STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 0 6 2013

RE: S.B. No. 77 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and Military Affairs, to which was referred S.B. No. 77 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PAROLING AUTHORITY,"

begs leave to report as follows:

The purpose and intent of this measure is to specify the number of members of the Hawaii Paroling Authority that are required to establish a quorum to allow the Authority to take official action on its matters.

Your Committee received testimony in support of this measure from the Department of Public Safety and Community Alliance on Prisons. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Act 139, Session Laws of Hawaii 2012, increased the members of the Hawaii Paroling Authority from a chairperson and two part-time members to a chairperson and four part-time members. This section was intended to allow part-time board members to rotate duties, but it does not clearly establish a quorum to effectuate board actions.

Your Committee has amended this measure by deleting the amendments made to section 353-61(b), Hawaii Revised Statutes, and inserting language from S.B. No. 1178 (2013), section 1, which requires the Hawaii Paroling Authority to entitle a prisoner to a hearing before a panel of three of its members, which shall act by





a majority, unless a sitting member of that panel must be recused due to a conflict of interest, in which case the panel may proceed with two members.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 77, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 77, S.D. 1, and be referred to the Committee on Judiciary and Labor.

> Respectfully submitted on behalf of the members of the Committee on Public Safety, Intergovernmental and Military Affairs,

WILL ESPERO, Chair



The Senate Twenty-Seventh Legislature State of Hawai'i

Record of Votes Committee on Public Safety, Intergovernmental and Military Affairs PSM

Bill / Resolution No.:*	Committee Referral:			Date:	
8B 11	PSM, JDL			1-29-2013	
The committee is reconsidering its previous decision on this measure.					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)		~			
BAKER, Rosalyn H. (VC)					
GALUTERIA, Brickwood		-			
GREEN, Josh					
SLOM, Sam					~
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TOTAL		4			
Recommendation:					
Chair's or Designee's Signature: Change & Bab					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes