



GOV. MSG. NO. 1173

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

June 7, 2023

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

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

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

This is to inform you that on June 7, 2023, the following bill was signed into law:

HB382 HD1 SD3 CD1

RELATING TO THE JUDICIARY.  
**ACT 070**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

on JUN 7 2023

HOUSE OF REPRESENTATIVES  
THIRTY-SECOND LEGISLATURE, 2023  
STATE OF HAWAII

H.B. NO. 382  
H.D. 1  
S.D. 3  
C.D. 1

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 2023.

4 SECTION 2. Unless otherwise clear from the context, as  
5 used 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.

9 All appropriations are followed by letter symbols. The letter  
10 symbols, where used, shall have the following meanings:

- 11 A General funds
- 12 B Special funds
- 13 C General obligation bond funds
- 14 W Revolving funds

15 "Position ceiling" means the maximum number of permanent or  
16 temporary positions authorized for a particular program during a



1 specified period or periods, as noted by an asterisk or pound  
2 sign, 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  
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, 2023, and ending June 30, 2025. 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 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1	The Judicial System						
2	1.	JUD101 - COURTS OF APPEAL					
3				82.00*		82.00*	
4				1.48#		1.48#	
5		OPERATING	JUD	8,649,904A		8,960,647A	
6							
7	2.	JUD310 - FIRST JUDICIAL CIRCUIT					
8				1,107.50*		1,107.50*	
9				64.58#		64.58#	
10		OPERATING	JUD	93,530,037A		95,881,481A	
11				35.00*		35.00*	
12			JUD	4,177,883B		4,261,273B	
13							
14	3.	JUD320 - SECOND JUDICIAL CIRCUIT					
15				210.50*		210.50*	
16				1.68#		1.68#	
17		OPERATING	JUD	19,398,739A		19,951,098A	
18							
19	4.	JUD330 - THIRD JUDICIAL CIRCUIT					
20				242.00*		242.00*	
21				5.20#		5.20#	
22		OPERATING	JUD	23,437,911A		24,063,817A	
23							
24	5.	JUD350 - FIFTH JUDICIAL CIRCUIT					
25				103.00*		103.00*	
26				2.60#		2.60#	
27		OPERATING	JUD	8,755,703A		9,004,124A	
28							
29	6.	JUD501 - JUDICIAL SELECTION COMMISSION					
30				1.00*		1.00*	
31		OPERATING	JUD	110,099A		114,074A	
32							
33	7.	JUD601 - ADMINISTRATION					
34				228.00*		228.00*	
35				8.48#		8.48#	
36		OPERATING	JUD	31,266,318A		31,040,535A	
37				1.00*		1.00*	
38				9.00#		9.00#	
39			JUD	8,195,369B		8,241,219B	
40			JUD	343,261W		343,261W	
41		INVESTMENT CAPITAL	JUD	17,955,000C			C
42			JUD	3,000,000A			A
43							





1 SECTION 7. Provided that of the general fund appropriation  
2 for administration (JUD601), the sum of \$333,333 or so much  
3 thereof as may be necessary for fiscal year 2023-2024 shall be  
4 expended for actuaries to determine cost-of-living adjustments  
5 for services on a fee basis costs that account for increase in  
6 inflation.

7

8 **PART IV. CAPITAL IMPROVEMENT PROJECTS**

9 SECTION 8. The sum of \$20,955,000 appropriated or  
10 authorized in part II of this Act for capital improvement  
11 projects shall be expended by the judiciary for the projects  
12 listed below; provided that several related or similar projects  
13 may be combined into a single project, if a combination is  
14 advantageous or convenient for implementation; provided further  
15 that the total cost of the projects thus combined shall not  
16 exceed the total of the sums specified for the projects  
17 separately. The amount after each cost element and the total  
18 funding for each project listed in this part are in thousands of  
19 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)				
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F	
1	A. ECONOMIC DEVELOPMENT							
2	JUD601 - ADMINISTRATION							
3								
4	1.	ALIOLANI HALE A/C REPLACEMENT, OAHU						
5		CONSTRUCTION AND EQUIPMENT FOR A/C						
6		SYSTEM REPLACEMENT AT ALIOLANI HALE,						
7		OAHU.						
8		TOTAL FUNDING	JUD	3,000	C		C	
9								
10								
11	2.	CHILDREN'S JUSTICE CENTER, OAHU						
12		PLANS, LAND, DESIGN, AND CONSTRUCTION						
13		FOR A NEW FACILITY FOR THE RELOCATION OF						
14		THE CHILDREN'S JUSTICE CENTER, OAHU;						
15		EQUIPMENT AND APPURTENANCES.						
16		TOTAL FUNDING	JUD	6,000	C		C	
17								
18								
19	3.	HOAPILI HALE REDIRECTION OF						
20		CONDENSATE, MAUI						
21		PLANS AND DESIGN FOR REDIRECTION OF						
22		CONDENSATE DISCHARGE AT HOAPILI HALE,						
23		MAUI.						
24		TOTAL FUNDING	JUD	300	C		C	
25								
26								
27	4.	KAAHUMANU HALE ELEVATOR SYSTEMS						
28		UPGRADES AND MODERNIZATION, OAHU						
29		CONSTRUCTION FOR ELEVATOR SYSTEMS						
30		UPGRADES AND MODERNIZATION AT KAAHUMANU						
31		HALE, OAHU.						
32		TOTAL FUNDING	JUD	4,505	C		C	
33								
34								
35								



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2023-2024	M O F	FISCAL YEAR 2024-2025	M O F
1	5.	KAUAI JUDICIARY COMPLEX REROOFING AND					
2		RELATED IMPROVEMENTS PHASE 3, KAUAI					
3							
4		DESIGN AND CONSTRUCTION TO REROOF AND					
5		REPAIR LEAKS AND DAMAGES AT KAUAI					
6		JUDICIARY COMPLEX, KAUAI.					
7		TOTAL FUNDING	JUD	4,150	C		C
8							
9	6.	LUMP SUM CIP FOR JUDICIARY					
10		FACILITIES, STATEWIDE					
11							
12		PLANS, DESIGN, CONSTRUCTION AND					
13		EQUIPMENT FOR GENERAL ALTERATIONS,					
14		UPGRADES AND IMPROVEMENTS TO JUDICIARY					
15		FACILITIES, STATEWIDE.					
16		TOTAL FUNDING	JUD	3,000	A		A
17							
18							



1                                   **PART V.   ISSUANCE OF BONDS**

2           SECTION 9.   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 \$17,955,000.

7                                   **PART VI.   SPECIAL PROVISIONS**

8           SECTION 10.   Any provision of this Act to the contrary  
9 notwithstanding, all appropriations made for capital improvement  
10 projects authorized in part II and listed in part IV of this Act  
11 shall not lapse at the end of the fiscal year for which the  
12 appropriations is made; provided that the appropriations made to  
13 be expended in fiscal biennium 2023-2025 that are unencumbered  
14 as of June 30, 2026, shall lapse as of that date; provided  
15 further that:

16           (1)   Appropriations out of the general revenues of the  
17                State for fiscal year 2023-2024 and fiscal year 2024-  
18                2025 for capital improvement projects authorized in  
19                part II and listed in part IV of this Act that are not  
20                expended or encumbered by June 30, 2024, and June 30,  
21                2025, respectively, shall lapse as of those dates; and



1 (2) Appropriations for projects authorized in part II and  
2 listed in part IV of this Act where the appropriations  
3 have been deemed necessary to qualify for federal aid  
4 financing and reimbursement that are unencumbered as  
5 of June 30, 2030, shall lapse as of that date.

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

11 SECTION 12. All unrequired balances in the general  
12 obligation bond fund, after the objectives of part II  
13 appropriations for capital improvements program purposes listed  
14 as projects in part IV of this Act have been met, shall be  
15 transferred to the judiciary project adjustment fund.

16 SECTION 13. If the amount allocated from the general  
17 obligation bond fund for a capital improvement project listed in  
18 part IV of this Act is insufficient, the chief justice may make  
19 supplemental allotments from the project adjustment fund;  
20 provided that supplemental allotments shall not be used to  
21 increase the scope of the project.



1 SECTION 14. Where it has been determined that changed  
2 conditions, such as a reduction in the particular population  
3 being served, permit the reduction in the scope of a project  
4 listed in part IV of this Act, the chief justice may authorize  
5 the reduction of project scope.

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

13 SECTION 16. Any law or any provision of this Act to the  
14 contrary notwithstanding, the chief justice may supplement funds  
15 for any cost element of a capital improvement project authorized  
16 under this Act by transferring sums as may be needed from the  
17 funds appropriated for other cost elements of the same project  
18 by this Act or by any other prior or future Act that has not  
19 lapsed; provided that the total expenditure of funds for all  
20 cost elements for the project shall not exceed the total  
21 appropriation for that project.



1                                   **PART VII. MISCELLANEOUS PROVISIONS AND**

2   **EFFECTIVE DATE**

3           SECTION 17. (a) In accordance with section 9 of article  
4 VII of the Hawaii State Constitution and sections 37-91 and  
5 37-93, Hawaii Revised Statutes, the legislature has determined  
6 that the appropriations contained in H.B. No. 300, H.D. 1,  
7 S.D. 1, C.D. 1, will cause the state general fund expenditure  
8 ceiling for fiscal year 2023-2024 to be exceeded by  
9 \$1,063,767,367 or 10 per cent. In addition, the appropriations  
10 contained in this Act will cause the general fund expenditure  
11 ceiling for fiscal year 2023-2024 to be further exceeded by  
12 \$188,148,711 or 2 per cent. The combined total amount of  
13 general fund appropriations contained in only these two Acts  
14 will cause the state general fund expenditure ceiling for fiscal  
15 year 2023-2024 to be exceeded by \$1,251,916,078 or 12 per cent.

16           (b) In accordance with section 9 of article VII of the  
17 Hawaii State Constitution and sections 37-91 and 37-93, Hawaii  
18 Revised Statutes, the legislature has determined that the  
19 appropriations contained in this Act will cause the state  
20 general fund expenditure ceiling for fiscal year 2024-2025 to be  
21 exceeded by \$189,015,776 or 2 per cent.



1 (c) The reasons for exceeding the general fund expenditure  
2 ceiling are that:

3 (1) The appropriations made in this Act are necessary to  
4 serve the public interest; and

5 (2) The appropriations made in this Act meet the needs  
6 addressed by this Act.

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

15 SECTION 19. If any manifest clerical, typographical, or  
16 other mechanical error is found in this Act, the chief justice  
17 may correct the error. All changes made pursuant to this  
18 section shall be reported to the legislature at its next regular  
19 session.

20 SECTION 20. This Act shall take effect on July 1, 2023.



**H.B. NO.** 382  
H.D. 1  
S.D. 3  
C.D. 1

APPROVED this **7th** day of **June**, 2023



GOVERNOR OF THE STATE OF HAWAII

HB No. 382, HD 1, SD 3, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 4, 2023  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 4, 2023  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.

  
President of the Senate

  
Clerk of the Senate