

ACT 38

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 2004.

ACT 38

SECTION 2. Act 120, Session Laws of Hawaii 2003, 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, 2003, and ending June 30, 2005. 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 2003-04	M O F	FISCAL YEAR 2004-05	M O F
The Judicial System							
1.	JUD101	- COURTS OF APPEAL					
	OPERATING		JUD	76.00*		76.00*	
			JUD	5,874,885A		5,816,875A	
				243,261W		243,261W	
2.	JUD310	- FIRST JUDICIAL CIRCUIT					
	OPERATING		JUD	990.50*		[—990.50*]	
			JUD	56,413,035A		991.50*	
						[56,402,835A]	
						57,086,369A	
			JUD	35.00*		35.00*	
			JUD	3,112,683B		[—3,112,683B]	
						3,336,418B	
3.	JUD320	- SECOND JUDICIAL CIRCUIT					
	OPERATING		JUD	194.00*		194.00*	
			JUD	11,428,602A		[11,428,602A]	
						11,455,871A	
4.	JUD330	- THIRD JUDICIAL CIRCUIT					
	OPERATING		JUD	198.00*		198.00*	
			JUD	13,730,441A		13,730,441A	
5.	JUD350	- FIFTH JUDICIAL CIRCUIT					
	OPERATING		JUD	81.00*		[—90.00*]	
			JUD	4,794,217A		92.00*	
						[—5,138,583A]	
						5,342,235A	
6.	JUD601	- ADMINISTRATION					
	OPERATING		JUD	260.00*		[—260.00*]	
			JUD	18,681,566A		263.00*	
						[18,693,058A]	
						19,271,747A	
	INVESTMENT CAPITAL		JUD	1.00*		1.00*	
			JUD	3,430,261B		3,430,261B	
			JUD	2,710,000C		[—445,000C]	
						42,395,000C”	

SECTION 3. Act 120, Session Laws of Hawaii 2003, is amended by amending part IV to read as follows:

“PART IV. CAPITAL IMPROVEMENT PROJECTS

SECTION 11. The sum of [~~\$3,155,000~~] \$45,105,000 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 is¹ in thousands of dollars.)²

JUDICIAL SYSTEM

JUD601 - ADMINISTRATION

1. KAPUAIWA BUILDING RENOVATION, OAHU

DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INTERIOR ALTERATIONS AND OTHER IMPROVEMENTS AT THE KAPUAIWA BUILDING, OAHU.

DESIGN		30	
CONSTRUCTION		600	
EQUIPMENT		20	
TOTAL FUNDING	JUD	650C	C

2. KAUIKEAOULI HALE ROOF, PARAPET, AND FIRE ALARM SYSTEM IMPROVEMENTS, OAHU

PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR ROOF, PARAPET, AND FIRE ALARM SYSTEM IMPROVEMENTS AT KAUIKEAOULI HALE, OAHU.

PLANS		1	1
DESIGN		133	30
CONSTRUCTION		800	413
EQUIPMENT		1	1
TOTAL FUNDING	JUD	935C	445C

3. KEAKEALANI BUILDING COURT FACILITIES IMPROVEMENTS, HAWAII

PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR GENERAL IMPROVEMENTS TO JUDICIARY FACILITIES AT THE KEAKEALANI BUILDING IN KEALAKEKUA, HAWAII.

PLANS		5	
DESIGN		20	
CONSTRUCTION		100	
EQUIPMENT		25	
TOTAL FUNDING	JUD	150C	C

4. REMODELING AND UPGRADING OF JUDICIARY FACILITIES, STATEWIDE

PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REMODELING AND UPGRADING JUDICIARY BUILDINGS, STATEWIDE.

PLANS		5	
DESIGN		70	

ACT 38

	CONSTRUCTION		415	
	EQUIPMENT		10	
	TOTAL FUNDING	JUD	500C	C
5.	ARCHITECTURAL BARRIER REMOVAL FOR JUDICIARY BUILDINGS, STATEWIDE			
	PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE REMOVAL OF ARCHITECTURAL BARRIERS IN JUDICIARY BUILDINGS, STATEWIDE.			
	PLANS		1	
	DESIGN		34	
	CONSTRUCTION		150	
	EQUIPMENT		40	
	TOTAL FUNDING	JUD	225C	C
6.	WAHIAWA COURT FACILITY, OAHU			
	PLANS FOR A NEW PERMANENT COURT FACILITY FOR WAHIAWA, OAHU.			
	PLANS		100	
	TOTAL FUNDING	JUD	100C	C
7.	LEGAL AID SOCIETY OF HAWAII, OAHU			
	DESIGN AND CONSTRUCTION FOR THE RENOVATION OF THE LEGAL AID SOCIETY OF HAWAII'S BETHEL STREET OFFICE. THIS PROJECT QUALIFIES AS A GRANT, PURSUANT TO CHAPTER 42F, HRS.			
	DESIGN		1	
	CONSTRUCTION		149	
	TOTAL FUNDING	JUD	150C	C
7.01.	<u>HILO JUDICIARY COMPLEX, HAWAII</u>			
	<u>CONSTRUCTION AND EQUIPMENT FOR THE HILO JUDICIARY COMPLEX, HAWAII.</u>			
	CONSTRUCTION			34,000
	EQUIPMENT			7,000
	TOTAL FUNDING	JUD	C	41,000C
7.02.	<u>JUVENILE DETENTION HOME EXISTING FACILITIES IMPROVEMENTS, OAHU</u>			
	<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR FACILITIES IMPROVEMENTS AT THE EXISTING JUVENILE DETENTION HOME (HALE HOOMALU), OAHU</u>			
	PLANS			75
	DESIGN			75
	CONSTRUCTION			250
	EQUIPMENT			50
	TOTAL FUNDING	JUD	C	450C
7.03.	<u>CHILDREN'S JUSTICE CENTER/CHILDREN'S RECEIVING HOME, NEW FACILITY, OAHU</u>			
	<u>PLANS, LAND ACQUISITION, AND DESIGN FOR THE DEVELOPMENT OF A NEW FACILITY TO HOUSE THE CHILDREN'S JUSTICE CENTER AND A CHILDREN'S RECEIVING HOME FOR ABUSED OR NEGLECTED CHILDREN.</u>			

<u>PLANS</u>					
<u>LAND</u>					$\frac{1}{1}$
<u>DESIGN</u>					$\frac{498}{500C}$
<u>TOTAL FUNDING</u>	<u>JUD</u>		<u>C</u>		

SECTION 4. Act 120, Session Laws of Hawaii 2003, is amended by amending part V to read as follows:

“PART V. ISSUANCE OF BONDS

SECTION 12. 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 [~~\$3,155,000.~~] \$45,105,000.”

SECTION 5. Act 120 Session Laws of Hawaii 2003, is amended by adding a new section to read as follows:

“SECTION 12.1. Provided that of the general obligation bond fund appropriation for administration (JUD 601), the sum of \$500,000 for fiscal year 2005 shall be used for the development of the new Children’s Justice Center/Children’s Receiving Home facility; and provided further that no funds shall be expended for the children’s receiving home component of the facility unless matched on a 1:1 basis with funds from private contributions.”

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, 2004.

(Approved April 29, 2004.)

Notes

1. Prior to amendment “are” appeared here.
2. Header missing.