

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 **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, may transfer sufficient funds and positions
5 between programs for operating purposes; and provided further
6 that no transfer shall be made to implement any collective
7 bargaining contract signed after this legislature adjourns sine
8 die.

9 SECTION 5. Provided that if the chief justice, or any
10 agency or government unit, secures federal funds or other
11 property under any act of Congress, or any funds or other
12 property from private organizations or individuals, to be
13 expended in connection with any program or works authorized by
14 this Act or otherwise, the chief justice, or the agency or
15 government unit with the chief justice's approval, may enter
16 into the undertaking with the federal government, private
17 organization, or individual.

18 SECTION 6. Provided that the judiciary may transfer
19 savings from its general fund appropriation to the driver
20 education and training fund to accommodate any temporary cash
21 flow deficits.



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

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A. ECONOMIC DEVELOPMENT							
JUD601 - ADMINISTRATION							
1.		ALIIOLANI HALE A/C REPLACEMENT, OAHU					
		CONSTRUCTION AND EQUIPMENT FOR A/C SYSTEM REPLACEMENT AT ALIIOLANI HALE, OAHU.					
		TOTAL FUNDING	JUD	3,000	C		C
2.		CHILDREN'S JUSTICE CENTER, OAHU					
		PLANS, LAND, DESIGN, AND CONSTRUCTION FOR A NEW FACILITY FOR THE RELOCATION OF THE CHILDREN'S JUSTICE CENTER, OAHU; EQUIPMENT AND APPURTENANCES.					
		TOTAL FUNDING	JUD	6,000	C		C
3.		HOAPILI HALE REDIRECTION OF CONDENSATE, MAUI					
		PLANS AND DESIGN FOR REDIRECTION OF CONDENSATE DISCHARGE AT HOAPILI HALE, MAUI.					
		TOTAL FUNDING	JUD	300	C		C
4.		KAHUMANU HALE ELEVATOR SYSTEMS UPGRADES AND MODERNIZATION, OAHU					
		CONSTRUCTION FOR ELEVATOR SYSTEMS UPGRADES AND MODERNIZATION AT KAHUMANU HALE, OAHU.					
		TOTAL FUNDING	JUD	4,505	C		C



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					
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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 (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.



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

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

Report Title:

Judiciary Package; Budget; Appropriations; Expenditure Ceiling

Description:

Appropriates funds for the Judiciary for the fiscal biennium beginning 7/1/2023 and ending 6/30/2025. (CD1)

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

2023-3447 HB382 CD1 HMSO-1

