

Honolulu, Hawaii

FEB 17 2012

RE: H.B. No. 302
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 302, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PROBATION SERVICES SPECIAL
FUND,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require that the interstate transfer application fees collected from offenders who transfer their probation or parole supervision to the mainland be deposited into the probation services special fund rather than the general fund; and
- (2) Allow the monies in the probation services special fund to be used to monitor and enforce compliance with terms of probation and other supervision and to support other duties and activities related to the supervision of defendants.

Your Committee received testimony in support of this measure from the Judiciary.

Your Committee finds that in 2008, the Legislature authorized the Judiciary and the Hawaii Paroling Authority to assess a fee for each application made by a parolee or probationer for a transfer out of the State to the mainland, and required that the fees



collected be deposited into the general fund. During that same year, the Legislature established a full-time position for an interstate coordinator to manage these transfer activities, but did not fund this position. Although the interstate coordinator position was eventually funded and filled through monies from the probation services special fund, additional revenue is needed to support the cost of an interstate coordinator. The interstate coordinator is an important position within the State's Interstate Compact Office because the coordinator oversees all interstate matters and serves as the primary contact for Hawaii probation and parole staff and mainland staff to ensure the accurate screening and timely processing of all transfer requests. This measure allows interstate transfer fees to be deposited into the probation services special fund to help defray the costs of an interstate coordinator and other related expenses.

Your Committee has amended this measure by changing the effective date from July 1, 2030, to upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 302, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 302, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,




CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB302, HD1	JDL, WAM	2/10/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam				✓
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes