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# A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. This Act shall be known and may be cited as the  
2 Judiciary Supplemental Appropriations Act of 2008.

3           SECTION 2. Act 169, Session Laws of Hawaii 2007, is  
4 amended by amending part II to read as follows:

5                           **"PART II. PROGRAM APPROPRIATIONS**

6           SECTION 3. The following sums, or so much thereof as may  
7 be sufficient to accomplish the purposes and programs designated  
8 herein, are appropriated or authorized from the sources of  
9 funding specified to the judiciary for the fiscal biennium  
10 beginning July 1, 2007, and ending June 30, 2009. The total  
11 expenditures and the number of permanent positions established  
12 in each fiscal year of the fiscal biennium shall not exceed the  
13 sums and the position ceilings indicated for each year, except  
14 as provided in this Act.



1	The Judicial System			
2	1.	JUD101 - COURTS OF APPEAL		
3			80.00*	80.00*
4		OPERATING	JUD	6,946,406A [ <del>7,009,698A</del> ]
5				<u>7,109,582A</u>
6			JUD	243,261W 243,261W
7				
8	2.	JUD310 - FIRST JUDICIAL CIRCUIT		
9			1,069.50*	[ <del>1,077.50*</del> ]
10				<u>1,071.50*</u>
11		OPERATING	JUD	71,101,064A [ <del>69,804,878A</del> ]
12				<u>70,806,645A</u>
13			40.00*	40.00*
14			JUD	3,515,326B 3,515,326B
15				
16	3.	JUD320 - SECOND JUDICIAL CIRCUIT		
17			215.00*	[ <del>216.00*</del> ]
18				<u>219.00*</u>
19		OPERATING	JUD	14,450,344A [ <del>14,601,905A</del> ]
20				<u>15,159,616A</u>
21			JUD	10,168B 150B
22				
23	4.	JUD330 - THIRD JUDICIAL CIRCUIT		
24			222.00*	[ <del>222.00*</del> ]
25				<u>229.00*</u>
26		OPERATING	JUD	17,494,185A [ <del>17,636,248A</del> ]
27				<u>17,832,138A</u>
28				<u>1.00*</u>
29			<u>JUD</u>	<u>B</u> <u>45,368B</u>
30				
31	5.	JUD350 - FIFTH JUDICIAL CIRCUIT		
32			98.00*	98.00*
33		OPERATING	JUD	6,878,391A [ <del>6,898,490A</del> ]
34				<u>6,977,351A</u>
35				<u>1.00*</u>
36			<u>JUD</u>	<u>B</u> <u>46,188B</u>
37				
38	6.	<u>JUD501 - JUDICIAL SELECTION COMMISSION</u>		
39				<u>1.00*</u>
40		<u>OPERATING</u>	<u>JUD</u>	<u>A</u> <u>94,283A</u>
41				
42	7.	JUD601 - ADMINISTRATION		
43			226.00*	226.00*
44		OPERATING	JUD	22,541,795A [ <del>20,555,965A</del> ]
45				<u>22,727,037A</u>
46			1.00*	1.00*
47			JUD	6,207,227B [ <del>5,624,607B</del> ]
48				<u>5,677,607B</u>
49			JUD	100,000W 100,000W
50		INVESTMENT CAPITAL	JUD	27,250,000C [ <del>500,000C</del> ]
51				<u>14,660,000C</u>



1 SECTION 3. Part III, Act 169, Session Laws of Hawaii 2007,  
2 is amended:

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

4 "SECTION 6.1. Provided that of the general fund  
5 appropriations for the judicial circuits (JUD 310-JUD 350), the  
6 following sums or so much thereof as may be necessary for fiscal  
7 year 2008-2009 specified for guardians ad litem and court-  
8 appointed counsel shall be expended as follows:

9	<u>Program I.D.</u>	<u>Amount</u>
10	<u>JUD 310</u>	<u>\$1,323,000</u>
11	<u>JUD 320</u>	<u>\$ 308,757</u>
12	<u>JUD 330</u>	<u>\$ 274,901</u>
13	<u>JUD 350</u>	<u>\$ 29,000;</u>

14 provided further that the funds shall not be expended for any  
15 other purpose; provided further that any unexpended funds shall  
16 lapse to the general fund; provided further that the judiciary  
17 shall prepare a detailed report that shall include but not be  
18 limited to:

- 19 (1) A detailed breakdown of expenditures;  
20 (2) A detailed breakdown of the types and number of cases  
21 requiring guardians ad litem and court-appointed  
22 counsel; and



1       (3) An analysis of the average cost per type of case;  
 2       and provided further that the judiciary shall submit the report  
 3       to the legislature no later than twenty days prior to the  
 4       convening of the 2009 regular session."

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

6       "SECTION 6.2. Provided that of the general fund  
 7       appropriations for the judicial circuits (JUD 310-JUD 350), the  
 8       following sums or so much thereof as may be necessary for fiscal  
 9       year 2008-2009 specified for psychiatric and psychological  
 10       examination fees shall be expended as follows:

11	<u>Program I.D.</u>	<u>Amount</u>
12	<u>JUD 310</u>	<u>\$ 125,000</u>
13	<u>JUD 320</u>	<u>\$ 13,000</u>
14	<u>JUD 330</u>	<u>\$ 57,500</u>
15	<u>JUD 350</u>	<u>\$ 12,500;</u>

16       provided further that the funds shall not be expended for any  
 17       other purpose; and provided further that any unexpended funds  
 18       shall lapse to the general fund."

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

20       "SECTION 8.1. Provided that of the general fund  
 21       appropriation for first judicial circuit (JUD 310) the sum of  
 22       \$150,000 or so much thereof as my be necessary for fiscal year



1 2008-2009 shall be used to expand existing domestic violence  
2 services contracts; provided further that the funds shall not be  
3 expended for any other purpose; provided further that any  
4 unexpended funds shall lapse to the general fund; and provided  
5 further that the judiciary shall submit a report to the  
6 legislature no later than twenty days prior to the convening of  
7 the 2009 regular session."

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

9 "SECTION 10.1. Provided that of the special fund  
10 appropriation for the third judicial circuit (JUD 330) the sum  
11 of \$45,368 may be expended from the judiciary computer system  
12 special fund for computer related positions or equipment."

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

14 "SECTION 10.2. Provided that of the special fund  
15 appropriation for the fifth judicial circuit (JUD 350) the sum  
16 of \$46,188 may be expended from the judiciary computer system  
17 special fund for computer related positions or equipment."

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

19 "SECTION 14.1. Provided that of the special fund  
20 appropriation for administration (JUD 601) the sum of \$53,000  
21 may be expended from the judiciary computer system special fund  
22 for computer related expenses or equipment."



1 SECTION 4. Act 169, Session Laws of Hawaii 2007, is  
2 amended by amending part IV to read as follows:

3 "PART IV. CAPITAL IMPROVEMENT PROJECTS

4 SECTION 15. The sum of [~~\$27,750,000~~] \$41,910,000  
5 appropriated or authorized in part II of this Act for capital  
6 improvement projects shall be expended by the judiciary for the  
7 projects listed below; provided that several related or similar  
8 projects may be combined into a single project, if a combination  
9 is advantageous or convenient for implementation; and provided  
10 further that the total cost of the projects thus combined shall  
11 not exceed the total of the sums specified for the projects  
12 separately. The amount after each cost element and the total  
13 funding for each project listed in this Part is in thousands of  
14 dollars.



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1	JUD601	- ADMINISTRATION					
2							
3	[1.	KAPOLEI JUDICIARY COMPLEX, OAHU					
4							
5		PLANS, LAND ACQUISITION, DESIGN,					
6		CONSTRUCTION, AND EQUIPMENT FOR THE NEW					
7		KAPOLEI JUDICIARY COMPLEX AT KAPOLEI,					
8		OAHU.					
9		PLANS			225		
10		LAND			25		
11		DESIGN			1,000		
12		CONSTRUCTION			23,900		
13		EQUIPMENT			50		
14		TOTAL FUNDING	JUD		25,200 C		C]
15							
16	<u>1.</u>	<u>KAPOLEI JUDICIARY COMPLEX, OAHU</u>					
17							
18		<u>PLANS, LAND ACQUISITION, DESIGN, AND</u>					
19		<u>EQUIPMENT FOR THE NEW KAPOLEI JUDICIARY</u>					
20		<u>COMPLEX AT KAPOLEI, OAHU.</u>					
21		<u>PLANS</u>			<u>225</u>		<u>225</u>
22		<u>LAND</u>			<u>25</u>		
23		<u>DESIGN</u>			<u>1,000</u>		
24		<u>CONSTRUCTION</u>			<u>23,900</u>		
25		<u>EQUIPMENT</u>			<u>50</u>		<u>9,000</u>
26		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>25,200 C</u>		<u>9,225 C</u>
27							
28							
29	[2.	LUMP SUM CIP FOR JUDICIARY					
30		FACILITIES, STATEWIDE					
31							
32		PLANS, DESIGN, CONSTRUCTION, AND					
33		EQUIPMENT FOR THE REMODELING AND					
34		UPGRADING OF JUDICIARY BUILDINGS,					
35		STATEWIDE.					
36		PLANS			100		1
37		DESIGN			300		1
38		CONSTRUCTION			1,000		497
39		EQUIPMENT			100		1
40		TOTAL FUNDING	JUD		1,500 C		500C]
41							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1	2.	<u>LUMP SUM CIP FOR JUDICIARY</u>					
2		<u>FACILITIES, STATEWIDE</u>					
3							
4		<u>PLANS, DESIGN, CONSTRUCTION, AND</u>					
5		<u>EQUIPMENT FOR THE REMODELING AND</u>					
6		<u>UPGRADING OF JUDICIARY BUILDINGS,</u>					
7		<u>STATEWIDE.</u>					
8		<u>PLANS</u>			100		100
9		<u>DESIGN</u>			300		300
10		<u>CONSTRUCTION</u>			1,000		1,000
11		<u>EQUIPMENT</u>			100		100
12		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>1,500 C</u>		<u>1,500 C</u>
13							
14							
15	[3.	<u>DOMESTIC VIOLENCE CLEARINGHOUSE AND</u>					
16		<u>LEGAL HOTLINE, OAHU</u>					
17							
18		<u>LAND ACQUISITION TO PURCHASE OFFICE</u>					
19		<u>SPACE. THIS PROJECT QUALIFIES AS A GRANT,</u>					
20		<u>PURSUANT TO CHAPTER 42F, HRS.</u>					
21		<u>LAND</u>			500		
22		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>500 C</u>		<u>C]</u>
23							
24	3.	<u>DOMESTIC VIOLENCE ACTION CENTER, OAHU</u>					
25							
26		<u>LAND ACQUISITION TO PURCHASE OFFICE</u>					
27		<u>SPACE. THIS PROJECT QUALIFIES AS A GRANT,</u>					
28		<u>PURSUANT TO CHAPTER 42F, HRS.</u>					
29		<u>LAND</u>			500		850
30		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>500 C</u>		<u>850 C</u>
31							
32							





CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F

1	4.	VOLUNTEER LEGAL SERVICES HAWAII, OAHU					
2							
3		DESIGN AND CONSTRUCTION FOR FACILITY					
4		IMPROVEMENTS. THIS PROJECT QUALIFIES AS					
5		A GRANT, PURSUANT TO CHAPTER 42F, HRS.					
6		DESIGN			10		
7		CONSTRUCTION			40		
8		TOTAL FUNDING	JUD		50 C		C
9							
10	4.01.	<u>KEAKEALANI BUILDING COURT FACILITIES</u>					
11		<u>IMPROVEMENTS, HAWAI'I</u>					
12							
13		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT</u>					
14		<u>FOR FACILITIES IMPROVEMENTS AT THE</u>					
15		<u>KEAKEALANI BUILDING IN KEALAKEKUA,</u>					
16		<u>HAWAII.</u>					
17		DESIGN				20	
18		CONSTRUCTION				975	
19		EQUIPMENT				25	
20		TOTAL FUNDING	JUD		C	1,020 C	
21							
22							
23	4.02.	<u>HOAPILI HALE AIR CONDITIONING</u>					
24		<u>EQUIPMENT REPLACEMENT, MAUI</u>					
25							
26		DESIGN AND CONSTRUCTION FOR					
27		REPLACEMENT OF AIR CONDITIONING SYSTEM					
28		EQUIPMENT AT HOAPILI HALE, MAUI.					
29		DESIGN				100	
30		CONSTRUCTION				900	
31		TOTAL FUNDING	JUD		C	1,000 C	
32							
33							



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2007-2008	M O F	FISCAL YEAR 2008-2009	M O F
1	4.03.	<u>HOAPILI HALE ELEVATOR SYSTEM UPGRADE,</u>					
2		<u>MAUI</u>					
3							
4		<u>DESIGN AND CONSTRUCTION FOR UPGRADING</u>					
5		<u>OF ELEVATOR SYSTEM EQUIPMENT AT HOAPILI</u>					
6		<u>HALE, MAUI.</u>					
7		<u>DESIGN</u>					65
8		<u>CONSTRUCTION</u>					565
9		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>630 C</u>
10							
11	4.04.	<u>STATUS OFFENDER SHELTER AND JUVENILE</u>					
12		<u>SERVICES CENTER, OAHU</u>					
13							
14							
15		<u>PLANS FOR THE DEVELOPMENT OF A NEW</u>					
16		<u>STATUS OFFENDER SHELTER AND JUVENILE</u>					
17		<u>SERVICES CENTER, OAHU.</u>					
18		<u>PLANS</u>					225
19		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>225 C</u>
20							
21							
22	4.05.	<u>LAHAINA DISTRICT COURT AIR</u>					
23		<u>CONDITIONING EQUIPMENT REPLACEMENT,</u>					
24		<u>MAUI</u>					
25							
26		<u>DESIGN AND CONSTRUCTION FOR</u>					
27		<u>REPLACEMENT OF AIR CONDITIONING SYSTEM</u>					
28		<u>EQUIPMENT AT THE LAHAINA DISTRICT COURT</u>					
29		<u>FACILITY, MAUI.</u>					
30		<u>DESIGN</u>					10
31		<u>CONSTRUCTION</u>					50
32		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>60 C</u>
33							
34							
35	4.06.	<u>NORTH KOHALA DISTRICT COURT FACILITY</u>					
36		<u>ALTERATIONS AND IMPROVEMENTS, HAWAII</u>					
37							
38		<u>DESIGN AND CONSTRUCTION FOR FACILITY</u>					
39		<u>ALTERATIONS AND IMPROVEMENTS AT THE NORTH</u>					
40		<u>KOHALA DISTRICT COURT BUILDING IN</u>					
41		<u>KAPA'AU, HAWAII.</u>					
42		<u>DESIGN</u>					40
43		<u>CONSTRUCTION</u>					110
44		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>150 C</u>



1 SECTION 5. Act 169, Session Laws of Hawaii 2007, is amended by  
2 amending section 16 to read as follows:

3 "SECTION 16. General obligation bonds may be issued, as provided  
4 by law, to yield the amount that may be necessary to finance projects  
5 authorized in Part II and listed in Part IV of this Act; provided that  
6 the sum total of the general obligation bonds so issued shall not exceed  
7 [~~\$27,750,000.~~] \$41,910,000."

8 SECTION 6. If any portion of this Act or its application to any  
9 person or circumstances is held to be invalid for any reason, the  
10 remainder of the Act and any provision thereof shall not be affected.  
11 If any portion of a specific appropriation is held to be invalid for any  
12 reason, the remaining portion shall be independent of the invalid  
13 portion and shall be expended to fulfill the objective and intent of the  
14 appropriation to the greatest extent possible.

15 SECTION 7. If any manifest clerical, typographical, or other  
16 mechanical error is found in this Act, the chief justice is authorized  
17 to correct the error. All changes made pursuant to this section shall  
18 be reported to the legislature at its next session.

19 SECTION 8. Statutory material to be repealed is bracketed and  
20 stricken. New statutory material is underscored.

21 SECTION 9. This Act shall take effect on July 1, 2008.



H.B. NO. 2700  
H.D. 1  
S.D. 2

**Report Title:**

Judiciary; Supplemental Appropriations

**Description:**

Appropriates funds to the Judiciary for FY 2008-2009. (HB2700  
SD2)

