listed below; provided that several related or similar projects
21 may be combined into a single project, if a combination is



1 advantageous or convenient for implementation; provided further
2 that the total cost of the projects thus combined shall not
3 exceed the total of the sums specified for the projects
4 separately. The amount after each cost element and the total
5 funding for each project listed in this part are in thousands of
6 dollars.

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	A.	ECONOMIC DEVELOPMENT					
2		JUD601 - ADMINISTRATION					
3							
4	1.	ALIIOLANI HALE AC SYSTEM UPGRADE,					
5		OAHU					
6							
7		DESIGN, CONSTRUCTION, AND EQUIPMENT					
8		REPLACEMENT, IN PHASES AS FUNDS ARE					
9		AVAILABLE, WITH INTENT TO RENEW THE AC					
10		SYSTEMS AT ALIIOLANI HALE, OAHU.					
11		DESIGN			200		
12		CONSTRUCTION			400	400	
13		EQUIPMENT			400	400	
14		TOTAL FUNDING	JUD		1,000 C	800 C	
15							
16	2.	LUMP SUM CIP FOR JUDICIARY					
17		FACILITIES, STATEWIDE					
18							
19		PLANS, DESIGN, CONSTRUCTION, AND					
20		EQUIPMENT FOR IMPROVEMENTS, INCLUDING					
21		DEFERRED REPAIRS AND MAINTENANCE,					
22		ALTERATIONS, UPGRADES AND RENOVATIONS TO					
23		JUDICIARY FACILITIES, STATEWIDE.					
24		PLANS			50	50	
25		DESIGN			250	250	
26		CONSTRUCTION			2,300	2,300	
27		EQUIPMENT			400	400	
28		TOTAL FUNDING	JUD		3,000 C	3,000 C	
29							
30	3.	KAAHUMANU HALE REPAIR BASEMENT LEAKS					
31		AND DAMAGES, OAHU					
32							
33		DESIGN AND CONSTRUCTION TO REPAIR					
34		LEAKS IN THE TELECOMMUNICATIONS ROOM AND					
35		THE EVIDENCE ROOM IN THE BASEMENT PARKING					
36		AREA AT KAAHUMANU HALE, OAHU.					
37		DESIGN			179		
38		CONSTRUCTION			1,816		
39		TOTAL FUNDING	JUD		1,995 C		C
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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
4.		HOAPILI HALE SECURITY IMPROVEMENTS, MAUI					
		DESIGN AND CONSTRUCTION OF SECURITY-RELATED IMPROVEMENTS AT HOAPILI HALE, MAUI.					
		DESIGN		1,060			
		CONSTRUCTION		2,450		2,000	
		TOTAL FUNDING	JUD	3,510 C		2,000 C	
5.		KAUAI JUDICIARY COMPLEX REROOF AND REPAIR LEAKS AND DAMAGES, KAUAI					
		DESIGN AND CONSTRUCTION TO REROOF, REPAIR LEAKS AND ASSOCIATED EXTERIOR AND INTERIOR DAMAGES, AND ADD ROOF ACCESS AND FALL PROTECTION AT KAUAI JUDICIARY COMPLEX, KAUAI.					
		DESIGN		120			
		CONSTRUCTION		2,120		2,000	
		TOTAL FUNDING	JUD	2,240 C		2,000 C	
6.		HOAPILI HALE PARKING STRUCTURE SEWER, STORM DRAIN, AC AND FIRE SPRINKLER PIPING IMPROVEMENTS, MAUI					
		DESIGN AND CONSTRUCTION, IN PHASES AS FUNDS ALLOW, TO RENOVATE THE SANITARY (WASTE), STORM DRAIN, AC (CHILLED WATER), AND FIRE SUPPRESSION SYSTEMS IN THE PARKING STRUCTURE AT HOAPILI HALE, MAUI.					
		DESIGN		650			
		CONSTRUCTION		200			
		TOTAL FUNDING	JUD	850 C			C



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

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7.		KAAHUMANU HALE ATRIUM SECURITY AND MONITORING OFFICE RENOVATION, OAHU					
		DESIGN AND CONSTRUCTION TO RENOVATE THE ATRIUM AREA TO ENLARGE, REORGANIZE, AND UPGRADE THE SHERIFF STATION TO IMPROVE SECURITY AND MONITORING AT THE MAIN PUBLIC ENTRY AT KAAHUMANU HALE, OAHU.					
		DESIGN					105
		CONSTRUCTION					1,438
		TOTAL FUNDING	JUD		C		1,543 C



PART VI. ISSUANCE OF BONDS

SECTION 10. 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 V of this Act; provided that the sum of the general obligation bonds so issued shall not exceed \$21,938,000.

PART VII. SPECIAL PROVISIONS

SECTION 11. Any law or any provision of this Act to the contrary notwithstanding, the appropriations made for capital improvement projects authorized in part II and listed in part V of this Act shall not lapse at the end of the fiscal year for which the appropriations are made; provided that all appropriations made for fiscal year 2019-2020 and fiscal year 2020-2021 that are unencumbered as of June 30, 2022, shall lapse as of that date.

SECTION 12. The judiciary may delegate to other state or county agencies the planning, acquisition of land, design, construction, and equipment of any capital improvement project when it is determined by the judiciary to be advantageous to do so.



1 SECTION 13. 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 V of this Act have been met, shall be
5 transferred to the judiciary project adjustment fund.

6 SECTION 14. If the amount allocated from the general
7 obligation bond fund for a capital improvement project listed in
8 part V 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 15. 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 V of this Act, the chief justice may authorize
16 this reduction of project scope.

17 SECTION 16. 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 VI of this Act.

3 SECTION 17. 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 VIII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE**

13 SECTION 18. 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 19. 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 20. This Act shall take effect on July 1, 2030.



Report Title:

Judiciary Package; Appropriations; Budget

Description:

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/2019, and ending 6/30/2021. Effective 7/1/2030.
(SD2)

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