

ACT 112

H.B. NO. 2650

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 2000.

SECTION 2. This Act amends Act 156, Session Laws of Hawaii 1999.

SECTION 3. Part II, Act 156, Session Laws of Hawaii 1999, is amended to read as follows:

“PART II. PROGRAM APPROPRIATIONS

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, 1999, and ending June 30, 2001. 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 1999-00	M O F	FISCAL YEAR 2000-01	M O F
The Judicial System							
1.	JUD101	COURTS OF APPEAL					
	OPERATING		JUD	76.00*		76.00*	
			JUD	4,633,053A		4,633,053A	
				75,000W		75,000W	
2.	JUD111	CIRCUIT COURTS					
	OPERATING		JUD	489.50*		[493.50*]	
			JUD	26,077,341A		494.50*	
			JUD			[26,041,957A]	
				212,602N		<u>26,370,810A</u>	
3.	JUD112	FAMILY COURTS					
	OPERATING		JUD	412.00*		[416.00*]	
			JUD	26,537,136A		422.00*	
			JUD			[26,683,470A]	
			JUD	386,575B		<u>27,426,160A</u>	
			JUD			[386,575B]	
						<u>454,075B</u>	
4.	JUD121	DISTRICT COURTS					
	OPERATING		JUD	495.50*		[495.50*]	
			JUD	17,911,155A		498.50*	
			JUD			[17,878,430A]	
			JUD	35.00*		<u>18,109,886A</u>	
			JUD	1,643,033B		35.00*	
						<u>1,617,033B</u>	
5.	JUD201	ADMIN. DIRECTOR SERVICES					
	OPERATING		JUD	236.00*		236.00*	
			JUD	15,690,914A		[15,438,872A]	
			JUD			<u>16,011,017A</u>	
	INVESTMENT CAPITAL		JUD	2,080,102B		2,188,937B	
			JUD	2,970,000C		[30,900,000C]	
			JUD			<u>37,890,000C</u>	

SECTION 4. Part III, Session Laws of Hawaii 1999¹, is amended:

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

“SECTION 8.1. Provided that of the general fund appropriation for family court (JUD 112), the sum of \$350,000 for fiscal year 2000-2001 shall be expended for the appointment of guardians ad litem and counsel for indigent parties pursuant to the provisions of Chapter 587, HRS; provided further that the judiciary shall provide a report on the effectiveness and efficiency of this program to the legislature no later than twenty days prior to the convening of the 2001 regular session.”

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

“SECTION 8.2. Provided that of the general fund appropriation for family court (JUD 112), not more than \$222,690 for fiscal year 2000-2001 shall be expended to create two additional circuit court clerk II positions, two additional court bailiff II positions, one additional judicial clerk III position, and one additional social worker IV position to assist with domestic violence cases.”

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

“SECTION 8.3. Provided that of the general fund appropriation for administrative services (JUD 201), not more than \$400,000 for fiscal year 2001 shall be expended for on-line personnel management; provided further that the judiciary shall provide a report on implementation and cost-benefit analysis to the legislature no later than twenty days prior to the convening of the 2001 session.”

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

“SECTION 8.4. Provided that the judiciary is authorized to expend \$30,000 for the purpose of analyzing, and determining an implementation strategy for organizing the state judiciary into a “single tier” trial court system, pursuant to the Achieving Court Excellence (ACE) initiatives adopted by the Chief Justice.”

SECTION 5. Part IV, Act 156, Session Laws of Hawaii 1999, is amended to read as follows:

“PART IV. CAPITAL IMPROVEMENTS PROGRAM PROJECTS

SECTION 9. The sum of [~~\$33,870,000~~] \$40,860,000 appropriated or authorized in part II of this Act for capital improvement² 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 1999-00	M O F	FISCAL YEAR 2000-01	M O F

The Judicial System

JUD201 - ADMIN. DIRECTOR SERVICES

1. FAMILY COURT AND JUVENILE DETENTION CENTER, OAHU

PLANS, LAND ACQUISITION, AND DESIGN FOR THE FAMILY COURT AND JUVENILE DETENTION CENTER AT KAPOLEI, OAHU.

PLANS				1			
LAND				1			
DESIGN				198			
TOTAL FUNDING			JUD	200C			C

2. KAUAI JUDICIARY COMPLEX, KAUAI

DESIGN AND CONSTRUCTION FOR A NEW JUDICIARY COMPLEX IN LIHUE, KAUAI.

DESIGN				40			
CONSTRUCTION				755		30,000	
TOTAL FUNDING			JUD	795C		30,000C	

3. HOAPILI HALE UPGRADE IMPROVEMENTS, MAUI

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

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1999-00	M O F	FISCAL YEAR 2000-01	M O F
		DESIGN			10		
		CONSTRUCTION			180		
		EQUIPMENT			10		
		TOTAL FUNDING	JUD		200C		C
4.		BACK-UP POWER FOR JUDICIARY COMPUTER CENTER, OAHU					
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR EMERGENCY ELECTRICAL POWER SYSTEMS FOR THE JUDICIARY COMPUTER CENTER AT KAUIKEAOULI, OAHU.					
		PLANS			5		
		DESIGN			45		15
		CONSTRUCTION					420
		EQUIPMENT					15
		TOTAL FUNDING	JUD		50C		450C
5.		HILO STATE OFFICE BUILDING DISTRICT COURT INTERIOR ALTERNATIONS, HAWAII					
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR ALTERATIONS TO DISTRICT COURT OFFICES AT HILO, HAWAII.					
		PLANS			5		
		DESIGN			15		
		CONSTRUCTION			75		
		EQUIPMENT			5		
		TOTAL FUNDING	JUD		100C		C
6.		ARCHITECTURAL BARRIER REMOVAL FOR JUDICIARY BUILDINGS, STATEWIDE					
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE REMOVAL OF ARCHITECTURAL BARRIERS IN JUDICIARY BUILDINGS, STATEWIDE.					
		PLANS			1		1
		DESIGN			1		1
		CONSTRUCTION			897		447
		EQUIPMENT			1		1
		TOTAL FUNDING	JUD		900C		450C
7.		REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE					
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.					
		PLANS			5		
		DESIGN			70		
		CONSTRUCTION			415		
		EQUIPMENT			10		
		TOTAL FUNDING	JUD		500C		C
8.		HOOKELE COURT NAVIGATIONAL PROJECT, OAHU					
		PLANS, DESIGN, AND CONSTRUCTION FOR COURT CONCIERGE AND CUSTOMER SERVICE CENTERS WITHIN JUDICIARY BUILDINGS, OAHU.					
		PLANS			5		
		DESIGN			20		

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 1999-00	M O F	FISCAL YEAR 2000-01	M O F
		CONSTRUCTION			200		
		TOTAL FUNDING	JUD		225C		C
8A. HILO JUDICIARY COMPLEX, HAWAII							
		<u>PLANS AND LAND ACQUISITION FOR THE HILO JUDICIARY COMPLEX.</u>					
		PLANS					1
		LAND					6,500
		TOTAL FUNDING	JUD		C		6,501C
8B. ALIOLANI HALE ROOF AND STRUCTURAL IMPROVEMENTS, OAHU							
		<u>DESIGN AND CONSTRUCTION FOR ROOF AND STRUCTURAL IMPROVEMENTS AT ALIOLANI HALE, OAHU.</u>					
		DESIGN					15
		CONSTRUCTION					250
		TOTAL FUNDING	JUD		C		265C
8C. KOLOA DISTRICT COURT AND LIHUE OFFICE ANNEX FACILITY IMPROVEMENTS, KAUAI							
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR KOLOA DISTRICT COURT AND LIHUE OFFICE ANNEX IMPROVEMENTS, KAUAI.</u>					
		DESIGN					13
		CONSTRUCTION					114
		EQUIPMENT					97
		TOTAL FUNDING	JUD		C		224C'

SECTION 6. Part V, Act 156, Session Laws of Hawaii 1999, is amended by amending section 10 to read as follows:

“PART V. ISSUANCE OF BONDS

SECTION 10. 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 [\$33,870,000.] \$40,860,000.”

SECTION 7. Act 156, Session Laws of Hawaii 1999, is amended by adding a new section to read as follows:

“SECTION 10A. Any law to the contrary notwithstanding the appropriation under Act 155, Session Laws of Hawaii 1997, section 13, as amended and re-numbered by Act 126, Session Laws of Hawaii 1998, section 5, in the amounts indicated or balances thereof, unallotted, unencumbered, and unrequired, are hereby lapsed:

<u>Item No.</u>	<u>Amount</u>	<u>(MOF)</u>
JUD 201-1	2,963,000	C
JUD 201-10	200,000	C”

SECTION 8. 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 9. 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 10. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 11. This Act shall take effect on July 1, 2000.

(Approved May 22, 2000.)

Notes

1. So in original.
2. Prior to amendment “program” appeared here.