

JAN 22 2021

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# 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 2021.

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

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

9           (b) "Means of Financing," or "MOF," means the source from  
10 which funds are appropriated, or authorized, as the case may be,  
11 to be expended for the programs and projects specified in this  
12 Act. All appropriations are followed by letter symbols. The  
13 letter symbols, where used, shall have the following meanings:

- 14           A     General funds  
15           B     Special funds  
16           C     General obligation bond funds  
17           N     Federal funds



1           W     Revolving funds

2           (c)   "Position ceiling" means the maximum number of  
3 permanent or temporary positions authorized for a particular  
4 program during a specified period or periods, as noted by an  
5 asterisk or pound sign, respectively.

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, 2021, and ending June 30, 2023. 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.

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1		THE JUDICIAL SYSTEM					
2		1. JUD101 - COURTS OF APPEAL					
3				78.00	*	78.00	*
4				1.48	#	1.48	#
5		OPERATING	JUD	7,679,908	A	7,679,908	A
6							
7		2. JUD310 - FIRST CIRCUIT					
8				1,102.50	*	1,102.50	*
9				58.58	#	58.58	#
10		OPERATING	JUD	83,303,229	A	83,303,229	A
11				41.00	*	41.00	*
12			JUD	4,555,232	B	4,555,232	B
13							
14		3. JUD320 - SECOND CIRCUIT					
15				210.50	*	210.50	*
16				1.68	#	1.68	#
17		OPERATING	JUD	17,334,494	A	17,334,494	A
18							
19		4. JUD330 - THIRD CIRCUIT					
20				240.00	*	240.00	*
21				5.20	#	5.20	#
22		OPERATING	JUD	20,680,927	A	20,680,927	A
23							
24		5. JUD350 - FIFTH CIRCUIT					
25				103.00	*	103.00	*
26				2.60	#	2.60	#
27		OPERATING	JUD	8,054,279	A	8,054,279	A
28							
29		6. JUD501 - JUDICIAL SELECTION COMMISSION					
30				1.00	*	1.00	*
31		OPERATING	JUD	101,194	A	101,194	A
32		7. JUD601 - ADMINISTRATION					
33				226.00	*	226.00	*
34				9.48	#	9.48	#
35		OPERATING	JUD	26,829,796	A	26,829,796	A
36				1.00	*	1.00	*
37				9.00	#	9.00	#
38			JUD	8,110,454	B	8,110,454	B
39			JUD	343,261	W	343,261	W
40		INVESTMENT CAPITAL	JUD	22,016,000	C	18,605,000	C





1                   PART IV. CAPITAL IMPROVEMENT PROJECTS

2           SECTION 7. The sum of \$40,621,000 appropriated or  
3 authorized in Part II of this Act for capital improvement  
4 projects shall be expended by the judiciary for the projects  
5 listed below; provided that several related or similar projects  
6 may be combined into a single project, if a combination is  
7 advantageous or convenient for implementation; and provided  
8 further that the total cost of the projects thus combined shall  
9 not exceed the total of the sums specified for the projects  
10 separately. The amount after each cost element and the total  
11 funding for each project listed in this part are in thousands of  
12 dollars.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1		THE JUDICIAL SYSTEM					
2		JUD601 - ADMINISTRATION					
3							
4	1.	KAAHUMANU HALE FIRE ALARM					
5		AND ELEVATOR SYSTEMS UPGRADE					
6		AND MODERNIZATION, OAHU					
7							
8		CONSTRUCTION FOR FIRE ALARM					
9		AND ELEVATOR SYSTEMS UPGRADE AND					
10		MODERNIZATION AT KAAHUMANU HALE,					
11		OAHU.					
12		CONSTRUCTION			6,070		7,950
13		TOTAL FUNDING	JUD		6,070 C		7,950 C
14							
15	2.	LUMP SUM CIP FOR JUDICIARY					
16		FACILITIES, STATEWIDE					
17							
18		PLANS, DESIGN, CONSTRUCTION,					
19		AND EQUIPMENT FOR GENERAL					
20		ALTERATIONS, UPGRADES, AND					
21		IMPROVEMENTS TO JUDICIARY					
22		FACILITIES, STATEWIDE.					
23		PLANS			50		50
24		DESIGN			400		400
25		CONSTRUCTION			2,300		2,300
26		EQUIPMENT			250		250
27		TOTAL FUNDING	JUD		3,000 C		3,000 C
28							
29	3.	HOAPILI HALE PARKING STRUCTURE PIPING					
30		RENOVATIONS, MAUI					
31							
32		DESIGN AND CONSTRUCTION FOR PARKING					
33		STRUCTURE PIPING RENOVATIONS AT HOAPILI					
34		HALE, MAUI.					
35		DESIGN			426		
36		CONSTRUCTION			2,460		1,535
37		TOTAL FUNDING	JUD		2,886 C		1,535 C



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1	4.	KAUAI JUDICIARY COMPLEX REROOF					
2		PHASE 3, KAUAI					
3							
4		DESIGN AND CONSTRUCTION TO REROOF AND					
5		REPAIR LEAKS AND DAMAGES AT KAUAI					
6		JUDICIARY COMPLEX, KAUAI.					
7		DESIGN			40		
8		CONSTRUCTION			3,860		
9		TOTAL FUNDING	JUD		3,900 C		0 C
10							
11	5.	ALIIOLANI HALE AIR CONDITIONING					
12		SYSTEM UPGRADE, OAHU					
13							
14		DESIGN, CONSTRUCTION, AND EQUIPMENT					
15		FOR AIR CONDITIONING SYSTEM UPGRADE AT					
16		ALIIOLANI HALE, OAHU.					
17		DESIGN			517		
18		CONSTRUCTION			3,183		
19		TOTAL FUNDING	JUD		3,700 C		0 C
20							
21	6.	RONALD T.Y. MOON COURTHOUSE NEW					
22		CHILLER, PHOTOVOLTAIC SYSTEM, OAHU					
23							
24		DESIGN AND CONSTRUCTION FOR NEW					
25		CHILLER, PHOTOVOLTAIC SYSTEM AT RONALD					
26		T.Y. MOON COURTHOUSE, OAHU.					
27		DESIGN			100		170
28		CONSTRUCTION			1,420		2,350
29		TOTAL FUNDING	JUD		1,520 C		2,520 C
30							
31	7.	KAAHUMANU HALE SHERIFF STATION					
32		RENOVATION, OAHU					
33							
34		DESIGN AND CONSTRUCTION FOR SHERIFF					
35		STATION AT KAAHUMANU HALE, OAHU.					
36		DESIGN			70		
37		CONSTRUCTION			870		
38		TOTAL FUNDING	JUD		940 C		0 C



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1	8.	KAPUAIWA BUILDING ROOF REPLACEMENT					
2		AND DRAINAGE UPGRADES, OAHU					
3							
4		CONSTRUCTION TO REPLACE ROOF AND					
5		UPGRADE DRAINAGE AT KAPUAIWA BUILDING,					
6		OAHU.					
7		CONSTRUCTION		1,400			
8		TOTAL FUNDING	JUD		0 C	1,400 C	
9							
10	9.	HOAPILI HALE SECURITY IMPROVEMENTS,					
11		MAUI					
12							
13		DESIGN AND CONSTRUCTION FOR SECURITY					
14		IMPROVEMENTS AT HOAPILI HALE, MAUI.					
15		DESIGN		200			
16		CONSTRUCTION		2,000			
17		TOTAL FUNDING	JUD		0 C	2,200 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 \$40,621,000.

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 2021-2022 and fiscal year  
14 2022-2023 that are unencumbered as of June 30, 2024, shall lapse  
15 as of that date.

16           SECTION 10.   The judiciary may delegate to other state or  
17 county agencies the planning, acquisition of land, design,  
18 construction, and equipment of any capital improvement project  
19 when it is determined by the judiciary to be advantageous to do  
20 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 such reduction of 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 this Act to the  
2 contrary notwithstanding, the chief justice may supplement funds  
3 for any cost element of a capital improvement project authorized  
4 under this Act by transferring such sums as may be needed from  
5 the funds appropriated for other cost elements of the same  
6 project by this Act or by any other prior or future Act that has  
7 not lapsed; provided that the total expenditure of funds for all  
8 cost elements of the project shall not exceed the total  
9 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, 2021.

4

INTRODUCED BY: \_\_\_\_\_  
By Request

# S.B. NO. 383

**Report Title:**

Judiciary Package; Budget; Appropriations

**Description:**

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/2021, and ending 6/30/2023. Effective 7/1/2021.

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

