

A Bill for an Act Relating to the Judiciary.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act shall be known and may be cited as the Judiciary Supplemental Appropriations Act of 1994.

SECTION 2. This Act amends Act 277, Session Laws of Hawaii 1993.

SECTION 3. Part II, Act 277, Session Laws of Hawaii 1993, is amended by amending section 3 to read as follows:

"SECTION 3. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are appropriated or authorized from the sources of funding specified to the judiciary for the fiscal biennium beginning July 1, 1993, and ending June 30, 1995. The total expenditures and the number of permanent positions established in each fiscal year of the fiscal biennium shall not exceed the sums and the position ceilings indicated for each year, except as provided in this Act.

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 1993-94	M O F	FISCAL YEAR 1994-95	M O F
The Judicial System							
1.	JUD101	COURTS OF APPEAL		71.00*		[71.00*]	
	OPERATING		JUD	4,395,574 A		72.00*	
			JUD			[4,387,574 A]	
						4,472,865 A	
2.	JUD111	CIRCUIT COURTS		501.50*		[501.50*]	
	OPERATING		JUD	24,065,428 A		511.50*	
			JUD			[24,065,428 A]	
						24,362,187 A	
3.	JUD112	FAMILY COURTS		427.50*		427.50*	
	OPERATING		JUD	24,665,214 A		[24,775,214 A]	
			JUD			25,150,214 A	
4.	JUD121	DISTRICT COURTS		521.50*		[521.50*]	
	OPERATING		JUD	17,039,024 A		522.50*	
						[17,039,024 A]	

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 1993-94	M O F	FISCAL YEAR 1994-95	M O F
			<u>JUD</u>			<u>17,105,116 A</u>	
				54.00*		54.00*	
			JUD	1,828,028 B		[1,828,028 B]	
			<u>JUD</u>			<u>1,898,028 B</u>	
5. JUD201 - ADMIN. DIRECTOR SERVICES							
				252.50*		252.50*	
	OPERATING		JUD	16,231,964 A		16,044,719 A	
	INVESTMENT CAPITAL		[JUD]	[1,393,000 C]		[]	
			<u>JUD</u>	<u>1,093,000 C</u>		<u>2,475,000 C"</u>	

SECTION 4. Part III, Act 277, Session Laws of Hawaii 1993, is amended by:

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

"SECTION 13A. Provided that of the general funds appropriation for family court (JUD 112), the sum of \$574,450 for fiscal year 1994-1995 shall be used for purchase of service for emergency shelters, and provided further that \$60,000 shall be expended for the independent living program."

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

"SECTION 14A. Provided that of the general funds appropriation for district court (JUD 121), the sum of \$42,800 for fiscal year 1994-1995 shall be expended by the traffic violations bureau to purchase personal computers for the cashiering section; and provided further that a status report shall be submitted that includes the identification of the equipment purchased; provided further that the status report shall be submitted to the legislature no later than twenty days prior to the convening of the 1995 regular session."

SECTION 5. Part IV, Act 277, Session Laws of Hawaii 1993, is amended by amending section 16 to read as follows:

"SECTION 16. The sum of [\$1,393,000] \$3,568,000 appropriated or authorized in Part II of this Act for capital [investment] improvements program projects shall be expended by the judiciary for the projects listed below; provided that several related or similar projects may be combined into a single project, if a combination is advantageous or convenient, for planning, land acquisition, design, construction, and equipment purposes; provided further that the total cost of any projects thus combined shall not exceed the total of the sums specified for the projects separately. The amount indicated after each cost element, and the total funding for each project listed in this Part, is in thousands of dollars.

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1993-94	M O F	FISCAL YEAR 1994-95	M O F
The Judicial System							
JUD201 - ADMIN. DIRECTOR SERVICES							
1.		KOOLAUPOKO DISTRICT COURT, OAHU					
		DESIGN FOR THE KOOLAUPOKO DISTRICT COURT.					
		DESIGN		590			
		TOTAL FUNDING	JUD	590C			C
2.		REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE					
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.					
		DESIGN		40			
		CONSTRUCTION		250			
		EQUIPMENT		13			
		TOTAL FUNDING	JUD	303C			C
[3.		HILO JUDICIARY COMPLEX, HAWAII					
		PLANS AND DESIGN FOR A JUDICIARY COMPLEX IN HILO TO ACCOMMODATE THE CIRCUIT, FAMILY, AND DISTRICT COURTS.					
		PLANS		200			
		DESIGN		300			
		TOTAL FUNDING	JUD	500C			C]
3.		<u>HILO JUDICIARY COMPLEX, HAWAII</u>					
		<u>PLANS FOR A JUDICIARY COMPLEX IN HILO TO ACCOMMODATE THE CIRCUIT, FAMILY, AND DISTRICT COURTS.</u>					
		<u>PLANS</u>		<u>200</u>			
		<u>TOTAL FUNDING</u>	<u>JUD</u>	<u>200C</u>			<u>C</u>
3A.		<u>KAUAI JUDICIARY COMPLEX, KAUAI</u>					
		<u>LAND ACQUISITION AND DESIGN FOR A NEW JUDICIARY COMPLEX ON KAUAI.</u>					
		<u>LAND</u>				1,175	
		<u>DESIGN</u>				1,300	
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>	2,475C"	

SECTION 6. Any law to the contrary notwithstanding, the appropriations under Act 299, Session Laws of Hawaii 1991, section 13, as amended and renumbered by Act 301, Session Laws of Hawaii 1992, section 5, in the amounts indicated or balances thereof, unallotted, unencumbered, and unexpended, are hereby lapsed:

<u>"Item No.</u>	<u>Amount</u>	<u>(MOF)</u>
JUD 201-1	\$ 150,000	C
JUD 201-2	3,700,000	C
JUD 201-3	930,000	C
JUD 201-4	2,475,000	C"

SECTION 7. Part VI, Act 277, Session Laws of Hawaii 1993, is amended by amending section 19 to read as follows:

"SECTION 19. General obligation bonds may be issued, as provided by law, to yield the amount that may be necessary to finance projects authorized in Part II and listed in Part IV of this Act; provided that the sum total of the general obligation bonds so issued shall not exceed [\$1,393,000.] \$3,568,000."¹

SECTION 8. Part VII, Act 277, Session Laws of Hawaii 1993, is amended by amending section 26 to read as follows:

"SECTION 26. [Any provision of law to the contrary notwithstanding, the chief justice may supplement any early-phased cost element of a capital improvement project authorized under this Act from funds appropriated for later-phased cost elements of the same project authorized by the legislature in this Act or in a prior year or which may be authorized by the legislature in the future; provided that the total expenditure for all cost elements shall not exceed the total appropriation for that project.] Any law or any provision to the contrary notwithstanding, the chief justice may supplement funds for any cost element for a capital improvements program project authorized in this Act by transferring such sums as may be needed from the funds appropriated for other cost elements of the same project authorized in this Act or in a prior year or which may be authorized by the legislature in the future; provided that the total expenditure for all cost elements shall not exceed the total appropriation for that project."

SECTION 9. If any portion of this Act or its application to any person or circumstances is held invalid for any reason, the legislature hereby declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objective and intent of such appropriation to the extent possible.

SECTION 10. In the event manifest clerical, typographical, or other mechanical errors are found in this Act, the chief justice is authorized to correct such errors. All changes made pursuant to this section shall be reported to the legislature at its next session.

SECTION 11. Statutory material to be repealed is bracketed. New statutory material is underscored.

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SECTION 12. This Act shall take effect upon its approval.

(Approved June 29, 1994.)

Note

1. Period should be underscored.