
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 2001.

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

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

(b) "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. Such
letter symbols, where used, shall have the following meanings:

A General funds

B Special funds

C General obligation bond funds

N Other federal funds



1 W Revolving funds

2 (c) "Position ceiling" means the maximum number of
3 permanent positions authorized for a particular program during a
4 specified 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
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, 2001, and ending June 30, 2003. The total
11 expenditures and the number of permanent positions established
12 in each fiscal year of the fiscal biennium shall not exceed the
13 sums and the position ceilings indicated for each year, except
14 as provided in this Act.



1000
H.B. NO. H.D. 1
S.D. 2

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

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

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL M YEAR O 2001-02 F	FISCAL M YEAR O 2002-03 F
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The Judicial System

1. JUD101 - COURTS OF APPEAL

OPERATING

JUD
JUD

74.00*
4,994,899A
75,000W

74.00*
4,826,638A
75,000W

2. JUD111 - CIRCUIT COURTS

OPERATING

JUD
JUD

516.50*
28,845,956A
300,000B

523.50*
29,625,453A
300,000B

3. JUD112 - FAMILY COURTS

OPERATING

JUD
JUD

423.00*
28,793,275A
655,580B

423.00*
28,771,310A
655,580B

4. JUD121 - DISTRICT COURTS

OPERATING

JUD
JUD

499.50*
19,770,500A
35.00*
2,345,272B

499.50*
19,600,181A
35.00*
1,988,786B

5. JUD201 - ADMIN. DIRECTOR SERVICES

OPERATING

JUD
JUD
AGS
JUD

257.00*
17,003,562A
3,975,388B
6,700,000C
5,614,000C

257.00*
17,013,562A
1,346,738B
77,900,000C
713,000C

1 PART III. PROGRAM PROVISIONS

2 SECTION 4. Provided that whenever the need arises, the
3 chief justice, in administering an equitable and expeditious
4 judicial process, is authorized to transfer sufficient funds and
5 positions between programs for operating purposes; provided
6 further that no individual transfer shall be greater than
7 \$250,000; provided further that no transfer shall be made to
8 implement any collective bargaining contract signed after this
9 legislature adjourns sine die; provided further that these
10 transfers shall be consistent with legislative intent; provided
11 further that the judiciary shall submit a detailed report on
12 each transfer, and this report shall include but not be limited
13 to, the amount transferred, the justification for each transfer,
14 and shall include the complete report from the previous fiscal
15 year; and provided further that this report shall be submitted
16 to the legislature no later than twenty days prior to the
17 convening of the 2002 and 2003 regular session.

18 SECTION 5. Provided that if the chief justice, or any
19 agency, or any government unit secures federal funds or other
20 property under any Act of Congress, or any funds or other
21 property from private organizations or individuals which are to



1 be expended in connection with any program or works authorized
2 by this Act, or otherwise, the chief justice, or the agency with
3 the chief justice's approval, shall have the power to enter into
4 the undertaking with the federal government, private
5 organization, or individual; provided further that while most
6 federal aid allocations are known and state matching funds are
7 provided in this Act, in instances where programs for which
8 federal-state cost sharing is not yet determined, the
9 availability of federal funds shall be construed as a
10 proportionate reduction of state costs whenever possible; and
11 provided further that a detailed report on all undertakings with
12 the federal government, private organization, or individual
13 entered into by the judiciary from the previous fiscal year and
14 fiscal year 2002 shall be submitted to the legislature no later
15 than twenty days prior to the convening of the 2002 and 2003
16 regular session.

17 SECTION 6. Provided that of the general fund appropriation
18 for circuit court (JUD 111), the sum of \$1,542,026 for fiscal
19 year 2001-2002 and the sum of \$2,231,610 for fiscal year 2002-
20 2003 shall be expended in the following circuits for the drug
21 court program:



	<u>FY 2002</u>	<u>FY2003</u>
1 st Circuit Drug Court (Oahu)	\$930,849	\$930,849
2 nd Circuit Drug Court (Maui)	\$292,392	\$284,752
3 rd Circuit Drug Court (Hilo/Kona)	\$99,062	\$697,993
5 th Circuit Drug Court (Kauai)	\$219,123	\$318,016;

provided further that any unexpended funds shall lapse to the general fund; provided further that the judiciary shall submit a report of all expenditures that shall include but not be limited to the progress of the drug court, the number of individuals in these programs, the success, failure, and recidivism rate by court, and cost per person by court; and provided further that this report shall be submitted no later than twenty days prior to the convening of the 2002 and 2003 regular session.

SECTION 7. Provided that of the general fund appropriation for circuit court (JUD 111), the sum of \$7,345,905 for fiscal year 2001-2002 and the sum of \$7,351,854 for fiscal year 2002-2003 shall be in each listed circuit for the adult probation division:

	<u>FY 2002</u>	<u>FY2003</u>
1 st Circuit Court (Oahu)	\$4,462,306	\$4,490,805
2 nd Circuit Court (Maui)	\$1,070,186	\$1,060,491
3 rd Circuit Court (Hilo/Kona)	\$1,242,755	\$1,234,750



1 5th Circuit Court (Kauai) \$570,658 \$565,808;
2 provided further that any unexpended funds shall lapse to the
3 general fund; and provided further that the judiciary shall
4 submit a report of all expenditures by the adult probation
5 division, broken out by each circuit, twenty days prior to the
6 convening of the 2002 and 2003 regular session.

7 SECTION 8. Provided that of the general fund appropriation
8 for family court (JUD 112), the sum of \$202,390 for fiscal year
9 2001-2002 and the sum of \$173,540 for fiscal year 2002-2003
10 shall be expended for a total of five (5) additional probation
11 officers; provided further that any unexpended funds shall lapse
12 to the general fund.

13 SECTION 9. Provided that the judiciary is authorized to
14 transfer positions and appropriations from the current program
15 structure (Program I.D.'s) to a program structure that reflects
16 the revised lines of authority within the judiciary that result
17 from Achieving Court Excellence (ACE) initiatives; provided
18 further that the judiciary shall submit a comprehensive report
19 on the ACE transition, and this report shall include but not be
20 limited to the organization charts, all position transfers, all
21 position re-descriptions, all funding transferred including the
22 date of transfers; provided further that this report shall be



1 submitted to the legislature no later than twenty days prior to
2 the convening of the 2002 regular session; provided further that
3 the judiciary shall report on the continued progress of ACE to
4 the legislature no later than twenty days prior to the convening
5 of the 2003 regular session.

6 SECTION 11. Provided that the judiciary shall submit a
7 report on all positions re-described and the justification for
8 each re-description; and provided further that this report shall
9 be submitted to the legislature no later than twenty days prior
10 to the convening of the 2002 and 2003 regular session.

11 SECTION 12. Provided that of the general fund
12 appropriation for the judiciary, there shall be no restrictions
13 of any general funds, which have a program appropriation
14 provision assigned to them by this Act; provided further that
15 any unrequired or unencumbered funds shall lapse to the general
16 fund; and provided further that the judiciary shall submit a
17 report to the legislature no later than twenty days prior to the
18 convening of the 2002 and 2003 regular session detailing any
19 funds that have lapsed to the general fund, to include, but
20 shall not be limited to, the following information:

21 (1) By Program I.D., the amount of funds lapsed to the
22 general fund; and



1 (2) The reason(s) for the lapse(s).

2 PART IV. CAPITAL IMPROVEMENT PROJECTS

3 SECTION 13. The sum of \$17,874,000 appropriated or
4 authorized in part II of this Act for capital improvement
5 projects shall be expended by the judiciary for the projects
6 listed below; provided that several related or similar projects
7 may be combined into a single project, if a combination is
8 advantageous or convenient for implementation; provided further
9 that the total cost of the projects thus combined shall not
10 exceed the total of the sums specified for the projects
11 separately. (The amount after each cost element and the total
12 funding for each project listed in this part are in thousands of
13 dollars.)



H.B. NO. 1000
H.D. 1
S.D. 2

CAPITAL IMPROVEMENT PROJECTS

APPROPRIATIONS (IN 000'S)

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2001-02 F	FISCAL M YEAR O 2002-03 F
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The Judicial System

JUD201 - ADMIN. DIRECTOR SERVICES

1. HILO JUDICIARY COMPLEX, HAWAII

PLANS, LAND ACQUISITION, AND DESIGN
FOR THE HILO JUDICIARY COMPLEX, HAWAII.

PLANS

25

LAND

1,500

DESIGN

3,500

TOTAL FUNDING

AGS

5,025C

C

2. KAPOLEI JUDICIARY COMPLEX, OAHU

CONSTRUCTION FOR THE KAPOLEI JUDICIARY
COMPLEX.

CONSTRUCTION

69,900

TOTAL FUNDING

AGS

C

69,900C

3. KAUAI JUDICIARY COMPLEX, KAUAI

DESIGN, CONSTRUCTION, AND EQUIPMENT
FOR THE KAUAI JUDICIARY COMPLEX IN
LIHUE, KAUAI.

DESIGN

400

CONSTRUCTION

4,000

EQUIPMENT

4,000

TOTAL FUNDING

AGS

400C

8,000C

H.B. NO. 1000
H.D. 1
S.D. 2

CAPITAL IMPROVEMENT PROJECTS

APPROPRIATIONS (IN 000'S)

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2001-02 F	FISCAL M YEAR O 2002-03 F
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4. KOOLAUPOKO DISTRICT COURT, OAHU

CONSTRUCTION AND EQUIPMENT FOR THE
KOOLAUPOKO DISTRICT COURT IN KANEOHE,
OAHU.

CONSTRUCTION	500
EQUIPMENT	775
TOTAL FUNDING	1,275C

5. KAPUAIWA BUILDING INTERIOR ALTERATIONS
AND IMPROVEMENTS, OAHU

DESIGN, CONSTRUCTION, AND EQUIPMENT
FOR INTERIOR AND OTHER IMPROVEMENTS AT
THE KAPUAIWA BUILDING, OAHU.

DESIGN	20
CONSTRUCTION	645
EQUIPMENT	10
TOTAL FUNDING	675C

6. KAAHUMANU HALE AIR CONDITIONING CHILLER
PLANT REPLACEMENT, OAHU

DESIGN AND CONSTRUCTION FOR
REPLACEMENT OF AIR CONDITIONING CHILLER
PLANT AT KAAHUMANU HALE, OAHU.

DESIGN	150
CONSTRUCTION	1,400
TOTAL FUNDING	1,550C

H.B. NO. 1000
H.D. 1
S.D. 2

CAPITAL IMPROVEMENT PROJECTS

APPROPRIATIONS (IN 000'S)

ITEM NO.	CAPITAL PROJECT NO.	PROJECT TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2001-02 F	FISCAL M YEAR O 2002-03 F
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7. KAUIKEAOULI HALE AIR CONDITIONING
CHILLER PLANT REPLACEMENT, OAHU

DESIGN AND CONSTRUCTION FOR
REPLACEMENT OF AIR CONDITIONING CHILLER
PLANT AT KAUIKEAOULI HALE, OAHU.

DESIGN	115
CONSTRUCTION	1,120
TOTAL FUNDING	1,235C

C

8. JUVENILE DETENTION HOME FACILITY
IMPROVEMENTS, OAHU

DESIGN AND CONSTRUCTION FOR ROOF AND
OTHER IMPROVEMENTS AT THE EXISTING
JUVENILE DETENTION HOME, HALE HOOMALU,
OAHU.

DESIGN	30
CONSTRUCTION	245
TOTAL FUNDING	275C

C

H.B. NO. 1000
H.D. 1
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CAPITAL IMPROVEMENT PROJECTS

APPROPRIATIONS (IN 000'S)

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2001-02 F	FISCAL M YEAR O 2002-03 F
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9. ARCHITECTURAL BARRIER REMOVAL FOR
JUDICIARY BUILDINGS, STATEWIDE

PLANS, DESIGN, CONSTRUCTION, AND
EQUIPMENT FOR THE REMOVAL OF
ARCHITECTURAL BARRIERS IN JUDICIARY
BUILDINGS, STATEWIDE.

PLANS	1	1
DESIGN	38	34
CONSTRUCTION	150	135
EQUIPMENT	47	43
TOTAL FUNDING	JUD 236C	213C

10. REMODELING AND UPGRADING JUDICIARY
BUILDINGS, STATEWIDE

PLANS, DESIGN, CONSTRUCTION, AND
EQUIPMENT FOR REMODELING AND UPGRADING
JUDICIARY BUILDINGS, STATEWIDE.

PLANS	5	5
DESIGN	70	70
CONSTRUCTION	415	415
EQUIPMENT	10	10
TOTAL FUNDING	JUD 500C	500C

H.B. NO. 1000
H.D. 1
S.D. 2

CAPITAL IMPROVEMENT PROJECTS

APPROPRIATIONS (IN 000'S)

ITEM NO.	CAPITAL PROJECT NO.	PROJECT TITLE	EXPENDING AGENCY	FISCAL M YEAR O 2001-02 F	FISCAL M YEAR O 2002-03 F
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11. ALIIOLANI HALE INTERIOR ALTERATIONS AND IMPROVEMENTS, OAHU

DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR ALTERATIONS AND IMPROVEMENTS AT ALIIOLANI HALE, OAHU.

DESIGN		55	
CONSTRUCTION		710	
EQUIPMENT		10	
TOTAL FUNDING	JUD	775C	

C

12. ALIIOLANI HALE AIR CONDITIONING EQUIPMENT REPLACEMENT, OAHU

DESIGN AND CONSTRUCTION FOR REPLACEMENT OF CHILLER PLANT AND AIR CONDITIONING EQUIPMENT AT ALIIOLANI HALE, OAHU.

DESIGN		48	
CONSTRUCTION		320	
TOTAL FUNDING	JUD	368C	

C

1 PART V. ISSUANCE OF BONDS

2 SECTION 14. 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 \$17,874,000.

7 PART VI. SPECIAL PROVISIONS

8 SECTION 15. 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 2001-2002 and fiscal year
14 2002-2003 which are unencumbered as of June 30, 2004, shall
15 lapse as of that date.

16 SECTION 16. 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.

1 SECTION 17. 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 IV have been met, shall be transferred to
5 the judiciary project adjustment fund.

6 SECTION 18. If the amount allocated from the general
7 obligation bond fund for a capital improvement project listed in
8 part IV 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 19. Where it has been determined that changed
13 conditions, such as reduction in the particular population being
14 served, permit the reduction in the scope of a project listed in
15 Part IV, the chief justice may authorize such reduction of
16 project scope.

17 SECTION 20. 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
21 projects, and the governor shall provide for those amounts
22 through the issuance of bonds authorized in Part VI of this Act.



1 SECTION 21. Any law or any provision to the contrary
2 notwithstanding, the chief justice may supplement funds for any
3 cost element for a capital improvement project authorized under
4 this Act by transferring such sums as may be needed from the
5 funds appropriated for other cost elements of the same project
6 by this Act or by any other prior or future Act which have not
7 lapsed, provided that the total expenditure of funds for all
8 cost elements for the project shall not exceed the total
9 appropriation for that project.

10 PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE

11 SECTION 22. If any portion of this Act or its application
12 to any person or circumstances is held to be invalid for any
13 reason, the remainder of the Act and any provision thereof shall
14 not be affected. If any portion of a specific appropriation is
15 held to be invalid for any reason, the remaining portion shall
16 be independent of the invalid portion and shall be expended to
17 fulfill the objective and intent of the appropriation to the
18 extent possible.

19 SECTION 23. If any manifest clerical, typographical, or
20 other mechanical error is found in this Act, the chief justice
21 is authorized to correct the error. All changes made pursuant



1 to this section shall be reported to the legislature at its next
2 session.

3 SECTION 24. This Act shall take effect on July 1, 2001.



Report Title:

Judiciary Budget

Description:

Makes a biennial appropriation to the judiciary for operating and capital improvement expenses. (SD2)

