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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           SECTION 1. This Act shall be known and may be cited as the  
2 Judiciary Supplemental Appropriations Act of 2008.

3           SECTION 2. Act 169, Session Laws of Hawaii 2007, is  
4 amended by amending part II to read as follows:

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, 2007, and ending June 30, 2009. 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.



## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1		The Judicial System					
2	1.	JUD101 - COURTS OF APPEAL					
3				80.00*		80.00*	
4		OPERATING	JUD	6,946,406A		<del>7,009,698A</del>	
5						<u>7,098,182A</u>	
6			JUD	243,261W		243,261W	
7							
8	2.	JUD310 - FIRST JUDICIAL CIRCUIT					
9				1,069.50*		<del>1,077.50*</del>	
10						<u>1,047.50*</u>	
11		OPERATING	JUD	71,101,064A		<del>69,804,878A</del>	
12						<u>70,802,592A</u>	
13				40.00*		40.00*	
14			JUD	3,515,326B		3,515,326B	
15							
16	3.	JUD320 - SECOND JUDICIAL CIRCUIT					
17				215.00*		<del>216.00*</del>	
18						<u>217.00*</u>	
19		OPERATING	JUD	14,450,344A		<del>14,601,905A</del>	
20						<u>15,302,404A</u>	
21			JUD	10,168B		150B	
22							
23	4.	JUD330 - THIRD JUDICIAL CIRCUIT					
24				222.00*		<del>222.00*</del>	
25						<u>224.00*</u>	
26		OPERATING	JUD	17,494,185A		<del>17,636,248A</del>	
27						<u>18,322,198A</u>	
28							
29	5.	JUD350 - FIFTH JUDICIAL CIRCUIT					
30				98.00*		98.00*	
31		OPERATING	JUD	6,878,391A		<del>6,898,490A</del>	
32						<u>6,950,763A</u>	
33							
34	6.	JUD601 - ADMINISTRATION					
35				226.00*		<del>226.00*</del>	
36						<u>224.00*</u>	
37		OPERATING	JUD	22,541,795A		<del>20,555,965A</del>	
38						<u>20,833,773A</u>	
39				1.00*		1.00*	
40			JUD	6,207,227B		5,624,607B	
41			JUD	100,000W		100,000W	
42		INVESTMENT CAPITAL	JUD	27,250,000C		<del>500,000C</del>	
43						<u>8,615,000C"</u>	
44							



1 SECTION 3. Part III, Act 169, Session Laws of Hawaii 2007,  
2 is amended:

3 (1) By adding a new section to read as follows:

4 "SECTION 8.1. Provided that of the general fund  
5 appropriations for the judicial circuits (JUD 310-JUD 350), the  
6 following sums or so much thereof as may be necessary for fiscal  
7 year 2008-2009 specified for guardians ad litem and court-  
8 appointed counsel shall be expended as follows:

9	<u>Program I.D.</u>	<u>Amount</u>
10	<u>JUD 310</u>	<u>\$822,500</u>
11	<u>JUD 320</u>	<u>\$198,248</u>
12	<u>JUD 330</u>	<u>\$437,355</u>
13	<u>JUD 350</u>	<u>\$ 14,500;</u>

14 provided further that the funds shall not be expended for any  
15 other purpose; provided further that any unexpended funds shall  
16 lapse to the general fund; provided further that the judiciary  
17 shall prepare a detailed report that shall include but not be  
18 limited to:

19 (1) A detailed breakdown of expenditures;

20 (2) A detailed breakdown of the types and number of cases

21 requiring guardians ad litem and court-appointed counsel;

22 and



1       (3) An analysis of the average cost per type of case;  
 2 and provided further that the judiciary shall submit the report  
 3 to the legislature no later than twenty days prior to the  
 4 convening of the 2009 regular session."

5       (2) By adding a new section to read as follows:

6       "SECTION 8.2. Provided that of the general fund  
 7 appropriations for the judicial circuits (JUD 310-JUD 350), the  
 8 following sums or so much thereof as may be necessary for fiscal  
 9 year 2008-2009 specified for psychiatric and psychological  
 10 examination fees shall be expended as follows:

11 <u>Program I.D.</u>	<u>Amount</u>
12 <u>JUD 310</u>	<u>\$ 250,000</u>
13 <u>JUD 320</u>	<u>\$ 26,000</u>
14 <u>JUD 330</u>	<u>\$ 115,000</u>
15 <u>JUD 350</u>	<u>\$ 25,000;</u>

16 provided further that the funds shall not be expended for any  
 17 other purpose; and provided further that any unexpended funds  
 18 shall lapse to the general fund."

19       SECTION 4. Act 169, Session Laws of Hawaii 2007, is  
 20 amended by amending part IV to read as follows:

21               **"PART IV. CAPITAL IMPROVEMENT PROJECTS**



1 SECTION 15. The sum of [~~\$27,750,000~~] \$35,865,000  
2 appropriated or authorized in part II of this Act for capital  
3 improvement projects shall be expended by the judiciary for the  
4 projects listed below; provided that several related or similar  
5 projects may be combined into a single project, if a combination  
6 is advantageous or convenient for implementation; and provided  
7 further that the total cost of the projects thus combined shall  
8 not exceed the total of the sums specified for the projects  
9 separately. The amount after each cost element and the total  
10 funding for each project listed in this Part is in thousands of  
11 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1		The Judicial System					
2		JUD601 - ADMINISTRATION					
3							
4	[1.	KAPOLEI JUDICIARY COMPLEX, OAHU					
5							
6		PLANS, LAND ACQUISITION, DESIGN,					
7		CONSTRUCTION, AND EQUIPMENT FOR THE NEW					
8		KAPOLEI JUDICIARY COMPLEX AT KAPOLEI,					
9		OAHU.					
10		PLANS			225		
11		LAND			25		
12		DESIGN			1,000		
13		CONSTRUCTION			23,900		
14		EQUIPMENT			50		
15		TOTAL FUNDING	JUD		25,200 C		C]
16							
17	1.	KAPOLEI JUDICIARY COMPLEX, OAHU					
18							
19		PLANS, LAND ACQUISITION, DESIGN,					
20		CONSTRUCTION, AND EQUIPMENT FOR THE NEW					
21		KAPOLEI JUDICIARY COMPLEX AT KAPOLEI,					
22		OAHU.					
23		PLANS			225		225
24		LAND			25		
25		DESIGN			1,000		
26		CONSTRUCTION			23,900		
27		EQUIPMENT			50		4,275
28		TOTAL FUNDING	JUD		25,200 C		4,500 C
29							
30							
31	[2.	LUMP SUM CIP FOR JUDICIARY					
32		FACILITIES, STATEWIDE					
33							
34		PLANS, DESIGN, CONSTRUCTION, AND					
35		EQUIPMENT FOR THE REMODELING AND					
36		UPGRADING OF JUDICIARY BUILDINGS,					
37		STATEWIDE.					
38		PLANS			100		1
39		DESIGN			300		1
40		CONSTRUCTION			1,000		497
41		EQUIPMENT			100		1
42		TOTAL FUNDING	JUD		1,500 C		500C]
43							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1	2.	LUMP SUM CIP FOR JUDICIARY					
2		<u>FACILITIES, STATEWIDE</u>					
3							
4		<u>PLANS, DESIGN, CONSTRUCTION, AND</u>					
5		<u>EQUIPMENT FOR THE REMODELING AND</u>					
6		<u>UPGRADING OF JUDICIARY BUILDINGS,</u>					
7		<u>STATEWIDE.</u>					
8		<u>PLANS</u>			100		250
9		<u>DESIGN</u>			300		500
10		<u>CONSTRUCTION</u>			1,000		1,600
11		<u>EQUIPMENT</u>			100		250
12		<u>TOTAL FUNDING</u>	<u>JUD</u>		1,500 C		2,600 C
13							
14							
15	3.	DOMESTIC VIOLENCE CLEARINGHOUSE AND					
16		LEGAL HOTLINE, OAHU					
17							
18		LAND ACQUISITION TO PURCHASE OFFICE					
19		SPACE. THIS PROJECT QUALIFIES AS A GRANT,					
20		PURSUANT TO CHAPTER 42F, HRS.					
21		LAND			500		
22		<u>TOTAL FUNDING</u>	<u>JUD</u>		500 C		C
23							
24	4.	VOLUNTEER LEGAL SERVICES HAWAII, OAHU					
25							
26		DESIGN AND CONSTRUCTION FOR FACILITY					
27		IMPROVEMENTS. THIS PROJECT QUALIFIES AS					
28		A GRANT, PURSUANT TO CHAPTER 42F, HRS.					
29		DESIGN			10		
30		CONSTRUCTION			40		
31		<u>TOTAL FUNDING</u>	<u>JUD</u>		50 C		C
32							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1	4.01.	KEAKEALANI BUILDING COURT FACILITIES					
2		IMPROVEMENTS, HAWAI'I					
3							
4		DESIGN, CONSTRUCTION, AND EQUIPMENT					
5		FOR FACILITIES IMPROVEMENTS AT THE					
6		KEAKEALANI BUILDING IN KEALAKEKUA,					
7		HAWAII.					
8		DESIGN					1
9		CONSTRUCTION					508
10		EQUIPMENT					1
11		TOTAL FUNDING	JUD		C		510 C
12							
13	4.02.	HOAPILI HALE ELEVATOR SYSTEM UPGRADE,					
14		MAUI					
15							
16		DESIGN AND CONSTRUCTION FOR UPGRADING					
17		OF ELEVATOR SYSTEM EQUIPMENT AT HOAPILI					
18		HALE, MAUI.					
19		DESIGN					65
20		CONSTRUCTION					565
21		TOTAL FUNDING	JUD		C		630 C
22							
23							
24	4.03.	STATUS OFFENDER SHELTER AND JUVENILE					
25		SERVICES CENTER, OAHU					
26							
27		PLANS FOR THE DEVELOPMENT OF A NEW					
28		STATUS OFFENDER SHELTER AND JUVENILE					
29		SERVICES CENTER, OAHU.					
30		PLANS					225
31		TOTAL FUNDING	JUD		C		225 C
32							
33							





CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1	4.04.	<u>NORTH KOHALA DISTRICT COURT FACILITY</u>					
2		<u>ALTERATIONS AND IMPROVEMENTS, HAWAII</u>					
3							
4		<u>DESIGN AND CONSTRUCTION FOR FACILITY</u>					
5		<u>ALTERATIONS AND IMPROVEMENTS AT THE NORTH</u>					
6		<u>KOHALA DISTRICT COURT BUILDING IN</u>					
7		<u>KAPA'AU, HAWAII.</u>					
8		<u>DESIGN</u>					<u>40</u>
9		<u>CONSTRUCTION</u>					<u>110</u>
10		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>150C"</u>



1 SECTION 5. Act 169, Session Laws of Hawaii 2007, is  
2 amended by amending section 16 to read as follows:

3 "SECTION 16. General obligation bonds may be issued, as  
4 provided by law, to yield the amount that may be necessary to  
5 finance projects authorized in Part II and listed in Part IV of  
6 this Act; provided that the sum total of the general obligation  
7 bonds so issued shall not exceed [~~\$27,750,000.~~] \$35,865,000."

8 SECTION 6. If any portion of this Act or its application  
9 to any person or circumstances is held to be invalid for any  
10 reason, the remainder of the Act and any provision thereof shall  
11 not be affected. If any portion of a specific appropriation is  
12 held to be invalid for any reason, the remaining portion shall  
13 be independent of the invalid portion and shall be expended to  
14 fulfill the objective and intent of the appropriation to the  
15 greatest extent possible.

16 SECTION 7. If any manifest clerical, typographical, or  
17 other mechanical error is found in this Act, the chief justice  
18 is authorized to correct the error. All changes made pursuant  
19 to this section shall be reported to the legislature at its next  
20 session.

21 SECTION 8. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.



**1** SECTION 9. This Act shall take effect on July 1, 2008.



**Report Title:**

Judiciary; Supplemental Appropriations

**Description:**

Appropriates funds to the Judiciary for FY 2008-2009.

