

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 2006.

SECTION 2. Act 110, Session Laws of Hawaii 2005, is amended by amending part II 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, 2005, and ending June 30, 2007. 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 2005-06	M O F	FISCAL YEAR 2006-07	M O F
<b>The Judicial System</b>							
1.	JUD101	COURTS OF APPEAL			76.00*		[— 76.00*]
	OPERATING		JUD	6,294,630A			79.00*
			JUD	243,261W			[6,344,855A]
							<u>6,429,114A</u>
							243,261W
2.	JUD310	FIRST JUDICIAL CIRCUIT			1,054.50*		[— 1,054.50*]
	OPERATING		JUD	63,038,216A			1,060.50*
			JUD				[63,217,182A]
							<u>64,703,300A</u>
			JUD		35.00*		35.00*
			JUD	3,386,016B			3,386,016B
3.	JUD320	SECOND JUDICIAL CIRCUIT			205.00*		[— 205.00*]
	OPERATING		JUD	13,267,672A			208.00*
							[13,199,107A]
							<u>13,442,059A</u>
4.	JUD330	THIRD JUDICIAL CIRCUIT			206.00*		[— 206.00*]
	OPERATING		JUD	15,151,926A			209.00*
							[15,164,016A]
							<u>15,339,176A</u>

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2005-06	M O F	FISCAL YEAR 2006-07	M O F
5.	JUD350	FIFTH JUDICIAL CIRCUIT			94.00*		[-94.00*] 98.00*
	OPERATING		JUD	5,949,863A			[6,159,463A] 6,498,998A
6.	JUD601	ADMINISTRATION			214.00*		[-214.00*] 218.00*
	OPERATING		JUD	18,645,539A			[18,013,340A] 19,839,234A
			JUD	1.00*			1.00*
	INVESTMENT CAPITAL		JUD	5,550,000B			5,550,000B
			JUD	95,500,000C			[-----E] 14,000,000C'

SECTION 3. Part III, Act 110, Session Laws of Hawaii 2005, is amended:

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

“SECTION 7.1. Provided that of the general fund appropriation for the first judicial circuit (JUD 310), the sum of \$1,215,046 or so much thereof as may be necessary for fiscal year 2006-2007 shall be expended by the judiciary for the probation modification project; provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund; provided further that the judiciary shall submit a detailed report that shall include an analysis of the effectiveness of the project; and provided further that the report shall be submitted to the legislature no later than twenty days prior to the convening of the 2007 regular session.”

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

“SECTION 7.2. Provided that of the general fund appropriation for administration (JUD 601), the sum of \$32,000 or so much thereof as may be necessary for fiscal year 2006-2007 shall be expended by the judiciary for training technical staff on its human resources management system; provided further that the funds shall not be expended for any other purpose; and provided further that any unexpended funds shall lapse into the general fund.”

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

“SECTION 7.3. Provided that of the general fund appropriation for administration (JUD 601), the sum of \$158,329, or so much thereof as may be necessary for fiscal year 2006-2007, shall be expended by the judiciary for the court interpreter certification program; provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund; provided further that the judiciary shall submit a detailed report that shall include, but not be limited to, a detailed breakdown of expenditures, the number of interpreters certified, and a review of the effectiveness of the program; and provided further that the report shall be submitted to the legislature no later than twenty days prior to the convening of the 2007 regular session.”

SECTION 4. Act 110, Session Laws of Hawaii 2005, is amended by amending part IV to read as follows:

**“PART IV. CAPITAL IMPROVEMENT PROJECTS**

SECTION 8. The sum of [~~\$95,500,000~~] \$109,500,000 appropriated or authorized in Part II of this Act for capital improvement 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 is in thousands of dollars.

**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2005-06	M O F	FISCAL YEAR 2006-07	M O F

**The Judicial System**

**JUD601 - ADMINISTRATION**

1. KAPOLEI JUDICIARY COMPLEX, OAHU

DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A NEW JUDICIARY COMPLEX AT KAPOLEI, OAHU.

DESIGN		1,000	
CONSTRUCTION		85,000	
EQUIPMENT		9,000	
TOTAL FUNDING	JUD	95,000	C]

1. KAPOLEI JUDICIARY COMPLEX, OAHU

LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A NEW JUDICIARY COMPLEX AT KAPOLEI, OAHU.

LAND			6,000
DESIGN		1,000	
CONSTRUCTION		85,000	
EQUIPMENT		9,000	
TOTAL FUNDING	JUD	95,000	C] 6,000C

2. DOMESTIC VIOLENCE CLEARINGHOUSE AND LEGAL HOTLINE, OAHU

LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE ACQUISITION AND RENOVATION OF ADDITIONAL OFFICE SPACE. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.

LAND		1	
DESIGN		1	
CONSTRUCTION		497	
EQUIPMENT		1	
TOTAL FUNDING	JUD	500	C] 1

2. DOMESTIC VIOLENCE CLEARINGHOUSE AND LEGAL HOTLINE, OAHU

LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE ACQUISITION AND

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2005-06	M O F	FISCAL YEAR 2006-07	M O F
		<u>RENOVATION OF OFFICE SPACE. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.</u>					
						1	
						1	
						497	
						1	
						500	C
2.01.		<u>HILO JUDICIARY COMPLEX, HAWAII</u>					
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A NEW JUDICIARY COMPLEX IN HILO, HAWAII.</u>					
							250
							5,000
							750
							6,000C
2.02.		<u>MASTER PLANNING FOR JUDICIARY FACILITIES, STATEWIDE</u>					
		<u>PLANS, LAND ACQUISITION, AND DESIGN FOR MASTER PLANNING FOR CAPITAL IMPROVEMENTS AND OTHER PHYSICAL FACILITIES-RELATED PROJECTS FOR THE JUDICIARY, STATEWIDE.</u>					
							498
							1
							1
							500C
2.03.		<u>LUMP SUM CIP - RENOVATIONS, REPAIRS, AND IMPROVEMENTS TO JUDICIARY FACILITIES, STATEWIDE</u>					
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS TO JUDICIARY FACILITIES.</u>					
							1
							1
							997
							1
							1,000C
2.04.		<u>CHILD AND FAMILY SERVICE, OAHU</u>					
		<u>CONSTRUCTION OF AN EMERGENCY AND TRANSITIONAL HOUSING COMPLEX FOR ABUSED FAMILIES. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.</u>					
							500
							500C'

SECTION 5. Part V, Act 110, Session Laws of Hawaii 2005, is amended:  
 (1) By amending section 9 to read as follows:

“SECTION 9. 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

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and listed in part IV of this Act; provided that the sum total of the general obligation bonds so issued shall not exceed ~~[\$95,500,000]~~ \$109,500,000.”

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

“SECTION 9.1. Any law to the contrary notwithstanding, the appropriations under Act 1, Special Session Laws of Hawaii 2001, section 14, as amended and renumbered by Act 91, Session Laws of Hawaii 2002, Section 4, in the amount indicated or balances thereof, allotted, encumbered, and unrequired, is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>JUD 601-11A</u>	<u>\$350,000 C</u>
<u>JUD 601-11C</u>	<u>45,000 C</u>
<u>JUD 601-11J</u>	<u>98,000 C</u>
<u>JUD 601-11L</u>	<u>17,000 C</u> ”

SECTION 6. 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 7. 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 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 9. This Act shall take effect on July 1, 2006.

(Approved May 23, 2006.)