

ACT 16

H.B. NO. 1087

A Bill for an Act Relating to Public Safety.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the composition of a panel that nominates the members of the paroling authority should be updated. One of the panel delegates, Hawaii Criminal Justice Association, is no longer in existence.

The purpose of this Act is to update the composition of the panel that nominates the members of the paroling authority.

SECTION 2. Section 353-61, Hawaii Revised Statutes, is amended to read as follows:

“§353-61 Hawaii paroling authority; appointment; tenure; qualifications. Members of the paroling authority shall be nominated by a panel composed of the chief justice of the Hawaii supreme court, the director, ~~[the president of the Hawaii Criminal Justice Association,]~~ the president of the bar association of Hawaii, a representative designated by the head of the Interfaith Alliance Hawaii, a member from the general public to be appointed by the governor, and the president of the Hawaii chapter of the National Association of Social Workers. The panel shall submit to the governor the names of not less than three persons, designated as the nominees, for chairperson or as a member, for each vacancy. The requirement for nomination by the panel established under this section shall only apply to a nominee’s nomination by the governor to an initial term on the paroling authority and not to any subsequent consecutive term of a sitting paroling authority member or chairperson whose initial appointment to office was made pursuant to a nomination by the panel. The governor shall appoint, in¹ manner prescribed by section 26-34, a paroling authority to be known as the Hawaii paroling authority, to consist of three members one of whom shall be designated chairperson. Appointments shall be made for terms of four years, commencing from the date of expiration of the last preceding term. Any vacancy in an unexpired term shall be filled by appointment for the remainder² of the unexpired term. Nominees to the authority shall be selected on the basis of their qualifications to make decisions that will be compatible with the welfare of the community and of individual offenders, including their background and ability for appraisal of offenders and the circumstances under which offenses were committed.”

SECTION 3. The department of public safety shall not receive any additional funding in the department’s operating budget to carry out the purpose of this Act.

SECTION 4. Statutory material to be repealed is bracketed and stricken.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 25, 2011.)

Notes

1. Prior to amendment “the” appeared here.

2. Prior to amendment “remainder” appeared here.