

JAN 23 2015

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 2015.

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. The 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 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 |
|---------------------|-------------|----------------------------------------|---------------------|---------------------------|-------------|---------------------------|-------------|
| THE JUDICIAL SYSTEM | | | | | | | |
| 1. | | JUD101 - COURTS OF APPEAL | | | | | |
| | | OPERATING | JUD | 73.00 6,713,337 | * A | 73.00 6,853,202 | * A |
| 2. | | JUD310 - FIRST CIRCUIT | | | | | |
| | | OPERATING | JUD | 1,110.50 82,320,573 | * A | 1,110.50 83,693,172 | * A |
| | | | JUD | 41.00 4,144,799 | * B | 41.00 4,150,321 | * B |
| 3. | | JUD320 - SECOND CIRCUIT | | | | | |
| | | OPERATING | JUD | 213.00 16,650,357 | * A | 215.00 17,001,060 | * A |
| 4. | | JUD330 - THIRD CIRCUIT | | | | | |
| | | OPERATING | JUD | 242.00 19,852,115 | * A | 242.00 19,913,928 | * A |
| 5. | | JUD350 - FIFTH CIRCUIT | | | | | |
| | | OPERATING | JUD | 104.00 7,715,663 | * A | 104.00 7,837,343 | * A |
| 6. | | JUD501 - JUDICIAL SELECTION COMMISSION | | | | | |
| | | OPERATING | JUD | 1.00 93,418 | * A | 1.00 93,418 | * A |
| 7. | | JUD601 - ADMINISTRATION | | | | | |
| | | OPERATING | JUD | 231.00 26,127,833 | * A | 231.00 26,611,744 | * A |
| | | | JUD | 1.00 7,976,193 | * B | 1.00 7,989,841 | * B |
| | | | JUD | 343,261 | W | 343,261 | W |
| | | INVESTMENT CAPITAL | JUD | 62,459,000 | C | 9,350,000 | C |



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 \$71,809,000 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 PROJECT 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. | KA'AHUMANU HALE FIRE ALARM SYSTEM | | | | | |
| 13 | | UPGRADE AND IMPROVEMENTS, O'AHU. | | | | | |
| 14 | | | | | | | |
| 15 | | CONSTRUCTION FOR FIRE ALARM SYSTEM | | | | | |
| 16 | | UPGRADE AND IMPROVEMENTS AT | | | | | |
| 17 | | KA'AHUMANU HALE, O'AHU. | | | | | |
| 18 | | CONSTRUCTION | | 2,719 | | | |
| 19 | | TOTAL FUNDING | JUD | 2,719 | C | | 0 C |
| 20 | | | | | | | |
| 21 | 3. | KA'AHUMANU HALE ELEVATOR SYSTEMS | | | | | |
| 22 | | UPGRADE AND MODERNIZATION, O'AHU. | | | | | |
| 23 | | | | | | | |
| 24 | | DESIGN AND CONSTRUCTION FOR ELEVATOR | | | | | |
| 25 | | SYSTEMS UPGRADE AND MODERNIZATION AT | | | | | |
| 26 | | KA'AHUMANU HALE, O'AHU. | | | | | |
| 27 | | DESIGN | | 100 | | | |
| 28 | | CONSTRUCTION | | | | 5,000 | |
| 29 | | TOTAL FUNDING | JUD | 100 | C | 5,000 | C |



CAPITAL IMPROVEMENT PROJECTS

| ITEM NO. | CAPITAL NO. | PROJECT TITLE | EXPENDING AGENCY | APPROPRIATIONS (IN 000'S) | | | |
|-------------|----------------|-----------------------------------------|---------------------|---------------------------|--------|-----------------|--------|
| | | | | FISCAL | M | FISCAL | M |
| | | | | YEAR 2015-16 | O F | YEAR 2016-17 | O F |
| 1 | 4. | KA'AHUMANU HALE BASEMENT LEAK | | | | | |
| 2 | | REPAIRS AND IMPROVEMENTS, O'AHU. | | | | | |
| 3 | | | | | | | |
| 4 | | CONSTRUCTION FOR BASEMENT LEAK REPAIRS | | | | | |
| 5 | | AND IMPROVEMENTS AT KA'AHUMANU HALE, | | | | | |
| 6 | | O'AHU. | | | | | |
| 7 | | CONSTRUCTION | | 260 | | | |
| 8 | | TOTAL FUNDING | JUD | 260 | C | 0 | C |
| 9 | | | | | | | |
| 10 | 5. | KĀNE'OHE DISTRICT COURT FACILITY | | | | | |
| 11 | | GENERATOR BACK-UP SYSTEM, O'AHU. | | | | | |
| 12 | | | | | | | |
| 13 | | DESIGN AND CONSTRUCTION FOR GENERATOR | | | | | |
| 14 | | BACK-UP SYSTEM AT THE KĀNE'OHE DISTRICT | | | | | |
| 15 | | COURT FACILITY, O'AHU. | | | | | |
| 16 | | DESIGN | | 150 | | | |
| 17 | | CONSTRUCTION | | | | 1,350 | |
| 18 | | TOTAL FUNDING | JUD | 150 | C | 1,350 | C |
| 19 | | | | | | | |
| 20 | 6. | KAUIKEAOULI HALE NEW FIRE | | | | | |
| 21 | | SUPPRESSION SYSTEM FOR THE JUDICIARY | | | | | |
| 22 | | CENTRAL DATA CENTER, O'AHU. | | | | | |
| 23 | | | | | | | |
| 24 | | CONSTRUCTION FOR NEW FIRE SUPPRESSION | | | | | |
| 25 | | SYSTEM FOR THE JUDICIARY CENTRAL DATA | | | | | |
| 26 | | CENTER AT KAUIKEAOULI HALE, O'AHU. | | | | | |
| 27 | | CONSTRUCTION | | 280 | | | |
| 28 | | TOTAL FUNDING | JUD | 280 | C | 0 | C |



CAPITAL IMPROVEMENT PROJECTS

| ITEM NO. | CAPITAL NO. | PROJECT TITLE | EXPENDING AGENCY | APPROPRIATIONS (IN 000'S) | | | |
|-------------|----------------|-----------------------------------------|---------------------|---------------------------|--------|-----------------|--------|
| | | | | FISCAL | M | FISCAL | M |
| | | | | YEAR 2015-16 | O F | YEAR 2016-17 | O F |
| 1 | 7. | KAUA'I JUDICIARY COMPLEX BUILDING | | | | | |
| 2 | | EXTERIOR REMEDIAL IMPROVEMENTS, | | | | | |
| 3 | | KAUA'I. | | | | | |
| 4 | | | | | | | |
| 5 | | CONSTRUCTION FOR BUILDING EXTERIOR | | | | | |
| 6 | | REMEDIAL IMPROVEMENTS AT THE KAUA'I | | | | | |
| 7 | | JUDICIARY COMPLEX, KAUA'I. | | | | | |
| 8 | | CONSTRUCTION | | 950 | | | |
| 9 | | TOTAL FUNDING | JUD | 950 | C | 0 | C |
| 10 | | | | | | | |
| 11 | 8. | LUMP SUM CIP FOR JUDICIARY FACILITIES, | | | | | |
| 12 | | STATEWIDE. | | | | | |
| 13 | | | | | | | |
| 14 | | PLANS, DESIGN, CONSTRUCTION, AND | | | | | |
| 15 | | EQUIPMENT FOR GENERAL ALTERATIONS, | | | | | |
| 16 | | UPGRADES, AND IMPROVEMENTS TO JUDICIARY | | | | | |
| 17 | | FACILITIES, STATEWIDE. | | | | | |
| 18 | | PLANS | | 10 | | 10 | |
| 19 | | DESIGN | | 75 | | 75 | |
| 20 | | CONSTRUCTION | | 2,900 | | 2,900 | |
| 21 | | EQUIPMENT | | 15 | | 15 | |
| 22 | | 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 \$71,809,000.

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.



1 SECTION 15. Any law or any provision of the law to the
2 contrary notwithstanding, the chief justice may supplement funds
3 for any cost element for a capital improvement project
4 authorized under this Act by transferring such sums as may be
5 needed from the funds appropriated for other cost elements of
6 the same project by this Act or by any other prior or future Act
7 that has not lapsed; provided that the total expenditure of
8 funds for all cost elements for the project shall not exceed the
9 total appropriation for that project.

10 **PART VII. MISCELLANEOUS PROVISIONS AND EFFECTIVE DATE**

11 SECTION 16. 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 17. If any manifest clerical, typographical, or
20 other mechanical error is found in this Act, the chief justice
21 may correct the error. All changes made pursuant to this



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

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

4

INTRODUCED BY:


By Request



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.

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

