

JAN 18 2019

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 2019.

4 SECTION 2. Unless otherwise clear from the context, as used
5 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. All
9 appropriations are followed by letter symbols. The letter symbols,
10 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 sign,
2 respectively.

3 "Program ID" means the unique identifier for the specific
4 program, and consists of the abbreviation for the judiciary (JUD)
5 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 be
8 sufficient to accomplish the purposes and programs designated
9 herein, are appropriated or authorized from the sources of funding
10 specified to the judiciary for the fiscal biennium beginning
11 July 1, 2019, and ending June 30, 2021. The total expenditures and
12 the number of permanent and temporary positions established in each
13 fiscal year of the fiscal biennium shall not exceed the sums and
14 the position ceilings indicated for each year, except as provided
15 in this Act.



PROGRAM APPROPRIATIONS

				<u>A P P R O P R I A T I O N S</u>				
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL	M	FISCAL	M	
				YEAR	O	YEAR	O	
				2019-20	F	2020-21	F	
1		THE JUDICIAL SYSTEM						
2								
3		1. JUD101 - COURTS OF APPEAL						
4				74.00	*	74.00	*	
5				1.00	#	1.00	#	
6		OPERATING	JUD	7,273,126	A	7,319,421	A	
7								
8		2. JUD310 - FIRST CIRCUIT						
9				1,113.50	*	1,113.50	*	
10				77.58	#	77.58	#**	
11		OPERATING	JUD	89,232,796	A	89,828,138	A	
12				41.00	*	41.00	*	
13			JUD	4,429,112	B	4,429,112	B	
14								
15		3. JUD320 - SECOND CIRCUIT						
16				214.50	*	214.50	*	
17				1.68	#	1.68	#	
18		OPERATING	JUD	18,136,872	A	18,274,456	A	
19								
20		4. JUD330 - THIRD CIRCUIT						
21				240.00	*	240.00	*	
22				5.68	#	5.68	#	
23		OPERATING	JUD	21,729,887	A	21,761,042	A	
24								
25		5. JUD350 - FIFTH CIRCUIT						
26				103.00	*	103.00	*	
27				2.60	#	2.60	#	
28		OPERATING	JUD	8,290,636	A	8,447,902	A	
29								
30		6. JUD501 - JUDICIAL SELECTION COMMISSION						
31				1.00	*	1.00	*	
32		OPERATING	JUD	103,414	A	103,414	A	
33								
34								



1	7. JUD601 - ADMINISTRATION					
2			227.00	*	227.00	*
3			10.48	#	10.48	#
4	OPERATING	JUD	27,669,382	A	27,670,435	A
5			1.00	*	1.00	*
6			9.00	#	9.00	#
7		JUD	8,034,802	B	8,034,802	B
8		JUD	343,261	W	343,261	W
9	INVESTMENT CAPITAL	JUD	23,326,000	C	15,881,000	C
10						

11 PART III. PROGRAM PROVISIONS

12 SECTION 4. Whenever the need arises, the chief justice, in
13 administering an equitable and expeditious judicial process, may
14 transfer sufficient funds and positions between programs for
15 operating purposes; provided that no transfer shall be made to
16 implement any collective bargaining contract signed after this
17 legislature adjourns sine die.

18 SECTION 5. If the chief justice or any agency or government
19 unit secures federal funds or other property under any act of
20 Congress, or any funds or other property from private organizations
21 or individuals that are to be expended in connection with any
22 program or works authorized by this Act or otherwise, the chief
23 justice, or the agency with the chief justice's approval, may enter
24 into the undertaking with the federal government, private
25 organization, or individual.



1 SECTION 6. The judiciary may transfer savings from its
2 general fund appropriation to the driver education and training
3 fund to accommodate any temporary cash flow deficits.

4 PART IV. CAPITAL IMPROVEMENT PROJECTS

5 SECTION 7. The sum of \$39,207,000 appropriated or authorized
6 in part II of this Act for capital improvement projects shall be
7 expended by the judiciary for the projects listed below; provided
8 that several related or similar projects may be combined into a
9 single project, if a combination is advantageous or convenient for
10 implementation; provided further that the total cost of the
11 projects thus combined shall not exceed the total of the sums
12 specified for the projects separately. The amount after each cost
13 element and the total funding for each project listed in this part
14 are in thousands of dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000s)			
				FISCAL YEAR 2019-20	M O F	FISCAL YEAR 2020-21	M O F
1		THE JUDICIAL SYSTEM					
2							
3		JUD601 - ADMINISTRATION					
4							
5	1.	KA'AHUMANU HALE FIRE ALARM AND					
6		ELEVATOR SYSTEMS UPGRADE AND					
7		MODERNIZATION, O'AHU.					
8							
9		CONSTRUCTION FOR FIRE ALARM					
10		AND ELEVATOR SYSTEMS UPGRADE AND					
11		MODERNIZATION AT KA'AHUMANU HALE, O'AHU.					
12		CONSTRUCTION			9,188		8,081
13		TOTAL FUNDING	JUD		9,188	C	8,081
14							
15	2.	ALI'IOLANI HALE A/C SYSTEM UPGRADE, O'AHU.					
16							
17		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR					
18		A/C SYSTEM UPGRADE AT ALI'IOLANI HALE, O'AHU.					
19		DESIGN			200		
20		CONSTRUCTION			400		400
21		EQUIPMENT			400		400
22		TOTAL FUNDING	JUD		1,000	C	800
23							
24	3.	LUMP SUM CIP FOR JUDICIARY FACILITIES,					
25		STATEWIDE.					
26							
27		PLANS, DESIGN, CONSTRUCTION, AND					
28		EQUIPMENT FOR GENERAL ALTERATIONS, UPGRADES,					
29		AND IMPROVEMENTS TO JUDICIARY FACILITIES,					
30		STATEWIDE.					
31		PLANS			50		50
32		DESIGN			250		250
33		CONSTRUCTION			2,300		2,300
34		EQUIPMENT			400		400
35		TOTAL FUNDING	JUD		3,000	C	3,000
36							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000s)			
				FISCAL YEAR 2019-20	M O F	FISCAL YEAR 2020-21	M O F
1							
2	4.	KA'AHUMANU HALE REPAIR BASEMENT LEAKS					
3		AND DAMAGES, O'AHU.					
4							
5		DESIGN AND CONSTRUCTION TO REPAIR					
6		BASEMENT LEAKS AT KA'AHUMANU HALE, O'AHU.					
7		DESIGN			179		
8		CONSTRUCTION			1,816		
9		TOTAL FUNDING	JUD		1,995	C	0 C
10							
11	5.	HOAPILI HALE SECURITY IMPROVEMENTS,					
12		MAUI.					
13							
14		DESIGN AND CONSTRUCTION FOR SECURITY					
15		IMPROVEMENTS AT HOAPILI HALE, MAUI.					
16		DESIGN			1,060		
17		CONSTRUCTION			2,450		2,000
18		TOTAL FUNDING	JUD		3,510	C	2,000 C
19							
20	6.	KAUA'I JUDICIARY COMPLEX REROOF AND					
21		REPAIR LEAKS AND DAMAGES, KAUAI.					
22							
23		DESIGN AND CONSTRUCTION TO REROOF AND					
24		REPAIR LEAKS AND DAMAGES AT KAUAI					
25		JUDICIARY COMPLEX, KAUAI.					
26		DESIGN			120		
27		CONSTRUCTION			2,120		2,000
28		TOTAL FUNDING	JUD		2,240	C	2,000 C



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000s)			
				FISCAL YEAR 2019-20	M O F	FISCAL YEAR 2020-21	M O F
7.		HOAPILI HALE PARKING STRUCTURE SEWER, STORM DRAIN, A/C, AND FIRE SPRINKLER PIPING IMPROVEMENTS, MAUI.					
		DESIGN AND CONSTRUCTION FOR PARKING STRUCTURE SEWER, STORM DRAIN, A/C, AND FIRE SPRINKLER PIPING IMPROVEMENTS AT HOAPILI HALE, MAUI.					
		DESIGN		650			
		CONSTRUCTION		200			
		TOTAL FUNDING	JUD	850	C		0 C
8.		KA'AHUMANU HALE ATRIUM SECURITY AND MONITORING OFFICE RENOVATION, O'AHU.					
		DESIGN AND CONSTRUCTION FOR ATRIUM SECURITY AND MONITORING OFFICE RENOVATION AT KA'AHUMANU HALE, O'AHU.					
		DESIGN		105			
		CONSTRUCTION		1,438			
		TOTAL FUNDING	JUD	1,543	C		0 C

PART V. ISSUANCE OF BONDS

SECTION 8. 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 of the general obligation bonds so issued shall not exceed \$39,207,000.



1 PART VI. SPECIAL PROVISIONS

2 SECTION 9. Any law or any provision of this Act to the
3 contrary notwithstanding, the appropriations made for capital
4 improvement projects authorized in part II and listed in part IV
5 of this Act shall not lapse at the end of the fiscal year for
6 which the appropriations are made; provided that all
7 appropriations made for fiscal year 2019-2020 and fiscal year
8 2020-2021 that are unencumbered as of June 30, 2022, shall lapse
9 as of that date.

10 SECTION 10. The judiciary may delegate to other state or
11 county agencies the planning, acquisition of land, design,
12 construction, and equipment of any capital improvement project
13 when it is determined by the judiciary to be advantageous to do
14 so.

15 SECTION 11. All unrequired balances in the general
16 obligation bond fund, after the objectives of part II
17 appropriations for capital improvements program purposes listed
18 as projects in part IV of this Act have been met, shall be
19 transferred to the judiciary project adjustment fund.

20 SECTION 12. If the amount allocated from the general
21 obligation bond fund for a capital improvement project listed in

1 part IV of this Act is insufficient, the chief justice may make
2 supplemental allotments from the project adjustment fund;
3 provided that supplemental allotments shall not be used to
4 increase the scope of the project.

5 SECTION 13. Where it has been determined that changed
6 conditions, such as a reduction in the particular population
7 being served, permit the reduction in the scope of a project
8 listed in part IV of this Act, the chief justice may authorize
9 this reduction of project scope.

10 SECTION 14. The chief justice shall determine when and the
11 manner in which the authorized capital improvement projects
12 shall be initiated. The chief justice shall notify the governor
13 from time to time of the specific amounts required for the
14 projects, and the governor shall provide for those amounts
15 through the issuance of bonds authorized in part V of this Act.

16 SECTION 15. Any law or any provision of this Act to the
17 contrary notwithstanding, the chief justice may supplement funds
18 for any cost element for a capital improvement project
19 authorized under this Act by transferring any sums as may be
20 needed from the funds appropriated for other cost elements of
21 the same project by this Act or by any other prior or future Act



1 that has not lapsed; provided that the total expenditure of
2 funds for all cost elements for the project shall not exceed the
3 total appropriation for that project.

4 PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

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

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



S.B. NO. 186

1 SECTION 18. This Act shall take effect on July 1, 2019.

2

INTRODUCED BY: AM N. W.
By Request



S.B. NO. 186

Report Title:

Judiciary Package; Appropriations; Budget

Description:

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/19, and ending 6/30/21. Effective 7/1/19.

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

