

JAN 20 2012

**S.B. NO. 2396**

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# A BILL FOR AN ACT

RELATING TO THE HAWAII PAROLING AUTHORITY.

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

1       SECTION 1. The legislature finds that the Hawaii paroling  
2 authority plays a vital role in the State's criminal justice  
3 system. It determines minimum terms of incarceration for almost  
4 all inmates sentenced to prison; grants parole when it  
5 determines that an inmate is ready for release into the  
6 community; establishes terms and conditions of parole for each  
7 offender granted parole; oversees parole officers who monitor  
8 and supervise parolees; grants discharges from parole; and makes  
9 recommendations for pardons and commutations of sentences.

10       The authority was created in 1976 with one full-time member  
11 and two part-time members. In the past thirty-six years, its  
12 workload has increased eight-fold due to the rise in  
13 incarceration rates. However, the authority continues to be  
14 composed of one full-time and two part-time members. Because it  
15 is essentially a part-time body, the authority finds proper  
16 deliberation very difficult when reviewing cases and making  
17 decisions that are vital to public safety. Further, the  
18 authority is experiencing severe difficulties in carrying out



1 its responsibility in assuring that the terms and conditions of  
2 parole are properly enforced with a less than full-time  
3 authority.

4 The purpose of this Act is to change the two part-time  
5 members of the Hawaii paroling authority to full-time members  
6 and to require the governor to establish the salary for each of  
7 the new members.

8 SECTION 2. Section 353-63, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 **"§353-63 Service of Hawaii paroling authority members;**  
11 **compensation; expenses.** The chairperson and the other two  
12 members of the Hawaii paroling authority shall serve on a full-  
13 time basis. ~~[The other two members shall serve on a part-time~~  
14 ~~basis.]~~ Effective July 1, ~~[2005-]~~ 2012, the chairperson of the  
15 Hawaii paroling authority shall be paid a salary ~~[set at eighty-~~  
16 ~~seven per cent of the salary of the director of public safety.~~  
17 ~~The compensation of each of the part-time members shall be~~  
18 ~~eighty per cent of the hourly wage paid the chairperson. For~~  
19 ~~each hour engaged in the official duties of the authority, each~~  
20 ~~part-time member of the authority shall be paid an hourly wage~~  
21 ~~at the percentage rate specified in this section based on the~~  
22 ~~hourly wage paid the chairperson; provided that compensation~~



~~shall not exceed eighty per cent of the total regular working hours in a month; provided further that part time members shall not be entitled to any vacation, sick leave, or other benefits except as provided in this section. All paroling authority members shall receive their necessary expenses for travel and incidentals which shall be paid from appropriations provided the authority for such purposes, on vouchers approved by the director of public safety.]~~ that is established by the governor.  
Effective July 1, 2012, the salary for every other member shall be established by the governor at a minimum of eighty per cent but no more than ninety per cent of the salary of the chairperson."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$                      or so much thereof as may be necessary for fiscal year 2012-2013 to carry out the purposes of this Act, including the purchase of office equipment and other expenses related to the new full-time paroling authority members.

The sum appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 4. Any persons who were appointed as part-time members of the Hawaii paroling authority by the governor in



1 accordance with sections 26-34 and 353-61, Hawaii Revised  
2 Statutes, and who serve as part-time members on the day  
3 immediately preceding the effective date of this Act shall  
4 become full-time members of the Hawaii paroling authority on the  
5 effective date of this Act and continue serving their current  
6 terms of appointment.

7 SECTION 5. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2012.

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INTRODUCED BY:

*Will Eyo*  
*James L. Lee*  
*Muhelle Kidani*



**Report Title:**

Hawaii Paroling Authority; Appropriation

**Description:**

Changes the two part-time members of the Hawaii paroling authority to full-time members. Requires the governor to establish the salaries of the Hawaii paroling authority. Repeals authorization of paroling authority members to receive appropriations by the authority for travel expenses and incidentals. Appropriates funds for the increase in salary and additional equipment needs.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

