



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

GOV. MSG. NO. 1106

July 7, 2020

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

Re: SB3080 SD3 HD1

Pursuant to Section 16 of Article III of the State Constitution, SB3080 SD3 HD1, entitled "A BILL FOR AN ACT RELATING TO THE JUDICIARY." became law as ACT 005 (20), Session Laws of Hawaii 2020, on July 7 2020.

The purpose of this bill is to appropriate supplemental funds for the operating and capital improvement budget of the Judiciary for fiscal years 2019-2020 and 2020-2021.

The reduction in funding to the judiciary has the potential to exacerbate caseloads on our judges and extend backlogs creating a greater burden on citizens seeking redress through the judiciary.

For the foregoing reasons, I allowed SB3080 SD3 HD1 to become law without my signature.

Sincerely,

DAVID Y. IGE
Governor, State of Hawaii

THE SENATE
THIRTIETH LEGISLATURE, 2020
STATE OF HAWAII

ACT 005
S.B. NO. 3080
S.D. 3
H.D. 1

A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1 SECTION 1. This Act shall be known and may be cited as the
2 Judiciary Supplemental Appropriations Act of 2020.

3 SECTION 2. Act 38, Session Laws of Hawaii 2019, is amended
4 by amending part II to read as follows:

5 "PART II. PROGRAM APPROPRIATIONS

6 SECTION 3. The following sums, or so much thereof as may
7 be sufficient to accomplish the purposes and programs designated
8 herein, are appropriated or authorized from the sources of
9 funding specified to the judiciary for the fiscal biennium
10 beginning July 1, 2019, and ending June 30, 2021. The total
11 expenditures and the number of permanent and temporary positions
12 established in each fiscal year of the fiscal biennium shall not
13 exceed the sums and the position ceilings indicated for each
14 year, except as provided in this Act.



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 | | | | [73.00*] | | [73.00*] | |
| 4 | | | | <u>71.00*</u> | | <u>71.00*</u> | |
| 5 | | | | 1.00# | | 1.00# | |
| 6 | | OPERATING | JUD | [7,216,185A] | | [7,216,185A] | |
| 7 | | | | <u>7,085,769A</u> | | <u>7,085,769A</u> | |
| 8 | | | | | | | |
| 9 | 2. | JUD310 - FIRST JUDICIAL CIRCUIT | | | | | |
| 10 | | | | [1,103.50*] | | [1,103.50*] | |
| 11 | | | | <u>1,001.50*</u> | | <u>1,001.50*</u> | |
| 12 | | | | [58.58#] | | [58.58#] | |
| 13 | | | | <u>45.10#</u> | | <u>45.10#</u> | |
| 14 | | OPERATING | JUD | [88,278,054A] | | [88,425,760A] | |
| 15 | | | | <u>81,521,805A</u> | | <u>81,669,511A</u> | |
| 16 | | | | 41.00* | | 41.00* | |
| 17 | | | JUD | 4,429,112B | | 4,429,112B | |
| 18 | | | | | | | |
| 19 | 3. | JUD320 - SECOND JUDICIAL CIRCUIT | | | | | |
| 20 | | | | [210.50*] | | [210.50*] | |
| 21 | | | | <u>196.50*</u> | | <u>196.50*</u> | |
| 22 | | | | 1.68# | | 1.68# | |
| 23 | | OPERATING | JUD | [17,949,998A] | | [17,955,448A] | |
| 24 | | | | <u>16,931,765A</u> | | <u>16,937,215A</u> | |
| 25 | | | | | | | |
| 26 | 4. | JUD330 - THIRD JUDICIAL CIRCUIT | | | | | |
| 27 | | | | [240.00*] | | [240.00*] | |
| 28 | | | | <u>224.00*</u> | | <u>224.00*</u> | |
| 29 | | | | [5.68#] | | [5.68#] | |
| 30 | | | | <u>3.68#</u> | | <u>3.68#</u> | |
| 31 | | OPERATING | JUD | [21,729,887A] | | [21,761,042A] | |
| 32 | | | | <u>20,438,738A</u> | | <u>20,469,893A</u> | |
| 33 | | | | | | | |
| 34 | 5. | JUD350 - FIFTH JUDICIAL CIRCUIT | | | | | |
| 35 | | | | [103.00*] | | [103.00*] | |
| 36 | | | | <u>98.00*</u> | | <u>98.00*</u> | |
| 37 | | | | [2.60#] | | [2.60#] | |
| 38 | | | | <u>1.60#</u> | | <u>1.60#</u> | |
| 39 | | OPERATING | JUD | [8,455,480A] | | [8,447,902A] | |
| 40 | | | | <u>7,901,044A</u> | | <u>7,893,466A</u> | |
| 41 | | | | | | | |
| 42 | 6. | JUD501 - JUDICIAL SELECTION COMMISSION | | | | | |



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 | | | | 1.00* | | 1.00* | |
| 2 | | OPERATING | JUD | 103,414A | | 103,414A | |
| 3 | | | | | | | |
| 4 | 7. | JUD601 - ADMINISTRATION | | | | | |
| 5 | | | | 226.00* | | 226.00* | |
| 6 | | | | 206.00* | | 206.00* | |
| 7 | | | | 9.48# | | 9.48# | |
| 8 | | | | 6.48# | | 6.48# | |
| 9 | | OPERATING | JUD | 28,086,186A | | 27,587,239A | |
| 10 | | | | 25,124,640A | | 26,325,693A | |
| 11 | | | | 1.00* | | 1.00* | |
| 12 | | | | 9.00# | | 9.00# | |
| 13 | | | JUD | 8,034,802B | | 8,034,802B | |
| 14 | | | JUD | 343,261W | | 343,261W | |
| 15 | | INVESTMENT CAPITAL | JUD | 9,355,000C | | 0C | |
| 16 | | | | | | 76,000,000C" | |
| 17 | | | | | | | |



1 SECTION 3. Part III, Act 38, Session Laws of Hawaii 2019,
2 is amended by adding a new section to read as follows:

3 "SECTION 7.1. (a) Beginning on the effective date of this
4 Act the judiciary shall submit a weekly report to the
5 legislature that includes the following information for all
6 inmates released pursuant to supreme court orders entered in
7 SCPW-20-0000200 and SCPW-20-0000213:

- 8 (1) The inmate's name;
- 9 (2) The inmate's release date;
- 10 (3) The correctional center or facility where the inmate
11 was released from;
- 12 (4) The inmate's criminal status before release, for
13 example felony probationer, misdemeanor, or petty
14 misdemeanant;
- 15 (5) Any objections made to the inmate's release;
- 16 (6) The inmate's verified residence address at the time of
17 release;
- 18 (7) The inmate's current verified residence address or
19 homeless status;
- 20 (8) The conditions of supervised release;



1 (9) The name of the person or agency that is responsible
2 for supervising the inmate upon release; and

3 (10) If a released inmate is subsequently arrested, the
4 inmate's arrest record following release.

5 (b) The information provided pursuant to subsection (a)
6 shall be updated in each subsequent report to reflect the
7 inmate's current status, including any changes to subsection
8 (a) (7) and (10)."

9 SECTION 4. Act 38, Session Laws of Hawaii 2019, is amended
10 by amending part IV to read as follows:

11 "PART IV. CAPITAL IMPROVEMENT PROJECTS

12 SECTION 8. The sum of [~~\$9,355,000~~] \$85,355,000
13 appropriated or authorized in part II of this Act for capital
14 improvement projects shall be expended by the judiciary for the
15 projects listed below; provided that several related or similar
16 projects may be combined into a single project, if a combination
17 is advantageous or convenient for implementation; provided
18 further that the total cost of the projects thus combined shall
19 not exceed the total of the sums specified for the projects
20 separately. The amount after each cost element and the total



1 funding for each project listed in this part are in thousands of
2 dollars.



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. | HOAPILI HALE PARKING STRUCTURE SEWER, | | | | | |
| 5 | | STORM DRAIN, AC AND FIRE SPRINKLER | | | | | |
| 6 | | PIPING IMPROVEMENTS, MAUI | | | | | |
| 7 | | | | | | | |
| 8 | | DESIGN AND CONSTRUCTION, IN PHASES AS | | | | | |
| 9 | | FUNDS ALLOW, TO RENOVATE THE SANITARY | | | | | |
| 10 | | (WASTE), STORM DRAIN, AC (CHILLED WATER), | | | | | |
| 11 | | AND FIRE SUPPRESSION SYSTEMS IN THE | | | | | |
| 12 | | PARKING STRUCTURE AT HOAPILI HALE, MAUI. | | | | | |
| 13 | | TOTAL FUNDING | JUD | | 850 C | | C |
| 14 | | | | | | | |
| 15 | 2. | HOAPILI HALE SECURITY IMPROVEMENTS, | | | | | |
| 16 | | MAUI | | | | | |
| 17 | | | | | | | |
| 18 | | DESIGN AND CONSTRUCTION FOR SECURITY- | | | | | |
| 19 | | RELATED IMPROVEMENTS AT HOAPILI HALE, | | | | | |
| 20 | | MAUI. | | | | | |
| 21 | | TOTAL FUNDING | JUD | | 3,510 C | | C |
| 22 | | | | | | | |
| 23 | 3. | KAAHUMANU HALE REPAIR BASEMENT LEAKS | | | | | |
| 24 | | AND DAMAGES, OAHU | | | | | |
| 25 | | | | | | | |
| 26 | | DESIGN AND CONSTRUCTION TO REPAIR | | | | | |
| 27 | | LEAKS IN THE TELECOMMUNICATIONS ROOM AND | | | | | |
| 28 | | THE EVIDENCE ROOM IN THE BASEMENT PARKING | | | | | |
| 29 | | AREA AT KAAHUMANU HALE, OAHU. | | | | | |
| 30 | | TOTAL FUNDING | JUD | | 1,995 C | | C |
| 31 | | | | | | | |
| 32 | | | | | | | |
| 33 | 4. | LUMP SUM CIP FOR JUDICIARY | | | | | |
| 34 | | FACILITIES, STATEWIDE | | | | | |
| 35 | | | | | | | |
| 36 | | PLANS, DESIGN, CONSTRUCTION, AND | | | | | |
| 37 | | EQUIPMENT FOR IMPROVEMENTS INCLUDING | | | | | |
| 38 | | DEFERRED REPAIRS AND MAINTENANCE, | | | | | |
| 39 | | ALTERATIONS, UPGRADES AND RENOVATIONS TO | | | | | |
| 40 | | JUDICIARY FACILITIES, STATEWIDE. | | | | | |
| 41 | | TOTAL FUNDING | JUD | | 3,000 C | | C |
| 42 | | | | | | | |



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 | 4.1 | <u>WAHIAWA CIVIC CENTER INCLUDING NEW</u> | | | | | |
| 2 | | <u>JUDICIARY COMPLEX, OAHU</u> | | | | | |
| 3 | | | | | | | |
| 4 | | <u>PLANS, DESIGN, CONSTRUCTION, AND</u> | | | | | |
| 5 | | <u>EQUIPMENT FOR A NEW JUDICIARY COMPLEX AT</u> | | | | | |
| 6 | | <u>WAHIAWA CIVIC CENTER, WAHIAWA, OAHU.</u> | | | | | |
| 7 | | <u>PROJECT INCLUDES NEW DISTRICT COURTHOUSE</u> | | | | | |
| 8 | | <u>AND ANCILLARY FACILITIES TO SUPPORT</u> | | | | | |
| 9 | | <u>EXISTING AND FUTURE CIVIC CENTER PROGRAMS</u> | | | | | |
| 10 | | <u>AT TMKS INCLUDING: (1) 7-4-004:001, (1)</u> | | | | | |
| 11 | | <u>7-4-004:071, AND (1) 7-4-006:012.</u> | | | | | |
| 12 | | <u>TOTAL FUNDING</u> | <u>JUD</u> | | | <u>C</u> | <u>76,000C"</u> |
| 13 | | | | | | | |



1 SECTION 5. Act 38, Session Laws of Hawaii 2019, is amended
2 by amending part V to read as follows:

3 "PART V. ISSUANCE OF BONDS

4 SECTION 9. General obligation bonds may be issued, as
5 provided by law, to yield the amount that may be necessary to
6 finance projects authorized in part II and listed in part [V] IV
7 of this Act; provided that the sum of the general obligation
8 bonds so issued shall not exceed [~~\$9,355,000.~~] \$85,355,000."

9 SECTION 6. Part V, Act 38, Session Laws of Hawaii 2019, is
10 amended as follows:

11 1. By adding a new section to read:

12 "SECTION 9A. Any law to the contrary notwithstanding, the
13 appropriation under Act 195, Session Laws of Hawaii 2017,
14 section 8, as amended and renumbered by Act 26, Session Laws of
15 Hawaii 2018, part IV, in the amount indicated or balance
16 thereof, unallotted, unencumbered, or encumbered and unrequired
17 is hereby lapsed:

| <u>Item No.</u> | <u>Amount (MOF)</u> | <u>C "</u> |
|-----------------|---------------------|------------|
| A-7.01 | 3,074,733.45 | C " |

20 2. By adding a new section to read:



1 "SECTION 9B. Any law to the contrary notwithstanding, the
2 appropriations under Act 61, Session Laws of Hawaii 2011, part
3 IV, as amended and renumbered by Act 107, Session Laws of Hawaii
4 2012, part IV, in the amounts indicated or balance thereof,
5 unallotted, unencumbered, or encumbered and unrequired are
6 hereby lapsed:

| <u>Item No.</u> | <u>Amount (MOF)</u> | |
|-----------------|---------------------|-----------|
| A-2 | 34,216.66 | <u>C</u> |
| A-4 | 138,026.54 | <u>C</u> |
| A-5 | 22,845.05 | <u>C</u> |
| A-6 | 3,900.18 | <u>C</u> |
| A-6.02 | 82,070 | <u>C</u> |
| A-6.03 | 8,410 | <u>C</u> |
| A-7 | 305,696.80 | <u>C"</u> |

15 3. By adding a new section to read:

16 "SECTION 9C. Any law to the contrary notwithstanding, the
17 appropriations under Act 169, Session Laws of Hawaii 2007, part
18 IV, as amended and renumbered by Act 102, Session Laws of Hawaii
19 2008, part IV, in the amount indicated or balance thereof,
20 unallotted, unencumbered, or encumbered and unrequired is hereby
21 lapsed:



| | | | |
|---|------------------|---------------------|-----------|
| 1 | <u>"Item No.</u> | <u>Amount (MOF)</u> | |
| 2 | <u>1</u> | <u>213,341.80</u> | <u>C"</u> |

3 SECTION 7. Act 38, Session Laws of Hawaii 2019, Part VI,
4 Section 10 is amended to read as follows:

5 "PART VI. SPECIAL PROVISIONS

6 SECTION 10. Any law or any provision of this Act to the
7 contrary notwithstanding, the appropriations made for capital
8 improvement projects authorized in part II and listed in part
9 [V] IV of this Act shall not lapse at the end of the fiscal year
10 for which the appropriations are made; provided that all
11 appropriations made for fiscal year 2019-2020 and fiscal year
12 2020-2021 that are unencumbered as of June 30, 2022, shall lapse
13 as of that date."

14 SECTION 8. If any portion of this Act or its application
15 to any person or circumstances is held to be invalid for any
16 reason, the remainder of the Act and any provision thereof shall
17 not be affected. If any portion of a specific appropriation is
18 held to be invalid for any reason, the remaining portion shall
19 be independent of the invalid portion and shall be expended to
20 fulfill the objective and intent of the appropriation to the
21 extent possible.



1 SECTION 9. 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 10. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 11. This Act shall take effect upon its approval.
9

APPROVED this day of , 2020

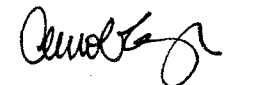
GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 21, 2020
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020.


President of the Senate


Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: May 18, 2020
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives