

JAN 23 2009

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1 SECTION 1. Section 353B-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§353B-3 State council for interstate adult offender
4 supervision[-]; coordinator for supervision of adult offenders.

5 (a) There is established the state council for interstate adult
6 offender supervision, which shall be placed administratively in
7 the judiciary. The council shall be composed of nine members to
8 be appointed as follows:

- 9 (1) One member of the house of representatives appointed
10 by the speaker of the house of representatives;
- 11 (2) One member of the senate appointed by the senate
12 president;
- 13 (3) One member of the judiciary appointed by the chief
14 justice of the supreme court;
- 15 (4) The director of public safety, or the director's
16 designee;



- 1 (5) One member from the general public representing
- 2 victims groups appointed by the governor;
- 3 (6) The prosecuting attorney of the city and county of
- 4 Honolulu, or the prosecuting attorney's designee;
- 5 (7) The attorney general, or the attorney general's
- 6 designee;
- 7 (8) The state public defender, or the state public
- 8 defender's designee; and
- 9 (9) The compact administrator, appointed by the governor,
- 10 with the advice and consent of the senate and the
- 11 chief justice.

12 With the exception of the director of public safety or the
13 director's designee, and the compact administrator, the terms of
14 all members shall be for four years; provided that the victims
15 group representative and the compact administrator shall be
16 subject to confirmation proceedings under section 26-34. No
17 person, except the compact administrator, shall be appointed
18 consecutively to more than two terms.

19 (b) There shall be one full-time coordinator position for
20 the supervision of adult offenders. The coordinator shall be
21 appointed by the judiciary[-] and funded from the probation
22 services special fund.



1 ~~[(b)]~~ (c) The council shall exercise oversight and
2 advocacy concerning its participation in commission activities
3 and other duties as may be determined by the council, including
4 development of policy concerning operations and procedures of
5 the compact within the State. The council shall also have the
6 authority to appoint a deputy compact administrator for parole
7 from the Hawaii paroling authority, a deputy compact
8 administrator for probation from the judiciary, and a member
9 other than the compact administrator to cast a vote on behalf of
10 the State at meetings of the interstate commission in which the
11 compact administrator is absent."

12 SECTION 2. Section 353B-6, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "~~[+]~~§353B-6~~[+]~~ **Interstate transfer fee.** The judiciary may
15 assess a fee not to exceed \$200 for each application made by a
16 parolee or probationer for a transfer out of the State; provided
17 that the fees collected shall be deposited into the ~~[State's~~
18 ~~general fund.]~~ probation services special fund."

19 SECTION 3. Section 706-649, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§706-649 Probation services special fund.** (1) There is
22 established in the state treasury a special fund to be known as



1 the probation services special fund. All probation services
2 fees collected under section 706-648 shall be deposited into
3 this fund.

4 (2) Moneys in the probation services special fund shall be
5 used by the judiciary to monitor, enforce, and collect fees,
6 fines, restitution, other monetary obligations owed by
7 defendants, and other terms and conditions of probation[-] and
8 also to provide funding for the full-time coordinator position
9 for supervision of adult offenders.

10 (3) The judiciary shall not expend more than \$400,000 in
11 any fiscal year from the fund."

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on July 1, 2009.

15

INTRODUCED BY:

Will Lyne
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or
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Report Title:

Adult Offenders; Transfer Fees; Probation Services Special Fund

Description:

Authorizes judiciary fees on parolee and probationer's prison transfer applications to be deposited into the probation services special fund. Authorizes full-time coordinator position for the state council for interstate adult offender supervision to be paid from the probation services special fund. Limits expenditure from the probation services special fund to \$400,000 every fiscal year.

