

ACT 91

H.B. NO. 2300

A Bill for an Act Relating To The Judiciary.

Be It Enacted by the Legislature of the State of Hawaii:

PART I. GENERAL PROVISIONS

SECTION 1. This Act shall be known and may be cited as the Judiciary Supplemental Appropriations Act of 2002.

SECTION 2. Act 1, First Special Session Laws of Hawaii 2001, 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, 2001, and ending June 30, 2003. 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 2001-02	M O F	FISCAL YEAR 2002-03	M O F
The Judicial System							
1.	JUD101	- COURTS OF APPEAL		74.00*		[74.00*]	
	OPERATING		JUD	4,994,899A		[4,826,638A]	
			JUD			4,666,007A	
			JUD	75,000W		243,261W	

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2001-02	M O F	FISCAL YEAR 2002-03	M O F
2.	JUD111	- CIRCUIT COURTS		515.50*		[520.50*]	*
	OPERATING		JUD	28,900,495A		[29,390,723A]	A
			JUD	300,000B		[300,000B]	B
			JUD				B
3.	JUD112	- FAMILY COURTS		423.00*		[423.00*]	*
	OPERATING		JUD	28,965,420A		[28,943,455A]	A
			JUD	655,580B		[655,580B]	B
			JUD				B
4.	JUD121	- DISTRICT COURTS		500.50*		[500.50*]	*
	OPERATING		JUD	19,697,021A		[19,531,007A]	A
			JUD	35.00*		[35.00*]	*
			JUD	2,345,272B		[1,988,786B]	B
			JUD				B
5.	JUD310	- FIRST JUDICIAL CIRCUIT				983.50*	*
	OPERATING		JUD			50,381,922A	A
			JUD			35.00*	*
			JUD			3,106,420B	B
6.	JUD320	- SECOND JUDICIAL CIRCUIT				194.00*	*
	OPERATING		JUD			10,354,453A	A
7.	JUD330	- THIRD JUDICIAL CIRCUIT				196.00*	*
	OPERATING		JUD			12,489,454A	A
8.	JUD350	- FIFTH JUDICIAL CIRCUIT				81.00*	*
	OPERATING		JUD			4,328,512A	A
9.	JUD201	- ADMIN. DIRECTOR SERVICES		257.00*		[257.00*]	*
	OPERATING		JUD	16,945,802A		[16,972,882A]	A
			JUD	3,975,388B		[1,746,738B]	B
	[INVESTMENT CAPITAL		JUD	14,314,000C		8,713,000C]	C
			JUD				C
10.	JUD601	- ADMINISTRATION				257.00*	*
	OPERATING		JUD			16,850,929A	A
			JUD			1.00*	*
	INVESTMENT CAPITAL		JUD	14,314,000C		3,568,207B	B
			JUD			42,733,000C	C

SECTION 3.¹ Act 1, First Special Session Laws of Hawaii 2001, is amended:
 (1) By adding a new section to read as follows:

“SECTION 6.1. Provided that of the general fund appropriation for courts of appeal (JUD 101), the sum of \$138,200 for fiscal year 2002-2003 shall be expended on dues and subscriptions for the law library; provided further that any funds not utilized by the law library for dues and subscriptions shall be lapsed back into the general fund; provided further that the judiciary shall submit a report to the legislature detailing all expenditures by the law library on dues and subscriptions; and provided further that this report shall be submitted to the legislature no later than twenty days prior to the convening of the 2003 regular session.”

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

“SECTION 9.1. Provided that of the special fund appropriation for the first judicial circuit (JUD 310), the sum of \$162,054 for fiscal year 2002-2003 may be expended from the computer system special fund for a local area network/wide area network system for Kaneohe district court.”

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

“SECTION 9.2. Provided that of the special fund appropriation for administration (JUD 601), the sum of \$472,780 for fiscal year 2002-2003 may be expended from the computer system special fund to upgrade the financial management and accounting system.”

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

“SECTION 9.3. Provided that of the special fund appropriation for administration (JUD 601), the sum of \$48,689 may be expended from the computer system special fund to procure a full-time webmaster position.”

(5) By repealing section 8.

SECTION 4.¹ Part IV, Act 1, First Special Session Laws of Hawaii 2001, is amended by amending part IV to read as follows:

PART IV. CAPITAL IMPROVEMENT PROJECTS

SECTION 14. The sum of [\$23,027,000] ~~\$23,027,000~~ \$57,047,000 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; 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 2001-02	M O F	FISCAL YEAR 2002-03	M O F

The Judicial System

[JUD201 - ADMIN. DIRECTOR SERVICES]

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2001-02	M O F	FISCAL YEAR 2002-03	M O F
[1.]		KAUAI JUDICIARY COMPLEX, KAUAI					
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE KAUAI JUDICIARY COMPLEX IN LIHUE, KAUAI.					
		DESIGN			400		
		CONSTRUCTION					4,000
		EQUIPMENT					4,000
		TOTAL FUNDING	JUD		400C		8,000C]
[2.]		HILO JUDICIARY COMPLEX, HAWAII					
		PLANS, LAND ACQUISITION, AND DESIGN FOR THE HILO JUDICIARY COMPLEX, HAWAII.					
		PLANS			25		
		LAND			3,500		
		DESIGN			3,500		
		TOTAL FUNDING	JUD		7,025C		C]
[3.]		KOOLAUPOKO DISTRICT COURT, OAHU					
		CONSTRUCTION AND EQUIPMENT FOR THE KOOLAUPOKO DISTRICT COURT IN KANEOHE, OAHU.					
		CONSTRUCTION			500		
		EQUIPMENT			775		
		TOTAL FUNDING	JUD		1,275C		C]
[4.]		KAPUAIWA BUILDING INTERIOR ALTERATIONS AND IMPROVEMENTS, OAHU					
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR AND OTHER IMPROVEMENTS AT THE KAPUAIWA BUILDING, OAHU.					
		DESIGN			20		
		CONSTRUCTION			645		
		EQUIPMENT			10		
		TOTAL FUNDING	JUD		675C		C]
[5.]		ALIOLANI HALE INTERIOR ALTERATIONS AND IMPROVEMENTS, OAHU					
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR ALTERATIONS AND IMPROVEMENTS AT ALIOLANI HALE, OAHU.					
		DESIGN			55		
		CONSTRUCTION			710		
		EQUIPMENT			10		
		TOTAL FUNDING	JUD		775C		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			38		34
		CONSTRUCTION			150		135

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2001-02	M O F	FISCAL YEAR 2002-03	M O F
		EQUIPMENT			47		43
		TOTAL FUNDING	JUD		236C		213C]
[7.		REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE					
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.					
		PLANS			5		5
		DESIGN			70		70
		CONSTRUCTION			415		415
		EQUIPMENT			10		10
		TOTAL FUNDING	JUD		500C		500C]
[8.		KAAHUMANU HALE AIR CONDITIONING CHILLER PLANT REPLACEMENT, OAHU					
		DESIGN AND CONSTRUCTION FOR REPLACEMENT OF AIR CONDITIONING CHILLER PLANT AT KAAHUMANU HALE, OAHU.					
		DESIGN			150		
		CONSTRUCTION			1,400		
		TOTAL FUNDING	JUD		1,550C		C]
[9.		KAUKEAOULI HALE AIR CONDITIONING CHILLER PLANT REPLACEMENT, OAHU					
		DESIGN AND CONSTRUCTION FOR REPLACEMENT OF AIR CONDITIONING CHILLER PLANT AT KAUKEAOULI HALE, OAHU.					
		DESIGN			115		
		CONSTRUCTION			1,120		
		TOTAL FUNDING	JUD		1,235C		C]
[10.		ALIOLANI HALE AIR CONDITIONING EQUIPMENT REPLACEMENT, OAHU					
		DESIGN AND CONSTRUCTION FOR REPLACEMENT OF CHILLER PLANT AND AIR CONDITIONING EQUIPMENT AT ALIOLANI HALE, OAHU.					
		DESIGN			48		
		CONSTRUCTION			320		
		TOTAL FUNDING	JUD		368C		C]
[11.		JUVENILE DETENTION HOME FACILITY IMPROVEMENTS, OAHU					
		DESIGN AND CONSTRUCTION FOR ROOF AND OTHER IMPROVEMENTS AT THE EXISTING JUVENILE DETENTION HOME, HALE HOOMALU, OAHU.					
		DESIGN			30		
		CONSTRUCTION			245		
		TOTAL FUNDING	JUD		275C		C]

JUD601 - ADMINISTRATION

11A. KAUAI JUDICIARY COMPLEX, KAUAI

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2001-02	M O F	FISCAL YEAR 2002-03	M O F
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE KAUAI JUDICIARY COMPLEX IN LIHUE, KAUAI.</u>					
		DESIGN		400			
		CONSTRUCTION				6,900	
		EQUIPMENT				4,000	
		TOTAL FUNDING	JUD	400C		10,900C	
11B.		<u>HILO JUDICIARY COMPLEX, HAWAII</u>					
		<u>PLANS, LAND ACQUISITION, DESIGN AND CONSTRUCTION FOR THE HILO JUDICIARY COMPLEX, HAWAII.</u>					
		PLANS		25			
		LAND		3,500			
		DESIGN		3,500		1,500	
		CONSTRUCTION				28,500	
		TOTAL FUNDING	JUD	7,025C		30,000C	
11C.		<u>KOOLAUPOKO DISTRICT COURT, OAHU</u>					
		<u>CONSTRUCTION AND EQUIPMENT FOR THE KOOLAUPOKO DISTRICT COURT IN KANEOHE, OAHU.</u>					
		CONSTRUCTION		500			
		EQUIPMENT		775		20	
		TOTAL FUNDING	JUD	1,275C		20C	
11D.		<u>KAPUAIWA BUILDING INTERIOR ALTERATIONS AND IMPROVEMENTS, OAHU</u>					
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR AND OTHER IMPROVEMENTS AT THE KAPUAIWA BUILDING, OAHU.</u>					
		DESIGN		20			
		CONSTRUCTION		645			
		EQUIPMENT		10			
		TOTAL FUNDING	JUD	675C			C
11E.		<u>ALIOLANI HALE INTERIOR ALTERATIONS AND IMPROVEMENTS, OAHU</u>					
		<u>DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR ALTERATIONS AND IMPROVEMENTS AT ALIOLANI HALE, OAHU.</u>					
		DESIGN		55			
		CONSTRUCTION		710			
		EQUIPMENT		10			
		TOTAL FUNDING	JUD	775C			C
11F.		<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		38			34
		CONSTRUCTION		150			135

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2001-02	M O F	FISCAL YEAR 2002-03	M O F
		<u>EQUIPMENT</u>			47		43
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>236C</u>		<u>213C</u>
11G.		<u>REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE</u>					
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.</u>					
		<u>PLANS</u>			5		5
		<u>DESIGN</u>			70		70
		<u>CONSTRUCTION</u>			415		415
		<u>EQUIPMENT</u>			10		10
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>500C</u>		<u>500C</u>
11H.		<u>KAAHUMANU HALE AIR CONDITIONING CHILLER PLANT REPLACEMENT, OAHU</u>					
		<u>DESIGN AND CONSTRUCTION FOR REPLACEMENT OF AIR CONDITIONING CHILLER PLANT AT KAAHUMANU HALE, OAHU.</u>					
		<u>DESIGN</u>			150		
		<u>CONSTRUCTION</u>			1,400		
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>1,550C</u>		<u>C</u>
11I.		<u>KAUIKEAOULI HALE AIR CONDITIONING REPLACEMENT, OAHU</u>					
		<u>DESIGN AND CONSTRUCTION FOR REPLACEMENT OF AIR CONDITIONING CHILLER PLANT AT KAUIKEAOULI HALE, OAHU.</u>					
		<u>DESIGN</u>			115		
		<u>CONSTRUCTION</u>			1,120		
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>1,235C</u>		<u>C</u>
11J.		<u>ALIOLANI HALE AIR CONDITIONING EQUIPMENT REPLACEMENT, OAHU</u>					
		<u>DESIGN AND CONSTRUCTION FOR REPLACEMENT OF CHILLER PLANT AND AIR CONDITIONING EQUIPMENT AT ALIOLANI HALE, OAHU.</u>					
		<u>DESIGN</u>			48		
		<u>CONSTRUCTION</u>			320		
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>368C</u>		<u>C</u>
11K.		<u>JUVENILE DETENTION HOME FACILITY IMPROVEMENTS, OAHU</u>					
		<u>DESIGN AND CONSTRUCTION FOR ROOF AND OTHER IMPROVEMENTS AT THE EXISTING JUVENILE DETENTION HOME, HALE HOOMALU, OAHU.</u>					
		<u>DESIGN</u>			30		
		<u>CONSTRUCTION</u>			245		
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>275C</u>		<u>C</u>
11L.		<u>KAAHUMANU HALE ROOF AND SKYLIGHT AREA IMPROVEMENTS, OAHU</u>					
		<u>DESIGN AND CONSTRUCTION FOR UPGRADE OF ROOF, SKYLIGHT, AND RELATED IMPROVEMENTS AT KAAHUMANU HALE, OAHU.</u>					

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL NO.	PROJECT TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2001-02	M O F	FISCAL YEAR 2002-03	M O F
		DESIGN CONSTRUCTION					1
		<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		<u>1,099</u> <u>1,100C</u>

SECTION 5.¹ Part V, Act 1, Special Session Laws of Hawaii 2001, is amended by amending Part V to read as follows:

“PART V. ISSUANCE OF BONDS

SECTION 15. 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 [\$23,027,000] \$57,047,000.”

SECTION 6.¹ Act 1, Special Session Laws of Hawaii 2001, is amended by adding a new section to read as follows:

“SECTION 15.1. Any law to the contrary notwithstanding the appropriation under Act 299, Session Laws of Hawaii 1991, section 13, as amended and re-numbered in Act 301, Session Laws of Hawaii 1992, section 5, in the amount indicated or balance thereof, allotted, encumbered, and unrequired, is hereby lapsed:

<u>Item No.</u>	<u>Amount</u>	<u>(MOF)</u>
<u>JUD 201-5</u>	<u>\$ 325,000</u>	<u>C</u> ”

SECTION 7.¹ 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 8.¹ 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 9.¹ Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 10.¹ This Act shall take effect upon approval.

(Approved May 31, 2002.)

Note

1. Section number redesignated.