



GOV. MSG. NO. 744

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 23, 2008

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 23, 2008, the following bill was signed into law:

HB2700 HD1 SD2 CD1

A BILL FOR AN ACT RELATING TO THE
JUDICIARY.
(ACT 102)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

18 1 12 1 78

18

Approved by the Governor

on MAY 23 2008

HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2008
STATE OF HAWAII

ACT 102

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

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.



PROGRAM APPROPRIATIONS

| ITEM NO. | PROG. ID | PROGRAM | EXPENDING AGENCY | APPROPRIATIONS | | | |
|---------------------|-----------|-------------------------------|------------------|-----------------------|-------|------------------------|-------|
| | | | | FISCAL YEAR 2007-2008 | M O F | FISCAL YEAR 2008-2009 | M O F |
| The Judicial System | | | | | | | |
| 1. | JUD101 | COURTS OF APPEAL | | 80.00* | | 80.00* | |
| | OPERATING | | JUD | 6,946,406A | | 7,009,698A | |
| | | | JUD | 243,261W | | <u>7,089,632A</u> | |
| | | | | | | <u>243,261W</u> | |
| 2. | JUD310 | FIRST JUDICIAL CIRCUIT | | 1,069.50* | | 1,077.50* | |
| | OPERATING | | JUD | 71,101,064A | | 69,804,878A | |
| | | | | 40.00* | | <u>72,635,123A</u> | |
| | | | JUD | 3,515,326B | | 3,515,326B | |
| 3. | JUD320 | SECOND JUDICIAL CIRCUIT | | 215.00* | | 216.00* | |
| | OPERATING | | JUD | 14,450,344A | | <u>220.00*</u> | |
| | | | JUD | 10,168B | | <u>15,345,511A</u> | |
| | | | | | | 150B | |
| 4. | JUD330 | THIRD JUDICIAL CIRCUIT | | 222.00* | | 222.00* | |
| | OPERATING | | JUD | 17,494,185A | | <u>229.00*</u> | |
| | | | | | | 17,636,248A | |
| | | | | | | <u>18,203,191A</u> | |
| 5. | JUD350 | FIFTH JUDICIAL CIRCUIT | | 98.00* | | 98.00* | |
| | OPERATING | | JUD | 6,878,391A | | 6,898,490A | |
| | | | | | | <u>6,946,822A</u> | |
| 5.1. | JUD501 | JUDICIAL SELECTION COMMISSION | | | | 1.00* | |
| | OPERATING | | JUD | | A | <u>94,283A</u> | |
| 6. | JUD601 | ADMINISTRATION | | 226.00* | | 226.00* | |
| | OPERATING | | JUD | 22,541,795A | | <u>227.00*</u> | |
| | | | | 1.00* | | 20,555,965A | |
| | | | JUD | 6,207,227B | | <u>22,541,873A</u> | |
| | | | | | | <u>1.00*</u> | |
| | | | | | | 5,624,607B | |
| | | | | | | <u>5,677,607B</u> | |



PROGRAM APPROPRIATIONS

| ITEM NO. | PROG. ID | PROGRAM | EXPENDING AGENCY | APPROPRIATIONS | | | |
|----------|----------|--------------------|------------------|-----------------------|-------|-----------------------|-------|
| | | | | FISCAL YEAR 2007-2008 | M O F | FISCAL YEAR 2008-2009 | M O F |
| 1 | | | JUD | 100,000W | | 100,000W | |
| 2 | | INVESTMENT CAPITAL | JUD | 27,250,000C | | 500,000C | |
| 3 | | | | | | 14,260,000C" | |
| 4 | | | | | | | |



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 appropriation 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 shall be expended specifically for guardians ad
8 litem and court-appointed counsel as follows:

| <u>Program I.D.</u> | <u>Amount</u> |
|---------------------|--------------------|
| <u>JUD 310</u> | <u>\$1,323,000</u> |
| <u>JUD 320</u> | <u>\$ 308,757</u> |
| <u>JUD 330</u> | <u>\$ 274,901</u> |
| <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 appropriation 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 shall be expended specifically for psychiatric
10 and psychological examination fees as follows:

| 11 | <u>Program I.D.</u> | <u>Amount</u> |
|----|---------------------|-------------------|
| 12 | <u>JUD 310</u> | <u>\$ 250,000</u> |
| 13 | <u>JUD 320</u> | <u>\$ 26,000</u> |
| 14 | <u>JUD 330</u> | <u>\$ 115,000</u> |
| 15 | <u>JUD 350</u> | <u>\$ 25,000;</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 an expenditure report to
6 the legislature no later than twenty days prior to the convening
7 of the 2009 regular session."

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

9 "SECTION 8.2. Provided that of the general fund
10 appropriation for first judicial circuit (JUD 310), the sum of
11 \$250,000 or so much thereof as may be necessary for fiscal year
12 2008-2009 shall be expended to support the operations and
13 expansion of the mental health court; and provided further that
14 a progress report shall be submitted to the legislature no later
15 than thirty days prior to the convening of the 2009 regular
16 session."

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

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

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



1 "SECTION 14.2. Provided that of the general fund
2 appropriation for administration (JUD 601), the sum of \$50,000
3 or so much thereof as may be necessary for fiscal year 2008-2009
4 shall be used for a study to determine the feasibility of
5 expanding the services at the Kapolei judiciary complex at
6 Kapolei to include circuit court services; provided further that
7 these funds shall not be used for any other purpose; provided
8 further that any excess funds shall lapse to the general fund;
9 and provided further that the judiciary shall submit a report to
10 the legislature no later than twenty days prior to the convening
11 of the 2009 regular session."

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

14 **"PART IV. CAPITAL IMPROVEMENT PROJECTS**

15 SECTION 15. The sum of [~~\$27,750,000~~] \$41,510,000
16 appropriated or authorized in part II of this Act for capital
17 improvement projects shall be expended by the judiciary for the
18 projects listed below; provided that several related or similar
19 projects may be combined into a single project, if a combination
20 is advantageous or convenient for implementation; and provided
21 further that the total cost of the projects thus combined shall
22 not exceed the total of the sums specified for the projects



1 separately. The amount after each cost element and the total
2 funding for each project listed in this Part is in thousands of
3 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 | | The Judicial System | | | | | |
| 2 | | JUD601 - ADMINISTRATION | | | | | |
| 3 | [1. | KAPOLEI JUDICIARY COMPLEX, OAHU | | | | | |
| 4 | | PLANS, LAND ACQUISITION, DESIGN, | | | | | |
| 5 | | CONSTRUCTION, AND EQUIPMENT FOR THE NEW | | | | | |
| 6 | | KAPOLEI JUDICIARY COMPLEX AT KAPOLEI, | | | | | |
| 7 | | OAHU. | | | | | |
| 8 | | PLANS | | | 225 | | |
| 9 | | LAND | | | 25 | | |
| 10 | | DESIGN | | | 1,000 | | |
| 11 | | CONSTRUCTION | | | 23,900 | | |
| 12 | | EQUIPMENT | | | 50 | | |
| 13 | | TOTAL FUNDING | JUD | | 25,200 C | | C] |
| 14 | | | | | | | |
| 15 | 1. | <u>KAPOLEI JUDICIARY COMPLEX, OAHU</u> | | | | | |
| 16 | | <u>PLANS, LAND ACQUISITION, DESIGN,</u> | | | | | |
| 17 | | <u>CONSTRUCTION AND EQUIPMENT FOR THE NEW</u> | | | | | |
| 18 | | <u>KAPOLEI JUDICIARY COMPLEX AT KAPOLEI,</u> | | | | | |
| 19 | | <u>OAHU.</u> | | | | | |
| 20 | | <u>PLANS</u> | | | <u>225</u> | | <u>225</u> |
| 21 | | <u>LAND</u> | | | <u>25</u> | | |
| 22 | | <u>DESIGN</u> | | | <u>1,000</u> | | |
| 23 | | <u>CONSTRUCTION</u> | | | <u>23,900</u> | | |
| 24 | | <u>EQUIPMENT</u> | | | <u>50</u> | | <u>9,000</u> |
| 25 | | <u>TOTAL FUNDING</u> | <u>JUD</u> | | <u>25,200 C</u> | | <u>9,225 C</u> |



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. | LUMP SUM CIP FOR JUDICIARY | | | | | |
| 2 | | FACILITIES, STATEWIDE | | | | | |
| 3 | | PLANS, DESIGN, CONSTRUCTION, AND | | | | | |
| 4 | | EQUIPMENT FOR THE REMODELING AND | | | | | |
| 5 | | UPGRADING OF JUDICIARY BUILDINGS, | | | | | |
| 6 | | STATEWIDE. | | | | | |
| 7 | | PLANS | | | 100 | | 1 |
| 8 | | DESIGN | | | 300 | | 1 |
| 9 | | CONSTRUCTION | | | 1,000 | | 497 |
| 10 | | EQUIPMENT | | | 100 | | 1 |
| 11 | | TOTAL FUNDING | JUD | | 1,500 C | | 500C] |
| 12 | | | | | | | |
| 13 | 2. | LUMP SUM CIP FOR JUDICIARY | | | | | |
| 14 | | FACILITIES, STATEWIDE | | | | | |
| 15 | | PLANS, DESIGN, CONSTRUCTION, AND | | | | | |
| 16 | | EQUIPMENT FOR THE REMODELING AND | | | | | |
| 17 | | UPGRADING OF JUDICIARY BUILDINGS, | | | | | |
| 18 | | STATEWIDE. | | | | | |
| 19 | | PLANS | | | 100 | | 100 |
| 20 | | DESIGN | | | 300 | | 300 |
| 21 | | CONSTRUCTION | | | 1,000 | | 1,000 |
| 22 | | EQUIPMENT | | | 100 | | 100 |
| 23 | | TOTAL FUNDING | JUD | | 1,500 C | | 1,500 C |
| 24 | | | | | | | |
| 25 | 3. | DOMESTIC VIOLENCE CLEARINGHOUSE AND | | | | | |
| 26 | | LEGAL HOTLINE, OAHU | | | | | |
| 27 | | LAND ACQUISITION TO PURCHASE OFFICE | | | | | |
| 28 | | SPACE. THIS PROJECT QUALIFIES AS A GRANT, | | | | | |
| 29 | | PURSUANT TO CHAPTER 42F, HRS. | | | | | |
| 30 | | LAND | | | 500 | | |
| 31 | | TOTAL FUNDING | JUD | | 500 C | | C |



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



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. | HOAPILI HALE ELEVATOR SYSTEM UPGRADE, | | | | | |
| 2 | | MAUI | | | | | |
| 3 | | DESIGN AND CONSTRUCTION FOR UPGRADING | | | | | |
| 4 | | OF ELEVATOR SYSTEM EQUIPMENT AT HOAPILI | | | | | |
| 5 | | HALE, MAUI. | | | | | |
| 6 | | DESIGN | | | | | 65 |
| 7 | | CONSTRUCTION | | | | | 565 |
| 8 | | TOTAL FUNDING | JUD | | | C | 630 C |
| 9 | | | | | | | |
| 10 | 4.04. | KA'AHUMANU HALE AND KAUIKEAOULI HALE | | | | | |
| 11 | | FACILITY REDEVELOPMENT PLANNING, OAHU | | | | | |
| 12 | | PLANS FOR DEVELOPMENT OF PORTIONS OF | | | | | |
| 13 | | KA'AHUMANU HALE AND KAUIKEAOULI HALE TO | | | | | |
| 14 | | BE VACATED UPON RELOCATION OF COURT | | | | | |
| 15 | | FUNCTIONS TO KAPOLEI, OAHU. | | | | | |
| 16 | | PLANS | | | | | 450 |
| 17 | | TOTAL FUNDING | JUD | | | C | 450 C |
| 18 | | | | | | | |
| 19 | 4.05. | STATUS OFFENDER SHELTER AND JUVENILE | | | | | |
| 20 | | SERVICES CENTER, OAHU | | | | | |
| 21 | | PLANS FOR THE DEVELOPMENT OF A NEW | | | | | |
| 22 | | STATUS OFFENDER SHELTER AND JUVENILE | | | | | |
| 23 | | SERVICES CENTER, OAHU. | | | | | |
| 24 | | PLANS | | | | | 225 |
| 25 | | TOTAL FUNDING | JUD | | | C | 225 C |



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 | 4.06. | LAHAINA DISTRICT COURT AIR | | | | | |
| 2 | | CONDITIONING EQUIPMENT REPLACEMENT, | | | | | |
| 3 | | MAUI | | | | | |
| 4 | | DESIGN AND CONSTRUCTION FOR | | | | | |
| 5 | | REPLACEMENT OF AIR CONDITIONING SYSTEM | | | | | |
| 6 | | EQUIPMENT AT THE LAHAINA DISTRICT COURT | | | | | |
| 7 | | FACILITY, MAUI. | | | | | |
| 8 | | DESIGN | | | | | 10 |
| 9 | | CONSTRUCTION | | | | | 50 |
| 10 | | TOTAL FUNDING | JUD | | C | | 60 C |
| 11 | | | | | | | |
| 12 | 4.07. | NORTH KOHALA DISTRICT COURT FACILITY | | | | | |
| 13 | | ALTERATIONS AND IMPROVEMENTS, HAWAII | | | | | |
| 14 | | DESIGN AND CONSTRUCTION FOR FACILITY | | | | | |
| 15 | | ALTERATIONS AND IMPROVEMENTS AT THE NORTH | | | | | |
| 16 | | KOHALA DISTRICT COURT BUILDING IN | | | | | |
| 17 | | KAPA'AU, HAWAII. | | | | | |
| 18 | | DESIGN | | | | | 40 |
| 19 | | CONSTRUCTION | | | | | 110 |
| 20 | | TOTAL FUNDING | JUD | | C | | 150C" |
| 21 | | | | | | | |
| 22 | | | | | | | |



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

3 "SECTION 16. General obligation bonds may be issued, as
4 provided by law, to yield the amount that may be necessary to
5 finance projects authorized in Part II and listed in Part IV of
6 this Act; provided that the sum total of the general obligation
7 bonds so issued shall not exceed [~~\$27,750,000.~~] \$41,510,000."

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

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

21 SECTION 8. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



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

APPROVED this 23 day of MAY, 2008



GOVERNOR OF THE STATE OF HAWAII

