

STAND. COM. REP. NO.

87

Honolulu, Hawaii

FEB 06 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



