

ACT 126

H.B. NO. 2710

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 1998.

SECTION 2. This Act amends Act 155, Session Laws of Hawaii 1997.

SECTION 3. Part II, Act 155, Session Laws of Hawaii 1997, is amended 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

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authorized from the sources of funding specified to the judiciary for the fiscal biennium beginning July 1, 1997, and ending June 30, 1999. 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 1997-98	M O F	FISCAL YEAR 1998-99	M O F
The Judicial System							
1.	JUD101	COURTS OF APPEAL					
	OPERATING		JUD	75.00*		75.00*	
			JUD	4,549,199A		[4,466,346A]	
			JUD			4,418,353A	
			JUD	75,000W		75,000W	
2.	JUD111	CIRCUIT COURTS					
	OPERATING		JUD	481.50*		485.50*	
			JUD	25,715,448A		[25,681,171A]	
			JUD			25,327,704A	
3.	JUD112	FAMILY COURTS					
	OPERATING		JUD	409.00*		409.00*	
			JUD	25,659,213A		[25,368,747A]	
			JUD			25,245,595A	
			JUD	100,000B		[100,000B]	
			JUD			232,500B	
4.	JUD121	DISTRICT COURTS					
	OPERATING		JUD	491.50*		491.50*	
			JUD	17,001,151A		[16,906,930A]	
			JUD			16,944,394A	
			JUD	35.00*		35.00*	
			JUD	1,536,735B		1,536,735B	
5.	JUD201	ADMIN. DIRECTOR SERVICES					
	OPERATING		JUD	223.00*		[223.00*]	
			JUD			226.00*	
			JUD	14,566,218A		[14,586,705A]	
			JUD			14,603,664A	
			JUD	800,000B		[800,000B]	
			JUD			1,200,000B	
	INVESTMENT CAPITAL		JUD	10,590,000C		[8,900,000C]	
			JUD			11,945,000C**	

SECTION 4. Part III, Act 155, Session Laws of Hawaii 1997, is amended:

(1) By amending section 5 to read as follows:

“SECTION 5. Provided that of the general fund appropriation for family court (JUD 112), the sum of \$318,750 for the fiscal year 1997-1998 and the sum of \$318,750 for the fiscal year 1998-1999 shall be used for purchases of service to obtain services for the operation of a domestic violence drop-in center.”

(2) By repealing section 6.

(3) By amending section 7 to read as follows:

“SECTION 7. Provided that of the general fund appropriation for family court (JUD 112), the sum of \$5,115,430 for fiscal year 1997-1998 and the sum of

[\$5,115,430] \$5,434,180 for fiscal year 1998-1999 shall be used for purchases of services.”

SECTION 5. Part IV, Act 155, Session Laws of Hawaii 1997, is amended by amending section 13 to read as follows:

“SECTION 13. The sum of [\$19,490,000] \$22,535,000 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

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1997-98	M O F	FISCAL YEAR 1998-99	M O F

The Judicial System

JUD201 - ADMIN. DIRECTOR SERVICES

1. HILO JUDICIARY COMPLEX, HAWAII

LAND ACQUISITION AND DESIGN FOR A JUDICIARY COMPLEX IN HILO, HAWAII.

LAND DESIGN			1		
TOTAL FUNDING	JUD		3,000		
			3,001C		C

[2. KAPUAIWA BUILDING RENOVATION, OAHU

DESIGN, CONSTRUCTION AND EQUIPMENT FOR THE RENOVATION OF THE KAPUAIWA BUILDING, OAHU.

DESIGN			75		
CONSTRUCTION			700		
EQUIPMENT			10		
TOTAL FUNDING	JUD		785C		C]

2. KAPUAIWA BUILDING RENOVATION, OAHU

DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE RENOVATION OF THE KAPUAIWA BUILDING, OAHU.

<u>DESIGN</u>			75		
<u>CONSTRUCTION</u>			700		700
<u>EQUIPMENT</u>			10		10
<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>785C</u>		<u>710C</u>

[3. HOAPILI HALE UPGRADE IMPROVEMENTS, MAUI

DESIGN, CONSTRUCTION AND EQUIPMENT FOR UPGRADE IMPROVEMENTS AT HOAPILI HALE, MAUI.

DESIGN			10		
CONSTRUCTION			1,200		

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1997-98	M O F	FISCAL YEAR 1998-99	M O F
		TOTAL FUNDING	JUD	1,210C			C]
3.		<u>HOAPILI HALE UPGRADE IMPROVEMENTS, MAUI</u>					
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR UPGRADE IMPROVEMENTS AT HOAPILI HALE, MAUI.</u>					
		DESIGN		10			
		CONSTRUCTION		1,200		290	
		EQUIPMENT				10	
		TOTAL FUNDING	JUD	1,210C		300C	
[4.		<u>ARCHITECTURAL BARRIER REMOVAL FOR JUDICIARY BUILDINGS, STATEWIDE</u>					
		<u>PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR THE REMOVAL OF ARCHITECTURAL BARRIERS IN JUDICIARY BUILDINGS, STATEWIDE.</u>					
		PLANS		1			
		DESIGN		1			
		CONSTRUCTION		747			
		EQUIPMENT		1			
		TOTAL FUNDING	JUD	750C			C]
4.		<u>ARCHITECTURAL BARRIER REMOVAL FOR JUDICIARY BUILDINGS, STATEWIDE</u>					
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE REMOVAL OF ARCHITECTURAL BARRIERS IN JUDICIARY BUILDINGS, STATEWIDE.</u>					
		PLANS		1		1	
		DESIGN		1		1	
		CONSTRUCTION		747		372	
		EQUIPMENT		1		1	
		TOTAL FUNDING	JUD	750C		375C	
[5.		<u>REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE</u>					
		<u>DESIGN, CONSTRUCTION AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.</u>					
		PLANS		10			
		DESIGN		15			
		CONSTRUCTION		210			
		EQUIPMENT		15			
		TOTAL FUNDING	JUD	250C			C]
5.		<u>REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE</u>					
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.</u>					
		PLANS		10			
		DESIGN		15			
		CONSTRUCTION		210			
		EQUIPMENT		15			
		TOTAL FUNDING	JUD	250C			C

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1997-98	M O F	FISCAL YEAR 1998-99	M O F
[6. KOOLAUPOKO DISTRICT COURT FACILITY, OAHU							
		PLANS, DESIGN AND CONSTRUCTION FOR THE DEVELOPMENT OF A NEW KOOLAUPOKO DISTRICT COURT.					
		PLANS			1		
		DESIGN			589		
		CONSTRUCTION					8,900
		TOTAL FUNDING	JUD		590C		8,900C]
6. <u>KOOLAUPOKO DISTRICT COURT FACILITY, OAHU</u>							
		<u>PLANS, LAND, DESIGN, AND CONSTRUCTION FOR THE DEVELOPMENT OF A NEW KOOLAUPOKO DISTRICT COURT.</u>					
		PLANS			1		
		LAND			1		
		DESIGN			588		
		CONSTRUCTION					8,900
		TOTAL FUNDING	JUD		590C		8,900C
[7. ALI'IOLANI HALE ROOF AND STRUCTURAL IMPROVEMENTS, OAHU							
		PLANS, DESIGN AND CONSTRUCTION FOR ROOF AND STRUCTURAL IMPROVEMENTS AT ALI'IOLANI HALE, OAHU.					
		PLANS			1		
		DESIGN			1		
		CONSTRUCTION			606		
		TOTAL FUNDING	JUD		608C		C]
7. <u>ALI'IOLANI HALE ROOF AND STRUCTURAL IMPROVEMENTS, OAHU</u>							
		<u>PLANS, DESIGN, AND CONSTRUCTION FOR ROOF AND STRUCTURAL IMPROVEMENTS AT ALI'IOLANI HALE, OAHU.</u>					
		PLANS			1		
		DESIGN			1		
		CONSTRUCTION			606		
		TOTAL FUNDING	JUD		608C		C
[8. KAAHUMANU HALE ROOF IMPROVEMENTS, OAHU							
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR ROOF AND AIR CONDITIONING IMPROVEMENTS AT KAAHUMANU HALE, OAHU.					
		PLANS			1		
		DESIGN			1		
		CONSTRUCTION			497		
		EQUIPMENT			1		
		TOTAL FUNDING	JUD		500C		C]
8. <u>KAAHUMANU HALE ROOF IMPROVEMENTS, OAHU</u>							
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR ROOF AND AIR CONDITIONING IMPROVEMENTS AT KAAHUMANU HALE, OAHU.</u>					
		PLANS			1		
		DESIGN			1		
		CONSTRUCTION			497		

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1997-98	M O F	FISCAL YEAR 1998-99	M O F
		<u>EQUIPMENT</u>				1	
		<u>TOTAL FUNDING</u>	<u>JUD</u>			<u>500C</u>	<u>C</u>
[9. JUVENILE DETENTION CENTER FACILITIES IMPROVEMENTS, OAHU							
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR HO'OMALU HALE IMPROVEMENTS INCLUDING STRUCTURAL IMPROVEMENTS, SECURITY FENCING, AND PAINTING, OAHU.					
		PLANS				1	
		DESIGN				1	
		CONSTRUCTION				260	
		EQUIPMENT				1	
		<u>TOTAL FUNDING</u>	<u>JUD</u>			<u>263C</u>	<u>C]</u>
9. <u>JUVENILE DETENTION CENTER FACILITIES IMPROVEMENTS, OAHU</u>							
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR HO'OMALU HALE IMPROVEMENTS INCLUDING STRUCTURAL IMPROVEMENTS, SECURITY FENCING, AND PAINTING, OAHU.</u>					
		PLANS				1	
		DESIGN				1	
		CONSTRUCTION				260	
		EQUIPMENT				1	
		<u>TOTAL FUNDING</u>	<u>JUD</u>			<u>263C</u>	<u>C</u>
[10. FAMILY COURT CENTER AND JUVENILE DETENTION FACILITY, KAPOLEI, OAHU							
		DESIGN FOR THE FAMILY COURT CENTER AND JUVENILE DETENTION FACILITY AT KAPOLEI, OAHU.					
		DESIGN				2,633	
		<u>TOTAL FUNDING</u>	<u>JUD</u>			<u>2,633C</u>	<u>C]</u>
10. <u>FAMILY COURT CENTER AND JUVENILE DETENTION FACILITY, KAPOLEI, OAHU</u>							
		<u>LAND ACQUISITION AND DESIGN FOR THE FAMILY COURT CENTER AND JUVENILE DETENTION FACILITY, AT KAPOLEI, OAHU.</u>					
		LAND				13	
		DESIGN				2,620	
		<u>TOTAL FUNDING</u>	<u>JUD</u>			<u>2,633C</u>	<u>C</u>
10A. <u>FUEL STORAGE TANK UPGRADE FOR JUDICIARY BUILDINGS, OAHU</u>							
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR FUEL STORAGE TANK UPGRADE FOR JUDICIARY BUILDINGS, OAHU.</u>					
		DESIGN					1
		CONSTRUCTION					298
		EQUIPMENT					1
		<u>TOTAL FUNDING</u>	<u>JUD</u>			<u>C</u>	<u>300C</u>
10B. <u>KAUIKEAOULI HALE DECK COATING AND ROOF IMPROVEMENTS, OAHU</u>							

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1997-98	M O F	FISCAL YEAR 1998-99	M O F
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR KAUIKEAOULI HALE DECK COATING AND ROOF IMPROVEMENTS.</u>					
		<u>DESIGN</u>					<u>1</u>
		<u>CONSTRUCTION</u>					<u>373</u>
		<u>EQUIPMENT</u>					<u>1</u>
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>375C</u>
<u>10C. WAHIAWA JUDICIARY BUILDING AND PARKING STRUCTURE, OAHU</u>							
		<u>DESIGN FOR A JUDICIARY BUILDING AND PARKING STRUCTURE AT THE WAHIAWA STATE CIVIC CENTER, OAHU.</u>					
		<u>DESIGN</u>					<u>685</u>
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>685C</u>
<u>10D. LEGAL AID SOCIETY OF HAWAII JUSTICE CENTER BUILDINGS, STATEWIDE</u>							
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE ACQUISITION OF JUSTICE CENTER BUILDINGS, STATEWIDE. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42D, HRS.</u>					
		<u>DESIGN</u>					<u>100</u>
		<u>CONSTRUCTION</u>					<u>199</u>
		<u>EQUIPMENT</u>					<u>1</u>
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>300C</u>

SECTION 6. Part V, Act 155, Session Laws of Hawaii 1997, is amended by amending section 14 to read as follows:

“SECTION 14. 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 [\$19,490,000] \$22,535,000.”

SECTION 7. Act 155, Session Laws of Hawaii 1997, is amended by adding a new section to read as follows:

“SECTION 17A. Any law to the contrary notwithstanding the appropriation under Act 18 First Special Session Laws of Hawaii 1995, section 11, as amended and renumbered by Act 244 Session Laws of Hawaii 1996, section 6, in the amounts indicated or balances thereof, unallotted, allotted, encumbered and unrequired, are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
JUD 201-1	9,000 C
JUD 201-2	4,000 C
JUD 201-3A	590,000 C”

SECTION 8. Act 155, Session Laws of Hawaii 1997, is amended by amending section 21 to read as follows:

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“SECTION 21. 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[.]; provided further that such supplemental allotments from the project adjustment fund shall not be used to increase the scope of the project; and provided further that the chief justice shall submit a report to the legislature no later than twenty days prior to the convening of the 1999 regular session.”

SECTION 9. 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. 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 10. 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 11. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 12. This Act shall take effect on July 1, 1998.

(Approved June 22, 1998.)