

ACT 244

H.B. NO. 3650

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 1996.

SECTION 2. This Act amends Act 18, Special Session Laws of Hawaii 1995.

SECTION 3. Act 18, Special Session Laws of Hawaii 1995, 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, 1995, and ending June 30, 1997. 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

				APPROPRIATIONS			
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL YEAR 1995-96	M O F	FISCAL YEAR 1996-97	M O F
The Judicial System							
1.	JUD101 - COURTS OF APPEAL						
				[78.00*]		[78.00*]	
	OPERATING		[JUD]	76.00*		75.00*	
			JUD	[4,552,255A]		[4,552,255A]	
			JUD	4,523,137A		4,505,584A	
						75,000W	
2.	JUD111 - CIRCUIT COURTS						
				[504.50*]		[504.50*]	
	OPERATING		[JUD]	492.50*		481.50*	
			JUD	[25,016,905A]		[25,016,905A]	
				24,589,484A		25,078,772A	
3.	JUD112 - FAMILY COURTS						
				[426.00*]		[426.00*]	
	OPERATING		[JUD]	416.00*		409.00*	
			JUD	[26,292,426A]		[26,242,426A]	
			JUD	24,128,269A		24,063,210A	
				100,000B		100,000B	
4.	JUD121 - DISTRICT COURTS						
				[514.50*]		[514.50*]	
	OPERATING		[JUD]	505.50*		487.50*	
			JUD	[17,482,409A]		[17,397,668A]	
				16,369,157A		16,999,687A	
				[53.00*]		[53.00*]	
				44.00*		35.00*	
			[JUD]	[1,919,649B]		[1,919,649B]	

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 1995-96	M O F	FISCAL YEAR 1996-97	M O F
			JUD	1,341,240B		1,476,259B	
5.	JUD201	ADMIN. DIRECTOR SERVICES		[249.00*]		[249.00*]	
				239.00*		221.00*	
	OPERATING		[JUD]	[14,878,060A]		[14,705,460A]	
			JUD	14,195,481A		14,030,761A	
	INVESTMENT CAPITAL		JUD	2,359,000C		[] ¹	
			JUD			1,336,000C''	

SECTION 4. Act 18, Special Session Laws of Hawaii 1995, is amended by amending section 5 to read as follows:

“SECTION 5. Provided that of the general fund appropriation for family court (JUD 112), a minimum sum of [\$369,300] \$347,142 designated for purchase of service for each fiscal year of the fiscal biennium, shall be expended for domestic violence legal hotline and the domestic violence clearinghouse services; and provided further that a status report stating the date and the amount that was provided to the domestic violence legal hotline and the domestic violence clearinghouse shall be submitted to the legislature no later [that] than twenty days prior to the convening of the 1996 and 1997 regular sessions.”

SECTION 5. Act 18, Special Session Laws of Hawaii 1995, is amended by adding a new section to read as follows:

“SECTION 10A. Provided that the judiciary shall make a study and report on all ADA requirements for each of the courts by circuit; provided further that the study shall include funding estimates for the services to be provided and the basis of these estimates; and provided further that the judiciary shall submit the report of its findings and recommendations to the legislature no later than twenty days prior to the convening of the 1997 regular session.”²

SECTION 6. Act 18, Special Session Laws of Hawaii 1995, is amended by amending section 11 to read as follows:

“SECTION 11. The sum of [\$2,359,000] \$3,695,000 appropriated or authorized in part II of this Act for capital 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 implementation; and provided further that the total cost of the projects thus combined shall not exceed the total of the sums specified for the projects separately. (The amount after each cost element and the total funding for each project listed in this part are in thousands of dollars.)

CAPITAL IMPROVEMENT PROJECTS

				APPROPRIATIONS (IN 000's)			
ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	FISCAL YEAR 1995-96	M O F	FISCAL YEAR 1996-97	M O F
The Judicial System							
JUD201 -ADMIN. DIRECTOR SERVICES							
1. FAMILY COURT CENTER, KAPOLEI, OAHU							
PLANS, LAND ACQUISITION, AND DESIGN FOR THE FAMILY COURT CENTER AT KAPOLEI, OAHU.							
		PLANS		135			
		LAND		9			
		DESIGN		1,700			
		TOTAL FUNDING	JUD	1,844C			C
2. JUVENILE DETENTION CENTER, KAPOLEI, OAHU							
PLANS, LAND ACQUISITION, AND DESIGN FOR THE JUVENILE DETENTION CENTER AT KAPOLEI, OAHU.							
		PLANS		14			
		LAND		4			
		DESIGN		397			
		TOTAL FUNDING	JUD	415C			C
3. ARCHITECTURAL BARRIER REMOVAL FOR JUDICIARY BUILDINGS, STATEWIDE							
PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE REMOVAL OF ARCHITECTURAL BARRIERS IN JUDICIARY BUILDINGS, STATEWIDE.							
		PLANS		5			
		DESIGN		25			
		CONSTRUCTION		60			
		EQUIPMENT		10			
		TOTAL FUNDING	JUD	100C			C
3A. <u>KOOLAUPOKO DISTRICT COURT, OAHU</u>							
<u>PLANS, LAND ACQUISITION, AND DESIGN FOR THE KOOLAUPOKO DISTRICT COURT.</u>							
		PLANS					1
		LAND					1
		DESIGN					588
		TOTAL FUNDING	JUD		C		590C
3B. <u>REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE</u>							
<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS.</u>							
		PLANS					5
		DESIGN					18
		CONSTRUCTION					13
		EQUIPMENT					8
		TOTAL FUNDING	JUD		C		44C
3C. KAPUAIWA BUILDING RENOVATION, OAHU							

CAPITAL IMPROVEMENT PROJECTS

				APPROPRIATIONS (IN 000's)			
ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	FISCAL YEAR 1995-96	M O F	FISCAL YEAR 1996-97	M O F
<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE RENOVATION OF THE KAPUAIWA BUILDING.</u>							
		<u>DESIGN</u>					1
		<u>CONSTRUCTION</u>				700	
		<u>EQUIPMENT</u>				1	
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>	702C	''

SECTION 7. Act 18, Special Session Laws of Hawaii 1995, is amended:

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

“SECTION 14A. Any law to the contrary notwithstanding, the appropriation under Act 277, Session Laws of Hawaii 1993, section 16, as amended and re-numbered by Act 254, Session Laws of Hawaii 1994, section 5, in the amount indicated or balance thereof, unallotted, allotted, encumbered and unrequired, is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
JUD 201-2	\$222,650 C’’2

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

“SECTION 14B. Any law to the contrary notwithstanding, the appropriation under Act 277, Session Laws of Hawaii 1993, section 16, as amended and re-numbered by Act 254, Session Laws of Hawaii 1994, section 5, as amended by Act 18, Special Session Laws of Hawaii 1995, section 14, in the amount indicated or balance thereof, unallotted, allotted, encumbered and unrequired, is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
JUD 201-1	\$590,000 C’’2

SECTION 8. Act 18, Special Session Laws of Hawaii 1995, is amended by amending section 15 to read as follows:

“SECTION 15. 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 [\$2,359,000] \$3,695,000 .”

SECTION 9. Act 18, Special Session Laws of Hawaii 1995, is amended:

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

“SECTION 20A. All unrequired balances in the general obligation bond fund, after the objectives of part II appropriations for capital improvements program purposes listed as projects in part IV have been met, shall be transferred to the judiciary project adjustment fund.”’2

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

“SECTION 20B. If the amount allocated from the general obligation bond fund for a capital improvements program project listed in part IV of this Act is insufficient, the chief justice may make supplemental allotments from the project

adjustment fund; provided that supplemental allotments shall not be used to increase the scope of the project; and provided further that a report of all transfers into and out of the project adjustment fund shall be submitted to the legislature no later than twenty days prior to the convening of the regular session of 1997.’’²

SECTION 10. If any portion of this Act or its application to any person or circumstances is held to be invalid for any reason, the remainder of the Act and any 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 shall be expended to fulfill the objective and intent of the appropriation to the extent possible.

SECTION 11. If any manifest clerical, typographical, or other mechanical error is found in this Act, the chief justice is authorized to correct the error. All changes made pursuant to this section shall be reported to the legislature at its next session.

SECTION 12. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 13. This Act shall take effect upon its approval.

(Approved June 18, 1996.)

Notes

1. Prior to amendment ‘‘C’’ appeared here.
2. Should be underscored.