
A BILL FOR AN ACT

RELATING TO GOVERNMENT OPERATIONS.

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

1 SECTION 1. Section 353-61, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§353-61 Hawaii paroling authority; appointment; tenure;**
4 **qualifications.** Members of the paroling authority shall be
5 nominated by a panel composed of the chief justice of the Hawaii
6 supreme court, the director, the president of the Hawaii
7 Criminal Justice Association, the president of the bar
8 association of Hawaii, a representative designated by the head
9 of the Interfaith Alliance Hawaii, a member from the general
10 public to be appointed by the governor, and the president of the
11 Hawaii chapter of the National Association of Social Workers.
12 The panel shall submit to the governor the names of not less
13 than three persons, designated as the nominees, for chairperson
14 or as a member, for each vacancy. The requirement for
15 nomination by the panel established under this section shall
16 only apply to a nominee's nomination by the governor to an
17 initial term on the paroling authority and not to any subsequent



1 consecutive term of a sitting paroling authority member or
2 chairperson whose initial appointment to office was made
3 pursuant to a nomination by the panel. The governor shall
4 appoint, in the manner prescribed by section 26-34, a paroling
5 authority to be known as the Hawaii paroling authority, to
6 consist of three members one of whom shall be designated
7 chairperson. Appointments shall be made for terms of four
8 years, commencing from the date of expiration of the last
9 preceding term. Any vacancy in an unexpired term shall be
10 filled by appointment for the remainder of the unexpired term.
11 Nominees to the authority shall be selected on the basis of
12 their qualifications to make decisions that will be compatible
13 with the welfare of the community and of individual offenders,
14 including their background and ability for appraisal of
15 offenders and the circumstances under which offenses were
16 committed."

17 SECTION 2. Any person that:

- 18 (1) Is currently serving as a member or chairperson of the
19 Hawaii paroling authority; and
20 (2) Has previously been nominated for service on the
21 Hawaii paroling authority pursuant to nomination by a



1 panel established under section 353-61, Hawaii Revised
2 Statutes,
3 is deemed qualified to be nominated to serve for a subsequent
4 term of office on the Hawaii paroling authority and shall not be
5 subject to any re-nomination by a panel pursuant to section
6 353-61, Hawaii Revised Statutes; provided that this Act shall
7 not be construed to affect the application of term limits
8 established under section 26-34, Hawaii Revised Statutes.

9 SECTION 3. Any person that:

- 10 (1) Is currently serving as a member or chairperson of the
11 Hawaii paroling authority;
- 12 (2) Has previously been nominated for service on the
13 Hawaii paroling authority pursuant to a nomination by
14 a panel established under section 353-61, Hawaii
15 Revised Statutes; and
- 16 (3) Has been confirmed by the senate to serve on the
17 Hawaii paroling authority after June 30, 2005, and
18 prior to the effective date of this Act,
- 19 is deemed confirmed and duly authorized to serve on the Hawaii
20 paroling authority for the position and term to which appointed.

21 SECTION 4. New statutory material is underscored.

22 SECTION 5. This Act shall take effect on April 30, 2008.



Report Title:

Government Operations; Paroling Authority

Description:

Clarifies that, for the nomination of paroling authority members, only a nominee's initial appointment is subject to a recommendation by a nomination panel. (SD1)

